

Sexual Harassment in the Workplace, 2d ed., by Arjun P. AGGARWAL, Toronto, Butterworths, 1992, 385 p., ISBN 0-409-90670-0

Since the first edition of Aggarwal's *Sexual Harassment in the Workplace* came out in 1987, several major developments in this area have occurred. These include two Supreme Court decisions on the subject, remedies for the victims of sexual harassment under the Worker's Compensation Act, entitlement to unemployment insurance benefits on being fired or leaving a job due to sexual harassment, obligations of the employer to the alleged harasser and the extent of a union's liability for sexual harassment of employers. We are glad to have the second edition of this book which includes discussions on these new developments and other matters which are relevant to the understanding of the topical issues of the 90's. As expected, the second edition of this book is thicker in size and more comprehensive in content.

The first chapter is devoted to a lengthy discussion of the concept of sexual harassment under the various human rights codes in Canada. The chapter also includes a narrative history of the development of sexual harassment law in the U.S. and in Canada. This is followed in the second chapter by a crisp explanation of the definitions of sexual harassment as espoused by the Canadian Supreme Court in *Janzen v. Platy Enterprises Ltd.* [1989]. An interesting addition to this chapter is the discussion of sex based harassment — sexual references or comments which do not amount to sexual advances or solicitations but nevertheless, causing harassment if they are pervasive. It is held that making fun of one's gender based characteristics or taunting or teasing or making demeaning comments based on one's gender interferes with the employee's right to work in an environment free of sexual harassment. In this context, it is relevant to keep in mind that men often have the collective ability to determine the environment in which women work and that this source of male power should be recognized.

Chapter three contains a lengthy discussion of the nature of proof required in sexual harassment cases which is of interest to practising lawyers. Chapter four, on the other hand, is of considerable importance for human resource managers and union officials since it contains a discussion of the employer's liability for the discriminating conduct of supervisory employees, co-workers and non-employees. Aggarwal extended his investigation and discussion in chapter 5 to include workers' compensations benefits and unemployment insurance benefits. Only recently did the legislatures and courts realize the need to recognize that sexual harassment may cause psychiatric disorder making the employee unable to perform her/his job functions or that employees who lose or quit these jobs because of sexual harassment are entitled to unemployment benefits.

The use of grievance arbitration to provide remedies for sexual harassment is an important aspect which need a lengthy discussion. Recognizing this, Aggarwal has added a new chapter devoted exclusively to the arbitral review of sexual harassment cases. The author's analysis of the arbitrations decisions is exemplary and is useful for both the unions and management.

The last two chapters of the book are devoted to discussions on the prevention of sexual harassment and union's role in it. The author emphasizes that prevention of sexual harassment does not lie in lip service but in establishing and implementing policies and procedures with everyone in the organization committed to its success.