

**Transcript of the Conversation Between Dianna Janzen and Stephen Hammond**  
**Tuesday, April 26, 2011**

**Stephen Hammond:** I am thrilled to be talking to Dianna Janzen, one of two women who stood up to sexual harassment almost thirty years ago. Dianna's long legal process ended at the Supreme Court of Canada on May 4, 1989 with a victory not just for her and the other woman, Tracy Govereau, but for all women who face sexual harassment in Canadian workplaces, and I guess men who are sexually harassed owe you a thanks too. Dianna welcome.

**Dianna:** Thanks Stephen for letting me have the opportunity to contribute to educating Canadians on sexual harassment which still goes on.

**Stephen:** Well just set the stage on how we met on the twentieth anniversary of the Supreme Court's decision in 2009 I interviewed the Manitoba Human Rights adjudicator Mr. Yude Henteleff, the fellow who first ruled in your favour. At the end of the article, I said if anyone knows the whereabouts of you or Ms. Govereau, please let me know. And then more than a year went by and I get this email from a Dianna saying thanks and your phone number was on your signature line so I called right away and said why would a woman be saying thanks to me? When you said you were Dianna Janzen I yelled I thought so. I was very excited to talk to you. I was very excited. Although this brings up horrific memories for you, you graciously agreed to do this interview so that others get the benefit of hearing about your story. And I want to be very clear if at any time, if you don't want to answer any of the questions, just say so and we'll move on. So let's begin. Can you take us back to the waitressing job you started in Winnipeg at Pharos restaurant on August 21, 1982?

**Dianna:** Ah, that was a long time ago. I was young and hopeful for the future and had secured a job at a location that I thought was ideal for going back and forth from my new apartment to the university while I was working on my degree. And I secured the job through an introduction by a friend to the owner. And was very thankful at the start to be able to be working at Pharos restaurant.

**Stephen:** And you were going to school full time is that it and then this job was part time or what was it?

**Dianna:** Well, the original plan was to work full time and go to school full time. I had a lot of energy. But as time went on realistically, that wasn't doable and I did actually drop a class but continued to work hopefully full time hours because I did have expenses at the time and was relying on that income.

**Stephen:** Right. So you start the job. You are hopeful to be doing a good job. You had, to say at the very least, run-ins with the cook Tommy Grammas. Can you tell us a little bit about what actually happened that led to the problems?

**Dianna:** Well I think that's detailed well enough in the court documents so I prefer not to detail that right now.

**Stephen:** sure

**Dianna:** I think it's documented well enough, but the outcome was that it affected my performance on the floor, interactions with customers as well as other parts of my life. Part of working under those circumstances is that you can't perform to the level that you want to perform and certainly the customers that I served were not always getting the best possible service to what was going on behind the scenes. Having said that, I am amazed that the public can be so incredibly abusive to waitresses. In fact, in the years since that time I'm amazed at the pressure that the public will put on people in the service industry. I don't know if that's appropriate to say that or not Stephen, going back to that time the reactions of the customers certainly reinforced what I felt about myself at that time.

**Stephen:** Yeah, and just because a lot of people wouldn't know actually what was in the Supreme Court decision or all of the decisions that went along because this was appealed so much. Tommy was actually making derogatory comments toward you, he was making sexually suggestive comments. He was also touching you in inappropriate ways and the Adjudicator even said that he often did it at a time when you were doing your waitressing, your waitering, duties so you couldn't actually defend yourself. The way that it was described in the decision was that it was pretty horrendous the kinds of physical and verbal abuses you were putting up with is that correct?

**Dianna:** yes, I'd say that that's a pretty good summary.

**Stephen:** Also, you made it very clear to Tommy that you weren't the slightest bit interested in what he was doing. In other words you made it really clear that what he was doing was completely inappropriate. Is that correct?

**Dianna:** I did, um, actually in no uncertain terms.

**Stephen:** Did it take you a while to go to Mr. Anastasiadis?

**Dianna:** It was a little while. It was maybe a month. When I did talk to him. Certainly Pharos wouldn't be one of the top 50 employers given the response at the time to my complaint. I know that you will be able to censor this if necessary, but Phillips's immediate reaction to my complaint was: You need a fuck anyways. And my feeling at that point was oh my gosh, there really is something wrong with me that I was so bothered by what was happening. So I held my ground with the cook. I let him know that I wasn't interested. That I just wanted to do my work, but I felt that at every turn I was being sabotaged and not being able to perform my duties. Certainly going out to a table to serve people. I certainly wasn't a happy waitress making sure that they were feeling like they'd made the right choice in coming to that restaurant.

**Stephen:** Were you 21 years old at this time?

**Dianna:** Yes. And I thought I was very worldly and knew a lot.

**Stephen:** I was going to say that a lot of young people are often in very vulnerable positions. Twenty-one is an adult anywhere within Canada by all legal determinations but you are still relatively young and it's also at a time when you can be a bit vulnerable because I'm guessing that it was relatively important for you to hold onto this job?

**Dianna:** It was, I was in the process of living independently, proving that I was ready for the world. I was enjoying my freedom and independence. For the most part at first. It was so long ago and I ask myself why I would put up with it when I certainly wouldn't now, but I have the benefit of a lifetime since then so I wonder sometimes when I see young people who are so confident and sure of themselves and they have so much more knowledge and exposure to information but there is still a group of people in the world in Canada who are still vulnerable whether it's because of their age or their upbringing or socioeconomic conditions. You really need the job, you gotta hang onto it at all costs and you put up with a lot more than you would otherwise.

**Stephen:** So is that why you put up with it? You were there for a little over two months. Why didn't you quit?

**Dianna:** Well, I did.

**Stephen:** Well sure. Why didn't you quit sooner than that?

**Dianna:** I needed to be right. I guess. I had some time to think about this interview, but honestly didn't go back to think about the types of questions that people are asking and how I would answer them. Why didn't I quit sooner? Because I was naive, because I was young, because I was stupid, because I was putting up with a lot of stuff because I didn't know my own rights. I did know that I had a right to my own body. I have a right to my own thoughts. I have a right to work without being harassed like that and I thought that if I could put a stop to it that I could still continue in this job that I thought was ideal for my situation at that time. Unfortunately, that didn't happen. And when it didn't and I thought I had given it enough opportunity to remedy itself, I quit. And I also hung onto it a bit longer because I did feel I was being stupid, and too sensitive and because a friend had secured me the introduction to Phillip in an industry where jobs were snapped up fairly quickly, you know I just really thought that I owed it to this friend as well to hang onto the job, to try a little harder and not make trouble.

**Stephen:** Yeah, and the interesting thing for you and for a lot of people is that when I ask that question, under no circumstances do I want you or anyone else to think that you were responsible and my goodness why didn't you do this sooner. There are so many variables that go on for people and one that I hadn't even thought about of course was that you felt this duty, this obligation to this other person. But there are

so many variables that people go through that it's so easy for those who are observing just to say, "Oh why didn't she quit or why didn't he quit. Almost like an abusive relationship. Why did someone actually stay there as long as they did? And the fact that you had a right to be there and a right to do a job that you weren't being sexually harassed is probably one of those things where you're thinking I shouldn't have to quit in order to assert my basic rights. The other thing that I was thinking is that you were saying that you didn't know your rights. And this is the difficulty that especially when people are young they don't know their rights and let's face it and in many cases if you assert them then where is that going to get you. In most circumstances it's going to get you a boss that's more abusive or if it's a bad employer to begin with then it's not going to get you a person that really cares about your rights and that's going to put you in the same position which is basically out of a job.

**Dianna:** That's true and just what you said about I don't really know my rights, I mean in the same breath I'm saying I knew my rights but I doubted myself. I thought I knew my rights and then I thought I must be wrong. I really did have a lot of self doubt.

**Stephen:** Yah. And I'm sure a lot of people go through that. Now, you weren't the only one who of course was involved with this. There was Tracy Govereau. The interesting thing is that you only overlapped as co-workers for about two weeks. How well did you know Tracy?

**Dianna:** I didn't know Tracy very well at all. We worked together for a very very short time and in that time I was pretty self-absorbed in terms of just getting through my shifts.

**Stephen:** And when did you last see her?

**Dianna:** You know after the case had been run through the courts and I actually ran into her on the street one day. It was just a chance meeting and we haven't met since.

**Stephen:** Isn't that interesting. It's such a significant case and both of you were willing to step up and actually do something about that and somehow it would seem as though, for me or other people, that you knew each other more. And one of the things of course is that she stayed on in the job and then she was fired. Now most people don't take on the arduous process that you actually began. And why did you make the complaint in the first place?

**Dianna:** You know that's a really good question. There were a lot of factors and I think one of the big ones was my employer subsequent to my employment at Pharos. I had actually been working at another hotel restaurant and I had left them on good terms to assume this other job. And I went back to them and told them what had happened and that I needed employment and they said we of course will hire you back. And when I told them the circumstances of my leaving the other business, they told me that Pharos was bad business and it was bad for their industry and they actually encouraged me to go to the human rights commission. Their exact words were, "go for the throat."

**Stephen:** Do you think that support helped you to actually want to go and do that?

**Dianna:** It really, really did. It validated that I was in the right and that employers can't treat people that way and here was an employer telling me exactly that. They didn't treat their employees that way and they didn't think it was right that anybody else should be doing that either. And investment in your employees is an important part of the service industry. You need to have happy, satisfied employees who can deliver the services that you want to deliver, so it made sense. I'm at a loss for words here. I'm not sure how to say this eloquently. It made sense for employers to want to have happy, satisfied employees and to do otherwise is detrimental to themselves never mind to their industry, never mind to the individual. It didn't make any sense. It defied logic on so many levels that Pharos would be operating that way and I guess that the biggest thing was that my employer believed in me and believed that it was the right thing to do and actually accommodated me on the days when there were court hearings and I appreciated that very much. I owe a huge thanks to Harvey and Teddy and Cathy and to all of the people that I worked with at that time.

**Stephen:** Oh wasn't that nice. So you won. You took your case. And what some people might not realize is that it wasn't a concerted effort. How did you find out, when you went to the Manitoba human rights commission, how did you find out what Tracy Govereau had done?

**Dianna:** Well, they told me there was another individual who had made a complaint against Pharos as well and that they would like to put the cases together to lend strength to each other because this is the type of thing where if a pattern is established it's one of those things that lends strength to the case and the fact that we didn't work together for very long and didn't really know each other would certainly mean that we hadn't colluded. It just made sense to do it at the same time.

**Stephen:** Right.

**Dianna:** So that's what I was told, it was that they would like to do that and I said that was just fine if it's going to strengthen the case.

**Stephen:** It's interesting when you say colluded, what's amazing is the amount of people who somehow assumed that there is something else going on, that it is someone trying to, let's say, just make some money off of an employee or something along those lines.

**Dianna:** Sorry, this was so not about the money.

**Stephen:** Okay. So you couldn't come to any resolution because I know that without knowing the details of what went on for yours I know that of course they tried to resolve this stuff because most of the things actually don't go to tribunal. So when they couldn't come to an agreement or couldn't come to a settlement of some kind, then you went to a tribunal which is a quasi-judicial thing but it's very judicial and they have to follow the law. What was that like to go through that process?

**Dianna:** I remember those days, those days. I felt like I was on trial, that I had to prove that this had happened and there was nothing that I had that could prove that it happened. In fact at one point I remember the lawyer for Pharos saying “I suggest that you’re making this up and I suggest that none of this ever happened” and I guess because I was young and maybe it just bothered me so much I suggested in return “I suggest that you’re unreasonable and out of line here” or words to that effect. I don’t know what happened after that. I just remembered I didn’t have to answer any more questions at that point.

**Stephen:** Lawyers probably aren’t used to getting those responses in return especially when it’s so preposterous the things that they were suggesting.

**Dianna:** Well, just after several sentences of the lawyer suggesting one thing and suggesting another, I suggested something else and maybe I wasn’t as dignified as I could have been but I was starting to get a little bothered because I realized that I had nothing to say that could prove that it happened. There is not like CSI shows nowadays where you have microscopic and DNA evidence and video cameras and the types of surveillance that they have these days – it was between me and the cook and the owner and that was it.

**Stephen:** Right. So basically what it came down to was your word.

**Dianna:** That’s right.

**Stephen:** So there was one person who actually came forward other than you and Tracy Govereau to support what went on. Were there others that came forward to give testimony?

**Dianna:** No others were willing to come forward. Sorry, this is really hard to talk about.

**Stephen:** It’s okay.

**Dianna:** There were a couple of people who could have been witnesses but who declined because they had a stake in wanting to stay at Pharos and make a living and they didn’t want to risk losing that so they weren’t willing to come forward.

**Stephen:** Now, not knowing what the answer to this is, were they having to deal with other issues I think from Tommy or others at the restaurant or was it just you and Tracy Govereau who were dealing with negative attention from others?

**Dianna:** My understanding from talking with these women was that the reason they couldn’t come forward was because they were dealing with not necessarily the exact same thing that I was going through but situation in their employment there that wasn’t ideal and they just didn’t want to come forward. Yes,

they didn't want to lose their jobs. They didn't want to risk their family relationships, and when you are trying to do the right thing it leaves you out there all alone.

**Stephen:** Yes, yes. Sometimes I think it's important for people to recognize that sometimes it's going to be awfully lonely when you're trying to do the right thing.

**Dianna:** Oh yeah.

**Stephen:** Alright. So you won the case, you and Ms. Govereau won the case. It was quite an extensive decision that Mr. Henteleff wrote, it was about a hundred and forty pages or thereabout, and in the end you ended up getting almost four thousand dollars for lost wages and then also for exemplary damages which at that time was considered actually quite a bit of money. How did you feel about that win?

**Dianna:** Well, a couple of points to make. One is that the win was the win and that's all that mattered. The dollars attached to it were irrelevant and in terms of what it represented it was curious to me that anybody would be successful in trying to put a dollar amount to it. The other point is that it was an award, it wasn't the reality. Certainly I've never seen a penny of that but it was to make a point; like you say, it wasn't to be punitive but to make a point. And I think at the time it did make a point.

**Stephen:** As a matter of fact, when I spoke to Yude Henteleff, he actually said that it was his desire to actually make a statement. Now he had to be within the law but to make a statement because he said at that time that was considered like a lot of money and for a lot of people in my line of work I hear them where they go "Gee, four thousand dollars or five thousand dollars or maybe even ten thousand dollars, who would go through that to do it?" and just as you're saying, it can't be the money that people are doing it for because it's very, very little.

**Dianna:** When time was running out, I was approached by I can't remember who called me, I don't know if it's the Human Rights Commission or the courts, I don't even remember. But they said that there was a time limit on things and did I want to pursue payments like the dollars that were attached to the case and I didn't. It wasn't important.

**Stephen:** Payment from the restaurant, for example?

**Dianna:** Yes.

**Stephen:** Okay, alright.

**Dianna:** I wish I could remember the facts surrounding that. It's one of those things where it was just so long ago and I don't care and I guess when you don't care to pursue something you're not going to commit of all the details to memory, I just remember the call and it was like "No, thanks. Thanks, but no thanks."

**Stephen:** But it was a long process, it was years before your process ended, and just so I don't have to remember going back to it to be very clear you just never got any of that money, did you?

**Dianna:** No.

**Stephen:** Yes, so you would have been eligible for that money and then interest on it as well. Well, actually at that time I think interest rates was like 18% or something. But regardless, a lot of people are under the mistaken impression that getting an award or getting a judgment is one thing and actually getting any money is a whole different thing, and I don't even mean whether you want it or not. It's just in our Canadian system it's not that easy to actually collect on the awards and a lot of people think somehow it's this great windfall and it's really important for them to know that it's a very difficult process.

**Dianna:** The windfall was the Supreme Court decision.

**Stephen:** Yes, alright, and let's lead up to that without taking too long. The restaurant appealed the decision so they agreed with the decision but they actually reduced the damages considerably. I'm just sort of wondering, how did you feel about that?

**Dianna:** At this point, I think enough time had gone by that I was feeling a little bit more confident and I thought for smart people they sure didn't make a good call. I thought they obviously don't know everything.

**Stephen:** Now, that was actually just one judge who demanded through Court of Queen's Bench, then it was appealed actually to the Manitoba Court of Appeal and they actually dismissed your case altogether and said that an employer is not responsible for the actions that you endured from Tommy, the cook, and I guessed if you had that feeling about the Manitoba Court of Queen's Bench you might have felt the same way about the Court of Appeal.

**Dianna:** Well, surprisingly not. I was really, really disappointed. It told me that it had all been for nothing and I was truly, truly disappointed and yet it didn't take long before I felt that it was a blessing in disguise because I don't know that there was any other way for it to go forward to the Supreme Court except through appealing the decision.

**Stephen:** Right. Just to be clear because again most people wouldn't know this, Justice Huband, he's retired, he was on the Court of Appeal, one of two judges, the third judge unfortunately had died before the decision was given, but he said was "amazed" that the employer would be responsible for the actions of their employees and was also "amazed" that sexual harassment could be considered harassment based on sex and then Justice Twaddle, Kerr Twaddle, he is also recently retired, and he was the other judge who came to more or less the same conclusion with slightly different reasons. One of the things that was interesting is that when it did get to the Supreme Court of Canada, they made it very clear that these two

judges were just completely out of the loop that all other courts including two other Courts of Appeals in other parts of Canada had all concluded that sexual harassment is a form of sex discrimination and they had concluded that, of course, the employer is responsible for what went on. So I mean with you, you're not a lawyer, you aren't a lawyer at that time but it must have felt as though, my goodness, with all this other stuff going on that it would have appeared to be in your favor yet these top judges in Manitoba decided against you, it must have been perplexing at the very least.

**Dianna:** Well, it was and it went from perplexing to extremely disappointing to what do they know anyways – just the whole gamut because, yes, I was waitress and, yes, it's considered a lower level job but I'm not stupid and I'm trying to interpret their judgment and to me it was ridiculous but at the same time I flip flopped. I mean I still have self-doubts about my choices at the time. I think one of the judges in his statement had actually compared what I had gone through to a boy pulling my pigtails in the classroom and I thought he just doesn't know and that kind of saddened me. But we do have processes in place for appeals and it went through that process.

**Stephen:** How much involvement did you have at the time that it went from the Court of Appeal to try to get to the Supreme Court because lots of people try to get the Supreme Court of Canada and they turn down most request. So how involved were you and Tracy Govereau or at that point was that taken out of your hands and it was more of a bigger legal issue? I know that the legal education organization, LEAF for women, they got involved. So what involvement did you have, if any, when it was decided at the Court of Appeal and then deciding to want to take it to the Supreme Court of Canada?

**Dianna:** I didn't have to give any testimony or anything. I didn't have to be there physically. I didn't have to do anything and LEAF didn't even have to include me in the process at all but they did call my home. Someone called my home and identified themselves as representatives of LEAF and explained what the organization was about and actually asked if I was okay with them proceeding to take my case and present it in that setting at the Supreme Court level. I thought that's awfully nice that you're asking because at this point really it was just a legal issue that was out of my hands. But I really to this day appreciated that they recognized that I was part of that, I wasn't just a throw-away from the legal process.

**Stephen:** So again that took quite a while and so it went all the way to the Supreme Court of Canada. Now, I don't suppose you made it to Ottawa for the hearings nor did you?

**Dianna:** No, I didn't.

**Stephen:** Okay. Were you kept informed of what was happening? Presumably, of course, it was in your personal interest to see what was going with this. So how did you feel about the process of what was going on?

**Dianna:** Like I say, it was beyond me at that point but I was very appreciative of being informed as things move forward. Like I say, I felt that I was still a significant part of the process and not a nobody, I didn't feel insignificant, thanks to them.

**Stephen:** Well, that's nice. That's a nice testimony; maybe people will feel like contributing to them. Again, it's very important for people to recognize that the huge legal process in order to get to our top court or even in the Court of Appeal of the province is beyond the average person's ability, not just the financial stuff that's just beyond them and to have organizations who take on these important cases is just really, really vital. How soon after the decision came down that you heard it and what did you think about it?

**Dianna:** Well, I heard fairly quickly and I didn't feel anything.

**Stephen:** Really?

**Dianna:** Actually at first, it was just taking it in that it was done. I guess the real impact didn't strike me until it was explained to me what this meant for my children, for the neighborhood kids, for people who are in the same situation that I was in.

**Stephen:** A lot of people just don't recognize that there had to be people who actually took the fight on in the first place and for you this was from when you quit your job. This was almost seven years from the time when you quit your job before the Supreme Court finally gave ultimate justice to what actually went on in that simple restaurant with a young woman just trying to make money for school.

**Dianna:** I don't know what to say. I did what I thought needed to be done and looking back maybe there was a little bit more fight in me than I thought and it's nice to have been able to accomplish something like this or be a part of it because I certainly didn't accomplish it alone. I was cradled the whole time by very competent lawyers and the Human Rights Commission and my employer at the time. Surprisingly, there were family and friends who didn't agree with what I was doing or understand it. A lot of times had gone by, a lot of bridges have been mended since that time, some not, but it took its toll on a lot of levels and it's nice now to know that I'm not a victim and it's nice. I guess as you get more time behind you, you have more ways of defining yourself. At 21, I was a failure, a victim and I'm not that anymore. I'm successful, I achieved something with my life beyond the Supreme Court decision and maybe even because of it. Maybe all these things are connected – they say we're the sum of our experiences so I'm not just a victim and a failure. I was at that time but I have become so much more than that, I think.

**Stephen:** By the way when you say that, I'm trusting that's how you felt, is that right, like you were a victim and a failure because I mean I know it almost begs that I feel I need to say "of course, you weren't"?

**Dianna:** That was the feeling at that time. That's what I lived with at that time even with the reinforcement, the positive reinforcement, and the support. There was a feeling of aloneness and failure and if I'd only done things differently – if I hadn't worn that skirt or if I hadn't smiled that way or if I hadn't been so trusting or just something, if I had somehow been different and smarter – none of this would have happened and I did blame myself, but, not anymore.

**Stephen:** What would you have liked from people that you cared about when you were going through this?

**Dianna:** That's a tough one because there were people that I wanted more from and there were others who stepped up and were brilliant and supportive and believed in me when I didn't believe in myself. So I guess at any one time you just want it all.

**Stephen:** You don't always get it.

**Dianna:** You don't always get it but I had what I needed.

**Stephen:** I know you doubted yourself at different times or you wondered that you could have done something. Were there other times when you just thought you want to quit?

**Dianna:** Yes, but that feeling came and went fairly quickly because once you're knee-deep into it, your name is already attached to it and you may as well go all the way through it. So once the commitment was made, I was in for the long haul and that was clearly explained. There were no hidden surprises. I knew right from the start because the Human Rights Commission was very honest that this was going to be a long process.

**Stephen:** Yes, but I bet you never expected to go to the Supreme Court of Canada.

**Dianna:** That, I didn't expect.

**Stephen:** Yes. It's interesting when you say that your name was out there because most people know it as the Janzen case.

**Dianna:** I think that does a disservice to Tracy who was there every step of the way as well. But having said, I agree with you the name is attached to the case fairly tightly and I was not thrilled with that but it was part of taking a stand.

**Stephen:** In 1989 not only did the Supreme Court of Canada agree with Mr. Henteleff and his decision and find in your favor and agree with what you went through, it's horrendous, but they also put a definition to sexual harassment.

But it has been great for people to be able to say, “Hey, look, here’s the definition. It’s a very little one. Knock it off or, in fact, we’re going to get formal and I don’t think you wanted to go that way,” and hopefully that made you feel good because I’m sure at times you must have been overwhelmed by all that was going on.

**Dianna:** It was a little overwhelming sometimes. I mean this was back in the early 80’s. I didn’t have call display and I had a phone number that was easy enough to look up and, funny enough, even with an unlisted number people still managed to get my phone number and was being asked questions in ways that I didn’t think were appropriate, being told to stand down from the case, “Why are you doing this?” and I said, “Who are you people?” and “Why are you calling me?”

**Dianna:** Who were they and why were they calling you? I mean without naming names, but would be doing this? Who would be suggesting this?

**Dianna:** Well, the individual who set me up with the job in the first place, asking me to step down, my family and friends who thought that it was an inappropriate course of action, people I didn’t know were calling, just it made me not want to answer the phone and made me actually unplug my phone which added to a sense of isolation. But that was a long time ago. Certainly now, things are different. I mean if somebody makes a call, you know somebody dialed your line. It’s just different, there’s a certain amount of accountability then and I don’t know if that diminishes inappropriate calls or if people still do that.

**Stephen:** Yes. Well, thank goodness for call display. Why speak up now? I mean you stumbled upon this article that I wrote in which I was trying to find Dianna in the end and a lot of time has gone by. So I enjoyed the conversation that we had and you certainly didn’t have to do this. Why talk now?

**Dianna:** I turn 50 this year.

**Stephen:** Congratulations. I did that a couple of years ago.

**Dianna:** The start of 2011 is just the start of being brave, I guess. You feel braver when you’re older and it still amazes me that there is still lack of awareness of what an employer’s responsibility is to his employees or her employees and it still amazes me that as smart as young people are there are still a lot of them that are going to be walking down the same path that I walked down and need to make decisions.

I have teenage kids. They’re all grown up now, 19 and 17, but they’ve experienced some things that make me step back and say “how much have things really changed?” There are still more to be done and I figured at that time that I had done my part. I mean the lawyers in the Human Rights Commission, that’s what they do and they do it brilliantly, but my little piece of it was done.

But I’m still amazed at the judgments on why would anyone put up with this. Why don’t you just quit? I guess I just want to address that so that people understand that there are reasons that we make those

decisions and even if they seem reasonable they are the best decisions we can make at that time and I am seeing my own kids making their best decisions and see their friends making their best decisions and realize things as much as they're different, some things are the same.

I guess I just feel like with people like you still educating employers and educating young people through the Human Rights Commission, the website, that maybe I could be just a little bit braver and step up and let these young people know that you have other choices. I mean one of the things that really freaks me out is when I hear people say the words "I don't have any choice" and there's always a choice even if you don't see it. There is a choice and I just want them to know they don't have to be afraid with whatever choice they make. It's going to be the right one for them.

I mean if they're choosing to quit a job, I mean that there are ways to find support, to deal with the situation. It's just a different world now than it was then. The Human Rights Commission is strong, rights are more widely known. It just, I still see some vulnerability in these young people and in some situations and there's a long-winded answer for "I chose to be a grown up and say something."

**Stephen:** Is there other advice you would suggest?

**Dianna:** It's such a huge answer to that. There are so many things that can be done depending on the workplace. It is a place where the employer is approachable and is informed then that's your second stop. Your first stop of course is to identify that you don't want this to happen and to say so to the individual who is putting attention on you that you don't want, to make it very clear that "I would not like this in the work place, please stop." So trust yourself, say what you need to say, and if the behavior doesn't change then escalate it to the employer and make your statement to them and let them know what's happening.

From there, ideally there should be a positive outcome. There should be that the inappropriate behavior is immediately addressed and go on with your happy life and just do your job. If that's not the case, yes, there are external resources like the Human Rights Commission and certainly my best advice is to trust yourself. I think of how much self-doubt I had leading to me staying there longer than at this point in my life I think I ever would have because I felt responsible. At that time I felt that there was something different that I could be doing, that somehow I brought this on myself. I guess that's just a victim mindset.

**Dianna:** Right now, I have to say Stephen I did get my "happily ever after."

**Stephen:** It's nice.

**Dianna:** I'm happy and it was a long road that took its toll in a lot of ways but I've been very fortunate along the way I've made some bad choices for myself. I guess that's all part of life, too. If we make our mistakes, we live with our mistakes, we move on. But through it all, I still laughed more than I cried and I made more right choices than bad choices because I think sometimes when we get in a certain mindset we think we don't deserve to make the good choices. It sounds weird but I can explain it more at another time

but the fact is that I made more good choices than bad and I didn't finish some things I wish I'd finished and would like to go back to that.

But more than that, now I'm finishing a course that I long wanted to take and I have a fabulous employer who believes in me, who took me on knowing that I had a lot more to learn but saw potential, and I feel really lucky. I met a wonderful person, I've raised two kids with him, it's all good. So it was never the end of the road, it was just something I had to just finish and then get past. The funny about it, as much people give you that pats on the back and tell you that it will get easier with time, they never tell you how much time and I really thought I was tired of waiting to find out exactly how much time it will take which is why I figured 50 was a good year to start stepping out.

**Stephen:** Wonderful. Well, look, I greatly appreciate what you did. One of the things that you just mentioned before we finished off, one of the things you mentioned is about the website and I presumed you've seen the Manitoba Human Rights Commission website for students and it's one of the things that I had worked with them on and it's called [manitobaaction.com](http://manitobaaction.com). So people go to [www.manitobaaction.com](http://www.manitobaaction.com). They'll find a lot of things including a brief description of your case and all the different things that happened. So Dianna, I greatly, greatly, greatly appreciate you finding me and consenting to this interview and I look forward to actually meeting you. I'm a Winnipegger by birth and I will be in Winnipeg shortly and I certainly look forward to actually meeting you in person.

**Dianna:** Thanks, Stephen. I really hope that this helped with the good work that you're doing.

**Stephen:** Well, actually, I think it does. For fear of being too sappy, let's be really, really clear that the only good work I get to do is where we get to talk about the people like yourself who stood up, who fought back against all odds, and who made Canada a better place. It's not corny. It's the truth, and I say it. So I just want to thank you very, very much for what you've done.

**Dianna:** Thank you.

**Stephen Hammond, B.A, LL.B, CSP**, is a speaker, trainer and author working in the field of workplace human rights. Articles, tips and his books *Managing Human Rights At Work: 101 Practical Tips to Prevent Human Rights Disasters* and *Steps in the Rights Direction: 365 human rights celebrations and tragedies that inspired Canada and the world* are available on his website [www.stephenhammond.ca](http://www.stephenhammond.ca). Contact Stephen at 604-685-8338 or [stephen@stephenhammond.ca](mailto:stephen@stephenhammond.ca)