

“ Do You know what your rights are? ”



WHO REGULATES YOUR HUMAN RIGHTS?

Canada's constitution splits legal responsibility between the federal and the provincial or territorial governments.

FEDERAL

The federal government regulates some employers and service providers such as banks and airlines. They are described as "federally regulated."

You may be covered by:

CANADIAN HUMAN RIGHTS ACT

www.laws-lois.justice.gc.ca

PROVINCIAL OR TERRITORIAL

Provinces and territories regulate other businesses and service providers and have their own human rights laws. Human rights laws for Ontario workers share many similarities and apply many of the same principles. They protect people from discrimination in Ontario.

You may be covered by:

ONTARIO HUMAN RIGHTS CODE

www.ohrc.on.ca

WHO IS COVERED?

ALMOST EVERY WORKER is covered. To find out if your case is **FEDERAL OR PROVINCIAL**, talk to a human rights officer. They will direct you to the right place.

WHAT DO HUMAN RIGHTS HAVE TO DO WITH WORK?

- » In Ontario, you have the **LEGAL RIGHT TO EQUAL TREATMENT IN EMPLOYMENT**, free from discrimination.
- » Employment is used in a very general way, and includes:
 - › EMPLOYEES
 - › INDEPENDENT CONTRACTORS
 - › VOLUNTEERS
- » A union is an organized association of workers formed to protect and further their rights and interests.
- » **EMPLOYERS AND UNIONS** have a joint duty to make sure that workplaces are free from discrimination and harassment.
- » Every person has a right to equal treatment with respect to employment without discrimination or harassment because of **race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability.**

WORKPLACE DISCRIMINATION

» Discrimination is **TREATING SOMEBODY BADLY BECAUSE OF A PROTECTED GROUND**. For example:

- › RACE
- › CREED (RELIGION)
- › ETHNIC ORIGIN
- › SEXUAL ORIENTATION
- › AGE
- › MARITAL STATUS
- › DISABILITY



» Discrimination has **MANY FORMS**.

- » Discrimination can **TARGET** one person or a group.
- » It can be **HARD TO SEE** or it can be part of a system.
- » **HUMAN RIGHTS LAWS ARE REMEDIAL**. This means they are meant to make bad situations better, not to punish. The laws try to remove discrimination and prevent it by educating people and creating awareness.

EXAMPLES OF DISCRIMINATION:

- » You are fired from your job because you become pregnant (sex)
- » You are fired because you had an injury at work (disability)

HARASSMENT: A COMMON DISCRIMINATORY PRACTICE

HARASSMENT OCCURS WHEN SOMEONE:

- | | | | |
|--|--|--|--|
| <p>01</p> <p>OFFENDS OR HUMILIATES you physically or verbally.</p> | <p>02</p> <p>THREATENS OR INTIMIDATES YOU.</p> | <p>03</p> <p>Makes UNWELCOMED REMARKS OR JOKES about your race, religion, sex, age, disability, etc.</p> | <p>04</p> <p>Makes unnecessary PHYSICAL CONTACT with you such as touching, patting, pinching or punching—this can also be assault.</p> |
|--|--|--|--|

Employers are responsible for any harassment in the workplace and they MUST TAKE APPROPRIATE ACTION against any employee who harasses someone else.

MAKING A COMPLAINT

TIME LIMIT

You must file your application within **ONE (1) YEAR** of the date on which the discrimination happened or if there was a series of events within **ONE (1) YEAR** of the last event.

WHERE TO FILE

ONTARIO HUMAN RIGHTS CODE
Human rights complaints that fall under this code are filed with the **Human Rights Tribunal of Ontario**:
1-866-598-0322
WWW.HRTO.CA

CANADIAN HUMAN RIGHTS ACT
Human rights complaints that fall under this Act are filed with the **Canadian Human Rights Commission**:
1-888-214-1090
WWW.CHRC-CCDP.GC.CA

DUTY TO ACCOMMODATE IN EMPLOYMENT

Sometimes employers and unions must take necessary steps to **MAKE IT POSSIBLE FOR PEOPLE TO WORK**.

This is called the duty to accommodate.

The duty to accommodate is a **SHARED RESPONSIBILITY BETWEEN EMPLOYERS, WORKERS AND UNIONS**.

THE DUTY TO ACCOMMODATE MEANS CREATING EQUAL ACCESS TO WORK BY REMOVING BARRIERS.

EXAMPLES OF WORKPLACE ACCOMMODATION:

DISABILITY

Restructuring a job or workspace and retraining or reassigning a worker following an injury, illness or addiction.

PREGNANCY

Providing flexible breaks and scheduling for doctor visits.

RELIGION AND BELIEFS

Allowing an employee to not work on certain religious holidays.

