

Your Human Rights on the Job – Canadian Human Rights Act

Human Rights in Canada

<https://www.chrc-ccdp.gc.ca/eng/content/human-rights-in-canada>

Cooperative Education- Discrimination

Part of Canadian heritage includes the belief that *everyone is born free and equal*, although this belief is not always reflected in daily life. Canadian law guarantees basic human rights, including *the right to be respected at all times*. Canadians have the right not to be placed at a disadvantage based on factors such as race, place of origin, religion, age, gender, marital or family status, or disability. Everyone has the right to *live and work in an environment that is free from such discrimination*.

The Canadian Human Rights Commission administers the **Canadian Human Rights Act**, which applies to industries under federal jurisdiction, such as air transport, radio and television broadcasting, banking, and telecommunications. Each province and territory also has similar human rights legislation

to protect any person not covered against discrimination under the federal legislation.

Basically, every person in Canada has the right to freedom from discrimination in areas such as: services, goods and facilities; housing; contracts; membership in vocational associations and craft unions; employment.

Every individual has a responsibility to respect the rights of others. Every employer has a responsibility to stop or prevent discrimination in the workplace. Every employee has the right to lodge a complaint of discrimination and the employer is expected to listen to and act on such

complaints. Human rights legislation incorporates many other aspects of employment, including recruiting, hiring, training, transferring, promoting, apprenticeship terms, dismissals, and layoffs. Terms and conditions of employment – for example, rates of pay, overtime, hours of work, vacation time, shift work, discipline procedures, and performance evaluations – might also be included in this legislation.

The law that guarantees basic human rights is *The Canadian Charter of Rights and Freedoms*. Its purpose is to state the rights of every Canadian citizen clearly so that these rights can be understood and *protected by the legal system*. The Charter is entrenched in the Canadian constitution, which helps to protect these rights from being abolished by federal or provincial legislation. Among the rights included in the Charter are the rights to *freedom of conscience and religion; freedom of thought, belief opinion, and expression (including the media); freedom of peaceful assembly; and freedom of association*. Also, *discrimination based on race, national or ethnic origin, colour religion, sex, age, or mental or physical disability is prohibited under the Charter*.



Name

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Questions for “Your Human Rights on the Job” Canadian Human Rights Act

ANSWER THE FOLLOWING QUESTIONS

1. What Canadian law guarantees basic human rights?

2. Section 3 of the Canadian Human Rights Act makes it illegal for federally regulated employers and service providers to discriminate against people based on the following grounds:(found on Page 2 in Your Guide to Understanding The Canadian Human Rights Act)

1) _____

7) _____

2) _____

8) _____

3) _____

9) _____

4) _____

10) _____

5) _____

11) _____

6) _____

3. Describe one responsibility for the employer and one for employee. (answer on page 1)

Employer –

Employee -

Name: _____

Ontario Human Rights Code

The *Ontario Human Rights Code* is for everyone in Ontario. It is a provincial law with the goal of preventing discrimination and harassment.

In Ontario, about three-quarters of all human rights claims come from the workplace. For more information about the code, visit

http://www.ohrc.on.ca/en/social_areas/employment

Read the "Human Rights Code Fact Sheet #1 " and answer the following questions.

1. The Code prevents employers from discrimination on the grounds of :

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____
16. _____
17. _____

2. Are people who work as a volunteer covered by the Human Rights Code?

3. The following is a job advertisement found in a newspaper,

Full-time, work-at-home computer programmer needed. Prefer female because website is for Christian mothers. Some php coding necessary. Salary negotiable. Hours negotiable. Must be a Canadian Citizen. Work-at-home mom's welcome.

Identify all the infractions, under the Code, of this advertisement.

- a. _____
- b. _____
- c. _____
- d. _____

4. Can they ask your age on an application form? _____

5. Jane was applying for a job at McGillin's bar, and the application asked for her date of birth, height, weight, hair color, eye color, living situation, my marital status, and how many children she has. Which, if any, of these questions should Jane answer?

6. During an interview, Kim was asked the following questions. Identify which are appropriate (A) and which should Kim have refused to answer (R):

- a. How many children do you have? _____
- b. You have interesting skin tone. Where were you born? What is your ethnic background? _____
- c. What organizations or clubs do you belong to? _____
- d. This job required a person to work Saturday and Sunday. Can you meet the work schedule requirements? _____