

LIGHTHOUSE INITIATIVE

»»» PREVENTION LINK

“ Do You Know what your rights are? ”



HUMAN RIGHTS AT WORK

— A GUIDE INFORMATION —

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Welcome to Prevention Link's Lighthouse Initiative!

The Lighthouse Initiative is an innovative and crucial undertaking for Prevention Link.

The goal of this initiative is to help vulnerable and marginalized workers learn more about their rights and the laws that guide them as a worker in Ontario.

We strongly believe that whether it's understanding Ontario's health & safety rights and obligations, knowing what the minimum wage is or even what to do if you are injured in the workplace – it is your right as a worker in Ontario to know the facts.

Through this facet of Prevention Link, we intend to serve two categories of vulnerable workers:

- »» **THOSE RETURNING TO WORK AFTER AN INJURY; AND**
- »» **THOSE WHO MAY NOT HAVE BEEN INJURED BUT HAVE LIMITED KNOWLEDGE OF OCCUPATIONAL HEALTH AND SAFETY LAWS AND AVAILABLE RESOURCES.**

“ Like a maritime lighthouse – perched atop a solid foundation – sends a beacon or message outward and uses information about its surroundings, we hope Prevention Link's Lighthouse Initiative is an invaluable source of information for every Ontario worker to better understand their occupational rights and obligations. ”

MAKE SURE TO EXPLORE OUR FULL SERIES OF “KNOW YOUR RIGHTS” FACTSHEETS FOR IMPORTANT INFORMATION THAT CAN HELP GUIDE YOU ON YOUR RIGHTS IN THE WORKPLACE.

»»» **We can help!**

THE ONTARIO EMPLOYMENT STANDARDS ACT

— A GUIDE INFORMATION —

This factsheet highlights the Employment Standards Act and introduces you to the legislation that regulates employment in Ontario including wages, maximum work hours and workplace health and safety.



THE ONTARIO WORKPLACE SAFETY AND INSURANCE ACT

— A GUIDE INFORMATION —

This factsheet highlights the Workplace Safety and Insurance Act (WSIA), a provincial law that governs entitlement to benefits and services for workers who get injured or become ill as a result of their work.



THE ONTARIO OCCUPATIONAL HEALTH AND SAFETY ACT

— A GUIDE INFORMATION —

This factsheet highlights our provincial Occupational Health and Safety Act (OHSA), which sets out the health and safety rights and duties for every worker, supervisor, employer and workplace in Ontario, including workplace owners.



HUMAN RIGHTS AT WORK

— A GUIDE INFORMATION —

This factsheet is your quick guide to understanding how your human rights at work are protected and accommodated under both federal and provincial laws.



»»» **Whether you are a newcomer to Ontario's workforce or a long-time worker in any sector, this pocket-sized factsheet offers quick tips to help guide you on your rights in the workplace.**

The "Know Your Rights" factsheets are supplemented by interactive quizzes and resource links when viewed and downloaded from www.preventionlink.ca

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“ 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

<http://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

<http://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 of 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:

01

OFFENDS OR HUMILIATES you physically or verbally.

02

THREATENS OR INTIMIDATES YOU.

03

Makes **UNWELCOME REMARKS OR JOKES** about your race, religion, sex, age, disability, etc.

04

Makes unnecessary **PHYSICAL CONTACT** with you, such as touching, patting, pinching or punching —this can also be assault.

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 LEGAL RESPONSIBILITY OF EMPLOYERS, WORKERS AND UNIONS.**

THE DUTY TO ACCOMMODATE MEANS REMOVING BARRIERS THAT PRECLUDE A WORKER FROM FULL PARTICIPATION IN WORK.

EXAMPLES OF WORKPLACE ACCOMMODATION MAY INCLUDE:

DISABILITY

Restructuring a job or workspace, and providing retraining or alternative suitable work to 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.



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