

WORKSHOP RESOURCES

Human Rights Law in Ontario



This workshop is one of a series of workshops that can be used to meet Civics expectations and the Socio-cultural Competence expectations under ESL and ELD components of the Ontario Curriculum.

The purpose of this workshop is to give English language learners a general introduction to the basics of human rights law in Ontario and provide them with a positive first interaction with professionals from the justice sector. Other objectives are to build their public speaking skills and confidence in interacting with representatives from the justice system. The materials below can be adapted to the level and background knowledge of each group of students. In addition to varying language levels students will also have had a variety of prior experiences, both good and bad, with the justice system.

This package contains:

- **Simplified definitions** of relevant legal terms and concepts
- **Vocabulary exercises** for reinforcing these legal terms and concepts
- **Plain language scenarios** for discussing topical legal issues
- A handout outlining **contact information for local legal resources** for students and their families

For each OJEN *Talking Law* workshop there are 2 packages:

- *Talking Law* Workshop Guide
- *Talking Law* Workshop Resources

For any questions/concerns about the workshop contact OJEN at: info@ojen.ca or (416) 947-5273.

For more background on OJEN and its programs visit www.ojen.ca.

Human Rights Law in Ontario Workshop Outline



Below is a workshop outline. You and the justice sector volunteer may choose to adapt the length and number of topics covered, depending on the level and interests of the youth.

1. Ice-breaker Activity & Introduction of the Justice Sector Volunteer (Lawyer)

2. Introduction to Human Rights in Ontario

- Depending on time, the lawyer may choose to do one or a combination of the following:
 - Brainstorm with students definitions for the terms: *human rights*, *equality*, and *discrimination*
 - Ask students why they think protecting human rights and promoting equality are important
 - Explain (in simple terms or by example) the concept of discrimination, and how it differs from harassment.

3. Learning More about Human Rights Law

- The lawyer will explain to the class three different pieces of legislation which address human rights in Ontario (and how they differ from each other):
 - *Ontario Human Rights Code*
 - *Canadian Human Rights Act*
 - *Canadian Charter of Rights and Freedoms*
- The lawyer will review the “**Human Rights Quiz**” with the class, explaining (in very general and simple terms) the answers.
- The **discussion scenarios** will be reviewed and the class will decide whether or not discrimination exists and which category of discrimination the action might fall under within the context of the *Ontario Human Rights Code*.

4. Getting Information and Help

- The lawyer will describe the role of lawyers, community legal clinics, and settlement organizations in assisting youth and their families with legal issues.

Human Rights Law in Ontario: Terms & Concepts



TERM	DEFINITION
<i>Canadian Charter of Rights and Freedoms:</i>	A legal document which is part of the Canadian Constitution. It describes and protects the rights and freedoms of everyone in Canada. Some rights and freedoms in this document belong to everyone – whether or not you are a Canadian citizen; other rights (like voting rights) are limited to Canadian citizens only.
Constitution:	A very basic law that describes the roles and powers of different levels of government within a country
Dignity:	Individual respect and worth that is recognized by others
Discrimination:	When someone is treated unfairly and unequally because of their race, sex, colour, ancestry, place of origin, ethnic origin, marital status, same sex partner status, sexual orientation, age, disability, citizenship, family status or religion
Enumerated Grounds:	Areas where human rights law offers rights protection. In the <i>Human Rights Code</i> , these areas include: race, ancestry, place of origin, colour, ethnic origin, citizenship, religion, sex, sexual orientation, disability, age, marital status, family status, receipt of public assistance; and record of offences.
Equality:	Being treated equally by other individuals and groups as well as by the law and by government
Freedom:	Being able to act a certain way and make choices freely. The Government of Canada limits some freedoms if they harm others. For example, your freedom of expression may be limited if what you say encourages people to hurt or cause harm to others.

Harassment:	When someone <u>repeatedly</u> makes comments or behaves in a way that insults or offends another person. The negative comments or behaviour are linked to things like the offended person's race, sex, colour, ancestry, religion, etc.
(Ontario) <i>Human Rights Code</i>:	A legal document which protects everyone in Ontario from discrimination and harassment. It applies to unfair treatment and insulting behaviour in jobs, housing and services when it is based on the enumerated grounds.
Prejudice:	An opinion about a group of people based on a lack of knowledge, or inaccurate information, which leads to negative comments or judgments about members of that group
Racism:	Having negative beliefs, opinions, and/or behaviour towards an individual or group of people because of their race; believing that certain races are better than others
Responsibility:	A duty to do something for others in society. For example: parents have the responsibility to provide for the needs of their children; Canadian citizens have the responsibility to vote during an election.
Rights Protection:	Being able to use the law to defend rights
Stereotype:	A belief that all the people who belong to one group act a certain way or are the same
Violation of rights:	Having someone or a group of people go against an individual's rights

About Human Rights in Ontario

*Your teacher will review this handout with you.
Ask your teacher if you do not understand a specific word.*

The **Ontario Human Rights Code** (the "*Code*") applies to everyone in Ontario. It is a provincial law (since 1962), which gives everybody in Ontario equal rights and opportunities (protects against discrimination) in specific areas such as jobs, housing and services.

The *Code's* goal is to prevent discrimination and harassment. There are fifteen **enumerated grounds** of discrimination under the *Code*:

- race
- ancestry
- place of origin
- colour
- ethnic origin
- citizenship
- religion
- sex
- sexual orientation
- disability
- age
- marital status
- family status
- receipt of public assistance
- record of offences

You can find a copy of the complete *Human Rights Code* online at:

http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90h19_e.htm

About the Human Rights Tribunal of Ontario

The **Human Rights Tribunal of Ontario** deals with all claims of discrimination filed under the Ontario *Human Rights Code*. The Tribunal resolves human rights applications through mediation or adjudication (www.hrto.ca).

The **Human Rights Legal Support Centre** offers human rights legal services to individuals throughout Ontario who believe they have experienced discrimination. The Centre's services range from legal assistance in filing an application at the Tribunal to legal representation on human rights applications. Contact the Centre if you think you have been discriminated against and want help with starting a human rights application (www.hrlsc.on.ca).

Learning Human Rights Legal Terms



1. _____ is the idea that all groups and individuals should be treated fairly.
2. Thinking that people of colour are less important than other groups of people is a kind of _____.
3. The idea that everyone belonging to the group is the same leads to _____ about a race or culture.
4. Repeatedly annoying someone with insulting behaviour is called _____.
5. The _____ protects Ontarians from _____ and offers _____.
6. Denying a group access to a restaurant or club because of their sexual orientation is an example of _____.
7. Canadian citizens have _____ and _____ to the government and to each other.
8. Every human being is entitled to a basic level of _____ which should be recognized by others and society in general.
9. If someone in a position of power believes that all youth belonging to a certain group commit crimes this is called _____ and might wrongly affect the way he/she makes decisions.
10. _____ are the areas that a law offers rights protection for.

Dignity

Discrimination

Enumerated grounds

Equality

Harassment

Ontario Human Rights Code

Prejudice

Racism

Responsibilities

Rights

Rights Protection

Stereotypes

Violations of Rights

Learning Human Rights Legal Terms



TEACHER'S ANSWER KEY

1. **EQUALITY** is the idea that all groups and individuals should be treated fairly.
2. Thinking that people of colour are less important than other groups of people is a kind of **RACISM**.
3. The idea that everyone belonging to the group is the same leads to **STEREOTYPES** about a race or culture.
4. Repeatedly annoying someone with insulting behaviour is called **HARASSMENT**.
5. The **ONTARIO HUMAN RIGHTS CODE** protects Ontarians from **VIOLATIONS OF RIGHTS** and offers **RIGHTS PROTECTION**.
6. Denying a group access to a restaurant or club because of their sexual orientation is an example of **DISCRIMINATION**.
7. Canadian citizens have **RIGHTS** and **RESPONSIBILITIES** to the government and to each other.
8. Every human being is entitled to a basic level of **DIGNITY** which should be recognized by others and society in general.
9. If someone in a position of power believes that all youth belonging to a certain group commit crimes this is called **PREJUDICE** and might wrongly affect the way he/she makes decisions.
10. **ENUMERATED GROUNDS** are the areas that a law offers rights protection in.

Case Summary



Circle all of the human rights legal terms you recognize in the articles below.

Adapted from:

OHRC and Ligia Arias v. Sanjay Desai and 1329732 Ontario Ltd. o/a Comfort Suites Hotel, (2003)

Full text of the decision available at:

<http://www.canlii.org/en/on/onhrt/doc/2003/2003hrto1/2003hrto1.html>

Ligia Arias was employed at the Comfort Suites Hotel for two and a half months. During this period of time she experienced harassment from one of the owners of the hotel.

Ms. Arias' testimony was supported by a co-worker who testified that she was also the subject of harassment. Ms. Arias was eventually fired by Mr. Desai, the owner who behaved inappropriately.

Under the Ontario *Human Rights Code*, it was found that Mr. Desai violated Ms. Arias' equality rights - one of the prohibited grounds. She had the right to equal treatment with respect to employment without discrimination based on sex.

Ms. Arias was paid \$25,000 as compensation for the humiliation and loss of dignity. The owner also had to put into place an anti-harassment and anti-discrimination policy. All management employees and owners were also required to take an educational program on anti-discrimination and harassment principles.

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Ms. Arias' testimony was supported by a co-worker who testified that she was also the subject of **harassment**. Ms. Arias was eventually fired by Mr. Desai, the owner who behaved inappropriately.

Under the Ontario **Human Rights Code**, it was found that Mr. Desai violated Ms. Arias' **equality rights**. She had the **right to equal treatment** with respect to employment without **discrimination** based on sex.

Ms. Arias was paid \$25,000 as compensation for the humiliation and loss of **dignity**. The owner also had to put into place an **anti-harassment** and **anti-discrimination** policy. All management employees and owners were also required to take an educational program on **anti-discrimination** and **harassment principles**.



Human Rights Word Search

Highlight or circle the human rights terms below.

A	R	T	D	F	G	D	I	G	N	I	T	Y	M	S	H	S	V	R	O
E	V	G	O	T	I	K	I	B	N	O	F	J	H	I	H	T	S	D	N
Q	R	M	B	N	G	T	H	J	S	X	R	T	H	S	S	O	I	D	T
U	Q	V	I	O	L	A	T	I	O	N	O	F	R	I	G	H	T	S	A
A	Y	X	G	I	B	S	A	G	R	H	J	S	H	J	J	U	O	U	R
L	R	H	H	T	R	B	H	Y	S	H	K	T	C	D	G	H	H	I	I
I	B	N	A	A	P	R	E	P	R	E	J	U	D	I	C	E	K	O	O
T	E	Q	U	N	A	L	M	D	Y	F	E	H	D	H	R	H	B	O	H
Y	T	Y	U	I	D	E	F	A	H	W	H	J	S	H	H	J	L	I	U
T	E	N	U	M	E	R	A	T	E	D	G	R	O	U	N	D	S	O	M
D	F	G	H	I	K	G	F	H	J	K	L	T	B	D	M	J	E	B	A
S	G	H	J	R	Y	U	I	L	L	I	K	F	S	R	H	J	D	U	N
T	Y	S	D	C	S	G	S	G	H	Y	H	D	H	J	K	K	G	M	R
O	L	D	S	S	R	A	C	I	S	M	O	L	H	J	I	K	R	W	I
N	M	E	R	I	H	M	S	I	C	A	R	S	G	D	F	G	O	I	G
O	P	L	K	D	F	G	R	S	G	H	I	Y	U	J	K	D	M	U	H
H	N	D	G	D	J	D	T	G	H	J	G	B	F	S	G	H	M	G	T
G	Y	K	O	F	S	H	S	A	F	G	H	S	G	H	J	J	J	D	S
S	Y	U	D	G	H	D	A	R	A	S	T	S	M	E	N	T	O	E	C
S	S	T	E	R	E	O	T	Y	P	E	O	P	F	R	G	Y	H	S	O
S	E	T	E	R	O	H	A	R	A	S	S	M	E	N	T	S	F	R	D
E	D	I	S	C	R	I	M	I	Y	R	A	C	E	S	D	E	K	I	E
B	B	R	T	S	D	F	H	F	S	E	T	H	Y	U	H	I	K	E	X
I	E	Q	U	A	L	Y	T	L	I	B	I	S	N	O	P	S	E	R	M

RIGHT
HARASSMENT
PREJUDICE
RESPONSIBILITY
STEREOTYPE
RACISM

EQUALITY
PROHIBITED GROUNDS
DIGNITY
VIOLATION OF RIGHT
DISCRIMINATION
ONTARIO HUMAN RIGHTS CODE



Human Rights Word Search

TEACHER'S ANSWER KEY

A	R	T	D	F	G	D	I	G	N	I	T	Y	M	S	H	S	V	R	O
E	V	G	O	T	I	K	I	B	N	O	F	J	H	I	H	T	S	D	N
Q	R	M	B	N	G	T	H	J	S	X	R	T	H	S	S	O	I	D	T
U	Q	V	I	O	L	A	T	I	O	N	O	F	R	I	G	H	T	S	A
A	Y	X	G	I	B	S	A	G	R	H	J	S	H	J	J	U	O	U	R
L	R	H	H	T	R	B	H	Y	S	H	K	T	C	D	G	H	H	I	I
I	B	N	A	A	P	R	E	P	R	E	J	U	D	I	C	E	K	O	O
T	E	Q	U	N	A	L	M	D	Y	F	E	H	D	H	R	H	B	O	H
Y	T	Y	U	I	D	E	F	A	H	W	H	J	S	H	H	J	L	I	U
T	E	N	U	M	E	R	A	T	E	D	G	R	O	U	N	D	S	O	M
D	F	G	H	I	K	G	F	H	J	K	L	T	B	D	M	J	E	B	A
S	G	H	J	R	Y	U	I	L	L	I	K	F	S	R	H	J	D	U	N
T	Y	S	D	C	S	G	S	G	H	Y	H	D	H	J	K	K	G	M	R
O	L	D	S	S	R	A	C	I	S	M	O	L	H	J	I	K	R	W	I
N	M	E	R	I	H	M	S	I	C	A	R	S	G	D	F	G	O	I	G
O	P	L	K	D	F	G	R	S	G	H	I	Y	U	J	K	D	M	U	H
H	N	D	G	D	J	D	T	G	H	J	G	B	F	S	G	H	M	G	T
G	Y	K	O	F	S	H	S	A	F	G	H	S	G	H	J	J	J	D	S
S	Y	U	D	G	H	D	A	R	A	S	T	S	M	E	N	T	O	E	C
S	S	T	E	R	E	O	T	Y	P	E	O	P	F	R	G	Y	H	S	O
S	E	T	E	R	O	H	A	R	A	S	S	M	E	N	T	S	F	R	D
E	D	I	S	C	R	I	M	I	Y	R	A	C	E	S	D	E	K	I	E
B	B	R	T	S	D	F	H	F	S	E	T	H	Y	U	H	I	K	E	X
I	E	Q	U	A	L	Y	T	L	I	B	I	S	N	O	P	S	E	R	M

RIGHT
HARASSMENT
PREJUDICE
RESPONSIBILITY
STEREOTYPE
RACISM

EQUALITY
ENUMERATED GROUNDS
DIGNITY
VIOLATION OF RIGHT
DISCRIMINATION
ONTARIO HUMAN RIGHTS CODE

Human Rights Quiz



*Think about the following questions.
The lawyer will discuss the answers with the class during the workshop.*

1. You are applying for a job. During the interview a member of the hiring committee asks you what country you come from. Is this discrimination?

Yes No Maybe

2. A job application requires that you drive a car. You don't drive a car. Is this discrimination?

Yes No Maybe

3. You are offered a position with a company and need a wheelchair to get around. You notice that there are only stairs to your office and no elevator. You point this out to the employer who tells you, sorry but the position is no longer available. Is this discrimination?

Yes No Maybe

4. Your boss regularly makes sexist comments and says things like "a woman's place is in the home." Is this discrimination or harassment?

Yes No Maybe

5. You are a young man of colour, and when you enter a small music store, the security guard tells you it is closed even though there are other customers in the store. Is this discrimination?

Yes No Maybe

Discussion Scenarios



Your teacher will review the scenarios below with you; ask about any words you don't understand. The lawyer will discuss the scenarios during the workshop.

1. Emile's landlord teases him about his clothing every time he walks by. This makes Emile feel ashamed and angry. Emile now uses the back door of the apartment building to avoid comments about his clothing. His clothing reflects his cultural background and religion. Is this discrimination or harassment? Is this protected by one of the areas of the *Code*?
2. Lassa's teacher jokes about her accent in front of the class and comments how "harsh it sounds". Lassa does well on written assignments and tests, but can't get good marks on her oral presentations. When she asks her teacher about this, her teacher says she is being too sensitive and she should realize that her accent is difficult to understand; it makes her sound aggressive and she should change the way she speaks if she wants to fit in and be "successful in Canada". Is this discrimination or harassment? Is this protected by one of the areas of the *Code*?
3. When Kevin asks to put up a poster for an AIDS education event happening in the community at a coffee shop, he is told by the owner that "we don't put posters up from those kinds of people here." He is confused as there are posters on the bulletin board for all kinds of other community education events. Is this discrimination or harassment? Is this protected by one of the areas of the *Code*?
4. Hana is a kindergarten teacher. Her principal has asked her to remove her hijab (head covering) when she is teaching because he thinks that it might frighten her students who are too young to understand why she wears it. She refuses and explains that it is a part of her religious beliefs. Is this discrimination or harassment? Is this protected by one of the areas of the *Code*?

5. Tanya is a single mother. She applied to rent a one-bedroom apartment for her and her son. She had good references and has never missed a rent payment in any of her old apartments. The owner refused to rent to her, saying that her monthly income was too low and that he did not want to have “problem tenants”. Is this discrimination or harassment? Is this protected by one of the areas of the *Code*?
6. Ed applied for a job as a cashier in a sporting goods store. The manager liked his resume and told him he would likely be hired once his reference checks were completed. One week later the manager called to say he would not be hired because he found out that Ed had been convicted of reckless driving once when he was younger. Is this discrimination or harassment? Is this protected by one of the areas of the *Code*?
7. Maria was recently hired as a data processor (she types information into a computer). She uses a wheelchair for mobility. During orientation week for the new job, Maria learns that weekly staff meetings are held on the second floor of the building. The office kitchen and lunch room are also located on the second floor and there is no elevator. When she points this out to her supervisor, the job offer is revoked with an apology from the company explaining that it cannot afford to install an elevator in the building. Is this discrimination or harassment? Is this protected by one of the areas of the *Code*?
8. Rama and her family have been living in an apartment for six months. Her landlord has just asked them to move out as he says that other tenants have complained about the way their food smells and the music that they listen to; they do not fit in with the “community values” in the apartment building. Is this discrimination or harassment? Is this protected by one of the areas of the *Code*?
9. Albert and his friends decide to go for dinner at a new restaurant. When they go into the restaurant the owner says there is no room for them and that youth “hanging around” the restaurant scares away his other customers. Albert sees 3 or 4 empty tables in the restaurant. When Albert points out the empty tables, the owner tells them to leave or he will call the cops. Is this discrimination or harassment? Is this protected by one of the areas of the *Code*?



Info on Local Legal Resources

Human Rights Legal Support Centre (www.hrlsc.on.ca)

Contact the Legal Centre if you believe that you have experienced discrimination and you think that you might want legal assistance in filing an application to the Human Rights Tribunal of Ontario or legal advice in resolving an issue of discrimination.

You can contact the Human Rights Legal Support Centre by:

- visiting their Website at: www.hrlsc.on.ca
- by telephone: (416) 314-6266 or (Toll Free): 1-866-625-5179
- If you want to arrange for an in-person interview, you should contact the Centre by telephone at the numbers above. The Centre is located in Toronto at:

Human Rights Legal Support Centre
400 University Avenue, 7th Floor
Toronto, Ontario M7A 1X8

Legal Aid Office

If you cannot afford a lawyer you can apply for a Legal Aid Certificate – which you then take to a lawyer or legal aid clinic. Please refer to the legal aid website: www.legalaid.on.ca.

- **Justice for Children and Youth**
Provides legal information and advice for youth.
Ontario Toll Free: 1-866-999-JFCY (5329), info@jfcy.org
www.jfcy.org

Settlement.org (www.settlement.org)

A webportal that gives information on local legal and immigration resources.

- Click on “Close to Home” in the right hand corner and then “Find Help Close to Home” and select the Peel Region.

Community Legal Education Ontario – CLEONet (www.cleonet.ca)

A webportal that provides free access to 100s of information pamphlets and documents about the law.

(Insert info about other local NGO and settlement organizations.)



Teacher Evaluation Form

Teacher:

Class:

School:

Date:

Workshop subject area: Human Rights Law

What did you find most useful about this workshop?

Did you find the level was appropriate for your students?

Was the subject matter of interest to your students?

Was the workshop too short or too long?

Was there enough interaction between the lawyer and the students?

Did students have enough time to ask questions?

Did you like the exercises? Are there some that should be taken out or improved?

Do you have any suggestions for new exercises to be included in upcoming workshops?

Would you be interested in having more speakers come to your class?

What other subject areas would be of interest to your students?

Would you be interested in working with OJEN to develop more resources?

Any other suggestions?

Thank you again for your participation in this project!



Student Evaluation Form

Please fill out the form and give it to your teacher.

Class:

School:

Human Rights Law

What I most liked about this workshop was:

What I did not like about this workshop was:

What I wish I could have asked the lawyer but didn't:

What would be good for next time is:

I would be interested in learning more about:



Justice Sector Volunteer Evaluation Form

Please return completed form to OJEN by:

Email: info@ojen.ca or Fax: 416-947-5248

Name:

Location of *Talking Law* workshop:

Date of *Talking Law* workshop:

ESL *Talking Law* Workshop: Human Rights

What did you most enjoy about this workshop?

What did you find most challenging about this workshop?

Were the resources provided for this activity useful? Do you have any suggestions for additional resources we could include in this package?

Do you have any suggestions for new workshop topic? (i.e. What other legal subject areas would lend themselves well to this kind of workshop?)

Were the students able to understand the subject matter?

Was there an opportunity for the students to ask questions? Did they ask questions? What were they most interested in learning?

Can you think of any follow-up activities (especially ones which are experiential in nature) which would be useful for this class, now that they have completed the workshop?

Would you be interested in being involved in future workshops?

Any other comments/suggestions?

Thank you for your participation in this project!