

In Ontario, the *Human Rights Code*, [R.S.O. 1990, c. H.19](#) prescribes a variety of activity concerns constituting as unlawful discrimination within various activities involving five (5) key areas, particularly:

- ▷ Services;
- ▷ Accommodations;
- ▷ Employment;
- ▷ Contractual Relations; and
- ▷ Vocational Associations.

In seeking protections under the Code, an Application can be brought to the [Human Rights Tribunal of Ontario \(HRTO\)](#) which will review the complaint, hear arguments from advocates, and adjudicate a decision with available remedies ranging from an Order of monetary compensation and/or forms of alternate resolution.

In addition to protections against discrimination, the *Code* also includes provisions for protection against reprisal for seeking the protections provided for by the *Code*. The reprisal protection assures that those who bring complaints to the HRTO shall be free to do so without fear of recourse including intimidation or other wrongful responsive hardships.

Generally, with some exceptions, in regards to the five (5) key areas as indicated above, the *Code* states that:

Every person has a right to equal treatment with respect to services, goods and facilities, without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability.

Furthermore, the characteristics protected from discrimination are broadly defined so as to help ensure a just determination and application of the intended protections. The various protected characteristics are defined within [s. 10](#) as follows:

“age” means an age that is 18 years or more; (“âge”)

“disability” means,

(a) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,

(b) a condition of mental impairment or a developmental disability,

(c) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,

(d) a mental disorder, or

(e) an injury or disability for which benefits were claimed or received under the insurance plan established under the [Workplace Safety and Insurance Act, 1997](#); (“handicap”)

“equal” means subject to all requirements, qualifications and considerations that are not a prohibited ground of discrimination; (“égal”)

“family status” means the status of being in a parent and child relationship; (“état familial”)



“group insurance” means insurance whereby the lives or well-being or the lives and well-being of a number of persons are insured severally under a single contract between an insurer and an association or an employer or other person; (“assurance-groupe”)

“harassment” means engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome; (“harcèlement”)

“marital status” means the status of being married, single, widowed, divorced or separated and includes the status of living with a person in a conjugal relationship outside marriage; (“état matrimonial”)

“record of offences” means a conviction for,

(a) an offence in respect of which a pardon has been granted under the [Criminal Record Act](#) (Canada) and has not been revoked, or

(b) an offence in respect of any provincial enactment; (“casier judiciaire”)

“services” does not include a levy, fee, tax or periodic payment imposed by law; (“services”)

“spouse” means the person to whom a person is married or with whom the person is living in a conjugal relationship outside marriage.

If you feel that you were discriminated against within any of the five (5) key protected areas, call for help now - you deserve fair treatment!