

Legal Information

Ontario's *Human Rights Code* prohibits discrimination against people on protected grounds. Discrimination is when someone treats you unfairly because of who you are. The *Code* prevents discrimination in specific social areas, including housing, employment, contracts, goods, services, and facilities, and membership in unions, trade, or professional associations.

The protected grounds in the *Human Rights Code* are:

- Age
- Ancestry, colour, race
- Citizenship
- Ethnic origin
- Place of origin
- Creed
- Disability
- Family Status
- Marital status (including single status)
- Gender identity, gender expression
- Receipt of public assistance (in housing only)
- Record of offences (in employment only)
- Sex (including pregnancy and breastfeeding)
- Sexual orientation

If someone has discriminated against you on one of the protected grounds in one of the protected areas (for example, a landlord refused to rent to you because of your race, or an employer fired you because of a disability), you can make a claim against them with the Human Rights Tribunal of Ontario.

Remedies

The Tribunal may resolve a complaint in several ways. They may:

- Order the person who discriminated against you to pay you money for specific losses that happened because of the discrimination, such as lost wages if you lost your job,
- Order the person to pay you money for injuries to your feelings, dignity, and self-respect,
- Order other non-financial remedies, such as ordering an employer to give you your job back or promote you, or ordering a landlord to rent you their next available unit,
- Order a public interest remedy, so that other people will not experience the same kind of discrimination that you did.

Limitations

Filing a claim with the Human Rights Tribunal of Ontario may prevent you from making claims in other places, such as in Small Claims Court, for the same set of facts. You should speak with a lawyer to decide whether a human rights claim is the best choice for you.

Making Your Claim

To make a claim because your human rights have been violated, you must file an application with the Human Rights Tribunal of Ontario. In the application, you will explain what happened to you and why you think it was a violation of the *Code*. The Tribunal will assign a mediator to help work out the complaint. If the mediation does not resolve your matter, there will be a hearing and the Tribunal will make a decision.

You can get the application at the Human Rights Tribunal of Ontario website at <http://www.sjto.gov.on.ca/hrto/forms-filing/>. The application can be completed on your computer.

The Human Rights Legal Support Centre has created how-to guides and compiled frequently asked questions about the application at www.hrlsc.on.ca/en/how-guides-and-faqs. If you need information or help filing your application, you can get help from legal clinics like CALC, or from the HRLSC:

Human Rights Legal Support Centre:
Tel: (416) 597-4900
Toll Free: 1-866-625-5179
TTY: (416) 597-4903
TTY Toll Free: 1-866 612-8627

Reconsideration

If you are unhappy with the Tribunal's decision, you can ask the Tribunal to reconsider because:

- New facts have come to light that were not available before that would affect the Tribunal's decision,
- You did not receive notice of the hearing and were not able to participate, or
- The decision departed significantly from previous decisions.

You have 30 days from the decision to request a reconsideration, but you can request one after this deadline if you explain to the Tribunal why you were late.

Resources:

- Human Rights Tribunal of Ontario Frequently Asked Questions: <http://www.sjto.gov.on.ca/hrto/faqs/>
- Human Rights Legal Support Centre website: www.hrlsc.on.ca
- Yourlegalrights.on.ca guide to your human rights: <http://yourlegalrights.on.ca/legal-topic/human-rights>
- Ontario Human Rights Commission: www.ohrc.on.ca