

Human Rights in the Workplace

Alberta employers recognize that positive human rights practices are good for business and they want to be informed about rights and responsibilities in the workplace. Employers also want to build inclusive workplaces that are free of discrimination.¹



The Alberta Human Rights and Citizenship Commission is offering workshops in major centers across the province on the law governing human rights in Alberta, how to prevent and resolve complaints involving discrimination, and how to build inclusive workplaces.

Contact the Commission for information on workshop dates and locations or to schedule a customized workshop.

The need for Human Rights education in the Workplace

Eighty per cent of human rights complaints originate in the workplace, and employers have a responsibility to ensure their workplaces are free of discrimination.

Business owners and executives, managers and supervisors, human resource specialists and others with human rights responsibilities, union representatives, employees, and other stakeholders want answers to questions such as:

- What areas and grounds are protected under Alberta's *Human Rights, Citizenship and Multiculturalism Act*?
- What are an employer's legal responsibilities for addressing and preventing harassment and discrimination based on the protected grounds?
- How does human rights legislation affect hiring practices and job requirements?

- What are the legal requirements for employers to accommodate employees with disabilities or other needs protected under the *Act*?
- What is undue hardship and when does it apply?
- When are alcohol and drug testing permissible?
- What is the impact of human rights law on employee benefits?

The Workshop Content

The *Human Rights in the Workplace* workshop content is drawn from the following seven modules. The modules cover high-priority issues involving human rights in the workplace as identified by Alberta employers.

(1) Howard Research and Instructional Systems Inc., *Alberta Human Rights and Citizenship Commission: Employers' Perspectives Research Project, March 2002.*

INTRODUCTORY

module

The culture of an organization has implications for its employment practices and how individuals relate to one another. The culture affects productivity, customer satisfaction and, in some cases, the image of the organization within the community. Human rights legislation is designed to have a positive impact within the culture of a work environment.

This module provides an overview of the human rights legislation and its impact on the work place, as well as an overview of key issues.

MODULE

one

A respectful and **inclusive** workplace

The work environment affects the way individuals relate to each other, and those relationships in turn affect productivity and results. Employees perform better when they are treated with respect and feel included.

In this module, participants will learn:

- what a respectful workplace is,
- the benefits of a respectful and inclusive workplace,
- the rights and responsibilities of employers, employees, and unions as they relate to human rights in the workplace, and
- strategies for creating a positive work environment.

MODULE

two

Human Rights **legislation** in the workplace

Across Canada, there are human rights laws that protect the rights of citizens in certain areas, such as employment, and on specific grounds.

This module will:

- provide an overview of human rights legislation,
- introduce participants to the *Alberta Human Rights, Citizenship and Multiculturalism Act* as it applies to employment practices and the specific grounds where the *Act* prohibits discrimination, and
- explain the relationship between human rights laws and other employment and labour laws, such as the *Employment Standards Code* and the *Workers' Compensation Act*.

MODULE

three

Discrimination and **harassment** in the workplace

Preventing discrimination and harassment is one of the main goals of human rights legislation. Employers are responsible for actively discouraging and prohibiting discriminatory conduct such as sexual harassment, racial slurs, and discriminatory language, which is demeaning on the basis of grounds that are protected in Alberta's legislation.

This module will help participants understand:

- the types of discrimination and harassment,
- what sexual harassment is,
- what a poisoned work environment is,
- the impact of harassment and discrimination on employee morale and performance,
- the employer's responsibility to prevent harassment and discrimination and promote respect in the workplace,
- the liability of employers, and
- how appropriate policies, internal practices, and processes can create a work environment that is free from harassment and discrimination.

Employers have a responsibility to ensure

their workplaces are free of discrimination

MODULE

four

The duty to accommodate

The workplace is increasingly diverse. Employers are required to make a serious effort to find ways to meet the needs of employees as they relate to the grounds protected under Alberta's human rights legislation. Employers' rights and responsibilities are increasingly complex and evolve as the courts continue to make precedent-setting decisions that affect the duty to accommodate.

In this module, participants will learn about:

- the duty to accommodate and examples related to grounds such as disability, gender and religious beliefs and how they apply to the workplace,
- the three-part Meorin test to determine bona fide occupational requirements (BFOR) and examples related to specific grounds,
- how to respond to individual accommodation needs in the workplace,
- the extent to which an employer must accommodate and the meaning of undue hardship, and
- the employer's obligation to take appropriate steps to eliminate discrimination against employees and prospective employees related to accommodation.

MODULE

five

Human Rights and the employment process

A large number of human rights complaints have to do with recruitment, hiring, and evaluation of employee performance. Developing effective and non-discriminatory human resource processes is important for creating a respectful work environment. It also ensures that all employees are treated fairly and equitably.

This module will help participants:

- develop non-discriminatory job descriptions, hiring practices and interviews, and policies and processes related to employees' performance,
- develop non-discriminatory policies and processes in areas such as drug and alcohol testing, and
- understand how the *Human Rights, Citizenship and Multiculturalism Act* protects employees and job applicants, and how managers and supervisors can make non-discriminatory decisions that are based on job-related criteria.

MODULE

six

The Human Rights complaint process

Employers and employees can benefit from knowing how to respond appropriately to resolve internal human rights complaints, as well as being familiar with the complaint process under the *Human Rights, Citizenship and Multiculturalism Act*.

In this module, participants will learn about:

- the Commission's human rights complaint process,
- options and strategies for organizations to resolve human rights complaints within their own workplaces to prevent complaints from proceeding further,
- how human rights complaints are made to the Commission and the criteria for assessing and accepting complaints,
- the rights and responsibilities of the employer, the union, and the employee when a human rights complaint is made,
- what happens when a complaint is not settled,
- the human rights panel (administrative tribunal) process, and
- the range of remedies that may be recommended or ordered.

Who should attend?

The course content is directed to all individuals interested in the impact of human rights legislation in the workplace:

- business owners, executives, managers and supervisors,
- human resource specialists and others with human rights responsibilities,
- union representatives,
- employees, and
- anyone interested in learning more about human rights in the workplace.

Workshop Formats

Half-day and full day workshops are offered and each workshop covers one or more modules. Workshops are scheduled in major centers across Alberta. They can also be customized for organizations, associations, individual employers or groups. Participants will learn about real-life human rights cases and there will be opportunity for discussion and questions.

Workshop Presenters

Workshop presenters have extensive knowledge of the *Human Rights, Citizenship and Multiculturalism Act* and how it applies in the workplace. Their work experience includes human rights investigation, human resource work, removing barriers to organizational change, and incorporating human rights and diversity into the workplace.

Workshop Fees

Workshop fees are kept affordable to encourage participation. Each participant will receive a certificate of participation.

For more **information** on workshop locations, dates and fees

For more information about workshop **locations, dates** and **workshop fees**, or to discuss sponsoring a workshop in your area, please contact:

Alberta Human Rights and Citizenship Commission

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The Alberta Human Rights and Citizenship Commission is an independent commission of the Government of Alberta, reporting through the Ministry of Community Development. Our mandate is to foster equality and reduce discrimination. We provide public information and education programs, and help Albertans resolve human rights complaints.

Funding for these workshops is provided by the Human Rights, Citizenship and Multiculturalism Education Fund. The Education Fund supports community organizations and educational initiatives that foster equality and reduce discrimination.