

# Human Rights *in British Columbia*

*April 2003*  
(Contacts Updated June 2006)

## PROTECTION FROM DISCRIMINATION

The British Columbia Human Rights Code protects our human rights in three main areas:

1. Employment.
2. Tenancy and purchase of property.
3. Accommodation, services and facilities customarily available to the public.

The BC Human Rights Code covers all provincially regulated businesses and agencies. This includes all the ministries of the provincial government, local and municipal governments, schools and universities, hospitals and medical clinics, and private businesses such as stores, restaurants, and rental accommodation.

(There is also a Canadian Human Rights Commission which deals with federally regulated agencies and businesses.)

### What is discrimination and harassment?

#### 1. Discrimination

Discrimination occurs when an individual, or a group of people, are denied opportunities and rights because of a personal characteristic, such as their race, sex, etc..

Discrimination is when people are judged as members of a group rather than on the basis of their individual merits or abilities (e.g. "women cannot do jobs that involve heavy lifting").

#### 2. Harassment

Harassment is a particular type of discrimination, and includes insulting or abusive treatment of people because of a personal characteristic.

The Human Rights Code protects people from harassment because of sex (such as when a person is subjected to unwelcome sexual conduct or sexual hostility), race, place of origin, or because of any of the other characteristics covered by the Code (see "Prohibited Grounds of Discrimination and Harassment" - next column).

## Prohibited Grounds of Discrimination and Harassment

The Human Rights Code makes discrimination and harassment on the basis of the following characteristics unlawful:

- Race
- Colour
- Ancestry
- Place of Origin
- Age (covers only those 19 years and older and less than 65 years old)
- Sex (which includes pregnancy, breastfeeding, and sexual harassment)
- Physical or mental disability (which includes HIV/AIDS and drug or alcohol addiction)
- Sexual orientation (being gay, lesbian, straight or bi-sexual)
- Criminal conviction (employment only)
- Political belief (employment only)
- Lawful source of income (tenancy only)
- Religion
- Marital status
- Family status

## Prohibited practices

You are protected from being discriminated against because of a prohibited ground in relation to:

- Employment, including recruitment, job assignment, termination, pay rates, or conditions of work;
- Membership in a union or professional association;
- Provision of services, accommodations, or facilities;
- Rental of residential premises, unless the space is to be shared by the landlord;
- Purchase of a commercial or residential property; or
- Publication of hate literature.

### (Prohibited Practices, cont'd.)

In addition,

- Men and women must be paid the same for doing the same or substantially similar work; and
- You must not be retaliated against for filing a complaint under the Code.

### Duty to Accommodate

Sometimes a particular characteristic may mean a person is unable to do something (e.g., if a person is completely blind they will not be able to be employed as a bus driver). Human rights law recognizes this and does not regard these few situations as discriminatory.

More often, however, a particular characteristic will mean a person does something differently, perhaps more slowly, or requires some form of assistance. Employers, service providers, etc., have a duty to accommodate these different capabilities, or requirements for assistance up to the point of undue hardship to avoid contravening human rights law.

### Getting Help With Complaints

Assistance is available when either filing or responding to a complaint. There is a publicly funded legal clinic that provides advocacy services including representation to eligible individuals free of charge on a province-wide basis. Filing a complaint initiates a legal process which has procedures similar to court (see Contacts).

### Contacts

#### Human Rights Tribunal

Suite 1170 - 605 Robson Street  
Vancouver BC V6B 5J3  
Phone: (604) 775-2000  
Toll Free (in B.C.): 1-888-440-8844  
TTY (for hearing impaired): (604) 775-2021  
E-mail: [BCHumanRightsTribunal@gov.bc.ca](mailto:BCHumanRightsTribunal@gov.bc.ca)  
Web: [www.bchrt.gov.bc.ca](http://www.bchrt.gov.bc.ca)

#### BC Human Rights Clinic

(For Complainants Anywhere in B.C.)  
C/O BC Human Rights Coalition  
Suite 1202-510 West Hastings St.  
Vancouver, BC, V6B 1L8  
Phone: (604) 689-8474  
Toll Free: 1-877-689-8474  
E-mail: [info@bchrcoalition.org](mailto:info@bchrcoalition.org)  
Web: [www.bchrcoalition.org](http://www.bchrcoalition.org)

#### The Law Centre Human Rights Clinic

(For Respondents and local Complainants)  
Third Floor-1221 Broad St.  
Victoria, BC V8W 2A4  
Phone: (250) 385-1221  
Toll Free: 1-866-385-1221  
E-mail: [reception@thelawcentre.ca](mailto:reception@thelawcentre.ca)

#### Ministry of Attorney General Strategic Planning and Legislation Office

11th Fl 1001 Douglas Street  
PO BOX 9286 STN PROV GOVT  
Victoria V8W 9J7  
Phone: (250) 356-9666  
TTY: Please call Enquiry BC: 1-800-661-8773  
Web: [www.ag.gov.bc.ca/human-rights-protection](http://www.ag.gov.bc.ca/human-rights-protection)