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SEXUAL HARASSMENT: SERIOUS DAMAGES FOR SERIOUS MISHANDLING

— By Lauren Bernardi. © Bernardi Human Resource Law.

In late 2010, MP, a City of Calgary employee, was sexually fondled numerous times by a senior foreman, Terry, while she sat at her desk. MP reported these sexual assaults to her manager, Mike, and he arranged for an extension to her desk which would make it harder to approach her from behind. Mike then went on a one-week vacation and left Terry in charge of the department.

Terry continued to sexually assault MP, so she installed a spy camera and caught him on the camera. She showed Dean, a more senior manager, still pictures from the video. Although Dean found the pictures inconclusive, Terry was suspended three days later.

The following significant events occurred afterwards:

- Shortly after Terry was suspended, MP discovered rat poison on her keyboard and the City commenced an investigation, but it was never completed. MP was moved to another work site.
- In January, Dean directed MP to return to her normal work site. She expressed unease in an email chain with Dean and Mike. Dean wrote, "Mike was and will soon again be, your supervisor. You need to think hard how you speak to people, specifically the lack of respect you consistently display. I suggest you re-read the City's Respectful Workplace policy. Consider this counseling."
- Mike circulated a memo to staff about respecting "In House Rules", a portion of which seemed to apply specifically to MP.
- After taking a pre-scheduled one-week vacation in January, the City required MP to provide a certificate of fitness to return to work despite not having been on sick leave.
- When MP provided the certificate and returned to work at her normal work site, Mike met with MP to review the City's rules of conduct and told her that she would be disciplined for any other disrespectful behaviour.
- MP filed a grievance asking to be transferred to a different work site and alleged discrimination by the City. She was then transferred to the other work site and for the next several months was placed in several makeshift workstations and positions.

Starting after the assaults, MP had ongoing visits to her family doctor who diagnosed her with acute stress and anxiety with post-traumatic features. The stress was also causing adverse effects on her relationship with her husband. In August 2011, MP was admitted to the hospital for suicidal ideation and went on sick leave.

MP later filed a human rights complaint. This complaint and her grievance were dealt with at an arbitration that took place in 2012 and 2013.

The arbitration decision found that there was a total failure to meet the City's legal obligations. The City was clearly vicariously liable for Terry's actions, but his conduct was only the first of a "number of serious missteps" by the City with MP being treated as a "problem to be managed" rather than "a victim to be supported".

The arbitrators were particularly concerned by the City's failure to immediately commence an investigation after MP reported the allegations, and leaving Terry in charge while Mike was on holidays. In addition, they found it problematic that:

- MP was not immediately removed from the workplace and no steps were taken to ensure she was not subjected to reprisals;
- MP was directed to return to her work site and was counselled for being disrespectful after she had expressed concern for her safety;
- MP was asked to provide a medical certificate to return to work when she had not indicated she was sick;
- MP was only removed from the work site after she filed a grievance; and
- MP was moved to a temporary *ad hoc* location, causing additional stress.

Based on medical evidence, the arbitrators accepted that MP had suffered serious injuries and would not return to work for many years, if at all. She was awarded over $800,000 in monetary damages consisting of:

- $125,000 in general damages;
- $135,630 for past loss of income;
- $512,149 for future loss of income;
- $68,243 for pension loss; and
- $28,000 to pay for therapy.

These damages are high and related to the particularly egregious facts of this case. MP was sexually assaulted on multiple occasions and the arbitrator found that the City's response was so unsupportive that it likely worsened the situation dramatically. As a result of the sexual harassment and treatment from the City, MP's functioning was severely compromised and she became essentially housebound, with her physicians expecting two to five years of treatment required to recover.

Tips for Employers

If you receive a serious allegation from an employee, consider obtaining legal advice. While you cannot always control the interactions that take place between employees, you have a duty to respond appropriately after they occur. As evidenced from the above case, the repercussions for not handling things correctly can be very costly.

The best approach is to take immediate action. Separate employees and commence an investigation as soon as possible. While an investigation is ongoing, and afterwards, provide support to the complainant to ensure that his or her needs are addressed and that he or she is not facing any negative consequences or reprisals in the workplace. This may involve checking in with the employee regularly, providing access to an employee assistance program, or allowing time off. Where an employee expresses concerns or makes specific requests, accept them in good faith and take steps to ensure that the employee feels safe. Ultimately, these steps could prevent a legal claim against the employer or mean the difference between a small payout and a significant one.

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CASE QUOTABLE

Where an employee is dismissed from his or her employment, whether expressly or constructively, and the employer then makes an offer to re-employ, the employee faces a difficult decision. As the law recognizes, it may be difficult for the employee to return to the same or a similar job after he or she has been fired or constructively fired, but the question of whether or not it is reasonable to accept the offer will be determined on an objective basis, albeit a reasonable person in the employee's position.

Hooge v. Gillwood Remanufacturing Inc., 2014 BCSC 11, at para. 56.

CASE NOTES

Employee's Damages Reduced for Failure To Mitigate By Accepting Re-Employment

— Jennifer S. Russell of Roper Greyell LLP. © 2014 Roper Greyell LLP — Employment + Labour Lawyers.

Wrongfully dismissed employees generally have a duty to mitigate their damages by seeking and accepting comparable employment. In the right circumstances, that may also include a duty to accept re-employment with the very employer that dismissed them in the first place. In its recent decision, *Hooge v. Gillwood Remanufacturing Inc.*, 2014 BCSC 11, the BC Supreme Court slashed an employee's damages for wrongful dismissal from 18 months to nine for exactly this reason.

Hooge was a mill worker for Gillwood Remanufacturing Ltd. ("Gillwood"), which owned and operated a mill in Chilliwack. He was originally hired in 1975 and worked his way up the ranks to the position of production supervisor. Hooge maintained that position through a series of ownership changes until the defendant purported to "lay him off" indefinitely in August 2011.

By way of a letter from his lawyer, Hooge denied that Gillwood had the right to lay him off and asserted that the layoff constituted a fundamental breach of his employment contract. He sought damages for that breach and stated that absent a timely response to his demand, he would commence legal proceedings. Indeed, Hooge commenced an action seeking damages for wrongful dismissal on September 12, 2011. One week later, Gillwood stated that it was recalling Hooge to work, effective immediately. Hooge declined to accept Gillwood's offer to return to work.

Given that Hooge's employment contract did not provide for a temporary layoff and the fact that he clearly did not accept Gillwood's attempt to lay him off, the Court agreed that the purported layoff amounted to a wrongful termination. It further found that the reasonable notice period for Hooge was 18 months. The issue then became whether Hooge had failed to mitigate his loss by declining Gillwood's offer of re-employment.

The obligation to mitigate by returning to a position offered by the same employer is governed by the considerations set out in *Evans v. Teamsters Local Union No. 31*, 2008 SCC 20. The test is essentially a reasonable person test: "whether a reasonable person in the employee's position would have accepted the employer's offer". It requires a multi-factored and contextual analysis and the expected work environment during the period of continued employment is of significance. An employee is not obliged to continue to work in an atmosphere of hostility, embarrassment, or humiliation.

Hooge alleged that it was reasonable for him to decline the offer to return to work for various reasons, including his sense that his employer was "out to get him" and that he was someone it wanted to "get rid of". He reported feeling belittled and experiencing hostility and aggressiveness from the employer. He described personal and professional

humiliation, which included the fact that he was laid off at a time when the mill was busier than it had been for years and a junior employee took over his position.

Despite Hooge's testimony, the Court found that the layoff decision was based on the financial viability of the company and designed to improve its productivity. The newest owner may have had a "different management style" but the evidence did not establish, on an objective basis, acrimony, mistreatment, or similar actions or the undermining of Mr. Hooge's authority in the workplace of such a nature that a reasonable person would refuse to mitigate his loss by returning to his former position. The Court reduced Hooge's damages by the nine-month period that Gillwood likely would have had work for him.

In contrast, in *Piron v. Dominion Masonry Ltd.*, 2012 BCSC 1070 (affirmed in 2013 BCCA 184), the BC Supreme Court found that an employee was justified in refusing to return to work for his employer based largely on a couple of "non-responsive and inappropriate" communications. What is the lesson for employers? The objective standard that the Court will apply is highly dependent on the facts.

Hooge also argued that he was entitled to refuse the re-employment offer because it was motivated solely by Gillwood's realization that it faced a significant claim for damages for constructive dismissal. The Court rejected this argument:

> Even if the offer to re-employ was motivated by a desire to avoid the payment of damages in lieu of severance, that does not make it reasonable to decline the offer. It seems to me that an employer who has laid off an employee, or wrongfully terminated an employee without due notice, may very well come to the conclusion, particularly with the benefit of legal advice, that its actions constituted a wrongful dismissal and may seek to mitigate its own exposure to the payment of damages by offering to re-hire the employee.

Take-Away Point for Employers

When facing liability for wrongful or constructive dismissal, employers should consider offering re-employment to avoid being compelled to pay damages.

An employee will only be required to accept re-employment where it would be reasonable for him or her to do so and the workplace atmosphere is a major component of that highly fact-dependent analysis. Employer conduct before, during, *and after* the termination is all considered in determining whether the employee would face a hostile or humiliating work environment.

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A Cautionary Tale When Dismissing an Older Employee

— Sandra F. Guarascio and Deborah Rhodes of Roper Greyell LLP. © 2014 Roper Greyell LLP — Employment + Labour Lawyers.

Aging and the lack of capacity to perform work can be inextricably linked but the dismissal of an older worker, even where there are performance concerns, must be handled with extreme care to avoid exposure to human rights complaints.

An employer wishing to dismiss an older employee would be wise to thoroughly document any performance issues or

concerns, and to communicate those concerns to the employee in question, before contemplating the termination of the employment relationship. Failure to do so may result in a human rights complaint and an award for damages due to discrimination based on the prohibited ground of age, as the employer discovered in *Paul Price v. Top Line Roofing Ltd.*, 2013 BCHRT 306 (Tyshynski).

Background

Top Line Roofing Ltd., a locally owned and operated roofing company, hired Paul Price in July 2008 as a journeyman roofer, and terminated his employment four years later. Mr. Price had worked for Top Line off and on over a 15-year period and had 30 years' experience in the industry.

In April 2012, three months before his job with Top Line ended, the company hired a journeyman in his 40s and two young apprentices. In July 2012, Top Line laid off the two oldest journeymen, one who was in his 60s and Mr. Price, who was 53 years old at the time. The reason given for the dismissal was a shortage of work, despite summer typically being the busiest time of year for roofing companies and the fact that the recent hires were not the first to be laid off, as was the usual practice.

Findings of Fact

Mr. Price was the sole witness in his complaint. The employer called four witnesses at the hearing, all of whom were in its employ at the relevant time. Perhaps not surprisingly, the company's witnesses testified that the employer did everything it could to keep its journeymen roofers employed during the slow winter months, and Mr. Price agreed that Top Line had kept him employed through periods of work shortages in the past.

On the same day in 2012 when Mr. Price was laid off, three other employees also lost their jobs. One was a journeyman in his 60s and the other two were labourers in their 20s. The superintendent testified that he told Mr. Price he would be called back once business picked up again, a claim which Mr. Price denied at hearing. Mr. Price believed his layoff was permanent as the company had just hired new employees and laid off the two oldest employees, and because July was an unusual time for a layoff in the roofing industry.

Top Line's witnesses then testified that Mr. Price was laid off due to a lack of productivity, that he was slow compared to other journeymen, and that there were issues with his attitude and work ethic. One company witness testified that he understood that Mr. Price was "getting older and was looking for some other type of work". Another testified that "Mr. Price did not seem to want to be at work" and he "was not getting as much work done as others". He testified further that Mr. Price would often leave work early and that payroll records would show how frequent an occurrence this was. Despite this assertion, no payroll documentation was ever entered by the company.

The owner of the company refused to testify at the hearing — even when invited to do so. This was in spite of the fact that it was the owner, in consultation with the superintendent (who did testify), who terminated Mr. Price's employment. Further, it became clear that Top Line had not disclosed material in the proceeding that may have proven relevant to the complaint and to the company's response. The parties were offered the opportunity to adjourn in order to locate and present documents, but the company did not wish to enter any documents at the hearing.

Mr. Price denied work performance issues, testified he was never told he was slow, and maintained he did not have a poor work ethic. Other than the bare assertions of its witnesses, Top Line did not provide any proof of Mr. Price's alleged performance issues.

Decision of the BC Human Rights Tribunal

The complaint of discrimination was filed under section 13 of the BC *Human Rights Code*, which prohibits discrimination in employment on the basis of age.

The burden of establishing a *prima facie* case of discrimination on a balance of probabilities fell on Mr. Price. The BC Human Rights Tribunal found there to be sufficient evidence to infer that age was a factor in the termination of Mr. Price's employment. Top Line failed to provide any material evidence to support its contention that Mr. Price was laid off due to a shortage of work in the middle of the roofing company's busiest season. Top Line also failed to account for the hiring of three new employees mere months before the dismissal of the two oldest journeymen on the company's payroll. Finally, Top Line failed to provide documentation regarding its contention that Mr. Price was slow, appeared not to be happy, and did not want to work. This complete lack of documentary evidence resulted in the Tribunal being unable to make findings of fact that Mr. Price was laid off for performance reasons or lack of work.

The Tribunal determined that Mr. Price had indeed established a case of employment discrimination on the basis of age. The employer was ordered to cease the contravention and refrain from behaving the same way in the future. Mr. Price specifically stated that he was only seeking two months' of lost wages and no other remedy, including no award for injury to dignity. He was accordingly awarded eight weeks' wages in the amount of $11,861.48. But for the fact he had expressly limited his request for damages, he would likely have been awarded significantly more.

Words of Caution for Employers

Regardless of the age of an employee, documenting performance issues long before a decision to terminate is of vital importance if that is the reason cited for termination. In addition, hiring new employees close in time to the dismissal of other employees should be carefully considered as it may be a decision that will have to be fully explained and justified.

Employers would be well-advised to keep in mind the following Tribunal statement when contemplating the dismissal of an older employee:

> There is no doubt that age, as in aging and the lack of capacity to perform work, can be inextricably linked. An employer cannot terminate employment based on stereotypical assumptions about age, but there may be circumstances when the reasons for termination are related to declining performance. If job performance is the issue, an employer must treat the older employee with the same respect accorded to all employees, that is, notice of the job performance problems and an opportunity to meet the workplace standard.

With an ever aging workforce and the end of mandatory retirement, this advice will be all the more important for employers to follow.

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LEGISLATIVE ALERT

Nova Scotia's Minimum Wage Will Increase on April 1

Based on recommendations of the Minimum Wage Review Committee, Nova Scotia's minimum wage rate will increase from $10.30 per hour to $10.40 per hour on April 1, 2014.

The rate for inexperienced employees will increase from $9.80 per hour to $9.90 per hour. The monthly rate for logging and forestry workers will increase from $2,016 per month to $2,035 per month.

Nova Scotia's minimum wage is adjusted annually, based on the previous year's national Consumer Price Index. The Minimum Wage Review Committee's 2014 report is available online at www.novascotia.ca/lae/pubs.

Ontario's Minimum Wage Will Increase on June 1

The Government of Ontario recently announced the following minimum wage increase:

Type of Employment	**Current Rate**	**New Rate (effective June 1, 2014)**
General rate	$10.25 per hour	$11 per hour
Student	$9.60 per hour	$10.30 per hour
Liquor server	$8.90 per hour	$9.55 per hour
Homeworker	$11.28 per hour	$12.10 per hour
Hunting and fishing guide		
for less than five consecutive hours in a day	$51.25 per day	$55 per day
for five or more hours in a day	$102.50 per day	$110 per day

This increase was announced following the release of the final report of Ontario's Minimum Wage Advisory Panel. The six-member panel was appointed in June 2013 to study minimum wage policy in the province and to provide advice to the Minister of Labour regarding how the minimum wage should be set.

The panel's final report contains the following four recommendations:

(1) Ontario's minimum wage should be revised annually by a percentage equal to the per cent change in the Ontario Consumer Price Index.

(2) Ontario's minimum wage should increase on April 1 each year, and a minimum of four months' notice of the increase should be provided.

(3) The government should review the minimum wage rate and the revision process every five years.

(4) The government should establish an ongoing research program with respect to minimum wage issues to aid in policy decisions.

The report is available at: www.labour.gov.on.ca/english/es/advisorypanel.php.

Q & A

How Should a Workplace Investigation Be Conducted?

The nature and extent of a workplace investigation will vary according to the circumstances giving rise to the need for the investigation. For example, investigations regarding health and safety complaints and investigations involving human rights issues are quite different. However, in any kind of investigation, the underlying principles to maintain are thoroughness and consistency; the investigative process must also be fair to the employee who is the subject of the investigation.

Below are some general steps:

(1) Start an investigation promptly (i.e., as soon as possible after the incident).

(2) Determine who is the appropriate party to conduct the investigation.

(3) Interview all employees and all prospective witnesses. In a unionized setting, check the collective agreement to determine whether employees are entitled to union representation.

(4) Document every investigative activity and include the date, time, and place of the interview, as well as the attendees and their remarks. Employees and other witnesses may be asked to review and sign a summary of the interview or write out their version of the events.

(5) Gather all relevant documentation, including: agendas, calendars, and itineraries; memoranda and notes to file; personnel files; performance reviews; expense reports; time cards; communication logs; and company policies and procedures.

(6) Prepare a comprehensive report of the investigation.

Any investigation should answer the who, what, where, when, and how of the incident in question. The documentation should set out the purpose of the investigation, make reference to all the documentation that was reviewed, and include any prior incidents with the specific employee and similar incidents with other employees. The documentation should conclude with what decision was made as well as any action plan for follow-up.

If the employer believes that it would be better to have the relevant employee(s) away from work while the investigation is ongoing, it may be prudent to pay the employee his or her salary while he or she is required to be off work. To do otherwise (i.e., not pay an employee who is required to be off work during an investigation) may be akin to punishment before the investigation has concluded and may be akin to constructive dismissal (if pursued by the employee), depending on the circumstances.

DID YOU KNOW . . .

. . . That Archival Ontario *Human Rights Code* Decisions are Now Available Online?

A collection of decisions of the Ontario Board of Inquiry, the body that handled decisions under the Ontario *Human Rights Code* before the Human Rights Tribunal of Ontario was established, has been made available on the "Internet Archive" website. The collection contains over 700 decisions, dating from 1963 to 2002.

The collection can be accessed at https://archive.org/details/boardofinquirydecisions.

EMPLOYMENT REFERENCES: BEWARE THE TWO-HEADED MONSTER

— *By Ryan Edmonds and Ted Panagiotoulias.* © *Heenan Blaikie LLP.*

Introduction

When employees are let go, employers are almost certain to receive requests for an employment reference. Given the current economic climate, and in particular the recent news that Canada lost nearly 46,000 jobs in December 2013 alone, now more than ever employers must be aware of the legal risks involved with giving an employment reference.

References present a double-edged sword for employers. On the one hand, employers have an interest in helping former employees find new jobs as doing so will get them off the company's severance payroll. On the other hand, in giving a reference employers may expose themselves to dual-pronged liability in negligence and/or defamation.

Head 1 — Liability for Negligent Referencing

While a fact of life in the United Kingdom ("UK") for over 20 years, in Canada negligent referencing has merely lurked in the shadows as a hypothetical claim which has yet to be tested by our courts.

In the UK, negligent referencing has reared its head in two ways:

> (1) Claims by employees that their former employers failed to take reasonable care in preparing/giving their reference, which as a result of inaccurate or misleading statements caused harm or loss; or
>
> (2) Claims by the employee's new employer, who in reliance on a positive reference from the former employer which was inaccurate or misleading suffered harm or loss.

Negligent referencing has its roots in a House of Lords decision from 1994, *Spring v. Guardian Assurance* ("*Spring*").[1] In that case, the employer provided a strongly worded and unfavourable reference letter that touched on the employee's character and performance. The letter destroyed his chances of securing employment with three other companies, and also turned out to be inaccurate. As a result, the Law Lords ruled that employers must take reasonable care to avoid giving inaccurate or misleading references, since such references can be damaging to the "future prosperity and happiness" of former employees.

In the years that followed, employers in the UK have learned not to jump the gun by making negative references unsupported by concrete and verifiable facts, as was the case in *Spring*.

The same holds true for positive references as well. UK law now provides that a former employer which gives a shining yet carelessly drafted reference can be sued by a new employer in negligence. If it can be shown the reference was knowingly misleading, there may also be a claim in deceit.

Similarly, the UK courts have extended *Spring* to cover even the most informal of references and reference requests. For example, an informal "chat" or email sent on one's own volition about a former employee may lead to liability.

The status of *Spring* in Canada is somewhat of a legal wrinkle. While the Supreme Court of Canada took note of *Spring* in a decision from 2006,[2] that case had nothing to do with employment references. Nonetheless, lawyers who represent employees frequently rely on this wrinkle to launch negligent referencing claims. These cases inevitably settle out of court, however.

In this way, *Spring* may already be with us in the sense that it promotes a proactive and precautionary approach to employment references. Certainly no Canadian employer wants to be the case that imports *Spring*'s principles and high price tag of damages into Canadian employment law.

Head 2 — Liability in Defamation

Unlike negligent referencing which remains a hypothetical (though likely) risk, defamation claims pose a very real danger to employers who give employment references. After all, defamation law exists to protect one's reputation from injury.

Defamation involves harm to an individual's reputation by way of a false statement to a third party.

Generally speaking, there is a defence of "qualified privilege" that applies when an employer gives a reference about a former employee. The law provides this defence because there is both a public interest and a common interest in allowing the free-flow of such information among employers.

To overcome this defence and be successful, an employee must show that the former employer was motivated by "malice" when giving the defamatory reference. Indicia of malice include:

- a dominant and improper motive to injure the employee;
- intentional dishonesty;
- reckless disregard for the truth; or
- an ulterior motive that conflicts with the interests involved in providing the reference.

Although malice is difficult to prove, if substantiated an employer can be liable for a wide range of losses that the employee has suffered as a result. Further, if the defamation claim accompanies a claim for wrongful dismissal, it can also be used to ground additional damages for aggravated or punitive damages.

Best Practices and Practical Considerations

Given potential claims in negligence and defamation, employees essentially get two kicks at the can when claiming against their former employer for an inaccurate reference.

Compared to defamation, negligence presents a much lower threshold, and by extension, more risk to employers. While an employer may not have been motivated by ill-will or spite, if the inaccurate reference was carelessly given and caused a loss, this may be sufficient for an employee to succeed in his or her claim, if *Spring* is accepted.

It is therefore unsurprising that many employers refuse to give any sort of reference at all. However, this comes with a slew of its own risks and complications, such as allegations of bad faith and/or impeding mitigation efforts.

If references are given, it is crucial to remember that "negative" does not necessarily mean "negligent", or even "nasty". An employer can be honest provided that it is acting in good faith and has the support of a solid factual foundation for any statements made. Indeed, as put by the House of Lords in *Spring*, an employer is not required "to warrant absolutely the accuracy of the facts or incontrovertible validity of opinions". Rather, employers must simply take reasonable care when putting together a reference and verifying the factual basis from which it came.

Reference Dos and Don'ts

Do:

(1) Develop a robust reference policy that employees are aware of and apply it consistently.

(2) Document the contents of any telephone references with a note to file immediately thereafter.

(3) Delegate a referee responsible for providing references.

(4) State only that which is relevant, accurate, and verifiable; i.e., assume the reference will always be the subject of litigation.

(5) If a reference letter has been provided, ensure that all inquiries are answered in a manner consistent with the contents of the letter.

Do Not:

(1) Permit an individual to act as a referee who had a personal conflict or close relationship with the former employee.

(2) Engage in any discussion relating to protected grounds of discrimination under human rights legislation; e.g., "Jane was always leaving early to pick up her kids . . .".

(3) Refuse to give a reference if there is a policy or practice of giving references.

(4) Refer to any circumstances that were not fully or properly investigated.

(5) Permit a manager or supervisor to give "side references" if he or she is not a designated referee under the policy.

This list is just a start. Employers should partner with their employment counsel to develop and implement a company-wide policy which addresses the multitude of legal land mines associated with the ever-present reference request.

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Notes:

[1] [1994] IRLR 460 (HL).

[2] See *Young v. Bella*, 2006 SCC 3 at para. 56.

INITIATIVES AND EVENTS

Newfoundland and Labrador Releases Report on Review of Workers' Compensation System

Following public consultations, a statutory review committee has released a report, "Working Together — Safe, Accountable, Sustainable," which contains a number of recommendations for improving the province's workers' compensation system.

The report is available on the Labour Relations Agency website at www.gov.nl.ca/lra/workingtogether. The public is invited to submit feedback on the report to:

Labour Relations Agency, Attn: Working Together
P.O. Box 8700, St. John's NL A1B 4J6
workingtogether@gov.nl.ca

Submissions will be accepted until **March 14, 2014**.

Ontario Human Rights Guide

The Ontario Human Rights Commission has released an updated version of its "Guide to Your Rights and Responsibilities Under the *Human Rights Code*." The guide provides an overview of Parts I and II of the Ontario *Human Rights Code*, along with examples of how to interpret and apply its provisions.

The guide is available on the Ontario Human Rights Commission's website at www.ohrc.on.ca/en/guide-your-rights-and-responsibilities-under-human-rights-code-0.

FOCUS ON CANADIAN EMPLOYMENT AND EQUALITY RIGHTS

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