

Human Rights in British Columbia

RACIAL DISCRIMINATION

British Columbia's *Human Rights Code* protects people from being treated differently and poorly because of their race, colour, ancestry, or place of origin.

We all have a duty to respect each other's human rights. The B.C. *Human Rights Code* (the Code) is an important law that protects people from discrimination, including harassment. The Code allows a person or group to file a complaint with the BC Human Rights Tribunal if they believe they have been discriminated against or harassed, and protects them from retaliation if they make a complaint.

RACISM AND RACIAL DISCRIMINATION

Racism is a belief that some people are better than other people because they belong to a particular race or ethnic group. Racism can exist as part of an individual's beliefs or more widely as part of a society's values, practices, and institutions. Racism is harmful because it hurts and isolates people and divides communities.

Racial discrimination occurs when someone actually does something based on racist beliefs. Racial discrimination is racism put into action by treating some people differently and poorly because of their race, colour, ancestry, or place of origin. Although laws alone cannot change racist beliefs and prejudices, human rights law can deal with acts of racial discrimination. In B.C., the Code makes it illegal to treat someone differently and poorly, or to harass or insult someone, because of their race, colour, ancestry, or place of origin.

Racial discrimination can take many forms, including:

- verbal abuse or threats;
- unwelcome remarks or name calling;
- denial of services;
- not hiring or promoting someone; and

In B.C., it is illegal to discriminate against or harass a person because of their:

- race;
- colour;
- ancestry;
- place of origin;
- religion;
- marital status;
- family status;
- physical or mental disability;
- sex (includes pregnancy, breastfeeding, and sexual harassment);
- sexual orientation;
- age (19 and over);
- criminal conviction (in employment only);
- political belief (in employment only);
- lawful source of income (in tenancy only).

Where?

The *Human Rights Code* applies to all businesses, agencies, and services in B.C., except those regulated by the federal government. It protects people from discrimination in **public situations**, which include schools, workplaces, universities, hospitals, medical clinics, stores, restaurants, provincial and local government offices, and transit services. It also protects people against discrimination in printed publications and in areas such as employment, tenancy, and the purchase of property.

- publications or displays that criticize people of a particular race, colour, ancestry, or place of origin.

Examples of racial discrimination:

- An Indo-Canadian man goes to see an apartment for rent. After meeting the man, the landlord says the apartment has been rented. The next day the man calls the landlord again to inquire about the apartment and learns it is still available.
- A large company hires many people of colour to work in lower-paid jobs. While white employees are trained and promoted, employees of colour are never promoted, although they are just as qualified and experienced.

- An employee imitates and makes fun of her Asian co-worker's accent.
- A group circulates a pamphlet that expresses hatred toward Filipino Canadians.

DEALING WITH RACIAL DISCRIMINATION

If you are being discriminated against or harassed because of your race, colour, ancestry, or place of origin:

- If it is safe to do so, tell the person firmly that their actions or comments are unacceptable and ask them to stop. If you find this difficult, consider asking a friend for help.
- Keep a written record of exactly what happened and when, and of what was said.
- If the discrimination or harassment happens at work, in your apartment building, or in a store or restaurant, ask your employer or landlord or the manager to do something about it.
- Use internal complaint processes to file a complaint at work or school. If the discrimination or harassment occurs at work and you belong to a union, ask your union representative for help.
- File a human rights complaint with the BC Human Rights Tribunal. (See Contacts.)

HELP WITH COMPLAINTS

A complaint must normally be filed within six months after the alleged discrimination or harassment occurs. Filing a complaint initiates a legal process that is similar to a court proceeding. Assistance is available when either filing or responding to a complaint. A publicly funded legal clinic provides assistance, including legal representation, to eligible persons everywhere in B.C., free of charge. (See Contacts.)

CONTACTS

BC Human Rights Tribunal

Suite 1170 – 605 Robson St.
Vancouver, BC V6B 5J3
Phone: 604 775-2000
Toll Free (in B.C.): 1 888 440-8844
TTY (for hearing impaired): 604 775-2021
Web: www.bchrt.gov.bc.ca

BC Human Rights Clinic

For complainants anywhere in the province:
BC Human Rights Coalition
Suite 1202 – 510 West Hastings St.
Vancouver, BC V6B 1L8
Phone: 604 689-8474
Toll Free: 1-877-689-8474
Web: www.bchrcoalition.org

For respondents anywhere in the province and Victoria-area complainants:
University of Victoria Law Centre
Third Floor 1221 Broad St.
Victoria, BC V8W 2A4
Phone: 250 385-1221
Toll Free: 1-866-385-1221
E-mail: reception@thelawcentre.ca

Ministry of Attorney General

Dispute Resolution Office
Justice Services Branch
PO BOX 9222 STN PROV GOVT
Victoria, BC V8W 9J1
Phone: 250 387-1480
TTY: Please call Enquiry BC: 1-800-661-8773
Web: www.ag.gov.bc.ca/human-rights-protection