



Saskatchewan Human Rights Law

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1. Human Rights

Q: What are human rights?

Human rights are rights that belong to all human beings. They are principles or values of Canadian society and apply to all men and women equally. They include things like:

- Everyone is equal in dignity and rights.
- The law is the same for all people
- No one should be treated unfairly based on qualities like gender or disability.
- Everyone (18 years or older) can vote and associate with the political party they choose.
- No one should be denied education because of the group they belong to.
- No one should be denied housing based on nationality, religion, gender, or because they have children.

This is not a complete list but it gives you an idea about some of the freedoms and human rights in Canada.

“I am Canadian, free to speak without fear, free to worship in my own way, free to stand for what I think right, free to oppose what I believe wrong, or free to choose those who shall govern my country. This heritage of freedom I pledge to uphold for myself and all mankind.”

- Former Prime Minister,
John Diefenbaker (From the
Canadian Bill of Rights, July 1, 1960.)

2. Human Rights Law in Saskatchewan

Q: What is human rights law in Saskatchewan?

The Saskatchewan Human Rights Code is the law used to promote and protect rights and equality in Saskatchewan. The *Code* makes it illegal to discriminate. *Discrimination* is an unfair action made against you because you belong to a certain group. The *Saskatchewan Human Rights Commission (SHRC)* is a government agency that protects and promotes human rights in Saskatchewan.

Q: What is discrimination?

Under the *Code*, discrimination is an action that:

- Puts a person at a disadvantage:
 - By treating them differently from others
 - By applying the same rule to everyone, which can result in a person being denied opportunities or receiving fewer benefits (for an example, see the question "What is discrimination under the *Code*?")
- Is connected to a characteristic called *protected ground* (see the next question for an explanation of "protected ground").
- Involves a *public area* of life listed in the *Code* (for an explanation of "public areas" see the question "What are the public areas of life according to the *Code*?").

Q: What are the protected grounds?

The *Code* makes it illegal to discriminate against a person based on certain characteristics called *protected grounds*. Protected grounds are personal characteristics like:

- [Ancestry, nationality or place of birth](#)
- Religion
- Physical or mental disability
- Sex/gender (including [pregnancy](#) and [sexual harassment](#))
- Age (if you are 18 years of age or over)
- Marital status (being married, single, widowed or divorced)
- Family status (parent-child relationship)
- Receiving financial assistance from the government to pay for living expenses (public assistance)
- Sexual orientation

Q: What are the public areas of life according to the *Code*?

The *Code* protects you from discrimination in *public areas* of life. Public areas are not necessarily a “place.” It can also refer to parts of society. For example:

- [Employment and occupations](#)
- Education
- Housing (renting a place to live)
- Public services (hotels, restaurants, stores, government services)
- Publications (newspapers or magazines)
- Legal contracts or purchase of property
- Workers’ associations or workers’ unions

Q: What is discrimination under the *Code*?

Here are some examples of discrimination:

- An employer decides not to hire a qualified person because of the person’s skin colour or place of origin.
- A landlord refuses to rent an apartment to a person because of her ancestry, because she has young children, or because she receives financial assistance from the government.
- A supervisor gives an employee fewer hours of work or fires her because she is [pregnant](#).
- A store has a rule that all cashiers should stand while working. One employee has back pain and her doctor told her she should not stand for longer than 20 minutes at a time. The employer forces the worker to stand for longer than 20 minutes.

Q: What is NOT discrimination under *the Saskatchewan Human Rights Code*?

The following actions are not discrimination under the *Code*:

- Discipline for not doing your work properly when you know how it should be done or for doing something illegal at work.
- Work assignments, reviews, coaching, evaluation or discipline done by a Manager or a Supervisor for valid reasons.

Appropriate discipline in the workplace might involve a verbal or written warning or a suspension from work with no pay for 1 to 3 days, unless it is a more serious issue.

Q: What is harassment under the *Saskatchewan Human Rights Code*?

Harassment is discrimination under the *Code* when it involves the *protected grounds* such as race, religion or [sex](#), and is done in a *public area* of life such as the workplace, school or housing. It includes jokes that hurt your feelings, someone calling you a bad name, inappropriately touching you or wrongly denying you benefits.

Example:

- A supervisor or co-worker makes negative comments about your age, race or religious practices that you find offensive. As a result, you experience negative conditions at work. This would be *discrimination in employment based on the protected grounds of age, race and religion*.

3. Protection from Discrimination at Work

Q: Can my employer discriminate against me?

Employers have a responsibility to provide a [workplace](#) that is free from [discrimination](#) and [harassment](#). The *Code* sets out protections against discrimination in all aspects of employment. Employers cannot discriminate against employees based on any of the *protected grounds* in:

- Deciding who to hire or fire
- Deciding who to promote
- Setting the wages, benefits and conditions of work
- Harassment at work

Any worker in a workplace who harasses another worker or customer can be held responsible through the Saskatchewan Human Rights Commission's complaints process or sometimes by the police and a court of law.

Q: What is *accommodation* at work?

Sometimes you need to change how your work is done because of a disability or religious practice or reason related to another *protected ground*. The *Code* requires your employer to try to [accommodate](#) - or make adjustments - so that you can do your job.

You and your employer need to cooperate to find a suitable *accommodation*. You must let your employer know you need an *accommodation* and you will need to provide medical or other information. Your employer needs to explore possible ways of

changing the work, working conditions or work environment so you can do your job. This is what is meant by the term *duty to accommodate*. Your employer is not required to make changes to the work or workplace if the accommodation would cause an *undue hardship*, such as causing a workplace to go bankrupt or creating a safety risk for you or others.

Examples of *accommodation* at work:

- An employer changes the work schedule of an employee who cannot work on Saturday because of his or her religion.
- A store has a rule that all cashiers should stand while working. One employee has back pain and her doctor told her she should not stand for longer than 20 minutes at a time. The store manager gives the employee a stool to sit on when she needs to so she is able to do her job.

Q: Does the *Code* cover job advertisements, application forms and interviews?

Employers are not allowed to state a preference in job advertisements. For instance, they cannot state that they will accept applications from “men only” or from “women only.” For more information about the questions that may be asked on [application forms](#) or in interviews, contact the [Saskatchewan Human Rights Commission](#).

Employers are allowed to ask questions about education, skills and experience.

Examples:

- Employers should not ask in which year you were born, but they can ask if you are old enough to work.
- Employers should not ask your nationality or place of birth, but they can ask if you are legally allowed to work in Canada.
- Employers should not ask if you have been absent from work in previous jobs because of an illness or disability, but they can ask if you require any *accommodation* in order to perform the duties of the job.

4. If You Think You Have Been Discriminated Against

Q: I think I am being discriminated against. What can I do?

If you think someone is discriminating against you, you can [make a complaint](#). There is no cost to make a complaint. Employees at the Saskatchewan Human Rights Commission will answer any questions you may have about the complaint process and

assist you with filing a complaint.

Q: Why should I make a complaint?

The purpose of making a complaint to the Saskatchewan Human Rights Commission is to make up for the harm the *discrimination* caused you. Discrimination may have caused you to feel embarrassed or humiliated. You may have lost wages and benefits because of the discrimination.

If you file a complaint and it is determined that you have been discriminated against, you may receive financial compensation for the injury to your feelings and self-respect. Complaints can also help teach others about what not to do in the workplace and can discourage future acts of discrimination.

Q: Can I lose my job for making a complaint?

If you make a complaint of discrimination against your employer, it is illegal for your employer to fire you (lose your job) or reduce your hours of work; this is called *retaliation*. You may seek financial compensation for any losses that result from retaliation.

Q: How do I make a complaint?

When you contact the Saskatchewan Human Rights Commission, you will be asked to give details of what happened and why you think you have been *discriminated* against by filling out a form called an [Intake Questionnaire](#). It is helpful if you make notes of what happened, the date it happened and the names of people who saw or heard events related to the complaint.

Q: Do I need a lawyer to make a complaint?

No. You do not need a lawyer to [make a complaint](#) of discrimination to the Saskatchewan Human Rights Commission.

For more information, go to www.shrc.gov.sk.ca. You can also visit, telephone or write to one of the offices of the Saskatchewan Human Rights Commission:

Regina office

301-1942 Hamilton Street
Regina, SK S4P 2C5
Phone: 787-2530
Toll free (no cost): 1-800-667-8577

Saskatoon office

816-122-3rd Avenue North
Saskatoon, SK S7K 2H6
Phone: 933-5952
Toll free (no cost): 1-800-667-9249

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This document, along with information on other topics,
is available in various languages at:**

www.saskimmigrationcanada.ca/information-in-various-languages

Questions?

Email: immigration@gov.sk.ca
Tel: (Canada 001) 306-798-7467
Website: www.saskimmigrationcanada.ca