- Provide relevant information to help address your needs
- Take part in looking at possible accommodation solutions.

As an accommodation provider:

- Treat an accommodation request as sincere, unless there is clear evidence it is not
- Ask only for information needed to determine accommodation options
- Respect the privacy of the person asking for accommodation, and share information only when necessary
- Take an active role in looking at accommodation solutions that meet individual and group needs
- Deal with accommodation requests as quickly as possible, even if it means creating a temporary solution while you develop a long-term one
- Cover the cost of accommodations.

Preventing discrimination

Parties responsible under the *Code* must work to prevent creed-based discrimination. This includes employers, unions, housing providers and service providers.

Preventing discrimination includes looking for ways to design policies, rules, procedures, practices and spaces with everyone in mind. This "inclusive design" supports equal treatment and participation.

To promote equal treatment and inclusion of people with diverse creed beliefs, organizations should develop and review:

- Creed accommodation policies and procedures
- Strategies to prevent and remove barriers based on creed
- Anti-harassment and anti-discrimination policies
- Education and training on creed diversity
- Internal complaints procedures.

These resources may need to change over time to ensure an organization is meeting its responsibility to prevent discrimination. Employers, service providers and housing providers (especially those that regularly deal with the diverse public) should also equip their staff with the necessary cultural and religious competency skills to effectively and equitably serve members of the public from diverse creed backgrounds.

For more information

The Ontario Human Rights Commission's *Policy on preventing discrimination based on creed* and other publications are available at **www.ohrc.on.ca**.

To file a complaint – called an application – contact the Human Rights Tribunal of Ontario at:
Toll Free: 1-866-598-0322
TTY Toll Free: 1-866-607-1240
Website: **www.hrto.ca**

If you need legal help, contact the Human Rights Legal Support Centre at:
Toll Free: 1-866-625-5179
TTY Toll Free: 1-866-612-8627
Website: **www.hrlsc.on.ca**

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Creed AND human rights

Ontario
Human Rights Commission
Commission ontarienne des droits de la personne

What protection does the Ontario *Human Rights Code* offer?

The Ontario *Human Rights Code* (the *Code*) recognizes the dignity and worth of every person in Ontario. It provides for equal rights and opportunities, and freedom from discrimination.

The *Code* protects people's right to have and practice the creed beliefs they choose without discrimination. It protects people's right to equal treatment based on creed in the areas of housing, services (such as education, health care, police, government), employment, contracts and membership in unions or professional associations.

No right under the *Code* is absolute – which means that rights based on creed may be limited if they interfere with other people's rights. For example, creed practices are not protected if they incite hatred or violence against other people or break criminal laws.

The *Code* recognizes people's right to come together and form associations for creed-related purposes in certain circumstances, even if that means excluding others who do not share the same creed beliefs.

What does creed mean?

The *Code* does not define creed. In our policy, which reflects court and tribunal decisions, creed includes religion in the broadest sense. It may also include other belief systems that, like religion, substantially influence a person's identity, worldview and way of life.

Creed-based discrimination

Anyone may experience discrimination based on creed. This includes people who do not follow a creed. Creed need only be one factor in someone's unequal treatment in employment, services, housing, contracts, or membership in a union or association for it to be discrimination.

Some types of creed-based discrimination are:

- Harassment
- Creed profiling (similar to racial profiling)
- Treating someone differently and unequally based on their creed.

Creed-based discrimination can occur when no one means to discriminate. For example, a rule that limits someone's ability to practice a creed may be discrimination, even if it was not created for that purpose.

Discrimination against people based on creed remains a problem in today's society. This is sometimes shaped by stereotypes and prejudice against people of religious faith, racism and Canada's colonial past (for example, relating to Indigenous peoples), Islamophobia, antisemitism and xenophobia. People without any creed, or who differ with people of the same creed, may also sometimes face stigma and creed-based pressure.

The duty to accommodate

Under the *Code*, employers, service providers, unions and housing providers under provincial jurisdiction have a legal "duty to accommodate" people's creed. This duty applies when a rule or requirement negatively affects honestly-held creed beliefs and practices.

The goal of accommodation is to allow people with different creed beliefs to equally benefit from and take part in the workplace, services or housing.

Some examples of accommodations are:

- Enabling people to observe creed-based holidays, Sabbath days or time-sensitive practices through flexible scheduling and leaves of absence
- Making changes to dress codes or uniforms to allow for creed-based dress or appearance requirements
- Changing the ventilation or fire-safety features of a room to allow for the practice of smudging in a timely and safe way
- Considering and including creed-based food restrictions when providing or handling foods.

The most appropriate accommodation is the one that most respects dignity, meets a person's individual needs and allows them to fully take part and contribute.

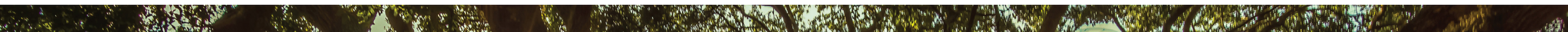
Not every creed belief or practice that is negatively affected by a rule or requirement will necessarily require accommodation. The duty to accommodate may sometimes not exist or be limited, including when the accommodation causes undue hardship (considering costs and health and safety), or interferes with a competing right or with meeting a legitimate (*bona fide*) requirement.

Organizations should search for alternative ways of meeting goals in ways that do not negatively affect people based on their creed. Where this is not possible without creating undue hardship, organizations must still explore alternative accommodation or "next-best" solutions.

Example: A workplace requires its employees to wear a safety mask while working with dangerous gases. An employee must be clean-shaven for the mask to fit properly. This negatively affects a person whose creed requires them to grow facial hair. The organization explores alternative ways of protecting people from poisonous gases. The alternatives all cause undue hardship, for reasons of cost or health and safety. The workplace places the employee who cannot wear the mask in another position that does not require wearing a safety mask.

Accommodation is a shared responsibility. Everyone involved, including the person asking for accommodation, should work together, exchange relevant information, and look for accommodation solutions together.

Accommodation responsibilities

If you are asking for accommodation:

- As early as possible, tell your employer, union, landlord or service provider what your creed-related accommodation needs are related to your job duties, tenancy or the services being provided