

## Identifying and addressing racial discrimination

Organizations must take proactive steps to make sure they are not taking part in, condoning or allowing racial discrimination or harassment to happen.

A good place to start is to develop a solid anti-racism program that can help prevent and address individual and systemic forms of racial discrimination. This might include:

- ▶ Collecting race-based numerical data in appropriate circumstances
- ▶ Accounting for race-based historical disadvantage
- ▶ Reviewing policies, practices, decision-making processes and workplace culture, for adverse impact
- ▶ Putting in place and enforcing anti-racism, anti-discrimination and anti-harassment policies and education programs.

An anti-racism program will also make it easier for organizations to promote equity and diversity goals, and it makes good business sense.

## For more information

The Ontario Human Rights Commission's *Policy and Guidelines on Racism and Racial Discrimination* and other publications are available at [www.ohrc.on.ca](http://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](http://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](http://www.hrlsc.on.ca)

# Racial DISCRIMINATION

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## || Ontario's *Human Rights Code*

The Ontario *Human Rights Code* (the *Code*) provides for equal rights and opportunities, and freedom from discrimination. The *Code* recognizes the dignity and worth of every person in Ontario. It applies to the areas of employment, housing, facilities and services, contracts, and membership in unions, trade or vocational associations.

Under the *Code*, every person has the right to be free from racial discrimination and harassment. You should not be treated differently because of your race or other related grounds, such as your ancestry, colour, place of origin, ethnic origin, citizenship or creed. This applies to areas covered by the *Code* such as at work, at school, in rental housing, or in services. Services include places such as stores and malls, hotels, hospitals, recreation facilities and schools.

## || Racism and racial discrimination

In Canada, there are strong human rights laws and systems to address discrimination. At the same time, we also have a legacy

of racism – particularly towards Aboriginal persons, but to other groups as well, including African, Chinese, Japanese, South Asian, Jewish and Muslim Canadians. This legacy affects our systems and structures even today, affecting the lives of racialized persons and all people in Canada.

The Ontario Human Rights Commission describes communities facing racism as “racialized.” Race is a social construct. This means that society forms ideas of race based on geographic, historical, political, economic, social and cultural factors, as well as physical traits, even though none of these can be used to justify racial superiority or racial prejudice.

Racism is a broader experience and practice than racial discrimination. Racism is a belief that one group is superior to others. Racism can be openly displayed in racial jokes, slurs or hate crimes. It can also be more deeply rooted in attitudes, values and stereotypical beliefs. In some cases, people don't even realize they have these beliefs. Instead, they are assumptions that have evolved over time and have become part of systems and institutions, and also associated with the dominant group's power and privilege.

Racial discrimination is the illegal expression of racism. It includes any action, intentional or not, that has the effect of singling out persons based on their race, and imposing burdens on them and not on others, or withholding or limiting access to benefits available to other members of society, in areas covered by the *Code*. Race only needs to be one factor in a situation for racial discrimination to have occurred.

Racial harassment is a form of discrimination. It includes comments, jokes, name-calling, display of pictures or behaviour that insults you, offends you or puts you down because of your race and other related grounds.

Racial discrimination can often be very subtle, such as being assigned to less desirable jobs, or being denied mentoring and training. It might also mean facing different job standards than other workers, being denied an apartment because you appear to have Aboriginal ancestry, or facing unfair scrutiny from police while driving or from security staff at a shopping mall.

## || Systemic racial discrimination

Racial discrimination can happen on an institutional – or systemic – level, from everyday rules and structures that are not consciously intended or designed to discriminate. Patterns of behaviour, policies or practices that are part of the structures of an organization or an entire sector can disadvantage or fail to reverse the ongoing impact and legacy of historical disadvantage of racialized persons. This means that even though you did not intend to, your “normal way of doing things” might be having a negative impact on racialized persons.

**Example:** In the education sector, systemic discrimination can include: stereotyping that streams racialized students towards technical programs instead of academic ones. Also, when promotion practices focus on cultural and organizational factors that are based on the experiences of White educators, the result can be lower numbers of racialized people in leadership roles (such as principals).