

Index

All index references are to section numbers of the Ontario Human Rights Code, unless preceded by one of the following: “HRTOP” (which refers to Human Rights Tribunal of Ontario Policy Documents); or “OHRCPG” (which refers to Ontario Human Rights Commission Policies and Guidelines).

ACCOMMODATE, DUTY TO

See also ONTARIO HUMAN RIGHTS COMMISSION

Disability, **17(2)**

Family status, **11(2)**

Undue hardship, **24(2), 24(3)**
generally, **11(2)**
assessing, **24(3)**
employment, **24(2)**

ACCOMMODATION, OCCUPANCY OF

See also LANDLORD

Equal treatment in, right to, **2(1)**

Harassment, freedom from, **2(2)**

Owner sharing, **21(1)**

Person under 18, **4(1)**

Residential, **O. Reg. 290/98**

Same sex, **21(2)**

Seventeen-year-old, contract for, **4(2)**

Shared accommodation, **21(1)**

Sixteen-year-old, contract for, **4(2)**

ADVERTISING

Discriminatory, **23(1)**

AFFIRMATIVE ACTION

See SPECIAL PROGRAMS

AGE

Benefits, **15, 25**

Definition, **10(1)**

Minimum drinking age, **20(2)**

Not grounds for discrimination, **1 to 3, 5**

AGE—Cont’d

Not infringed when over 65, **15**

Older persons

definitions, **10(1)**

discrimination against

defences, **11, 14, 15, 18, 24**

employment, in, **5(1)**

mandatory retirement, **5(1), 10**

preferences, **15**

Pensions, **15, 25**

Recreational clubs, **20(3)**

Seniority, **15**

Young persons and certain products, **20(4)**

AGENCY, EMPLOYMENT

See EMPLOYMENT

ANCESTRY

Not grounds for discrimination, **1 to 3, 5**

ANNOUNCED INTENTION TO DISCRIMINATE

Freedom of expression, **13(2)**

Infringing Part I right, **13(1)**

ANNUAL REPORT

Generally, **31**

ASSOCIATION

Discrimination because of, **12**

ATTORNEY GENERAL

Prosecutions

consent of, **46.2(2)**

BATHROOM

Shared, **21(1)**

BENEFIT

Person in position to confer
sexual solicitation, **7(3)**

BREASTFEEDING

See also PREGNANCY

CITIZENSHIP

Not grounds for discrimination, **1 to 3, 5**
Rights
when not infringed, **16(1)**

COLOUR

Not grounds for discrimination, **1 to 3, 5**

COMMISSION

See also ONTARIO HUMAN
RIGHTS COMMISSION
Definition, **46**

COMPLAINTS

Filing, **34(1)**
Initiated by Commission, **35(1)**
Investigation, **31 to 31.2**
generally, **31(1)**
entry into dwellings, **31(6)**
consent required, **31(6)**
powers of Commission, **31(7)**
search warrant
admissibility of copies, **31(13)**
execution of, **31.1(5)**
expiration of, **31.1(6)**
grant of, **31.1(2)**
obstruction of, **31.1(8)**
request for, **31.1(1)**
Policy and process, § **HRTOP:3**
Reconsideration of
decision, **45.7**
Settlement, **45.9**

**CONSTRUCTIVE
DISCRIMINATION**

Generally, **11**

CONTRACTS

Enforcing against 16-, 17-year-old,
4(2)
Right to contract on equal terms, **3**

COVID-19

COVID-19 and Ontario's Human
Rights Code—Questions and
Answers, § **OHRCPG:1**
Policy Statement on COVID-19
Vaccine Mandates and Proof of
Vaccine Certificates,
§ **OHRCPG:2**
Policy Statement on Human Rights
in COVID-19 Recovery Plan-
ning, § **OHRCPG:3**
Statement on Government's Expan-
sion of Police Powers During
COVID Stay-at-Home Order,
§ **OHRCPG:5**
Statement on the Human Rights
Impacts of Omicron and
School Closures,
§ **OHRCPG:4**

CREED

Not grounds for discrimination, **1 to 3, 5**

CROWN

Act binding, **47(1)**
Special program, **14(5)**

DEVELOPMENTAL DISABILITY

Generally, **10(1)**

DISABILITY

Accommodation, **17(2)**
Definitions, **10(1), 10(3)**
Disability Rights Secretariat, **31.4**
Essential duties
incapable of performing, **17(1)**
Not ground for discrimination, **1 to 3, 5**
Past, **10(3)**
Pension plans
compensation, **25(4)**
exclusion, **25(3)**

DISABILITY—Cont'd

Presumed, **10(3)**

DISCRIMINATION

Accommodation, **2**

Announced intention, **13(1)**

Association, **12**

Constructive, **11**

Exemptions

disability, **17(1)**

drinking age, **20(2)**

insurance contracts, **22**

recreational clubs, **20(3)**

same sex

accommodations, **21(2)**

restrictions, **20(1)**

separate schools, **19(1)**

special employment, **24(1)**

special interest, **18**

tobacco sale or supply, **20(4)**

Services, **1**

DIVISIONAL COURT

Stated case, **45.6**

DRINKING AGE

Minimum, **20(2)**

EDUCATION ACT

Act not affecting application of,
19(2)

EDUCATIONAL INSTITUTION

Employment

when not infringing right,
24(1)(a)

EMPLOYER

Child of, **24(1)(d)**

Harassment

generally, **5(2)**

sex, due to, **7(2)**

Parent of, **24(1)(d)**

Spouse of, **24(1)(d)**

EMPLOYMENT

See PREGNANCY

EMPLOYMENT—Cont'd

Advertising

discriminatory, **23(1)**

Age discrimination, in, **5(1)**

Agency

discrimination, **23(4)**

Application for, **23(2)**

Government contracts

cancellation of, **26(3)**

deemed condition in, **26(1)**

Government grants

cancellation of, **26(3)**

deemed condition in, **26(1)**

Harassment

freedom from, **5(2)**

Interview, question at, **23(3)**

Medical needs, **24(1)(c)**

pension plan, **25**

personal needs, **24(1)(c)**

reasonable qualification, **24(1)(b)**

right to equal treatment, **5(1)**

special employment, **24**

EMPLOYMENT AGENCY

Generally, **23(4)**

ENFORCEMENT OF RIGHTS

See also COMPLAINTS

Application

generally, **34**

orders of tribunal, **45.2**

application by Commission,
35(1)

orders of tribunal, **45.3**

decisions final, **45.8**

deferral of, **45**

disclosure of information, **38**

dismissal, **45.1**

disposition, **40**

intervention by Commission, **37**

parties, **36**

Reprisals, **8**

EQUAL

Definition, **10(1)**

ANNOTATED ONTARIO HUMAN RIGHTS CODE

ETHNIC ORIGIN

Not grounds for discrimination, **1 to 3, 5**

EVIDENCE

Admissibility of copies, **31(13)**
Obtained during investigation
generally, **31.2**
testimony on civil suit, **27(10), 32(10)**

FACILITIES

Restriction by sex, **20(1)**

FAMILY STATUS

Defined, **10(1)**
Not grounds for discrimination, **1 to 3**

FRATERNAL ORGANIZATIONS

Employment
when not infringing rights,
24(1)(b)

**GENDER IDENTITY AND
GENDER EXPRESSION**

Not grounds for discrimination, **1 to 3, 5 to 7**

**GOVERNMENT CONTRACTS
AND LOANS**

Cancellation of, **26(3)**
Deemed condition in
contracts, **26(1)**
loans, **26(2)**

GROUP INSURANCE

Generally, **10(1)**

HARASSMENT

Accommodation
generally, **2(2)**
sex, on account of, **7(1)**
Defined, **10(1)**
Employment
generally, **5(2)**
sex, on account of, **7(2)**

HEARING

See ONTARIO HUMAN RIGHTS
COMMISSION

HUMAN RIGHTS COMMISSION

See ONTARIO HUMAN RIGHTS
COMMISSION

**HUMAN RIGHTS LEGAL
SUPPORT CENTRE**

Generally, **45.11 to 45.18**

**HUMAN RIGHTS TRIBUNAL OF
ONTARIO**

See HUMAN RIGHTS
TRIBUNAL OF ONTARIO
RULES OF PROCEDURE
Generally, § **HRTORPForms:1, 32, 33**
Application and adjudication procedure, **I 1:4**
Forms, List of, § **HRTORP:3**
Inquiry, **44**
Language Services, § **HRTOP:2**
Policy Documents
Accessibility and Accommodation, Policy on, § **HRTOP:1**
Complaints Policy and Process, § **HRTOP:3**
Language Services, § **HRTOP:2**
Powers, **39**
Rules of procedure, **43**

INFRINGEMENT

Prohibited, **9**

INSURANCE CONTRACTS

Not infringing rights, **22**

KITCHEN

Shared, **21(1)**

LANDLORD

See also ACCOMMODATION,
OCCUPANCY OF
Business practices permissible in
selecting tenants, **O. Reg. 290/98**
Obligation not to harass, **2(2)**

LEARNING DISABILITY

Generally, **10(1)**

LIFE INSURANCE

When rights not infringed, **25(3)**

LIQUOR LICENCE ACT

Generally, **20(2)**

MARITAL STATUS

Defined, **10(1)**

Not grounds for discrimination, **1 to 3, 5**

MENTAL DISORDER

Generally, **10(1)**

MENTAL IMPAIRMENT

Generally, **10(1)**

MINISTER

Definition, **46**

OFFENCES

Penalty, **46.2**

OFFICERS OF ORGANIZATIONS

Acts of, **46.3(1)**

Opinion re authority, **46.3(2)**

**ONTARIO HUMAN RIGHTS
CODE GENERALLY**

Primacy over other Acts, **47(2)**

Transitional provisions, **49 to 57**

**ONTARIO HUMAN RIGHTS
COMMISSION**

See also COMPLAINTS;
ENFORCEMENT OF
RIGHTS; EVIDENCE

Acting Chief Commissioner, **28**

Advisory groups, **31.5**

Annual report, **31.6**

Anti-Racism Secretariat, **31.3**

Chief Commissioner, **27(5), 27(6)**

Composition of, **27(2)**

Disability Rights Secretariat, **31.4**

Divisions, **27(13)**

Employees, **27(9)**

Functions, **29**

**ONTARIO HUMAN RIGHTS
COMMISSION—Cont'd**

Inquiries

generally, **31(1), 31(2)**

entry, **31(4), 31(5)**

entry into dwelling, **31(6)**

Matters referred to, **45.4**

Members

testimony in civil suits, **27(10)**

Policies, **30**

Policy Statement on COVID-19
Vaccine Mandates and Proof
of Vaccine Certificates,
§ OHRC PG:2

Powers of

investigation, **31**

Remuneration of members, **27(8)**

Stated case to Divisional Court,
45.6

Testimony in civil suits, **27(10)**

PENALTIES

Generally, **46.2**

PENSION PLAN

See also EMPLOYMENT; LIFE
INSURANCE

Compensation for exclusion, **25(4)**

Employment

conditional on membership,
25(1)

Employment Standards Act, **25(2)**

PERSON

Definition, **46**

PHILANTHROPIC INSTITUTION

Employment

when not infringing rights,
24(1)(a)

PLACE OF ORIGIN

Not grounds for discrimination, **1 to 3, 5**

PREGNANCY

Discrimination, and

employment, in

benefit plans, **5, 6, 7(2), 22,**
25(2)

PREGNANCY—Cont'd

Discrimination, and—Cont'd
 employment, in—Cont'd
 collective agreements, **5, 6, 7(2)**
 company policies, **5, 7(2)**
 hiring, **5, 7(2)**
 promotions, **5, 7(2)**
 termination, **5, 7(2)**
 transfers, **5, 7(2)**
 relevant grounds of discrimination, other, **10(1)**
 sex discrimination, and, **10(2), 11**
 facilities, in, **1**
 goods and services in, **1**
 special programs, and, **14**

PROFESSION

Self-governing
 right to membership, **6**

PUBLIC ASSISTANCE

Not grounds for discrimination, **2**

QUALIFICATION

Reasonable
 constructive discrimination, **11(1)**
 employment, **24(1)(b)**

RACE

Anti-Racism Secretariat, **31.3**
 Not grounds for discrimination, **1 to 3, 5**

RECORD OF OFFENCES

Defined, **10(1)**
 Not grounds for discrimination, **5**

RECREATIONAL CLUB

Exemptions, **20(3)**

REGULATIONS

Lt.-Governor to make, **48**

RELIGIOUS ORGANIZATION

Employment
 when not infringing rights, **24(1)(a)**

REMEDIES

Civil, **46.1**

REPRISALS

Enforcing rights without, **8**
 Sexual solicitation, **7(3)(b)**

SEARCH WARRANT

Admissibility of copies, **31(13)**
 Execution of, **31.1(5)**
 Expiration of, **31.1(6)**
 Grant of, **31.1(2)**
 Obstruction of, **31.1(8)**

SEPARATE SCHOOLS

Act not affecting rights, **19(1)**

SERVICES

Definition, **10(1)**
 Equal treatment, right to, **1**
 Insurance contracts
 exemption, **22**
 Same-sex restriction, **20(1)**

SETTLEMENTS

Generally, **45.9**

SEX

Harassment because of
 accommodation, **7(1)**
 workplace, **7(2)**
 Not grounds for discrimination, **1 to 3, 5**
 Pregnancy, **10(2)**

SEXUAL ORIENTATION

Not grounds for discrimination, **1 to 3, 5, 7**

SEXUAL SOLICITATION

Benefit, person in position to confer, **7(3)**

SMOKE-FREE ONTARIO ACT, 2017

Generally, **20(4)**

SPECIAL EMPLOYMENT

See also EMPLOYER; EMPLOYMENT

SPECIAL EMPLOYMENT

—Cont'd

Generally, **23**

**SPECIAL INTEREST
ORGANIZATIONS**

Services and facilities
not infringing rights, **18**

SPECIAL PROGRAMS

Generally, **14(2)**

Order
effect of, **50**

SPOUSE

Defined, **10(1)**

**STATUTORY POWERS
PROCEDURE ACT**

Applicability, **42**

TEACHERS

Duties of
Act not affecting, **19(2)**

TOBACCO

Persons under 19 years, **20(4)**

TRADE UNION

Right to membership in, **6**

TRIBUNALS ONTARIO

Accessibility and Accommodation
Policy, § **HRTOP:1**
Complaints Policy and Process,
§ **HRTOP:3**

UNDUE HARDSHIP

Assessing, **17(3), 24(3)**
Constructive discrimination, **11(2)**
Employment, **24(2)**

VOCATIONAL ASSOCIATIONS

Right to membership in, **6**