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| <p><b>ANNOTATED BRITISH COLUMBIA<br/>HUMAN RIGHTS CODE</b><br/>Release No. 3, July 2025</p> |
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Annotated British Columbia Human Rights Code provides insightful commentary, legislation, regulations, case digests and a research guide. This resource also includes human rights digests, categorized by subject, of reported and unreported decisions, dating from 1976, from the B.C. courts and the British Columbia Human Rights Tribunal.

**What’s New in this Update:**

This release adds digests to Chapter 3 (Digest Annotations — 2012 Forward) and includes updates to Appendix IF (Issues in Focus), Appendix SLL (Select Legal Literature) and Appendix WP (Words and Phrases).

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## Highlights

**Appendices—Appendix IF—§ IF:6 Is obesity considered a physical disability, and thus a prohibited ground of discrimination pursuant to human rights legislation?**—Whether obesity is considered a disability, and thus a prohibited ground of discrimination, remains yet to be definitively determined, given: a) the variance in legislative provisions used among provincial Human Rights Codes [generally], and b) lack of judicial consideration. The Supreme Court of Canada (SCC), in its *obiter dicta*, has acknowledged that obesity may fit within the above-noted definition and constitute a prohibited ground of discrimination. The SCC has further advised that provincial courts and/or tribunals should liberally interpret their Codes' provisions with deference to the *Charter*.

**Chapter 3— II. Digests — 2012 Forward— NEW: Sarba v. Ruskin Construction Ltd. and others (No. 2)**—The BC Human Rights Tribunal upheld complainant's human rights complaint against respondent employer and employees, alleging discrimination on basis of race and colour regarding co-workers' racial harassment and employer's response, contributing to eventual termination. The employer was ordered to review and update its workplace discrimination policy and to ensure that its staff and employees were trained on their rights and responsibilities under that policy. Complainant was awarded out-of-pocket expenses for counselling he attended to deal with distress experienced from discrimination and legal fees incurred before filing of complaint, difference between his earnings at other jobs taken to mitigate loss and what he would have earned at employer, and damages for injury to dignity, feelings and self-respect.