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ANNOTATED BRITISH COLUMBIA HUMAN RIGHTS CODE Release No. 5, December 2025

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 SLL (Select Legal Literature) and Appendix IF (Issues in Focus).

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Highlights

Chapter 3 — II. Digests — 2012 Forward — NEW digest — The Complainant brought a complaint against the respondents, alleging discrimination regarding employment based on a mental disability contrary to s. 13 of *Human Rights Code*. The Complainant alleged that she was discriminated against when the respondents decided to relocate her position to Calgary while she was on medical leave and then terminated her employment when she declined to transfer. The Respondents denied discriminating against the Complainant and then the Respondents brought an application to dismiss the complaint on the basis that it had no reasonable prospect of success. The Application was dismissed. It was not established that the complainant had no reasonable prospect of proving her case or that it was reasonably certain the respondents would be able to prove their conduct was justified. A hearing was required to determine whether the respondents had sufficient information at the time in issue to know, or make any necessary inquiries, as to whether the complainant had a disability that required accommodation. It was not reasonably certain that the respondents would be able to establish at the hearing that they met their duty to accommodate the complainant's alleged disability: *Schmidt v. BLCO Enterprises Ltd. and another*

Appendix IF Issues in Focus — Updates have been made to § IF:1 When will a human rights claim be dismissed due to the matter being dealt with in another proceeding?; § IF:9 What are the general human rights principles pertaining to discrimination in employment on the basis of marital status, as outlined in recent human rights tribunal jurisprudence? and § IF:10 Does a grievance arbitrator have the power to enforce the substantive rights and obligations of human rights and other employment-related statutes?