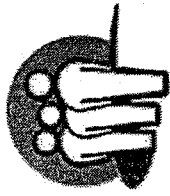


The Yukon Human Rights Commission supports human rights in the Yukon Territory and looks into complaints of unfair treatment under the *Human Rights Act*. It is separate from government and works to settle complaints in a way that makes human rights better for all Yukoners.



Yukon Human Rights Commission

101 – 9010 Quartz Road  
Whitehorse, YT Y1A 2Z5

Phone: 867-667-6226  
Toll free: 800-661-0535  
Fax: 867-667-2662  
e-mail: [humanrights@yhrc.yk.ca](mailto:humanrights@yhrc.yk.ca)  
[www.yhrc.yk.ca](http://www.yhrc.yk.ca)

**Large print version available**

"Going to Potlatch" courtesy Jim Logan

Plain language version 09/03

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Yukon Law Foundation

## employment & the law

*fair treatment*  
for all workers

### *What is covered?*

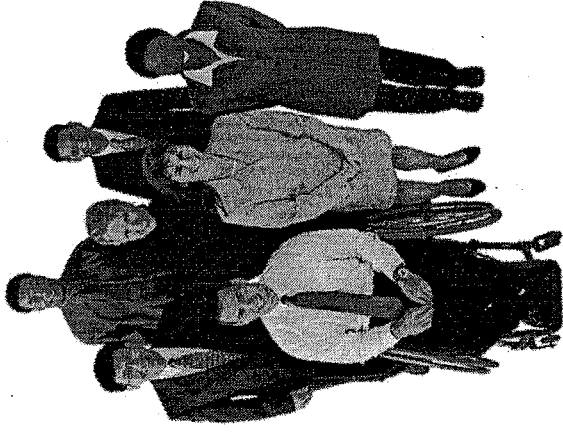
The Yukon *Human Rights Act* does not allow anyone at work to be treated unfairly in most jobs. The Act protects people who work for the Local government, the Yukon Territorial government and most private companies.

However, people who work for First Nations or federal governments or who work in areas that are controlled by the laws of Canada, are covered by the *Canadian Human Rights Act*. This Act also protects people who work in radio, television and similar types of communication.

### *Which law?*

Many Yukon laws have something to say about standards and conditions at work. The *Employment Standards Act* controls hours of work, wages and similar workplace matters. Other work rules are covered by the *Occupational Health and Safety Act*. The *Occupational Training Act* controls special areas of work.

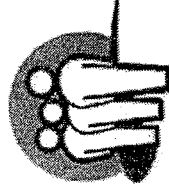
The *Human Rights Act* does not allow people to be treated unfairly at work. On the inside of this pamphlet is information about what types of people must be treated the



same as all others. The Act says everyone must be paid the same amount for doing the same type of job in the government. When the *Human Rights Act* and another Act are both able to solve a problem, the *Human Rights Act* is always used.

### *Who we are*

We are not controlled by government. We manage the *Human Rights Act*. We try to make sure that everyone in the Territory knows about and understands human rights. When someone thinks they have been treated unfairly, we try to help. Our staff answer questions, look into problems and try to clear them up. We also educate others about human rights. The government chooses people called Commissioners whose job it is to make a decision about the complaint after the complaint has been looked into by staff.



**Yukon Human Rights Commission**

Human Rights are everyone's rights!

# human rights in the workplace

*If I have been treated unfairly, what can I do?*

If you feel you have been treated unfairly in a work situation, according to the laws of the Yukon Human Rights Act, you can complain. You can talk to us in confidence and we will help you to understand what you can do.

*If I do complain can my boss make trouble for me?*

It is not legal for your boss to do anything to you because you complained about being treated unfairly.

*I'm a boss. What do I have to do for my workers?*

There are many basic things you must do to make sure that human rights are followed at your place of work. We can give information to small and large workplaces about hiring staff, staff policies and making special arrangements for workers with disabilities.

*Do I have to pay?*

Everything we do is free.

*What is unfair treatment?*

It is not legal for anyone to treat you unfairly at work because of any of the following reasons:

- who your ancestors are including what colour their skin is and what country they came from
- what your native land is
- what your culture is
- what your first language is
- what your religion is
- what your set of beliefs is
- how old you are
- you are a man or you are a woman or you are pregnant
- you are gay, lesbian, straight, bisexual or other sexual orientation
- you are mentally or physically disabled
- you have criminal charges or a criminal record
- what you believe, what you do or who you support in politics
- you are married, single or living with someone
- who your relatives are
- you have children or not
- where you get money to live
- you spend time with someone who fits the examples above or someone thinks you do

Harassing someone because of any of the examples above is not legal either. If you are a boss, you must make sure everyone at work is treated fairly.

*Job Duties*

When a job is advertised, what the worker is asked to do must match the needs of the job. Otherwise, it could be unfair to some people who want to apply. For example, asking someone who is applying for the job to be available to work any day of the week would be unfair to people whose religion does not allow them to work on Sundays. Or advertising that the person has to be physically strong to do the work might stop all females from getting the job and could be unfair treatment under the Act.

Bosses also have to find ways to help all the people who apply for the job have an equal chance at getting it. They must find ways to change things at work so those who have special needs are treated fairly.

*Hiring Workers*

Hiring has to be fair to all people who apply. Application forms or interviews should not ask about the things listed under "What is unfair treatment?" unless they really are necessary for the job. For example, someone should not ask the age of the person who is applying for the job, or if they have a criminal record, unless the answers have to do with an actual job need.



*Helping those with special needs*

Bosses have to find ways to help people who work for them, or who apply for work be treated fairly, even when those people have special needs. For example, a boss can't fire or not hire someone because he or she has a physical disability when it is possible to do something, such as make changes to equipment, so the person can do the job.

*What is not covered by the Act?*

Some things that seem unfair are not banned by the Act. For example, a boss can give a job to a family member, a job in a private home can be given to anyone the boss wants and people can decide to give services or memberships to others who belong to the same religious, social or cultural groups.

Programs that try to stop or lessen the problems caused by unfair treatment are also allowed under the Act.