

# HUMAN RIGHTS TRIBUNAL OF ONTARIO (HRTO)

A Legal Avenue of Support for Survivors of Sexual Harassment in the Workplace.



## KEY PROVISIONS



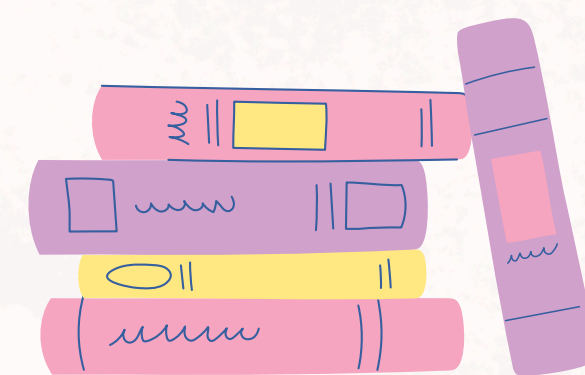
- The Ontario Human Rights Code is a provincial law that gives everybody equal rights and opportunities without discrimination. The Code's goal is to prevent discrimination and harassment.
- Under the Code, The HRTO
  - decides if someone's human rights have been violated,
  - responsible for resolving applications filed by individuals, or filed on behalf of another individual, that claims experienced discrimination or harassment, makes decisions about legal disputes in human rights cases.



## BENEFITS

- The HRTO may grant an interim remedy before a full hearing of the application has taken place.
- Filing a complaint to HRTO can be conducted by individuals and does not require applicants to rely on a lawyer or police.
- Every individual with a potential claim has the opportunity to receive free legal assistance from the Human Rights Legal Support Centre.

- In the human rights process, a survivor exercises significant control over the conduct of the case.
- A survivor can request that the Tribunal anonymize their name and any other identifying information in the decision.
- The burden of proof is lower and easier to achieve than in a criminal court.
- The Tribunal recognizes the power imbalance in the supervisor/employee relationship and the risk involved. Therefore, protest or objection to the harassing conduct is not necessary to find harassment.



## LIMITATIONS

- Applicants must file their applications within one year of the date on which the discrimination happened, or if there was a series of events, within one year of the last event.
- The HRTO cannot hear applications about organizations or activities that fall under federal jurisdiction.
- The HRTO only has the power to decide applications that are within one or more of the five social areas: services, goods and facilities, housing, contracts, employment and vocational associations.



## REMEDIES

- Monetary compensation: The HRTO may order the compensation for amount that applicants have lost or spent, the experience, and injury to dignity feelings and self-worth, because of discrimination or harassment.
- Non-monetary remedies: The HRTO may also order a respondent to do something that will put you in the position you would have been in if the discrimination or harassment had not happened.
- Public interest remedies: the HRTO may order any party to do something to promote compliance with the Code, which are intended to have an educational impact on more people

