

HUMAN RIGHTS IN NEW BRUNSWICK



Did you know there is a law in New Brunswick that **protects** you from harassment and discrimination?

Discrimination is when someone treats you negatively because of your identity or personal trait, like your race, national origin, or family status.

The **New Brunswick Human Rights Act (Act)** protects you from discrimination in **5 areas or activities of your life**. These include **employment**, **housing** (ex. apartment or any other rental properties), **services** (ex. restaurants, schools, businesses, shops, government services, etc.), **publicity** (signs, advertisements, publications, etc.), and some **associations**.






The Act has **16 grounds of discrimination**. These grounds represent your **identity or personal characteristics** (ex: race, colour, religion), which could make you more vulnerable to discrimination.

The grounds are:

1. Race
2. Colour
3. National Origin
4. Ancestry
5. Place of Origin
6. Creed or religion
7. Age
8. Physical disability
9. Mental disability
10. Marital status
11. Family status
12. Sex (including pregnancy)
13. Sexual orientation
14. Gender identity or expression
15. Social condition (includes your source of income, level of education and type of occupation)
16. Political belief or activity

The Act has additional protections for **sexual harassment** and **reprisal** (i.e. when you are treated negatively because you filed a human rights complaint or you helped with an existing complaint).

For Example, the Act protects you from discrimination:

-  when you rent an apartment (**housing**);
-  when you go shopping or eat at a restaurant (**services**);
-  when you go to school (**services**);
-  when you apply or are interviewed for a job (**employment**);
-  when you are part of a union (**business or trade association**).

Duty to accommodate

If you have a need related to one of the grounds, your employer, landlord or service provider must **accommodate** your reasonable request for that need. This is called the **duty to accommodate** and it is the law.

For example:

You take care of a family member suffering from a chronic illness (**family status**) and need a break from work to take them to their weekly doctor's appointments. Your employer has a **duty to accommodate** your work schedule so you can meet your caregiving needs.



Duty to accommodate continued


The **duty to accommodate** means that employers (or housing/service providers) should make changes to their rules or policies to prevent discrimination against individuals protected by the Act.

If it becomes too difficult for an employer to accommodate your need (for example due to safety reasons), then they can deny your accommodation request BUT it's not automatic! This is called **undue hardship**.



Examples of discrimination

Race and ancestry discrimination in services:




Tao is a student in high school (**services**). His science teacher constantly picks on him and makes comments about his Asian heritage (**race and ancestry**). Tao feels uncomfortable and thinks his teacher is promoting racial stereotypes in the classroom.

Family status discrimination in housing:

Juan lives in an apartment complex (**housing**) with his partner and they are having a baby (**family status**). When Juan tells the landlord of the expected change in his family, the landlord asks the couple to move out because of the building's adults-only policy.



Mental Disability discrimination in Services:



Jacques relies on a service animal for his **mental disability** and goes to a shopping centre (**services**). At one of the stores, the manager tells him that he cannot enter with his dog. Jacques informs them that the dog is a service animal, but he is still denied entrance.

Reprisal in employment:

Imani is a temporary foreign worker and works in the food industry (**employment**). She files a human rights complaint as her employer makes inappropriate comments to the female staff. Once the employer learns about the complaint, he fires Imani (**reprisal**) and tells other employers in the area not to hire her.



What to do if you are experiencing discrimination?

The **New Brunswick Human Rights Commission** is a government agency that ensures the human rights of all New Brunswickers are protected under the Act. The Commission provides **free information** about your rights and will help you if you face discrimination in New Brunswick.

If you think you have experienced discrimination, you can file a **complaint** with the Commission. The Commission's complaint mechanism is called the **compliance process**.

To file a complaint, we suggest:

1. You first **contact the Commission** to discuss your situation and receive **information** about the Act and the **compliance process**. Your conversation will remain confidential until you decide to file a complaint.
2. **Fill out a complaint form**. The Commission's official complaint form is available online; we can also send it to you by email or mail. Fill out all the sections and describe the events as best as you can. A family member, friend, advocate or settlement agent can help you fill out the form. You can also choose to have them represent you throughout the process, but you will need to let us know.
3. **Participate in the compliance process**. Once you file a complaint, the Commission will stay in touch with you and let you know what stage of the process your complaint is at. You can contact the Commission at any time if you have any questions about your complaint.

You can reach us at:

 (506) 453-2301

 hrc.cdp@gnb.ca

 www.gnb.ca/hrc-cdp