

# The Ontario Human Rights System

[Home](#) / [How-to Guides](#) / [The Ontario Human Rights System](#)

**This guide is general information only. It is not legal advice about your situation. This guide is not a substitute for a lawyer's research, analysis and judgment. This guide is reliable as of the date of publication (January 2021). You should be aware that the law and procedures under the *Human Rights Code* (Code) and at the Human Rights Tribunal of Ontario (HRTO) are subject to change without notice.**

## Introduction

Everyone in Canada is entitled to the same fundamental human rights including the right to [equality](#) and dignity, and to live free from [discrimination](#) and [harassment](#). In Canada, human rights are protected by federal, provincial and territorial laws. Canada's human rights laws stem from the Universal Declaration of Human Rights, adopted by the newly established United Nations in December 1948.

There are two major parts to the human rights system in Ontario that you need to know about if you believe that your human rights have been violated in Ontario. Both parts of the human rights system relate to an important and fundamental legal concept known as [jurisdiction](#).

[Download PDF version](#)

---

## On this page:

### Jurisdictions

- [Provincial jurisdictions](#)
- [Federal jurisdictions](#)

### Your Human Rights in Ontario

- [Ontario Human Rights Code](#)
- [Human Rights Tribunal of Ontario](#)
- [Human Rights Legal Support Centre](#)
- [Ontario Human Rights Commission](#)

<b>HRLSC   Human Rights Legal Support Centre</b>	180 Dundas Street West, 8th Floor Toronto, Ontario M7A 0A1	Telephone/Téléphone (866) 625-5179 (416) 597-4900	TTY/ATS 7-1-1
<b>CAJDP   Centre d'assistance juridique en matière de droits de la personne</b>	180, rue Dundas Ouest, 8e étage Toronto (Ontario) M7A 0A1	Fax/Télécopieur (866) 625-5180 (416) 597-4901	<a href="http://www.hrlsc.on.ca">www.hrlsc.on.ca</a>

## Your Human Rights in Canada

- [Canadian Human Rights Act](#)
- [Canadian Human Rights Commission](#)
- [Canadian Human Rights Tribunal](#)
- [Canadian Charter of Rights and Freedoms](#)

## Jurisdictions

### Provincial jurisdiction

First, there is the part of the human rights system that falls under [provincial jurisdiction](#). Each Canadian province and territory have its own anti-discrimination law that applies to activities that are provincially regulated.

Under the provincial Ontario [Human Rights Code](#) (“the Code”), a person who has experienced discrimination in Ontario can file an [application](#) directly at the [Human Rights Tribunal of Ontario](#) (HRTO). Since June 30, 2008, all human rights applications have been able to be filed directly at the HRTO. Previously, applications were filed at the [Ontario Human Rights Commission](#) (OHRC).

Ontario’s provincial human rights system is made up of three separate agencies. The HRTO is where human rights applications are filed and decided. [The Human Rights Legal Support Centre](#) (HRLSC) gives legal help to people who have experienced discrimination under the Code. The OHRC promotes, protects and advances human rights through research, education, targeted legal action and policy development. The OHRC can also bring applications at the HRTO and often participates, or intervenes, as a party in cases that have the potential for broader, systemic change.

### Federal jurisdiction

Second, there is the part of the human rights system that falls under [federal jurisdiction](#). Under the [Canadian Human Rights Act](#) (CHRA) a person who has experienced discrimination anywhere in Canada can file a complaint at the [Canadian Human Rights Commission](#) (CHRC).

The CHRC manages the CHRA. The CHRC may conduct investigations of complaints and may refer complaints to the [Canadian Human Rights Tribunal](#) (CHRT) for further examination.

<div> <div> HRLSC Human Rights Legal Support Centre </div> <div> CAJDP Centre d'assistance juridique en matière de droits de la personne </div> </div>	<div> 180 Dundas Street West, 8th Floor Toronto, Ontario M7A 0A1 </div> <div> 180, rue Dundas Ouest, 8e étage Toronto (Ontario) M7A 0A1 </div>	<div> Telephone/Téléphone (866) 625-5179 (416) 597-4900 </div> <div> Fax/Télécopieur (866) 625-5180 (416) 597-4901 </div>	<div> TTY/ATS 7-1-1 </div> <div> <a href="http://www.hrlsc.on.ca">www.hrlsc.on.ca</a> </div>
--	--	---	--

The CHRA only applies to activities that are federally regulated and not to those activities that are provincially regulated. A person cannot file a complaint directly at the CHRT. A complaint must be filed with the CHRC.

## Your Human Rights in Ontario

### *Ontario Human Rights Code*

The *Code* is a provincial law that gives everybody equal rights and opportunities without discrimination in specific social areas such as employment, housing, services, goods and facilities, and contracts or agreements.

The *Code* was the first law of its kind in Canada in June 1962. The *Code*'s goal is to prevent discrimination and harassment because of [race](#), [sex](#), [sexual orientation](#), [disability](#), [age](#), [family status](#), [marital status](#), to name just some of the seventeen (17) [prohibited grounds of discrimination](#). The *Code* takes precedence over other Ontario laws. All other Ontario laws must not conflict with the *Code*.

It is important to understand that not all unfair treatment, conduct and harassment is covered by the *Code*. The treatment, conduct or harassment must be based on at least one prohibited ground under the *Code* and must take place within one of the five (5) social areas to be protected by the *Code*.

### Human Rights Tribunal of Ontario

The HRTO is one of the eight (8) tribunals at Social Justice Tribunals Ontario (SJTO). The HRTO resolves claims of discrimination and harassment brought under the [Code](#). The HRTO offers the opportunity to settle cases through its mediation services and conducts adjudication of cases by holding hearings.

Go to the HRTO's website for:

[Application form](#) (for making a claim of discrimination under the *Code*);  
[Applicant's Guide](#) (for help in completing an Application Form 1).

HRTO contact information:

Local : (416) 326-1312

Toll Free : 1-866-598-0322

TTY (Local): (416) 326-2027

TTY (Toll Free): 1-866-607-1240

<div> <div> HRLSC Human Rights Legal Support Centre </div> <div> CAJDP Centre d'assistance juridique en matière de droits de la personne </div> </div>	<div> 180 Dundas Street West, 8th Floor Toronto, Ontario M7A 0A1 </div> <div> 180, rue Dundas Ouest, 8e étage Toronto (Ontario) M7A 0A1 </div>	<div> Telephone/Téléphone (866) 625-5179 (416) 597-4900 </div> <div> Fax/Télécopieur (866) 625-5180 (416) 597-4901 </div>	<div> TTY/ATS 7-1-1 </div> <div> <a href="http://www.hrlsc.on.ca">www.hrlsc.on.ca</a> </div>
--	--	---	--

Fax: (416) 326-2199  
 Fax (Toll Free): 1-866-355-6099  
[tribunalsontario.ca/hrto/](http://tribunalsontario.ca/hrto/)

## Human Rights Legal Support Centre

The Human Rights Legal Support Centre (HRLSC) provides legal supports and assistance to people in communities across Ontario who have experienced discrimination contrary to the Code, and who may want to file an application to the HRTO.

The HRLSC's intake phone line can be reached at:

Tel: (416) 597-4900  
 Toll Free: 1-866-625-5179  
 TTY: (416) 597-4903  
 TTY Toll Free: 1-866 612-8627

The HRLSC makes every effort to provide [accommodation](#), including for disability, language and cultural needs. The HRLSC also provides services in over one hundred and forty (140) languages, including American Sign Language.

## Ontario Human Rights Commission

The OHRC's primary mandate is to promote, protect and advance human rights through research, education, targeted legal action and policy development. The OHRC does not have an general intake line like the HRLSC and, since, 2008, no longer accepts Code applications.

OHRC Contact Information:

Toll Free 1-800-387-9080  
 TTY (Local): (416) 326-0603  
 TTY (Toll Free): 1-800-308-5561  
[www.ohrc.on.ca](http://www.ohrc.on.ca)  
[info@ohrc.on.ca](mailto:info@ohrc.on.ca)

---

## Your Human Rights in Canada



<b>HRLSC   Human Rights Legal Support Centre</b>	180 Dundas Street West, 8th Floor Toronto, Ontario M7A 0A1	Telephone/Téléphone (866) 625-5179 (416) 597-4900	TTY/ATS 7-1-1
<b>CAJDP   Centre d'assistance juridique en matière de droits de la personne</b>	180, rue Dundas Ouest, 8e étage Toronto (Ontario) M7A 0A1	Fax/Télécopieur (866) 625-5180 (416) 597-4901	<a href="http://www.hrlsc.on.ca">www.hrlsc.on.ca</a>

## Canadian Human Rights Tribunal

The CHRT applies the CHRA to cases that are referred to it by the CHRC.

The CHRT conducts mediations and hearings of complaints of discrimination. At a hearing, the CHRT decides whether a person or organization has engaged in a discriminatory practice under the CHRA.

CHRT Contact information:

Tel: 613 995-1707

Toll free: 1-844-899-3604

Office of the CHRT online form at: [www.chrt-tcdp.gc.ca](http://www.chrt-tcdp.gc.ca)

## Canadian Charter of Rights and Freedoms

The Canadian Charter of Rights and Freedoms (Charter) is part of Canada's Constitution Act, 1982.

The Charter protects every Canadian's right to be treated equally under the law. The Charter guarantees fundamental rights such as equality rights and freedom from discrimination (section 15), freedom of expression (section 2(b)), and freedom of religion (section 2(a)).

The Charter only applies to governments and protects Canadians from laws, policies or actions of governments, including public authorities such as the police, that violate their rights. The Charter does not apply to private individuals, businesses or other organizations.

This means that a person cannot generally bring a Charter case against a private business, a private organization, or a person who is not acting on behalf of the government.

It is important to note that the HRTTO has limited powers to apply the Charter. The HRTTO does not have the same general powers as the courts do. This is a complicated area of law that concerns the HRTTO's jurisdiction under the Code.

The HRTTO does not have the power to decide a stand-alone constitutional (e.g., Charter) issue unless it is necessary to the HRTTO's decision making under the Code. See *Barnard v. Metrolinx*,

<b>HRlSc</b>   Human Rights Legal Support Centre	180 Dundas Street West, 8th Floor Toronto, Ontario M7A 0A1	Telephone/Téléphone (866) 625-5179 (416) 597-4900	TTY/ATS 7-1-1
<b>CAJDP</b>   Centre d'assistance juridique en matière de droits de la personne	180, rue Dundas Ouest, 8e étage Toronto (Ontario) M7A 0A1	Fax/Télécopieur (866) 625-5180 (416) 597-4901	<a href="http://www.hrlsc.on.ca">www.hrlsc.on.ca</a>

2018 HRT0 239 (CanLII), and the other HRT0 cases referred to in the decision, for a discussion of the HRT0's limited authority to consider and apply the Charter.