HRLSC | Human Rights Legal Support Centre

CAJDP | Centre d'assistance juridique en matière de droits de la personne

Have you faced discrimination but aren't ready to take legal action yet?



GUIDE TO ASSERTING YOUR RIGHTS IN ONTARIO

Understand your options before filing a human rights complaint

hrlsc.on.ca

Have you faced discrimination and want to defend your rights?

If you have experienced discrimination contrary to Ontario's *Human Rights Code* (the *Code*), you have a right to file an application with the Human Rights Tribunal of Ontario ("Tribunal" or "HRTO") within 1 year of the last incident (or series of incidents) of discrimination. **The *Code* only applies to entities that fall under provincial jurisdiction.***

However, in some circumstances, you may be able to resolve the situation quickly without having to go through the HRTO, which can sometimes be a long and difficult legal process.

Employers, landlords, or staff at retail stores may not be aware of their responsibilities under the *Code* or may want to avoid the costs associated with a potential legal process. In these instances, it may be helpful to try to assert (or defend) your rights first.

Note: *you can assert your rights at the same time as pursuing a human rights complaint, especially if you are concerned about missing the 1-year application deadline.*

***See Canadian Human Rights Commission for federally regulated entities.**

Ontario's *Human Rights Code*

Protected Grounds:

- Age
- Ancestry, colour, race
- Citizenship
- Ethnic origin
- Place of origin
- Creed (including religion)
- Disability
- Marital status (including single status)
- Family status
- Gender identity, gender expression
- Receipt of public assistance (in housing only)
- Record of offences (in employment only)
- Sex (including pregnancy and breastfeeding)
- Sexual orientation

Protected Social Areas:

- Accommodation (Housing)
- Employment
- Goods, services and facilities
- Contracts
- Membership in unions, trade or professional associations

For more information on prohibited grounds see: ohrc.on.ca/en/ontario-human-rights-code

For questions about social areas see our FAQs at hrlsc.on.ca/faq/

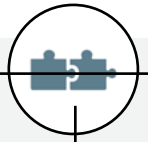
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When should you assert your rights?

Asserting (or defending) your rights under the *Code* is usually a good first step before taking legal action. It can be particularly helpful in situations where:



- ✓ The violation of the *Code* seems clear (e.g., you told your manager that you have a disability and need some workplace accommodations, but your manager ignored your request);



- ✓ You have an ongoing relationship with the person or organization that is discriminating against you (e.g., it involves your current employer or landlord, and you want to maintain a positive relationship); and



- ✓ You are not asking for significant financial compensation. (Otherwise, filing a human rights application with the Tribunal may be a better option.)

How to assert your rights

To assert your rights effectively, you should:

1. Put Your Request in Writing
Sending an email or letter will show that you are serious about your concerns. It will also start a 'paper trail' of evidence which will be helpful if you decide to file a human rights application.

2. Tell the Right Person
Direct it to the person who has the power to address the discrimination. This could be your direct manager, a human resources manager, the property manager of your building, or the owner of a store.

3. Document Everything
Document your experiences in a timely manner and keep copies for your records.

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You can use this template as a guide to help write your rights assertion letter or email. We recognize that it may not apply to your specific situation and should be adjusted accordingly. Note: AI tools can produce inaccurate legal information. Do not rely on AI-generated content as legal advice, and verify any legal information before using it.

LETTER TEMPLATE

[DATE]
Dear [DIRECT MANAGER, HR MANAGER, LANDLORD NAME],

I am writing because I believe [COMPANY, LANDLORD NAME] has discriminated against me due to my [*CODE* GROUND, e.g., disability, race, sexual orientation, etc.], contrary to the Ontario Human Rights Code.

[DESCRIPTION OF THE EVENTS, INCLUDING DATES]

[DESCRIPTION OF RESPONSE BY COMPANY OFFICIALS, LANDLORD, ETC.]

I believe [COMPANY, LANDLORD ACTION] discriminated against me as a [HOW THE CODE GROUND APPLIES TO YOU, e.g., pregnant woman, Black person, trans man, etc.]

For more information on [COMPANY, LANDLORD]'s obligations under the *Human Rights Code* please review the Ontario Human Rights Commission's policy [LINK TO POLICY ON THE *CODE* GROUND THAT HAS BEEN VIOLATED]

I am requesting that [DESCRIPTION OF WHAT YOU WANT THE COMPANY OR LANDLORD TO DO TO RESOLVE THE SITUATION]. Please respond to this letter by [DATE].

I look forward to resolving this matter.

Sincerely,
[YOUR NAME]

What to include in a letter

Your letter and/or e-mail to the person, organization or company that you feel has violated your human rights can include:

Relevant Facts
Describe the facts leading up to the incident of discrimination, preferably in chronological order with dates and times

Connection to *Code* Grounds
Explain how the unfair treatment you experienced is connected to a prohibited ground of discrimination, such as your race, age, disability, sex, creed (religion), and/or place of origin, etc.

Assertion of *Code* Rights
State that you believe your rights under the *Code* have been violated

Resolution and Timeline
Explain what you want done to address the discrimination (e.g. a temporary accommodation, a policy change, etc.). Provide a reasonable deadline for their response (e.g. one week)

Supporting Documents (if appropriate)
If, for example, you are requesting disability-related accommodation, you may need to provide supporting medical documentation about your functional limitations and accommodation needs. Generally, you do not need to disclose your diagnosis. Please see the Ontario Human Rights Commission's (OHRC) *Policy position on medical documentation*.

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EXAMPLE LETTER

February 18, 2026

Dear Mr. ABC,

I am writing because I believe Main Street Ltd. has discriminated against me due to my pregnancy, contrary to the Ontario Human Rights Code.

Last month, I informed my manager, Mr. XYZ, that I am 3 months pregnant and will need to be careful lifting heavy objects. I provided a note from my doctor explaining that I should not lift over 25 lbs. As my position is administrative and does not involve lifting, I didn't see this as a problem.

On February 1st, 2026, after providing a note, I was informed that I would need to go on medical leave without pay until my doctor cleared me to work. Human resources (HR) gave me a Functional Abilities Form with a list of my job duties to provide to my doctor.

I had my doctor complete the form, which cleared me to work, and on February 4th, I provided it to our Human Resources Department.

It has now been two weeks since I provided the note, and I haven't had any communication from HR and haven't been returned to work. I am on leave without pay and cannot afford to stay at home.

I believe your company's refusal to allow me to work with reasonable accommodations (no lifting over 25lbs) discriminates against me as a pregnant employee.

I am requesting that Main Street Ltd. return me to work immediately. Please respond to this letter within 5 business days.

For more information on your obligations as an employer under the Human Rights Code with respect to pregnant employees, please review the Ontario Human Rights Commission's ***Policy on Preventing Discrimination because of Pregnancy and Breastfeeding***.

I look forward to resolving this matter.

Sincerely,
Jane Doe

Scan the QR code to download this template

Understanding the possibility of "Reprisal"

While asserting your rights can be an effective way to resolve a human rights issue, it can sometimes lead to a negative reaction or act of retaliation, or in the words of the *Code* – reprisal.

Some employers, landlords, shop owners, etc., may not react positively to being told they have potentially violated the *Code*. They may try to act against you. They could, for example, deny you services, try to evict you, or even terminate your employment.

It is important to remember that reprisal for asserting your rights is a violation of section 8 of the *Code* and could be a basis for a human rights application to the HRTO.

Ready to take legal action?

Whether you have chosen to assert your rights first or not, you have the right to file a human rights complaint at the HRTO if you have faced discrimination under Ontario's *Human Rights Code* within one year of the last incident (or series of incidents).

Scan the QR code or visit www.hrlsc.on.ca to access the following resources:

Get help filling out an Application Form

The Human Rights Guided Pathway is a free online tool that guides you step by step to filling out the HRTO's Form 1.

Start an Online Intake

The HRLSC offers publicly-funded legal support at various stages of the HRTO process, including early resolutions, mandatory mediation, and representation at hearings. Start an online intake through the HRLSC's Client Portal website to have someone call you to discuss your case.

Browse our Legal How-To Guides

Learn more about the HRTO application process, mediations, and hearings. Our guides offer detailed information, explanations, definitions, tips, and links.

Link to
hrlsc.on.ca

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Still have Questions? **Contact Us**

Tel: (416) 597-4900
Toll Free: 1-866-625-5179
TTY: please dial 711

Priority access: listen for prompt
➔ *Indigenous clients press 4* ➔ *Incarcerated clients press 0*

Our telephone lines are open:
Monday, Tuesday, Wednesday and Friday from 9 am to 5 pm and Thursday 2 pm to 5 pm

We can provide service in 140 languages.

If you are unable to communicate by telephone because of a *Human Rights Code* protected reason such as disability, please email:
➔ **accommodation@hrlsc.on.ca**

Need more access to justice legal support and services? Visit **www.hrlsc.on.ca** to find service information and access the HRLSC's downloadable sample and template letters.

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