



# The Equality Project

## Human Rights Fact Sheet

### Rights are Tools

*Knowing your rights can empower you to deal with many challenging situations and provide you with the tools you need to advocate for and support others who encounter discrimination.*

**Example A: Albert has been coming to work with alcohol on his breath. His job performance has been slipping. Yesterday, his manager had to send him home because he was clearly intoxicated. Today, Albert was dismissed from his employment.**

Albert's employer dismissed Albert without inquiring about his situation and/or allowing him to seek treatment if necessary. This may be considered discrimination on the basis of the disability of addiction.

When an employee has an alcohol or drug addiction that is affecting job performance, accommodation usually includes granting the employee leave to seek treatment and allowing them to return to their position when able. Reasonable accommodation does not include allowing an employee to be at work while under the influence, or an employee continuing to refuse to do anything about his or her addiction.

**Example B: "I went in to have surgery on my head again, and the nurse jokingly said, 'Oh, he's on methadone. He doesn't need no painkillers.'"**

People who currently engage in drug use have experienced poor treatment at hospitals and/or treatment programs; reports include being ignored, pushed aside, judged and receiving inappropriate comments. It is unacceptable for healthcare providers to be judgmental and to discriminate against clients because they engage in drug use. Healthcare providers should treat everyone equally, in a non-judgmental manner that respects client choices.

Using a rights based approach means that you will ensure that your own rights, or the rights of someone you know are respected. You can do this by:

- Knowing your rights
- Knowing what counts as a violation of those rights
- Knowing what to do when your rights are violated

*Ontario Human Rights Code - "Disability" covers a broad range and degree of conditions, some visible and others not. A disability may have been present from birth, caused by an accident, or developed over time. It includes physical, mental, and learning disabilities, mental disorders, hearing or vision disabilities, epilepsy, **drug and alcohol dependencies**, environmental sensitivities, as well as other conditions.*

*Under the Code, protection from discrimination because of disability includes past, present and perceived conditions. For example, a person who experiences discrimination because she is a recovered alcoholic is protected by the Code, as is a person whose condition does not limit his workplace abilities but who is believed to be at greater risk of having limitations in the future.*