



Human Rights in British Columbia: Racial Discrimination



This fact sheet has been created to help you understand racial discrimination in B.C. If you have any questions, please contact the **BC Human Rights Clinic**. Contact information is available at the end of this fact sheet.

British Columbia has a law to protect and promote human rights. It is called the *BC Human Rights Code* or the *Code*. The *Code* protects you from being treated badly or denied a benefit because of your race, the colour of your skin, your ancestry or your place of origin (where you were born). It allows you to file a complaint with the **BC Human Rights Tribunal** if you believe you have been discriminated against.

The *Code* also protects you from **retaliation** if you make, or are thinking about making, a complaint or are involved in some other way. It is **retaliation** when someone tries to harm you or get back at you.

* What is racism?

Racism is a belief that some people are better than other people because they belong to a particular race or ethnic group.

* What is racial discrimination?

Racial discrimination occurs when someone treats you badly or denies you a benefit, harasses or insults you because of your race, colour, ancestry, or place of origin.

Racial discrimination can take many forms. For example:

- calling you racist names
- denying you service
- not hiring or promoting you but doing so for others who are of a different race
- threatening you and not others who are of a different race

Examples of racial discrimination

- An Aboriginal man goes to see an apartment for rent. After meeting the man and making a negative comment about the man's race, the landlord says the apartment has been rented. The next day the man calls the landlord to ask about the apartment and finds out it is still available.
- A company hires many new employees including immigrant workers to work in lower-paid jobs. Non-immigrant employees are trained and promoted, but the immigrant workers are not, even though they are equally qualified and experienced.

* Dealing with discrimination

There are some actions you could take if you are being discriminated against:

- Keep a written record of exactly what happened and when, and of what was said.
- If the discrimination happens at work, in your apartment building, or in a store or restaurant, ask your employer or landlord or the manager to do something about it.
- Use internal complaint processes to file a complaint at work or school. For example, if the discrimination occurs at work and you belong to a union, ask your union representative for help.
- Contact or visit the **BC Human Rights Clinic** to get help.

For an overview of Human Rights in B.C., please see the fact sheet *Human Rights in British Columbia: What you need to know*.

* How do I know if I have a Human Rights complaint?

To make a complaint under the *BC Human Rights Code*, **all of the following** must be true:

- ✓ You have been treated badly or denied a benefit.
- ✓ There is a connection between the way you have been treated (badly or denied a benefit) and your race, colour, ancestry or place of origin.
- ✓ The treatment occurred in a situation such as at work, in a store or restaurant, or between a landlord and tenant.

You must file your complaint within six months after the event happens. (Note: There are some exceptions to this time frame.)

Filing a complaint starts a legal process that is similar to a court proceeding. A person who files a complaint is known as a **complainant**.

* Where can I get help?

Complainants anywhere in the province can get information through the **BC Human Rights Clinic**. The people at the Clinic can help you understand the *Human Rights Code* or deal with a provincial human rights complaint. You may qualify for other types of services. Talk to someone at the Clinic to see if you are eligible.

BC Human Rights Clinic

300-1140 West Pender Street, Vancouver, B.C. V6E 4G1
Tel: 604 622-1100 Toll Free: 1 855 685-6222
Fax: 604 689-7611
Online: www.bchrc.net

If someone has made a complaint against you, you are a **respondent**. **Respondents** anywhere in the province and Victoria-area **complainants** can get information by contacting:

University of Victoria

Law Centre Clinical Law Program
Suite 225 – 850 Burdett Avenue, Victoria, B.C. V8W 1B4
Tel: 250 385-1221 Toll Free: 1 866 385-1221
E-mail: reception@thelawcentre.ca

You may be directed to the **BC Human Rights Tribunal** to file your complaint.

BC Human Rights Tribunal

Suite 1170 – 605 Robson Street, Vancouver, B.C. V6B 5J3
Tel: 604 775-2000 Toll Free: 1 888 440-8844
TTY (for hearing impaired): 604 775-2021
Online: www.bchrt.gov.bc.ca

This information sheet is intended for general information purposes only. It is not intended to provide or replace legal advice.