

# NOTABLE CHANGES TO THE ONTARIO HUMAN RIGHTS CODE LIKELY ON THEIR WAY

Posted on January 9, 2018

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In October 2017, we advised of [some important changes to the Ontario Human Rights Code](#) proposed through Bill 164, the *Human Rights Code Amendment Act* – a private member’s bill put forward by Liberal MPP Nathalie Des Rosiers.

At the time, we advised that Bill 164 had only received First Reading and would still be subject to legislative and committee debate. Bill 164 has now passed Second Reading and been referred to the Standing Committee on Regulations and Private Bills.

Notably, however, the debate on the Bill at second reading seems to indicate that it will likely to get through Committee with few (if any) substantial amendments. While opposition members commented on Bill 164, little was said to indicate that the proposed *Human Rights Code* amendments will face heavy opposition when voted upon.

Bill 164 would add four new prohibited grounds for discrimination: immigration status, genetic characteristics, police records, and social condition. Employers should be particularly aware of the potential impacts of adding immigration status and social condition as grounds under section 5 of the *Code*, which bars discrimination in employment. Both proposed new grounds under the *Code* would require additional diligence on the part of employers, particularly in the context of hiring and workplace promotion.

We will continue to monitor Bill 164 and update you on any important developments.

by Kyle Lambert

## **A Cautionary Note**

The foregoing provides only an overview and does not constitute legal advice. Readers are cautioned against making any decisions based on this material alone. Rather, specific legal advice should be obtained.

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