

YOUR RIGHTS : COLOUR, RACE, ETHNIC OR NATIONAL ORIGIN



Tom is a computer programmer at a local company. Tom is aboriginal. His supervisor is always criticizing his work. He often tells Tom that he is a “free-loader” and that “his kind” are useless. Shireen is originally from Pakistan. At a local restaurant she notices that the waitress is rude to her and provides poor service, but is friendly and efficient with the other customers.

Tom and Shireen may be experiencing discrimination on the basis of colour, race, and/or ethnic or national origin. Colour, race, and ethnic or national origin are related concepts. Race refers to physical characteristics of a group of people. The colour of a persons’ skin can be one of those characteristics. Ethnic or national origin refers to a common ancestry.

THE LAW

The Prince Edward Island Human Rights Act prohibits discrimination on the basis of colour, race, and ethnic or national origin in employment; volunteering; the provision of and access to accommodations, services or facilities; membership in professional, business or trade associations and employee organizations; leasing or selling property; and publishing, broadcasting and advertising.

However there are some EXCEPTIONS:

1. Employment and Volunteering

The provisions of the Act that prohibit discrimination in employment on the basis of religion, creed, colour, sex, marital status and ethnic or national origin do not apply to ethnic non-profit organizations that are operated primarily to foster the welfare of a particular ethnic group. However, the organization must establish that being of a certain religion, creed, colour, sex, marital status or ethnic or national origin is a reasonable occupational qualification. For example, a non-profit organization that assists aboriginal persons to find suitable employment or training opportunities may be permitted to hire only aboriginal employees.

Ethnic non-profit organizations may require volunteers to be of a certain ethnic origin.

2. Displays or Publications

The provisions of the Act that prohibit discrimination in publications and displays do not apply to the publication or display of notices, signs, symbols, emblems or other representations that indicate the purpose or membership qualifications of non-profit ethnic organizations, such as, a sign for the PEI Lebanese Association.

3. Special Programs

The Commission may approve programs of government, private organizations or individuals designed to promote the welfare of ethnic groups, such as, programs designed to ensure employment opportunities for visible minorities.

Prince Edward Island
Human Rights Commission
PO Box 2000
98 Water Street
Charlottetown PE
C1A 7N8

1-800-237-5031

368-4180

368-4236 (fax)

www.gov.pe.ca/humanrights

Human Rights:

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Yours?*