



Canadian
human rights
commission

Commission
canadienne des
droits de la personne

Human Rights, Mental Illness & Substance Dependence

Fit to Fly Workshop

June 7, 2017

Rebecca Gowan

Senior Policy Advisor | CHRC

Canadian Human Rights Commission

Mandate

- *"To promote and protect human rights"*

Authority

- Administers the Canadian Human Rights Act (CHRA) and the Employment Equity Act

Federal Jurisdiction

- Federally regulated public and private sector employers and service providers



Protection from discrimination

- The *CHRA* provides protection from discrimination based on 12 prohibited grounds of discrimination, including disability
- Mental illness and substance dependence are disabilities protected by human rights law
- Employees with these disabilities have a right to be accommodated by their employer



Mental illness and substance dependence in the workplace

Employers have a duty to:

- ✓ Inquire about a possible disability
- ✓ Not discriminate against employees
- ✓ Accommodate to the point of undue hardship



Accommodating mental illness and substance dependence

Key principles and considerations:

- Dignity, individuality and inclusion
- Stigma, and fear of discrimination
- Possible episodic or relapsing disabilities
- Denial (in the case of substance dependence)





Impaired at Work

A guide to accommodating
substance dependence

By the Canadian Human Rights Commission



Canadian
human rights
commission

Commission
canadienne des
droits de la personne

5 Steps to Managing Substance Dependence in the Workplace

Duty to Accommodate

Doing what is necessary to treat someone differently in order to prevent discrimination.



Look for the signs

1



Talk about it

2



Gather and consider the relevant medical information



Accommodate

4



Continuously follow-up and adjust

5

Now available on our website

Impaired at work -
A guide to accommodating substance dependence



Canadian human rights commission

Commission canadienne des droits de la personne

www.chrc-ccdp.gc.ca



Five steps to accommodating substance dependence

Step 1 | Recognize the signs

Step 2 | Talk about it

Step 3 | Gather & consider relevant medical information

Step 4 | Accommodate

Step 5 | Follow-up and adjust



Available on our website | www.chrc-ccdp.gc.ca

- ***"Impaired at Work"***
 - *A guide to accommodating substance dependence"*
- ***"Accommodation Works!"*** (on-line application)
- Webinars
 - "Creating an inclusive workplace"*
 - "Duty to accommodate"*
 - "Managing the return to work"*



CHRC contact

Rebecca Gowan

Senior Policy Advisor

rebecca.gowan@chrc-ccdp.gc.ca



Canadian
human rights
commission

Commission
canadienne des
droits de la personne