

# Have you experienced or witnessed HARASSMENT or DISCRIMINATION?

## Know Your Rights:

Harassment and discrimination have no place in our professions. You have the right to be free from harassment and discrimination in your workplace setting. This right is expansive and includes protection from such behaviour whether engaged in by an articling principal, a paralegal field placement supervisor, a lawyer, a paralegal, a member of the office staff, or a client. This protection flows from overlapping responsibilities, duties, and obligations that are owed to you, such as those found in the Law Society of Ontario's *Rules of Professional Conduct*<sup>1</sup> and *Paralegal Rules of Conduct*,<sup>2</sup> the *Human Rights Code (HRC)*,<sup>3</sup> and the *Occupational Health and Safety Act (OHSA)*,<sup>4</sup> among others.

One of these responsibilities includes the Law Society's requirement that each legal workplace of at least 10 licensees develop, implement, and maintain a human rights/diversity policy that, at minimum, addresses fair recruitment, retention, and advancement. Legal workplaces with nine or fewer licensees are also encouraged to create such a policy. Furthermore, under the *OHSA*, every legal workplace, regardless of size, must prepare and review a policy on workplace violence and harassment at least annually. These obligations are in addition to the *HRC*'s prohibition against discrimination based on a protected ground.

## Examples of Unacceptable Behaviour:

Despite the above, you may be subject to harassing or discriminatory treatment, including, but not limited to, any one or more of the following:

- Belittling or condescending comments or jokes in verbal or written form.
- Unwanted sexual behaviour, including unwanted sexual actions and comments.
- Discrimination related to your race, sex, creed, disability, age, ancestry, citizenship, colour, ethnic origin, place of origin, family status, marital status, gender expression, gender identity, and sexual orientation.
- Criticism about your personal characteristics, including your appearance.

## Available Resources:

If you have experienced or witnessed any instance of harassment or discrimination during your articling placement, LPP work placement, or paralegal education field placement, you are not alone. Resources are available to help you navigate these issues and to provide you with individual support. You can find a list of available resources on the following pages.

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<sup>1</sup> [www.lso.ca/lawyer-conduct-rules](http://www.lso.ca/lawyer-conduct-rules)

<sup>2</sup> [www.lso.ca/about-lso/legislation-rules/paralegal-rules-of-conduct](http://www.lso.ca/about-lso/legislation-rules/paralegal-rules-of-conduct)

<sup>3</sup> [www.ontario.ca/laws/statute/90h19](http://www.ontario.ca/laws/statute/90h19)

<sup>4</sup> [www.ontario.ca/laws/statute/90o01](http://www.ontario.ca/laws/statute/90o01)

# Available Resources

Resource	What it does	What it does not do	Contact information
<b>Discrimination and Harassment Counsel</b>	<p>The Discrimination and Harassment Counsel (DHC) Program is a confidential and free service run independently of the Law Society. It provides information and assistance to anyone who may have experienced or witnessed discrimination or harassment based on human rights grounds by a lawyer or paralegal. The DHC does not share information with the Law Society except for anonymous statistical data on the number and nature of contacts in the program.</p> <p>The DHC offers services, including:</p> <ul style="list-style-type: none"> <li>• listening to your concerns</li> <li>• clarifying the issues</li> <li>• reviewing your options and avenues of recourse</li> <li>• explaining the advantages and disadvantages of each option</li> <li>• referring you to other resources that may be of assistance</li> <li>• serving as a neutral facilitator in mediation or conciliation to resolve complaints, where appropriate.</li> </ul>	<ul style="list-style-type: none"> <li>• Provide legal advice</li> <li>• Provide personal counselling services</li> </ul>	<p><b>Website:</b> <a href="http://www.dhcounsel.on.ca">www.dhcounsel.on.ca</a></p> <p><b>Toll-free line:</b> 1-877-790-2200</p> <p><b>Email:</b> <a href="mailto:assistance@dhcounsel.on.ca">assistance@dhcounsel.on.ca</a></p>
<b>Experiential Training Program Team</b>	<p>The Experiential Training Program Team is part of the Law Society.</p> <p>The Experiential Training Program Team provides guidance to lawyer candidates on:</p> <ul style="list-style-type: none"> <li>• articling related issues</li> <li>• finding a new placement</li> <li>• terminating or transferring a placement</li> <li>• seeking a compassionate abridgement</li> <li>• understanding your rights and obligations under the Lawyer Licensing Process Policies</li> <li>• where appropriate, contacting your articling principal to address concerns constructively.</li> </ul>	<ul style="list-style-type: none"> <li>• Provide legal advice</li> <li>• Provide counselling services</li> <li>• Investigate a complaint about an articling principal or other licensee</li> </ul>	<p><b>Toll-free line:</b> 1-800-668-7380, ext. 3315</p> <p><b>General line:</b> 416-947-3315</p> <p><b>Email:</b> <a href="mailto:articling@lso.ca">articling@lso.ca</a></p>
<b>Entry-Level Competence Team</b>	<p>The Entry-Level Competence Team is part of the Law Society.</p> <p>The Entry-Level Competence Team provides guidance to paralegal candidates on:</p> <ul style="list-style-type: none"> <li>• paralegal education related issues</li> <li>• understanding your rights and obligations under the Paralegal Licensing Process Policies</li> <li>• where appropriate, contacting your paralegal education program provider to address concerns constructively.</li> </ul>	<ul style="list-style-type: none"> <li>• Provide legal advice</li> <li>• Provide counselling services</li> <li>• Investigate a complaint about an instructor, a field placement supervisor, or another licensee</li> </ul>	<p><b>Email:</b> <a href="mailto:paralegaleducation@lso.ca">paralegaleducation@lso.ca</a></p>

# Available Resources

Resource	What it does	What it does not do	Contact information
<b>Member Assistance Program</b>	<p>The Member Assistance Program (MAP) is a free, confidential service that is funded by, but is independent of, the Law Society. MAP provides assistance with psychological challenges, family challenges, stress, depression, and anxiety.</p> <p>The MAP provides access to:</p> <ul style="list-style-type: none"> <li>● counselling</li> <li>● coaching</li> <li>● online resources</li> <li>● peer volunteers.</li> </ul>	<ul style="list-style-type: none"> <li>● Provide legal advice</li> </ul>	<p><b>Website:</b> <a href="http://www.myassistplan.com">www.myassistplan.com</a></p> <p><b>Toll-free line:</b> 1-855-403-8922</p>
<b>Distress and Crisis Ontario</b>	<p>Distress Centres in Ontario provide listening, support, and referral services 24 hours a day, seven days a week.</p>		<p><b>For a list of local centres, please visit:</b> <a href="http://www.dcontario.org">www.dcontario.org</a></p>
<b>Complaints and Compliance Department</b>	<p>The Complaints and Compliance Department is part of the Law Society.</p> <p>When a written complaint about a licensee is filed, the Complaints and Compliance Department:</p> <ul style="list-style-type: none"> <li>● reviews and assesses the complaint</li> <li>● provides the complainant with a letter to let the complainant know that the complaint has been received</li> <li>● informs the complainant if the Law Society cannot help with the complaint or, alternatively, deals with it as a professional conduct matter.</li> </ul>	<ul style="list-style-type: none"> <li>● Provide legal advice</li> <li>● Address complaints that do not relate to the professional conduct of a paralegal, lawyer, or articling student (although it will respond to information about unlicensed practitioners providing legal services)</li> </ul>	<p><b>Website:</b> <a href="http://www.iso.ca/protecting-the-public/complaints">www.iso.ca/protecting-the-public/complaints</a></p> <p><b>Toll-free line:</b> 1-800-268-7568</p> <p><b>General Line:</b> 416-947-3310</p> <p><b>TTY Line:</b> 416-644-4886</p>
<b>Ontario Human Rights Legal Support Centre</b>	<p>The Ontario Human Rights Legal Support Centre provides free legal advice and assistance to individuals who have experienced discrimination under the <i>HRC</i>, including:</p> <ul style="list-style-type: none"> <li>● filing an application at the Human Rights Tribunal of Ontario (HRTO)</li> <li>● attending mediation at the HRTO</li> <li>● representing an individual at a hearing</li> <li>● enforcing an order of the HRTO.</li> </ul>	<ul style="list-style-type: none"> <li>● Provide personal counselling</li> <li>● Investigate complaints</li> <li>● Address complaints that are not related to grounds covered by the <i>HRC</i></li> </ul>	<p><b>Website:</b> <a href="http://www.hrlsc.on.ca/en/welcome">www.hrlsc.on.ca/en/welcome</a></p> <p><b>Toll-free line:</b> 1-866-625-5179</p> <p><b>General Line:</b> 416-597-4900</p>
<b>Law Society Referral Service</b>	<p>The Law Society Referral Service (LSRS) is part of the Law Society.</p> <p>The LSRS helps you find a lawyer or paralegal in a chosen area of law. Lawyers or paralegals participating in the service will offer you up to a half-hour of free consultation.</p>	<ul style="list-style-type: none"> <li>● Provide access to free legal services</li> <li>● Provide more than one referral for the same legal issue</li> </ul>	<p><b>Website:</b> <a href="http://lsrs.iso.ca/lsrs">http://lsrs.iso.ca/lsrs</a></p> <p><b>Email:</b> <a href="mailto:lsrs@iso.ca">lsrs@iso.ca</a></p>