



BLACK LEGAL  
ACTION CENTRE

# EMPOWERMENT TIPS

for Black LGBTQ+ Newcomers in Canada

---

# 03

## Employment

# Introduction

This tip sheet was developed as part of the **Black LGBTQ+ Newcomer Leadership and Capacity-Building Project**, a four-week workshop series that brought together community members to share lived experiences, name systemic barriers, and design practical solutions for safer, more inclusive services in Ontario. The project was made possible through the support of the **Black Legal Action Centre (BLAC)**, whose dedication to fighting anti-Black racism and advancing racial justice has ensured that the voices of Black LGBTQ+ newcomers are centred and amplified.

This guide helps Black LGBTQ+ newcomers learn their rights and take action against discrimination. It covers:



Each section has advice on **“Know Your Rights,” “Your Responsibilities,” “Steps You Can Take,” “Support Services to Contact,”** and example **“Language You Can Use”** to speak up.



# Disclaimer

The information provided in this tip sheet is intended to help you understand your rights and offer guidance in common situations. It is not legal advice and should not be relied upon as a substitute for professional legal or medical counsel.

If you need specific advice or support, please contact a lawyer, healthcare provider, or relevant professional. Every situation is unique, and the steps you take may depend on the details of your case.

This tip sheet is designed to empower you with knowledge and is meant to be a tool to assist you in navigating difficult situations. Always seek personalized support when needed.

# Understanding Your Rights and Laws

- **Know your rights:** Take time to learn about protections under the **Canadian Charter of Rights and Freedoms** and the **Ontario Human Rights Code** (e.g., protections against discrimination based on race, gender, sexual orientation, and gender identity/expression).
- **Stay informed about laws:** Be aware of federal, provincial, and municipal laws. For example:
  - **Federal laws:** immigration requirements, criminal code.
  - **Provincial laws:** employment standards, tenancy laws, health coverage rules.
  - **Municipal by-laws:** noise, smoking, recycling, pet ownership.
- **Understand your immigration process:** Refugee claimants and newcomers are responsible for following Immigration, Refugees and Citizenship Canada (IRCC) rules, attending appointments, and submitting truthful information.
- **Respect community rules and norms:** In community spaces, this includes respecting others' safety and dignity, not harassing others, and following posted guidelines.
- **Seek reliable information:** Do not rely solely on word-of-mouth or social media. Always confirm rules and rights with trusted organizations (e.g., The 519, settlement agencies, legal clinics).
- **Ask questions:** If you don't understand your rights or responsibilities, it's your duty to ask for clarification from a service provider, lawyer, or official agency.



# Employment

Workplaces must be safe and inclusive. These steps will help you respond to unfair treatment and protect your job rights.


# Know Your Rights

The Ontario Human Rights Code guarantees equal treatment in all aspects of work; hiring, pay, promotions, and more. Employers cannot refuse to hire you or fire you because of your race, sexual orientation, gender identity or other protected trait. You also have the right to a workplace free of harassment. This means no one at work, boss or co-worker, can use slurs, jokes or threats about your identity. Employers and unions have a duty to keep workplaces free of discrimination and harassment. Ontario's laws require employers to have policies against harassment and to stop it if it happens. You also have the right to reasonable accommodations. For example, if you're transitioning, your employer should help (like letting you use the washroom that matches your gender identity) unless it causes "undue hardship." Privacy matters too: employers can't ask invasive personal questions (e.g., "Are you gay?" is not allowed in an interview). Employers can check that you're legally allowed to work (they can ask if you have a permit), but they cannot refuse you just because you're a temporary worker or newcomer, as long as you have valid work status. And if you report discrimination or exercise your rights, your employer cannot punish you for that.

## Find out more:

- Ontario Ministry of Labour, Immigration, Training and Skills Development – Workers' rights, minimum wage, workplace safety.
  - [ontario.ca/document/guide-occupational-health-and-safety-act](https://ontario.ca/document/guide-occupational-health-and-safety-act)
- Workers' Action Centre – Support for low-wage, racialized, and immigrant workers.
  - [workersactioncentre.org](https://workersactioncentre.org)
- Steps to Justice – Work Law – Easy guides on pay, contracts, and discrimination at work.
  - [stepstojustice.ca/legal-topic/employment-and-work](https://stepstojustice.ca/legal-topic/employment-and-work)

# Your Responsibilities

- **Work safely and fairly:** Follow safety rules and report unsafe conditions.
  - **Be reliable:** Arrive on time, complete your duties, and notify your employer if you're sick or delayed.
  - **Pay taxes:** File income taxes every year to stay compliant and access benefits.
  - **Respect coworkers:** Avoid harassment or discrimination and support an inclusive workplace.
  - **Follow contracts:** Know your employment agreement, including pay, hours, and job duties.
  - **Keep records:** Save contracts, pay stubs, and work hours to protect yourself.
  - **Participate in training:** Complete required training or orientation sessions.
  - **Respect workplace property:** Use equipment, tools, and supplies responsibly.
  - **Maintain confidentiality:** Keep private information about clients or coworkers secure.
  - **Communicate issues:** Speak with your supervisor if instructions are unclear or conflicts arise.
  - **Know your rights and duties:** Learn about overtime, breaks, and minimum wage rules to avoid exploitation.
  - **Engage positively:** Build respectful professional relationships with supervisors and coworkers.
- 

# Steps You Can Take

**Keep a work journal.** From the first incident, write down dates, what was said or done, who was there. Save emails or messages too. This documentation will help if you report it.

**Address it informally (if safe).** Sometimes a simple response stops it. You could say to a coworker, "That joke isn't cool. Let's stay professional." To a boss, "I felt hurt by what you said about my [orientation/gender/race]. I'm committed to my work here, but comments like that make it hard." Only do this if you feel safe – do not confront aggressively.

**Report internally.** If it continues, use your company's complaint process. This could mean telling your manager or HR (if they aren't involved in the problem). Submit a written complaint describing what happened and when. You might write: "On [date], [Name] said [exact words] to me, which I believe is harassment based on my [race/gender identity/etc.]. This violates our policy and the law. I request an investigation." Keep a copy. By law, in Ontario your employer must investigate harassment complaints.

**Union support:** If you are in a union, tell your steward or rep. They can file a grievance for you. Unions also must represent all members fairly, so they should help with discrimination issues.

**External complaints (Human Rights claim):** If internal steps fail or the situation is severe, you can apply to the HRTO for workplace discrimination or harassment. HRLSC can help you with this too. You must usually file within 1 year of the last incident. A tribunal can order remedies like compensation or policy changes.

**Employment Standards & Safety:** If your complaint involves unpaid wages, hours, or other basic labour rights (not directly discrimination, but exploitation), you can contact the Ministry of Labour at 1-800-531-5551 or online to file a claim under the Employment Standards Act. If you feel unsafe at work (threats or violence), you can also call the Ministry's health & safety line; they may inspect the workplace. And remember, under the Occupational Health and Safety Act you can refuse unsafe work.

**Wrongful dismissal or constructive dismissal:** If you are fired or forced to quit because of discrimination or harassment, consider legal advice. An employment lawyer or legal clinic can tell you if you have a wrongful dismissal (or constructive dismissal) case, which is a lawsuit for damages. Sometimes this can be pursued together with a human rights claim.

# Steps You Can Take

**Police or criminal steps (rare):** If a coworker physically assaults or seriously threatens you, that is also a criminal matter. You could report it to police. (Of course, if there is immediate danger at work, call 9-1-1.) For ongoing threats, you might get a restraining order or press charges. Keep in mind mixing police with work can be complex – consider legal advice before doing this, unless it's an emergency.

**Get medical/therapy help:** Workplace harassment can cause anxiety, depression, or other health issues. See a doctor or counselor and explain what happened. A medical note can support any legal case (showing the impact on you), and can also justify any sick leave or accommodations you might need.

**Think about your well-being:** You have to decide what's best for you. If the workplace is too toxic, you might look for another job. (But you can still pursue your rights after leaving.) If you do resign because of discrimination, you might put a note in your resignation letter: e.g. "I am resigning due to an intolerable work environment caused by repeated discrimination." This may help if you later bring a claim.

# Support Services to Contact

## Patient Ombudsman (Ontario)

Free legal advice for human rights claims, including employment. They can help you decide if you have a good case and may assist with your HRTO application. Call 1-866-625-5179.

## Ministry of Labour Employment Standards Line

For unpaid wages, overtime, etc., call 1-800-531-5551. They guide you through filing a claim under the Employment Standards Act.

## Workers' Action Centre (WAC)

Supports low-wage and migrant workers (Toronto-based). They have a worker rights hotline: 416-531-0778 (Mon/Wed/Fri 12-5pm) or toll-free 1-855-531-0778. They speak many languages and can advise on discrimination or other issues, and refer you to clinics. Website: [workersactioncentre.org](http://workersactioncentre.org).

## Pride At Work Canada

This group promotes LGBTQ+ inclusion at work and has a plain-language "Know Your Rights" guide for LGBTQ2+ employees ([prideatwork.ca](http://prideatwork.ca)). They can also connect you to LGBTQ-friendly employers or resources, though they do not give legal advice.

## Legal Clinics and Lawyers

Community legal clinics (e.g., workers' health & safety clinics at 416-971-8832) handle employment law or health & safety issues for low-income workers. If you have some funds, a private employment lawyer can advise (many offer a free first consult). Pro Bono Ontario (1-855-255-7256) may help with brief legal advice.

## Migrant Workers Alliance for Change

If you're a migrant worker (temporary worker, care worker, etc.), they offer support through WhatsApp hotlines and resources to fight exploitation and assert rights. (Visit their site or WAC site for contacts.)

## 211 and Settlement Agencies

Call 211 or a local immigrant settlement agency (e.g. COSTI, YMCA Immigrant Services) for help finding employment counselors or referrals. They may not give legal help, but can support your situation and connect you to the right places.

## Employee Assistance Program (EAP)

If your workplace has an EAP, you can use it for confidential counseling to help cope with stress from harassment. (Be careful about discussing case details on an EAP, as they often connect you back to your employer's EAP system.)

# Language You Can Use

Here are some ways to assert yourself at work:

## **Responding to harassment:**

If a coworker says, "That's so gay," or mocks your identity, say: "Please stop. That language is disrespectful and not appropriate at work." If they aim it at you, "Your comment is offensive. I expect to be treated with respect." Keep it calm but firm.

**If no action is taken:** "I previously reported [incident] on [date] and saw no action. The harassment is continuing. I request again that this be addressed. If not, I will have to seek help from outside, which I want to avoid." This politely warns them you may go to legal authorities.

**In a job interview:** If asked personal questions (like about origin) you can deflect: "I'm legally authorized to work in Canada. Let's focus on my skills and fit for this job." If asked for intrusive personal details, "Could you clarify how that's relevant to the job?" often stops it.

**To HR or manager:** "I want to report an incident of harassment. On [date], [Name] said/did [describe], which I believe was harassment based on my [race/gender identity]. I'd like an investigation and action. I love working here but I need to feel safe and respected." This shows you're serious and following procedure.

**Invoking your rights:** If an employer is clearly doing something illegal (e.g. "We don't hire non-citizens"), you can say: "I need to remind you that what you're asking/doing is against the law. I know my rights under the Human Rights Code. I'd prefer to resolve this here, but I will take legal action if necessary." This is strong, so use it carefully (it can escalate things).

**Always remember:** you do not have to accept mistreatment. Remain professional, but stand up for yourself. The law is on your side, and there are people and agencies ready to help.

**During termination:** If you suspect you're being fired for illegal reasons, calmly ask: "May I have the reason for my termination in writing?" Collect any documents. You might respond: "I feel this is unfair. I will be consulting a lawyer or the Human Rights Tribunal about this." It signals you won't let it pass.

**Confronting a boss:** If your boss makes derogatory comments, you might say privately, "I was uncomfortable with your remark earlier about [what they said]. I want to do a good job here, but such comments make it hard to work. I'm asking that we keep things professional. I appreciate your understanding." Then follow up in writing: send an email saying thanks for listening and that you look forward to a respectful workplace.



# Conclusion

These aren't just sections of a tip sheet – they are tools you can carry with you in daily life as you navigate Canada as a Black LGBTQ+ newcomer. You now have concrete examples of how to handle discrimination in housing, healthcare, work, immigration, and public spaces. You have names of laws that protect you (like the Ontario Human Rights Code, Canada Health Act, Occupational Health and Safety Act, etc.) and agencies that can support you (from the Human Rights Legal Support Centre to Black Legal Action Centre to community programs).

Armed with this knowledge, we hope you feel **more confident and empowered** to assert your rights and seek help when needed. Discrimination and bias can be deeply hurtful, but they thrive in silence and ignorance. By knowing how to respond and who to call, you break that silence and challenge the ignorance, not just for yourself, but for others who will come after you.

Keep this tip sheet handy; maybe save it on your phone or in your email. You might not need all of it now, but situations can arise unexpectedly. When they do, take a deep breath, recall these tips, and remember: **you have every right to be here, to be yourself, and to be treated with dignity**. Canada's laws are, in theory, on your side, and there are many people in the community on your side too. You are not alone in facing these battles.

Stay strong, and never hesitate to **stand up for yourself** and also to **reach out for help**. As a Black LGBTQ+ newcomer, you are part of multiple communities; the immigrant community, the Black community, the LGBTQ+ community; and there are allies in all of them ready to fight alongside you. Your existence and success here matter; your rights matter. Welcome to Canada, and may you thrive as your authentic self!

*Prepared with contributions from current Canadian laws, community resources, and human rights guidelines to ensure accuracy as of 2025.*



## Contact Information

---



**The 519** is a Toronto-based 2SLGBTQ+ community centre dedicated to advocacy, service provision, and creating inclusive spaces for queer and trans communities, newcomers, and marginalized groups.

**Phone** 416-392-6874

**Website** [The519.org](http://The519.org)

**Email** [Info@The519.org](mailto:Info@The519.org)

**Address** 519 Church St,  
Toronto, ON M4Y 2C9



**The Black Legal Action Centre (BLAC)** is a non-profit community legal clinic in Ontario that provides free legal services to address anti-Black racism and advance the rights and dignity of Black communities.

**Phone** 416-597-5831

**Website** [blacklegalactioncentre.ca](http://blacklegalactioncentre.ca)

**Email** [info@blac.clcj.ca](mailto:info@blac.clcj.ca)

**Address** 180 Dundas St W unit 1509,  
Toronto, ON M5G 1Z8

---