

Resource- Family Status

Under the Ontario Human Rights Code, persons in a parent-child-like relationship have a right to equal treatment in the workplace. This means that Ontario employers cannot discriminate in hiring, promotion, training, benefits, workplace conditions, or termination of employment because a person is caring for a child or parent.

The protected grounds do not, however, cover the full range of relationships that most would consider familial, including relationships with siblings, or with members of the extended family, such as grandparents and grandchildren, aunts and uncles, nieces and nephews, and cousins. It excludes the kinds of “chosen families” often adopted by 2SLGBTQ+ persons, as well as the diverse forms of support networks developed by persons with disabilities. Persons discriminated against because of these relationships cannot file complaints on the basis of “family status” unless they can demonstrate a parent-child type of relationship. While not all familial relationships attract negative stereotyping or disadvantage, a broad definition can ensure that the needs of caregivers in various familial relationships will be accommodated.

Discrimination based on Family Status in the workplace

Employment decisions should not be influenced by stereotypes about caregivers. Those who provide family care, or are perceived to, may be assumed to be less competent, committed or ambitious than others. This is often influenced by gender stereotypes. For example, when female employees become mothers or take on other significant caregiving responsibilities, they may be passed over for promotions, learning opportunities and recognition because of biases, conscious or unconscious, about the attributes of mothers. On the other hand, men who take on significant caregiving responsibilities may face an extra backlash because of their failure to conform to stereotypical gender roles.

Duty to Accommodate - Family Status

As with other Code grounds, employers have a duty to accommodate needs related to family status. Accommodation, in the context of family status, is usually associated with care-giving needs. Where workplace structures, policies, procedures or culture operate to exclude or disadvantage persons with care-giving responsibilities, employers have a duty to consider whether they can make adjustments to reflect needs related to family status. This may involve, for example, providing flexible scheduling, permitting employees to take leaves of absence to care for family members who are ill or have a disability, or providing access to alternative work arrangements. Creating a flexible and inclusive workplace benefits all employees, and advantages employers in hiring, retaining, and receiving the best possible performance from employees.

For more information: [The Ontario Human Rights Commission's Policy on the prevention of discrimination because of family status](#)