

Resource: Poisoned Environment

A poisoned environment is a form of discrimination. In employment, human rights tribunals have held that the atmosphere of a workplace is a condition of employment as much as hours of work or rate of pay. A “term or condition of employment” includes the emotional and psychological circumstances of the workplace. A poisoned environment can also occur in housing and services.

A poisoned environment may be created when unwelcome conduct or comments are pervasive within the organization, which may result in a hostile or oppressive atmosphere for one or more people from a *Code*-protected group. This can happen when a person or group is exposed to ongoing harassment. However, a poisoned environment is based on the nature of the comments or conduct and the impact of these on an individual rather than just on the number of times the behaviour occurs. Sometimes a single remark or action can be so severe or substantial that it results in a poisoned environment.

The behaviour need not be directed at any one person to create a poisoned environment. A person can experience a poisoned environment even if they are not a member of the group that is the target. Further, not addressing discrimination and harassment may in itself cause a poisoned environment.

Examples of Poisoned Environments include:

- Disclosing a colleague’s disability without permission. That colleague experiences discrimination later from other coworkers who believe the stereotypes or stigma about the worker’s disability.
- A manager using a highly offensive racial slur toward an employee of a specific racial background, creating an environment that is hostile for that individual and anyone who witnesses the incident.
- A public shaming incident, such as a supervisor publicly berating and belittling an employee during a meeting, could create a hostile and demeaning atmosphere that affects not only the targeted employee but also other employees who witness the incident.
- A particularly offensive and derogatory joke targeting a specific group, such as gender, sexual orientation, or disability, creating an environment of exclusion and discomfort for members of that group and those who oppose such behavior.
- Instance(s) of cyberbullying, such as a manager sending inappropriate or offensive messages through digital communication channels, can contribute to a hostile and toxic atmosphere.
- A incident involving a physical threat or intimidation, even if it doesn't result in actual physical harm, could create a poisoned environment by fostering fear and anxiety among employees.

- A particularly vulgar and derogatory remark made by a coworker or supervisor, even if not directed at anyone in particular, can create a hostile environment that makes others uncomfortable and undermines professionalism.
- An incident of mocking or belittling an employee's religious practices or beliefs could create a toxic atmosphere for that employee and others who share similar beliefs.

Organizations have a duty to maintain a non-discriminatory environment in services, housing and employment, to be aware of a poisoned environment that exists, and to take steps to respond and eliminate it.

Management who knows, or ought to know, of a poisoned atmosphere but allow it to continue are discriminating against the affected tenants, employees or service users even if they are not themselves actively engaged in producing that atmosphere.

(Adapted from the [Ontario Human Rights Commission](#))