

Pages 153–154, Looking Back

1. Match the vocabulary terms above with these clues:

- a) harassment
- b) accommodation
- c) poisoned environment
- d) undue hardship
- e) *prima facie*
- f) *bona fide* occupational requirement
- g) constructive discrimination
- h) respondent
- i) prejudice
- j) discrimination

8. a) **Bryan and Joel are Grade 9 students at Holy Trinity Secondary School. They often stop at Joe’s Pizza on their way home from school and get a slice of pizza. One day Bryan went into the pizza shop and asked for a slice. The person working the counter said that he was “too busy” to serve Bryan. Bryan went out and told Joel what happened, so Joel went in and attempted to order a small pepperoni pizza. The clerk also refused service to Joel, saying he was too busy. Bryan and Joel feel they’ve been discriminated against because they are young students.**

- **Do Bryan and Joel have a case against the pizza parlour for discrimination for refusing them service?**

Bryan and Joel may have a case if they can show that they were refused service simply because they were young people. However, in most instances a business may choose to do business with anyone it chooses, provided that it is not acting in a discriminating manner. In this instance, it appears that the pizza shop was too busy to fill their order and so declined to accept their offer to purchase pizza. Bryan and Joel may decide that in the future they will not go to that pizza shop since they feel that they haven’t been treated very nicely.

- **Explain, using your knowledge of the human rights code in your province.**

Bryan and Joel would not have a case to claim discrimination. A business has the right to refuse to do business with someone, provided that such refusal is not based on one of the prohibited grounds of discrimination. In this case, the workers claimed that they were too busy to serve Joel and Bryan, and there was nothing to suggest that their age was a factor in the decision.

b) Lynn Taylor, 17, was having problems at home since her mother remarried; she did not get along with her stepfather. Lynn decided to leave home and apply for social assistance. She was awarded social assistance and, along with some money saved from a part-time job, applied to rent an apartment close to her school. However, when Lynn arrived with a post-dated cheque for the first and last month's rent, the landlord said that he would not rent the apartment to someone so young.

- **Would Lynn have a case against the landlord for discrimination on the basis of age?**

Lynn would have a case against the landlord on the basis of age. The landlord cannot refuse to rent an apartment based on one of the grounds covered by human rights legislation as "accommodation" is covered by human rights codes.

- **What factors would you consider if you were deciding this case?**

In deciding the case, students might consider other precedent setting cases dealing with this. They would need to consider Lynn's financial status (her ability to pay the rent), her maturity level, and so on.