



Discrimination

Everyone has the right to be treated equally and without discrimination at work.¹ Companies are responsible for ensuring that COVID-related measures are clear, consistent, do not favour or exclude workers on the basis of characteristics (e.g. ethnicity, race, gender, age, health status, etc.), and accommodate their diverse needs.²

Measures to ensure human rights are protected:

- ✓ Ensure any work policies/decisions (e.g. layoffs) are reasonable, consistent with human rights policy even when government policy/public health advice does not and applied consistently in the company.
- ✓ Accommodate diverse needs of workers (e.g. mental/physical health, family responsibilities, special protections for specific communities).
- ✓ Communicate clear policies and expectations about labour practices to contractors and suppliers.
- ✓ Continue to conduct regular audits/inspections and follow-up on findings (e.g. labour standards and occupational safety), including appropriate information disclosure.
- ✓ Communicate clear policies and practices regarding non-harassment to workers, their representatives, contractors and suppliers, monitor the workplace and respond quickly and effectively to allegations of harassment, sexual harassment and gender-based violence.

Violations of human rights include the following:

- ✗ Dismiss or furlough certain communities of workers for factors such as health (e.g. sick, immuno-compromised such as pregnant women), status (e.g. age, migration).
- ✗ Treat certain people differently at work in ways inconsistent with the protection of their human rights (e.g. selective medical testing, selective access to personal protective equipment, who has to come in to work).
- ✗ Cancel/delay audits/inspections due to COVID-19 (e.g. labour standards and occupational safety), including disclosing appropriate information.
- ✗ Fail to monitor and address bullying and harassment, which tends to increase during economic downturns such as a pandemic, typically targeting underserved workers including those identified on the basis of their race, ethnicity, gender identity or sex.

¹ This human right is protected under a number of international treaties including the [International Convention on the Elimination of All Forms of Racial Discrimination](#), [International Covenant on Civil and Political Rights](#), [Convention on the Elimination of All Forms of Discrimination against Women](#), [Convention on the Rights of Persons with Disabilities](#), [ILO Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value](#), [ILO Convention No. 111 concerning Discrimination in respect of Employment and Occupation](#), and [ILO Convention No. 122 concerning Employment Policy](#). See United Nations. (n.d.). Equality and Non-discrimination. <https://www.un.org/ruleoflaw/thematic-areas/human-rights/equality-and-non-discrimination>

² Justia. (April 2020). Workplace Discrimination and Harassment During COVID-19. www.justia.com/COVID-19/information-for-workers-during-COVID-19/workplace-discrimination-and-harassment-during-COVID-19