

## Chapter 2 The Legal Framework of HRM

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### MULTIPLE CHOICE

1. What are two reasons why Canadian employment laws were written?
- a. to reflect the values of our society and to protect the employer and the employees
  - b. to protect the employer and the organization
  - c. to provide guidelines for both national and international projects
  - d. to protect the employee through good management practices

ANS: A PTS: 1 REF: 42 OBJ:  
1

BLM: HO

2. With whom does the responsibility rest for ensuring that all legal aspects of the employment relationship are respected?
- a. all managers
  - b. the CEO
  - c. HRM
  - d. line managers

ANS: A PTS: 1 REF: 43 OBJ:  
1

BLM: R

3. What is an example of the impact of legislation on managers and HRMs?
- a. the need to establish certain maximum employment conditions
  - b. the need to stay informed of laws and their interpretations
  - c. the need to provide pay equity
  - d. the mandatory requirement to improve management practices

ANS: B PTS: 1 REF: 43 OBJ:  
1

BLM: HO

4. What does Employment Insurance and the Canada Pension Plan have in common?
- a. both affect all employers and employees

- b. both are quite limited in scope
- c. both prohibit intentional discrimination
- d. both are the most significant employment laws affecting HRM activities

ANS: A PTS: 1 REF: 43 OBJ:  
2  
BLM: HO

5. What is characteristic of both the Canada Labour Code and the Canadian Human Rights Act?

- a. both apply to federally regulated companies and agencies only
- b. both deal with federal and provincial human resource laws
- c. both are responsible for setting minimum employment standards and conditions for all Canadian organizations
- d. both apply to all employers and employees in Canada

ANS: A PTS: 1 REF: 43 OBJ:  
2  
BLM: R

6. Which organization is covered by The Canadian Human Rights Act?

- a. Via Rail Canada
- b. IBM
- c. community colleges
- d. Walmart

ANS: A PTS: 1 REF: 43 OBJ:  
2  
BLM: HO

7. Which corporation falls under federal human rights legislation?

- a. RONA
- b. Canadian Tire
- c. Walmart
- d. Bell

ANS: D PTS: 1 REF: 43 OBJ:  
2  
BLM: HO

8. Which corporation falls under provincial human rights legislation?

- a. CN Rail
- b. WestJet
- c. RONA
- d. CBC

ANS: C PTS: 1 REF: 43 OBJ:  
2  
BLM: HO

9. Which corporations fall under the Canadian Human Rights Act?

- a. communications companies
- b. 7-Eleven stores
- c. RONA stores
- d. hospitals

ANS: A PTS: 1 REF: 43 OBJ:  
2  
BLM: HO

10. What two distinct sets of laws govern Canadians?

- a. national and local
- b. provincial and territorial
- c. federal and provincial
- d. national and international

ANS: C PTS: 1 REF: 43 OBJ:  
2  
BLM: HO

11. What actions must managers or HRMs take to ensure privacy legislation is upheld?

- a. ensure that all personal information is NOT discarded
- b. do not collect employees' personal information, only collect work-related information
- c. provide employees limited access to their online or paper personal files
- d. acquire written consent when collecting and using employees' personal information

ANS: D PTS: 1 REF: 43 OBJ:  
2  
BLM: HO

12. Which legislation is paramount over other employment laws?

- a. labour law
- b. employment equity law
- c. human rights law
- d. criminal law

ANS: C PTS: 1 REF: 44 OBJ:  
2  
BLM: HO

13. What are the two basic employment laws for companies that are federally regulated?

- a. Canada Human Rights Code and Canada Labour Act
- b. Canada Labour Code and the Canadian Human Rights Act
- c. Canada Human Rights Code and Labour Standards Act
- d. Canada Labour Standards Act and Canada Human Rights Act

ANS: B PTS: 1 REF: 43 OBJ:  
3  
BLM: R

14. What is acceptable grounds for discrimination?

- a. religion
- b. handicap or disability
- c. lack of qualifications
- d. race or colour

ANS: C PTS: 1 REF: 46 OBJ:  
3  
BLM: HO

15. Which example is systemic discrimination?

- a. asking female candidates to demonstrate tow-motor ability, but not male applicants
- b. requesting only persons with disabilities undergo pre-employment medicals
- c. using word-of-mouth hiring practices
- d. administering a personality profile assessment during the selection process

ANS: C PTS: 1 REF: 45 OBJ:  
3|6  
BLM: HO

16. What is a justifiable reason for discrimination based on business reasons of safety or effectiveness?

- a. a bona fide occupational stipulation
- b. employee wellness
- c. a bona fide occupational qualification
- d. reverse discrimination

ANS: C PTS: 1 REF: 45 OBJ:  
3  
BLM: R

17. What is the term for employers' attempts to adjust working conditions and employment practices in order to prevent discrimination?

- a. prohibited ground of discrimination
- b. bona fide occupational qualification
- c. reasonable accommodation
- d. undue hardship

ANS: C PTS: 1 REF: 45 OBJ:  
3  
BLM: R

18. When does reverse discrimination occur?

- a. when Caucasians are favoured over visible minorities
- b. when men are favoured over women
- c. when members of certain groups are favoured to the extent that non-members believe they are suffering discrimination
- d. when employment equity goals are set

ANS: C PTS: 1 REF: 48 OBJ:  
3  
BLM: HO

19. What human rights prohibition is included in all Canadian jurisdictions' human rights acts?

- a. criminal conviction
- b. religion
- c. family status
- d. language

ANS: B PTS: 1 REF: 46 OBJ:

3

BLM: HO

20. What are the two legislations that define workplace harassment?

- a. human rights and privacy
- b. employment equity, and health and safety
- c. human rights, and health and safety
- d. pay equity and employment equity

ANS: C PTS: 1 REF: 43 OBJ:

3|5

BLM: HO

21. The human rights commission ordered back pay of \$15,000 plus damages of \$12,500 and costs of \$2,900 to a woman who had been sexually harassed in her workplace. What would the company be well advised to do?

- a. implement ethical codes of conduct
- b. implement privacy policies and procedures
- c. implement sexual harassment policies and procedures
- d. consult the human rights commission about their dispute resolution process

ANS: C PTS: 1 REF: 49 OBJ:

3|5

BLM: HO

22. Who is responsible for the enforcement of federal and provincial human rights laws?

- a. Canadian Human Rights Commission and Tribunals
- b. Human Rights Tribunals
- c. Human Rights Tribunals or Commissions
- d. Labour Canada

ANS: C PTS: 1 REF: 45 OBJ:

3

BLM: R

23. Who is responsible for the enforcement of the Canadian Human Rights Act?

- a. Canadian Human Rights Tribunal

- b. Labour Canada
- c. Human Resource Development Canada
- d. Canadian Human Rights Commission

ANS: D PTS: 1 REF: 43 OBJ:  
3  
BLM: R

24. What is an example of a recent human rights decision requiring higher standards from employers?

- a. accommodation for childcare responsibilities
- b. accommodation for physical disabilities
- c. accommodation for religious observance
- d. accommodation for aging workers

ANS: A PTS: 1 REF: 47 OBJ:  
3  
BLM: HO

25. Which is an example of systemic discrimination?

- a. minimum age requirements for pilots
- b. requirements for women guards in women prisons
- c. word-of-mouth recruiting
- d. minimum physical requirements for firefighters

ANS: C PTS: 1 REF: 45 OBJ:  
3  
BLM: HO

26. Which statement best defines discrimination?

- a. behaviours that demean, humiliate or embarrass someone
- b. employment rules that have a negative effect on employees
- c. the denial of opportunity to someone based on group membership such as gender or religion
- d. any unwelcome conduct that may detrimentally affect the work environment

ANS: C PTS: 1 REF: 45 OBJ:  
3  
BLM: R

27. What best defines harassment?

- a. behaviours the demean, humiliate or embarrass someone
- b. employment rules that have a negative effect on employees
- c. the denial of opportunity to someone based on group membership such as gender or religion
- d. unsafe and abusive conduct that may detrimentally affect the health and safety of someone

ANS: A PTS: 1 REF: 49 OBJ:  
3  
BLM: R

28. What best defines sexual harassment?

- a. behaviours the demean, humiliate or embarrass someone, that are sexual in nature
- b. employment rules that are sexual in tone which have a negative effect on employees
- c. the denial of opportunity to someone based on their sex
- d. unsafe and abusive conduct that is sexual in nature which may detrimentally affect the health and safety of someone,

ANS: A PTS: 1 REF: 49 OBJ:  
3  
BLM: R

29. Ken has been denied employment due to several body piercings and tattoos. What protection does he have under human rights law?

- a. protection based on physical or mental disability
- b. protection based on physical appearance
- c. he is NOT protected under human rights law as employers are allowed to have workplace codes of conduct
- d. protection based on the charter of rights and freedoms

ANS: C PTS: 1 REF: 45 OBJ:  
3  
BLM: HO

30. Monica is overweight and has been denied employment. What protection does she have under human rights law?

- a. protection based on sex and physical disability
- b. she is NOT protected under human rights law, as being overweight is NOT a human rights provision



- c. protection based on physical disability, if it is medically diagnosed as a disability
- d. A BFOR can be easily established for most job positions which allow for discrimination

ANS: B PTS: 1 REF: 46 OBJ:  
3  
BLM: HO

31. Jan is pregnant. What protection does she have under human rights law?

- a. protection on the grounds of marital status
- b. protection on the grounds of family status
- c. protection on the grounds of physical disability
- d. protection on the grounds of sex

ANS: D PTS: 1 REF: 49 OBJ:  
3  
BLM: HO

32. An employer's workforce represents one group in our society and the company recruits new employees by only posting job vacancies within the company. What human rights legal concept is this an example of?

- a. reasonable accommodation
- b. systemic discrimination
- c. bona fide occupational qualification
- d. undue hardship

ANS: B PTS: 1 REF: 45 OBJ:  
3  
BLM: HO

33. Air Canada has the right to retire pilots at age 60. What human rights legal concept is this an example of?

- a. reverse discrimination
- b. systemic discrimination
- c. bona fide occupational qualification
- d. undue hardship

ANS: C PTS: 1 REF: 45 OBJ:  
3  
BLM: HO

34. An employer allowed an employee who was hypersensitive to work remotely from home. What human rights legal concept is this an example of?

- a. reasonable accommodation
- b. systemic discrimination
- c. bona fide occupational qualification
- d. undue hardship

ANS: A PTS: 1 REF: 45 OBJ:  
3  
BLM: HO

35. Which of the following is NOT a defining element of discrimination?

- a. the characteristic being discriminated against is a condition of employment
- b. several incidents of discrimination must have occurred
- c. the discrimination was unintentional
- d. the discrimination was nonverbal

ANS: B PTS: 1 REF: 45 OBJ:  
3  
BLM: HO

36. Which of the following is a defining element of discrimination?

- a. it is perceived as influencing decisions on employment matters
- b. there have been several incidents
- c. it must be deliberate
- d. it must be verbal

ANS: A PTS: 1 REF: 45 OBJ:  
3  
BLM: HO

37. Which of the following is NOT an example of sexual harassment?

- a. allowing a customer to demand sexual favours from an employee
- b. permitting male employees to tell sexist jokes which female staff find offensive
- c. paying a man more than a woman for doing the same job
- d. promoting a female employee after she agrees to an after-work date

ANS: C PTS: 1 REF: 49 OBJ:  
4  
BLM: HO

38. What is the first step in the Canadian Human Rights Commission's Dispute Resolution process?

- a. investigation
- b. filing a complaint
- c. preliminary assessment
- d. inquiry

ANS: D PTS: 1 REF: 53 OBJ:  
4

BLM: R

39. When can the Canadian Human Rights Commission refuse to accept a complaint?

- a. when the allegations do not fall within its jurisdiction
- b. when the complainant is unaware of the category under which their complaint falls
- c. when the complaint has not been substantiated
- d. when the complainant is not a Canadian citizen

ANS: A PTS: 1 REF: 53 OBJ:  
4

BLM: R

40. Which statement best describes the enforcement of provincial human rights laws?

- a. Provincially regulated firms tend to be more informed about human rights legislation.
- b. Independent boards of inquiry have similar powers as a federal tribunal.
- c. Provincial laws are enforced in a similar manner except there is no court prosecution permitted.
- d. Provincially regulated employers tend to be larger and more sophisticated.

ANS: B PTS: 1 REF: 52 OBJ:  
4

BLM: HO

41. What would encourage and support an employee to report their concerns to an authority within their company if they felt bullied or harassed in their workplace?

- a. company internal confidential reporting channels

- b. charter of human rights employment equity initiatives
- c. company privacy and security policies and procedures
- d. company diversity management program

ANS: A PTS: 1 REF: 52 OBJ:  
4

BLM: HO

42. What abuse takes place when sexual harassment occurs in the workplace?

- a. abuse of power
- b. abuse of respect
- c. abuse of safety
- d. abuse of dignity

ANS: A PTS: 1 REF: 51 OBJ:  
3/4

BLM: HO

43. For which of the following issues does Employment Standards legislation specify the minimum obligation of employers?

- a. incentive pay systems
- b. hours of work
- c. vacation scheduling
- d. certification of trades workers

ANS: B PTS: 1 REF: 54 OBJ:  
5

BLM: R

44. Which agency usually administers Canadian union collective agreements?

- a. The Human Rights Commission
- b. Canadian Labour Congress
- c. Workers' Compensation Board
- d. The Labour Relations Board

ANS: D PTS: 1 DIF: Key Terms  
REF: 47  
OBJ: 5 BLM: R

45. What is the federal legislation called that has the responsibility for the health and safety of employees?

- a. The Worker's Health and Compensation Act
- b. The Canadian Health, Safety and Environmental Protection Act
- c. The Health and Safety Act
- d. The Workers Compensation Act

ANS: C PTS: 1 REF: 55 OBJ:  
5

BLM: R

46. What are two legislations that protect pregnant employees or employees on parental leave?

- a. human rights and privacy
- b. employment equity, and health and safety
- c. human rights, and health and safety
- d. pay equity and employment equity

ANS: C PTS: 1 REF: 55 OBJ:  
3/5

BLM: HO

47. What new legislation states that significant work-related stressors such as bullying, harassment, or violence are prohibited?

- a. privacy legislation
- b. occupational health and safety legislation
- c. employment equity legislation
- d. human rights mental disability prohibition

ANS: B PTS: 1 REF: 52 OBJ:  
5

BLM: HO

48. What is a recent focus of human rights and health & safety legislation requiring higher standards from managers?

- a. compensation and benefits
- b. pay equity and health benefits
- c. psychological harassment
- d. wellness policies

ANS: C PTS: 1 REF: 52 OBJ:

5

BLM: HO

49. What legislation has precedence over all other legislations?

- a. Employment Equity legislation
- b. Human Rights legislation
- c. Charter of Rights and Freedoms legislation
- d. Canada Labour legislation

ANS: C PTS: 1 REF: 54 OBJ:

5

BLM: HO

50. What are three specific employment legislations?

- a. health and safety, employment standards, and labour relations
- b. common, constitutional, and human rights
- c. privacy, contract, and labour relations
- d. contract, constitutional, and criminal

ANS: A PTS: 1 REF: 54 OBJ:

5

BLM: HO

51. What are employers covered by the Employment Equity Act legally obligated to do?

- a. identify and remove any employment barriers
- b. establish pay equity policies
- c. appoint an employment equity coordinator to liaise with the federal regulatory agency
- d. establish a joint committee comprised of union and management representatives

ANS: A PTS: 1 REF: 56 OBJ:

6

BLM: HO

52. Which of the following is NOT part of employment equity?

- a. reasonable accommodation
- b. preparation of an annual employment equity plan
- c. identification and removal of systemic barriers to employment opportunities that adversely affect designated group members
- d. government-imposed goals and timetables

ANS: D PTS: 1 REF: 56 OBJ:  
6  
BLM: HO

53. Which federal and provincial laws have the concept of employment equity rooted in their wording?

- a. employment standards legislation
- b. Health and Safety Act
- c. Labour Relations Act
- d. pension benefits standards

ANS: A PTS: 1 REF: 56 OBJ:  
6  
BLM: HO

54. Which statute requires or encourages preferential treatment in employment practices for certain designated groups?

- a. Pay Equity Act
- b. Employment Equity Act
- c. Employment Standards Act
- d. Human Rights Code

ANS: B PTS: 1 REF: 56 OBJ:  
6  
BLM: R

55. What might compound the major employment barriers Aboriginals face?

- a. illiteracy
- b. reluctance to leave the community in which they grew up
- c. negative past employment experiences
- d. language and cultural barriers

ANS: D PTS: 1 REF: 62 OBJ:  
6  
BLM: HO

56. For which people are culturally biased aptitude tests a systemic barrier?

- a. visible minorities
- b. First Nations people

- c. people with disabilities
- d. women

ANS: A PTS: 1 REF: 62 OBJ:  
6  
BLM: HO

57. Which people are presented with barriers when employment candidates are asked to demonstrate an ability to meet physical demands that are unrelated to actual job performance?

- a. women
- b. First Nations people
- c. visible minorities
- d. people with disabilities

ANS: D PTS: 1 REF: 62 OBJ:  
6  
BLM: HO

58. Which of the following is NOT part of Employment Equity initiatives?

- a. lowering performance standards
- b. mentorship programs
- c. reimbursement for tuition and books
- d. communication and diversity awareness

ANS: A PTS: 1 REF: 58 OBJ:  
6  
BLM: HO

59. Which statement is NOT an accurate representation of pay equity?

- a. for federal employees, pay equity is one component of the human rights legislation
- b. pay equity means equal pay for equal work
- c. the goal of pay equity legislation is to eliminate the historical wage gap between men and women
- d. federal pay equity legislation is complaints-driven

ANS: B PTS: 1 REF: 60 OBJ:  
6  
BLM: HO



60. When are employers that pay men and women performing the same jobs different salaries violating the Pay Equity Act?

- a. when the differences are based on incentive plans
- b. when the differences are based on seniority
- c. when the differences are based on merit
- d. when the differences are based on gender

ANS: D PTS: 1 REF: 60 OBJ:  
6

BLM: HO

61. What does implementation of pay equity require?

- a. making sure that jobs with different titles involving the same work are paid the same
- b. ensuring that male dominated job classes and female dominated job classes of equal value are paid the same
- c. ensuring that individuals performing work of a similar nature are paid the same, regardless of national or ethnic origin, colour, age, or sex
- d. ensuring no differences in pay between men and women performing the same work

ANS: B PTS: 1 REF: 60 OBJ:  
6

BLM: HO

62. Which of the following is NOT a factor in pay equity comparisons?

- a. current pay rate
- b. working conditions
- c. skill
- d. effort

ANS: A PTS: 1 REF: 60 OBJ:  
6

BLM: R

63. Which of the following is a systemic barrier that has a negative employment impact on visible minorities.

- a. recognition of foreign credentials
- b. minimal levels of language requirements

- c. diversity management initiatives
- d. culturally biased aptitude tests

ANS: D PTS: 1 REF: 45 OBJ:  
6  
BLM: HO

64. What are the designated groups in which employment equity promotes recruitment and retention of workers?

- a. women, visible minorities, First Nations peoples and people with disabilities
- b. visible minorities, First Nations peoples, women, and unemployed workers
- c. immigrants, First Nations people, unemployed minorities and people with physical handicaps
- d. First Nations people, people with disabilities, women and international workers

ANS: A PTS: 1 REF: 56 OBJ:  
6  
BLM: HO

65. What is employment equity intended to promote?

- a. diversity management
- b. employment of individuals in a fair manner
- c. equal pay for equal work
- d. equal opportunity employers

ANS: B PTS: 1 REF: 56 OBJ:  
6  
BLM: HO

66. What legal term is a justifiable reason for hiring only women guards in prisons for women, but does not allow hiring only women in a women's fashion retail store?

- a. employment equity
- b. bona fide occupational requirement
- c. equal employment opportunity
- d. there is NO justification for reverse discrimination against men

ANS: B PTS: 1 REF: 45 OBJ:  
6  
BLM: HO

67. What is the legal term used for targeted staffing and training to correct past discrimination?

- a. reasonable accommodation
- b. human resource planning
- c. bona fide occupational requirement
- d. employment equity

ANS: D PTS: 1 REF: 56 OBJ:  
6  
BLM: HO

68. Work being performed by predominantly female employees was of equal value to the work being done predominantly by male groups, but the female employees were being paid lower wages. What is the concern in this situation?

- a. equal pay for equal work
- b. employment equity
- c. pay equity
- d. minimum wage employment standards

ANS: C PTS: 1 REF: 60 OBJ:  
6  
BLM: HO

69. What best defines pay equity?

- a. equal pay for equal work
- b. pay and benefit equity
- c. equal pay for work of equal value
- d. fair total compensation

ANS: B PTS: 1 REF: 60 OBJ:  
6  
BLM: HO

70. What two principles is pay equity based on?

- a. gender-neutral job descriptions
- b. female pay equity, and male pay equity
- c. pay for equal work, and equal pay for work of equal value
- d. employment equity, and equal pay for equal work

ANS: C PTS: 1 REF: 60 OBJ:  
6

BLM: HO

71. What defines employment equity?

- a. the basic equal opportunity obligations of employers
- b. expected equity and fairness standards
- c. employment of individuals in a fair and unbiased manner
- d. optimal use of an organization's multicultural workforce to realize business goals

ANS: C PTS: 1 REF: 58 OBJ:  
6

BLM: HO

72. Which statement about diversity management is NOT accurate?

- a. diversity management involves optimization of a firm's multicultural workforce
- b. by managing diversity, firms hope to gain strategic and competitive advantage
- c. the terms diversity management and employment equity can be used interchangeably
- d. diversity management is NOT regulated by legislation

ANS: C PTS: 1 REF: 61 OBJ:  
7

BLM: R

73. What is one characteristic of diversity management?

- a. it concerns only the four designated groups
- b. it is another term for employment equity
- c. it recognizes gender differences only
- d. it is broader and more inclusive in scope than employment equity

ANS: D PTS: 1 REF: 61 OBJ:  
7

BLM: R

74. What is a poor reason for valuing diversity?

- a. visible minority group members generally have a stronger work ethic
- b. ethnic group members can share knowledge of their foreign cultures and business practices
- c. visible minority group members have a great deal of spending power
- d.

visible minority group members often have natural trading links with overseas markets that can be useful in capturing new market share

ANS: A PTS: 1 REF: 62 OBJ:  
7  
BLM: HO

75. What is a valid reason for valuing diversity?

- a. visible minority group members have a stronger work ethic
- b. ethnic group members may have expert knowledge of both national and international cultures and business practices
- c. visible minority group members have more spending power
- d. visible minority group members often have natural trading links with overseas markets that can be useful in capturing new market share

ANS: D PTS: 1 REF: 53|54  
OBJ: 7  
BLM: HO

76. What best defines diversity management?

- a. the basic equal opportunity obligations of employers
- b. employment of individuals in a fair and unbiased manner
- c. organizational practices that encourage employee differences in order to reach business objectives
- d. fairness in such areas as race, religion and gender

ANS: C PTS: 1 REF: 62 OBJ:  
7  
BLM: HO

77. What is NOT a diversity management success indicator that is used most often by Canadian organizations?

- a. changes in staff attitude, particularly in relation to lesbian, gay, bisexual, and transgender
- b. equal recruitment and promotion of all employees
- c. reduction in turnover of minority employees
- d. reduction in number of harassment suits

ANS: A PTS: 1 REF: 63 OBJ:  
7  
BLM: HO

78. What is key to achieving success in diversity initiatives?

- a. leadership setting an example and creating an atmosphere that respects and values differences
- b. use policies to instill diversity values in the minds of all employees
- c. use compliance measures to ensure diversity business strategies are followed
- d. doing so will continue to assist Canada in its economic sustainability

ANS: A PTS: 1 REF: 63 OBJ:  
7

BLM: HO

79. What is an example of an effective non-discriminatory practice?

- a. internal job postings
- b. outreach recruiting that reaches minority communities
- c. promoting employees based on seniority
- d. word-of-mouth recruitment

ANS: B PTS: 1 REF: 63 OBJ:  
5

BLM: HO

80. What are two examples of non-discriminatory practices?

- a. internal job postings and promotion based on seniority
- b. word-of-mouth and targeted recruitment
- c. targeted and internal job postings
- d. leadership inclusion councils and inclusion of women on executive boards

ANS: D PTS: 1 REF: 63 OBJ:  
5

BLM: HO

81. Which factor is NOT encompassed in managing diversity?

- a. lifestyle
- b. bilingualism
- c. education
- d. personality

ANS: B PTS: 1 REF: 64 OBJ:  
7

BLM: R

82. Which of the following is NOT recommended as a strategy for creating an environment in which diversity is embraced?

- a. reviewing policies and practices
- b. monitoring progress and providing qualitative and quantitative evidence of change
- c. dictating and ensuring the initiative is implemented through HRM programs
- d. providing diversity training

ANS: C PTS: 1 REF: 63 OBJ:  
7

BLM: R

83. Which statement best describes diversity initiatives?

- a. once the concept of diversity initiatives is understood, change should occur rapidly
- b. pay equity is an important element of a diversity management initiative
- c. diversity initiatives should be undertaken slowly so that the change is an evolutionary process
- d. employment equity compliance meets all the requirements of a diversity management initiative

ANS: C PTS: 1 REF: 63 OBJ:  
7

BLM: HO

84. Which of the following is NOT part of the evaluation criteria for diversity management programs used most often in Canadian organizations?

- a. improvements in productivity
- b. increases in promotions for minority employees
- c. reduction in number of harassment suits
- d. reduction in number of minority group member accidents

ANS: D PTS: 1 REF: 63 OBJ:  
7

BLM: HO

### **Scenario 2.1: Workplace Relationships**

Ms. Aslani, a young woman who immigrated from Tehran, had a past relationship with her senior manager, Mr. McKinnon. She held a low paying administrative support position with a local private manufacturing company. During the relationship, they would frequently text each other with sexual messages. The relationship ended after two months, but the texting by Mr. McKinnon continued. The employee both verbally and by text said that the texting made her uncomfortable and requested that the senior manager stop texting. The texts did not stop, and Ms. Aslani became stressed and took a leave of absence. After several months, when the texting continued despite the employee's threats to contact the police, Ms. Aslani left the company. The company did not have a policy on employees' social use of communication technologies while at work.

85. Please refer to Scenario 2.1. What is the key issue of importance highlighted in this case?

- a. the importance of privacy legislation
- b. the importance of human rights laws that prohibit racial discrimination
- c. the importance of human rights laws that prohibit sex discrimination
- d. the importance of human rights laws that prohibit gender harassment via technology

ANS: C PTS: 1 REF: 49 OBJ:  
2|3  
BLM: HO

86. Please refer to Scenario 2.1. What does this case illustrate?

- a. that relationship between sex and authority create problems within organizations
- b. the employer was using his position of authority to bully an employee
- c. that harassment via technology is increasing due to advancements in communication technology
- d. sexual relationships are a part of organizational life

ANS: D PTS: 1 REF: 49 OBJ:  
1|4  
BLM: HO

87. Please refer to Scenario 2.1. What does this case point out?

- a. that female dominated jobs and male dominated jobs exist within all organizations
- b. that relationships between sex and power exist within organizations
- c. that workplace equity issues are increasing due to technology
- d. that employment harassment is increasing due to technology



ANS: B PTS: 1 REF: 49 OBJ:  
1|4  
BLM: HO

88. Please refer to Scenario 2.1. What insights can be drawn from this case?
- a. sexual relationships are not a part of organizational life
  - b. sex has no part in business operations
  - c. that organizational life can NOT be easily separated from social issues
  - d. that workplace sexual relationships are increasing due to technology

ANS: C PTS: 1 REF: 50 OBJ:  
1|4  
BLM: HO

89. Please refer to Scenario 2.1. What abuse is taking place in this manufacturing company's workplace?
- a. abuse of power
  - b. abuse of respect
  - c. abuse of safety
  - d. abuse of dignity

ANS: A PTS: 1 REF: 50 OBJ:  
3  
BLM: HO

90. Please refer to Scenario 2.1. What are the two legislations that will help this manufacturing company deal with workplace discrimination and harassment?
- a. human rights and privacy
  - b. employment equity, and health and safety
  - c. human rights, and health and safety
  - d. pay equity, and employment equity

ANS: C PTS: 1 REF: 50 OBJ:  
2|5  
BLM: HO

91. Please refer to Scenario 2.1. What are the legislations affecting employment practices at this company?

- a. constitutional law, human rights law, employment standards, privacy legislation
- b. constitutional law, criminal law, privacy law, labour law
- c. criminal law, labour law, employment equity, employment standards
- d. human rights law, employment equity, labour law, privacy legislation

ANS: A PTS: 1 REF: 54 OBJ:

2|5

BLM: HO

92. Please refer to Scenario 2.1. What would the company be well advised to do?

- a. implement sexual harassment policies and procedures
- b. implement ethical codes of conduct
- c. implement privacy policies and procedures
- d. implement security practices, one of which would be Internet security

ANS: A PTS: 1 REF: 52 OBJ:

4

BLM: HO

93. Please refer to Scenario 2.1. What would have been a reason why Ms. Aslani would not have reported her concerns during her employment?

- a. lack of company confidential reporting channels
- b. lack of Charter of Human Rights employment equity initiatives
- c. lack of company privacy and security policies and procedures
- d. lack of a company diversity management program

ANS: A PTS: 1 REF: 52 OBJ:

4

BLM: HO

94. Please refer to Scenario 2.1. How would you best define discrimination to the employees and managers at this company?

- a. any employment practice that has a negative effect on employees
- b. the duty of an employer to put in place policies that prevent discriminatory practices
- c. the denial of opportunity to a person or class of people based on a group characteristic such as: age or religion
- d. any unwelcome conduct or consequences that may detrimentally affect the work environment

ANS: C PTS: 1 REF: 45 OBJ:

3

BLM: HO

95. Please refer to Scenario 2.1. How would you best define harassment to the employees and managers at this company?

- a. any employment practice that has a negative effect on employees
- b. the duty of an employer to put in place policies that prevent discriminatory practices
- c. the denial of opportunity to a person or class of people based on a group characteristic such as: religion or physical disability
- d. any unwelcome conduct or consequences that may detrimentally affect the work environment

ANS: D PTS: 1 REF: 49 OBJ:

3

BLM: HO

96. Please refer to Scenario 2.1. How would you best define sexual harassment to the employees and managers at this company?

- a. any employment practice, that is sexual in nature, that has a negative effect on employees
- b. the duty of an employer to put in place policies that prevent discriminatory practices that are sexual in nature
- c. the denial of opportunity to a person or class of people based on family status, marital status, sex or sexual orientation
- d. any unwelcome conduct or consequences, that are sexual in nature, that may detrimentally affect the work environment

ANS: D PTS: 1 REF: 50 OBJ:

3

BLM: HO

97. Please refer to Scenario 2.1. What is the most objective description of Ms. Aslani's situation?

- a. she is being harassed, not discriminated against
- b. she is not being discriminated against as the situation stemmed from a consensual sexual relationship
- c. it is no longer a problem as she decided to leave her job at this organization
- d. she is being discriminated against based on sex, which is a form of sexual harassment

ANS: D PTS: 1 REF: 50 OBJ:  
3  
BLM: HO

98. Please refer to Scenario 2.1. What is the long-standing human rights rule in this case?

- a. sexual harassment must be reported to the police
- b. sexual harassment is a form of sex discrimination
- c. subtle innuendos and propositions lead to sexual assault
- d. sexual annoyance is not a form of discrimination

ANS: B PTS: 1 REF: 50 OBJ:  
3  
BLM: HO

99. Please refer to Scenario 2.1. If Ms. Aslani decided to file a complaint with the Human Rights Tribunal or Commission, what legally protected grounds might be in violation in this workplace situation?

- a. gender
- b. culture
- c. sex
- d. religion

ANS: C PTS: 1 REF: 53 OBJ:  
3|4  
BLM: HO

100. Please refer to Scenario 2.1. If Ms. Aslani decided to file an internal company complaint, what legally protected grounds might be in violation in this situation?

- a. sex
- b. sexual assault
- c. ethnic origin
- d. race

ANS: A PTS: 1 REF: 52 OBJ:  
3|4  
BLM: HO

101. Please refer to Scenario 2.1. In Ms. Aslani's situation, what factors would help define whether her manager's behaviours were discrimination?

- a. the behaviours interfered with job performance by creating an intimidating environment
- b. the behaviours were unethical and unprofessional
- c. the behaviours were a misuse of supervisory authority
- d. the behaviours were socially and morally irresponsible

ANS: A PTS: 1 REF: 45 OBJ:  
3|4  
BLM: HO

102. Please refer to Scenario 2.1. In Ms. Aslani's situation, what factors would help define whether the behaviours were harassment?

- a. the behaviours interfered with job performance by creating an intimidating environment
- b. the behaviours were unprofessional and intimidating
- c. the behaviours were a misuse of supervisory authority
- d. the behaviours are socially and ethically inappropriate

ANS: A PTS: 1 REF: 51 OBJ:  
3  
BLM: HO

103. Please refer to Scenario 2.1. What new legislation does this company need to be aware of that states that significant work-related stressors, such as bullying, harassment, or violence, are legally prohibited?

- a. privacy legislation
- b. occupational health and safety legislation
- c. employment equity legislation
- d. human rights mental and physical disability prohibitions

ANS: B PTS: 1 REF: 52 OBJ:  
2| 5  
BLM: HO

104. Please refer to Scenario 2.1. Who could be liable in this situation?

- a. employer
- b. employee

- c. manager
- d. employer and manager

ANS: D PTS: 1 REF: 52 OBJ:  
2|3|4|5  
BLM: HO

### Scenario 2.2. A Physical Challenge

Anne, who has fibromyalgia, applied for a full-time teaching assistant position working with children with special needs. She had heard about the position from her friend who worked at the school district. She met all the conditions of the selection process but was refused employment by the school district because they felt she would be unable to deal with the large class of older-aged, severely physically challenged children due to her joint and muscle pain and fatigue. They have decided to implement minimum strength requirements for teaching assistants who work with the older, more physically challenging students.

105. Please refer to Scenario 2.2. What legislation applies in this case?
- a. the Canada Labour Code
  - b. the Employment Equity Act
  - c. provincial human rights law
  - d. the Canadian Human Rights Act

ANS: C PTS: 1 REF: 45 OBJ:  
2|3  
BLM: HO

106. Please refer to Scenario 2.2. What did the employer need to establish?
- a. that the absence of fibromyalgia was a BFOR for special needs teaching assistants
  - b. that fibromyalgia does not allow an individual to work full-time
  - c. that fibromyalgia requires reasonable accommodation
  - d. that physical ability was a BFOR for a teaching assistants

ANS: A PTS: 1 REF: 45 OBJ:  
3  
BLM: HO

107. Please refer to Scenario 2.2. What protection does Anne have under human rights law in this situation?

- a. Anne is not being discriminated against as physical strength is a BFOR to ensure safety when working with physically challenged children.
- b. Anne is protected on the grounds of physical disability.
- c. Anne is protected by employment equity legislation.
- d. Anne is not being discriminated against, as special needs teacher assistants require physical strength to work with physically challenged children.

ANS: B PTS: 1 REF: 45 OBJ:  
4

BLM: HO

108. Please refer to Scenario 2.2. If Anne decided to file a complaint with the Human Rights Tribunal or Commission, what legally protected grounds might be in violation in this workplace situation?

- a. gender
- b. culture
- c. sex
- d. physical disability

ANS: D PTS: 1 REF: 46 OBJ:  
3/4

BLM: HO

109. Please refer to Scenario 2.2. Which of the following is an example of a non-discriminatory equitable hiring practice the school district could use?

- a. post job advertisements in-house
- b. rely on seniority when promoting employees
- c. rely on word-of-mouth advertising
- d. use outreach recruiting

ANS: D PTS: 1 REF: 58 OBJ:  
4/6

BLM: HO

### **Scenario 2.3. Rejected from Employment**

Bill, who has an arthritic condition, applied for a position as a private bus driver. He met all the conditions of the selection process but was rejected from employment by the company on the advice of the medical doctor who performed the mandatory medical examination.

110. Please refer to Scenario 2.3. What did the employer need to establish?

- a. that the absence of arthritis was a BFOR for private bus drivers
- b. that the medical exam was valid
- c. that the medical exam was reliable
- d. that physical ability was a BFOR for a private bus driver

ANS: A PTS: 1 REF: 45 OBJ: 3

BLM: HO

111. Please refer to Scenario 2.3. What protection does Bill have under human rights law in this situation?

- a. Bill is not being discriminated against, as public safety requires a high standard of driving skills.
- b. Bill is protected on the grounds of physical disability.
- c. Bill is protected by employment equity legislation.
- d. Bill is not being discriminated against as driving requires quick response of his hands and feet.

ANS: B PTS: 1 REF: 45 OBJ: 3

BLM: HO

112. Please refer to Scenario 2.3. To what degree does the employer have a duty to accommodate Bill?

- a. to the point of undue hardship
- b. to the point of affective impact
- c. to the point where both the employer and employee feel that it is no longer appropriate
- d. to the point stated specifically in the Human Rights Code

ANS: A PTS: 1 REF: 47 OBJ: 3

BLM: HO



## Scenario 2.4. Ontario School District

Mr. Smith, a public elementary school custodian, is a Seventh Day Adventist. His religious beliefs prevent him from working from sundown Friday to sundown Saturday. The work schedule, which requires him to work a Friday shift from 3 p.m. to 11 p.m. is set out in the collective agreement between his employer and his union. Accommodating Mr. Smith's religious beliefs would require allowing him to work hours different from those specified. The employer and the union can't agree on a means of accommodating Mr. Smith. As a result, he is dismissed from his job. This school, part of the largest school district in Ontario, recently developed programs to promote employment equity and diversity.

113. Please refer to Scenario 2.4. What legislation best applies in this case?

- a. the Canada Labour Code
- b. the Employment Equity Act
- c. the Ontario Human Rights Code
- d. the Canadian Human Rights Act

ANS: C PTS: 1 REF: 45 OBJ: 3

BLM: HO

114. Please refer to Scenario 2.4. What legally protected grounds might be in violation in this situation?

- a. sex
- b. ethnic origin
- c. religion
- d. race

ANS: C PTS: 1 REF: 46 OBJ: 3

BLM: HO

115. Please refer to Scenario 2.4. What human rights discrimination legal concept has emerged in this situation?

- a. union collective agreement
- b. adverse effect discrimination
- c. employment equity
- d. sufficient risk

ANS: B PTS: 1 REF: 45 OBJ:  
3  
BLM: HO

116. Please refer to Scenario 2.4. When would the elementary school's workforce be representative (i.e. demonstrate employment equity)?

- a. when it reflects the demographic composition of the external workforce
- b. when numerical goals concerning equity have been established
- c. when it reflects an improvement from the previous year's results
- d. when men and women are employed in equal numbers

ANS: A PTS: 1 REF: 56 OBJ:  
6  
BLM: HO

117. Please refer to Scenario 2.4. Which of the following statements best differentiates the school district's employment equity program from their diversity management program?

- a. employment equity is voluntary for many employers, diversity management is not
- b. the terms diversity management and employment equity can be used interchangeably, so cannot be differentiated
- c. diversity management is voluntary, employment equity is required by law
- d. employment equity involves optimization of a firm's multicultural workforce, diversity management is not

ANS: C PTS: 1 REF: 62 OBJ:  
7  
BLM: HO

118. Please refer to Scenario 2.4. Which of the following is a reason why the school district values diversity management?

- a. ethnic group members have knowledge of foreign cultures and languages
- b. ethnic group members must be fairly represented and not adversely impacted in the workplace
- c. to eliminate systemic discrimination
- d. designated group members usually have a stronger work ethic

ANS: A PTS: 1 REF: 62 OBJ:  
7  
BLM: HO

## TRUE/FALSE

1. In managing people, managers can ignore the legal aspects of HRM without risking any severe consequences.

ANS: F PTS: 1 REF: 42 OBJ: 1

2. Employment laws have been written to protect both the employer and the employees.

ANS: T PTS: 1 REF: 42 OBJ: 1

3. Managers and supervisors are expected to treat employees in certain ways because it is just “good business.”

ANS: T PTS: 1 REF: 42 OBJ: 1

4. Being ignorant of the law is a valid excuse for the manager’s illegal actions.

ANS: F PTS: 1 REF: 42 OBJ: 1

5. Employment laws make good business sense since they contribute to the bottom line.

ANS: T PTS: 1 REF: 42 OBJ: 1

6. Canada has two distinct sets of legislation: federal and provincial/territorial.

ANS: T PTS: 1 REF: 43 OBJ: 2

7. Federal Employment laws apply to everyone who resides in Canada.

ANS: F PTS: 1 REF: 43 OBJ: 2

8. Federal legislation, namely the Canada Labour Code and Canadian Human Rights Act, applies to only about 20% of Canadian workers.

ANS: F PTS: 1 REF: 43 OBJ: 2

9. The provinces and territories in Canada have their own legislation that covers employment standards, human rights, labour relations, and worker health and safety.

ANS: T PTS: 1 REF: 43 OBJ: 2

10. In Canada, Federal Employment laws include Canada Labour Code, and Canadian Human Rights Act.

ANS: T PTS: 1 REF: 43 OBJ: 2

11. Each province and territory has legislation that provides certain rights and guarantees regarding employment.

ANS: T PTS: 1 REF: 43 OBJ: 2

12. The Canada Labour Code covers basic employment conditions and human rights prohibitions

ANS: F PTS: 1 REF: 43 OBJ: 2

13. The Access to Information and Privacy Act does not have direct influence or implication for HRM.

ANS: F PTS: 1 REF: 43 OBJ: 2

14. Every workplace in Canada is covered by human rights legislation.

ANS: T PTS: 1 REF: 44 OBJ: 2

15. Discrimination prevention programs are about awareness and information rather than changing behaviours and opinions.

ANS: F PTS: 1 REF: 42 OBJ: 1

16. All provinces and territories have employment equity and pay equity legislation.

ANS: F PTS: 1 REF: 44 OBJ: 2

17. The Personal Information Protection and Electronic Documents Act (PIPEDA) and provincial legislation commonly called the Personal Information Privacy Act (PIPA) enhance the protection of employer documents.

ANS: F PTS: 1 REF: 43 OBJ: 2

18. Privacy legislation enhances the protection of employees' personal information retained by their employer company retains.

ANS: T PTS: 1 REF: 43 OBJ: 2

19. Labour relations legislation regulates the minimum age of employment, hours of work, minimum wages, statutory holidays, etc.

ANS: F PTS: 1 REF: 54 OBJ: 2

20. Systemic discrimination refers to the open, intentional barriers that organizations use to deliberately prevent members of designated groups from progressing.

ANS: F PTS: 1 REF: 45 OBJ: 3

21. Employers are permitted to discriminate if there is a bona fide occupational qualification (BFOQ).

ANS: T PTS: 1 REF: 45 OBJ: 3

22. The federal government is allowed to hire only female prison guards in prisons for women.

ANS: T PTS: 1 REF: 45 OBJ: 3

23. An example of legitimate BFOQ for age is the argument that a younger employee will project a better, more energetic image to the public.

ANS: F PTS: 1 REF: 45 OBJ: 3

24. Reverse discrimination is allowed as long as the employer can demonstrate that they are living up to the spirit of the law by attempting to correct past discrimination.

ANS: T PTS: 1 REF: 48 OBJ: 3

25. Reverse discrimination occurs when employers give employment preference to members of certain groups.

ANS: T PTS: 1 REF: 48 OBJ: 3

26. Some provinces protect only against sexual harassment while others prohibit any type of work harassment.

ANS: T PTS: 1 REF: 49 OBJ: 3

27. When a women's fashion store decides not to hire males, this is an example of discrimination.

ANS: T PTS: 1 REF: 45 OBJ: 3

28. Reasonable accommodation refers to the duty of an employer to adopt practices that do not discriminate on a prohibited ground.

ANS: T PTS: 1 REF: 45 OBJ: 3

29. Systemic discrimination is unwelcome conduct of a sexual nature that detrimentally affects the work environment.

ANS: F PTS: 1 REF: 45 OBJ: 3

30. The objective of undue hardship is to remove workplace conditions that disadvantage groups who are protected by human rights legislation.

ANS: F PTS: 1 REF: 45 OBJ: 3

31. A manager or supervisor would be expected to act accordingly if a certain behaviour at work is considered unacceptable by a “reasonable person.”

ANS: T PTS: 1 REF: 45 OBJ: 4

32. Supervisors and managers are expected to work with employees to ensure they understand human rights legislation.

ANS: T PTS: 1 REF: 45 OBJ: 4

33. In recent years, the focus of discussions on harassment have shifted to sexual harassment in the workplace.

ANS: F PTS: 1 REF: 49 OBJ: 4

34. Sexual harassment is any behaviour that offends or humiliates a person, and that a reasonable person should have known would be unwelcome.

ANS: F PTS: 1 REF: 49 OBJ: 4

35. Some jurisdictions have enacted legislation prohibiting psychological harassment.

ANS: T PTS: 1 REF: 52 OBJ: 4

36. An example of sexual harassment is having to listen to comments made by co-workers about their sexual conquests every Monday morning, even when you have told them that their remarks make you extremely uncomfortable.

ANS: T PTS: 1 REF: 52 OBJ: 4

37. Employers are guilty of sexual harassment if they permit their customers to sexually harass their employees.

ANS: T PTS: 1 REF: 52 OBJ: 4

38. The best way to deal with complaints regarding sexual harassment is to develop, communicate, and enforce sexual harassment policies.

ANS: T PTS: 1 REF: 52 OBJ: 4

39. The Canadian Human Rights Commission (CHRC) can act on its own if it feels there are sufficient grounds for a finding of discrimination.

ANS: T PTS: 1 REF: 53 OBJ: 4

40. The only difference between federal and provincial human rights laws is that the former cover federally regulated industries and the latter cover provincially regulated industries.

ANS: F PTS: 1 REF: 53 OBJ: 4

41. The Canadian Human Rights Commission (CHRC) must accept all complaints EXCEPT those filed in bad faith.

ANS: F PTS: 1 REF: 53 OBJ: 4

42. Once a complaint has been accepted by the CHRC, a tribunal will be formed to deal with the allegations against the organization.

ANS: F PTS: 1 REF: 53 OBJ: 4

43. The CHRC has the authority to fine any party that obstructs an investigation and/or fails to comply with the terms of a settlement ordered by the commission.

ANS: T PTS: 1 REF: 53 OBJ: 4

44. Each province and territory has legislation, relatively similar to the federal employment laws, that provides certain rights and guarantees regarding employment.

ANS: T PTS: 1 REF: 53 OBJ: 4

45. Employment legislation's (laws) provincial/territorial jurisdictions include employment standards, labour relations, human rights, health and safety, and workers' compensation.

ANS: T PTS: 1 REF: 54 OBJ: 5



46. The Employment Standards legislation applies to all employers.

ANS: T PTS: 1 REF: 54 OBJ: 5

47. The Labour relations legislation is usually administered through an agency called Labour–Management Partnership.

ANS: F PTS: 1 REF: 55 OBJ: 5

48. Health and Safety of employees is a responsibility of employers, employees and managers.

ANS: T PTS: 1 REF: 55 OBJ: 5

49. Provinces and territories have legislation dealing with human rights and legislation that covers unions and their relationships with employers.

ANS: T PTS: 1 REF: 55 OBJ: 5

50. Women, visible minorities, and persons with disabilities make up about 30% of the Canadian labour force, and their numbers are holding steady.

ANS: F PTS: 1 REF: 58 OBJ: 6

51. The purpose of employment equity is to address the inequity in pay between women and men in the workplace.

ANS: F PTS: 1 REF: 58 OBJ: 6

52. The Employment Equity Act stipulates that Canadian employers must implement employment equity and report on results attained.

ANS: F PTS: 1 REF: 58 OBJ: 6

53. Federally regulated employers are required to develop plans to better represent certain designated groups.

ANS: T PTS: 1 REF: 58 OBJ: 6

54. Employment equity involves the identification and removal of systemic barriers to employment opportunities that adversely affect the four designated groups.

ANS: T PTS: 1 REF: 58 OBJ: 6

55. The concept of employment equity is rooted in the Federal Charter of Rights, and Federal and Provincial human rights codes.

ANS: T PTS: 1 REF: 60 OBJ: 6

56. Recent statistics indicate that visible minorities are lacking in educational qualifications, which has resulted in their high unemployment rates.

ANS: F PTS: 1 REF: 60 OBJ: 6

57. The four designated groups identified in the Employment Equity legislation are women, First Nations peoples, persons with disabilities, and underemployed minorities.

ANS: F PTS: 1 REF: 58 OBJ: 6

58. According to statistics, women tend to be affected by occupational segregation.

ANS: T PTS: 1 REF: 58 OBJ: 6

59. Employment equity makes good business sense since it contributes to the bottom line.

ANS: T PTS: 1 REF: 58 OBJ: 6

60. In Crown Corporations, the first step in the implementation of employment equity according to the Act, is data collection and analysis.

ANS: F PTS: 1 REF: 58 OBJ: 6

61. Pay equity law makes it illegal for employers to discriminate against individuals on the basis of job content.

ANS: T PTS: 1 REF: 60 OBJ: 6

62. By definition, pay equity means equal pay for equal work.

ANS: F PTS: 1 REF: 60 OBJ: 6

63. Pay equity is based on the principle of equal pay for work of equal value.

ANS: T PTS: 1 REF: 60 OBJ: 6

64. Implementation of pay equity is based on comparing the work of female and male employees doing the same job.

ANS: F PTS: 1 REF: 60 OBJ: 6

65. The federal pay equity legislation applies to all employers in Canada.

ANS: F PTS: 1 REF: 60 OBJ: 6

66. Ontario and Quebec have stringent pay equity legislation, yet other provinces do not.

ANS: T PTS: 1 REF: 60 OBJ: 6

67. Eighty-four percent of visible-minority people are immigrants.

ANS: T PTS: 1 REF: 60 OBJ: 6

68. Alberta and British Columbia do not have pay equity legislation and therefore, any pay equity adjustments are the decision of the organization.

ANS: T PTS: 1 REF: 60 OBJ: 6

69. While no specific provincial acts pertain to employment equity, the concept of employment equity is rooted in federal and provincial employment standards legislation, human rights codes, and the Canadian Charter of Rights and Freedoms.

ANS: T PTS: 1 REF: 57 OBJ: 6

70. Employment equity primarily means reasonable accommodation for people who are not treated equitably.

ANS: F PTS: 1 REF: 57 OBJ: 6

71. The terms “diversity management” and “employment equity” can be used interchangeably.

ANS: F PTS: 1 REF: 63 OBJ: 7

72. The optimization of an organization’s multicultural workforce in order to reach business objectives is known as employment equity.

ANS: F PTS: 1 REF: 58 OBJ: 7

73. According to the most recent Statistics Canada census, over 26% of our total population is classified as “visible minority”.

ANS: F PTS: 1 REF: 57 OBJ: 7

74. Transforming an organizational culture into a culture that embraces diversity is relatively simple and can be done in a relatively short period of time.

ANS: F PTS: 1 REF: 62 OBJ: 7

75. Diversity initiatives should be directly linked to the business objectives of top management.

ANS: T PTS: 1 REF: 62 OBJ: 7

76. A sound recruitment process is one of the key variables in a firm’s ability to incorporate the value of diversity into its business strategy.

ANS: F PTS: 1 REF: 62 OBJ: 7

77. A crucial element of any diversity management initiative is proper training across the organization.

ANS: T PTS: 1 DIF: Application  
REF: 62  
OBJ: 7

## ESSAY

1. Employment legislations continue to change as Canadian social values change. There have been several recent significant court decisions that may have an impact on the rights of both employees and employers. Describe and provide an example of one.

ANS:

1-Pre-employment screening. Given the impact of a poor hiring decision, more employers are making use of pre-employment credit checks, criminal record checks, driving history, and verification of academic credentials.

2-Medical notes from doctors. For years, employers have had to accept one-line notes from doctors about the medical condition of an employee. In most situations, employees were disadvantaged as the employers did not have good information about their health (or disability) and made decisions based on what they had. In 2008, the Supreme Court of Canada determined that an employee could be evaluated by a doctor of the firm's choosing.

3-Legislation. The need to accommodate people with disabilities is expanding. For example, under its Accessibility for Ontarians with Disabilities Act, Ontario has enacted legislation that will apply to all employers within the province. The legislation outlines certain standards aimed at making Ontario fully accessible by 2025. Further, there have been recent challenges as to whether obesity and smoking are treated as disabilities.

4-Psychological harassment. The issue of bullying and harassment is not just a workplace health and safety issue. Courts and tribunals are increasingly making decisions that demonstrate an expectation of a respectful and civil work environment.

5-Inclusion of mental stress in Workers' Compensation legislation. As more and more court cases, as well as tribunal decisions, deal with the impact of bullying and harassment, provincial health and safety legislation is broadening coverage for workplace mental stress. The objective of the expanded coverage is to create a healthy work environment.

6-Use and misuse of technology. More court cases pertain to employee blogs as blogs can divulge confidential and sensitive information, use offensive language, and provide inaccurate information. Employers may also need to consider how accessible they want employees to be with PDAs (personal digital assistants) as constant use could attract overtime claims.

PTS: 1 REF: 61 OBJ: 1| 2| 3| 4| 5| 6| 7

2. Define and give an example of one human rights legal concept affecting managers and HRMs

ANS:

1- Systemic discrimination. The exclusion of members of certain groups through the application of employment policies or practices based on criteria that are not job related. An example of systemic discrimination would occur when an employer's workforce represents one group in our society and the company recruits new employees by posting job vacancies within the company or by word of mouth among the employees. This recruitment strategy is likely to generate a candidate similar to those in the current workforce, thereby unintentionally discriminating against other groups of workers in the labour market.

2- Bona fide occupational qualification (BFOQ). A justifiable reason for discrimination based on business reasons of safety or effectiveness. A recent example is the Canadian Human Rights Tribunal decision upheld Air Canada's right to retire pilots at age 60.

3- Reasonable accommodation. An attempt by employers to adjust the working conditions and employment practices of employees to prevent discrimination. A recent example is a case dealing with someone getting ill from their physical environment, the tribunal determined that the person was hypersensitive and as such needed accommodation to work remotely from home.

4- Psychological harassment. Repeated and aggravating behaviour that affects an employee's dignity resulting in a harmful work environment. Examples include bullying, yelling at subordinates, excluding employees from certain activities, and making derogatory comments.

PTS: 1 REF: 45 OBJ: 3

3. Choose two of the situations below. Describe whether you think the workplace behaviour is discrimination or not. Describe the factors that influenced your decision. Ensure you list the human rights prohibition and include at least one human rights legal concept for both of your answers.

1- The dispute between public service employees and the federal government regarding equal pay was ongoing for decades. A number of predominantly female groups of public service employees alleged that they were performing work of a value equal to that of predominantly male groups for lower wages.

2- An Asian University professor has worked for a Canadian university for 15 years. He was denied a tenure permanent position on several occasions. Three other faculty, (all white males) with less education and experience received tenure positions in the past two years. The professor filed a human rights complaint.

3- John Smith had been teaching at several BC high schools for ten years. He was recently diagnosed with AIDS. Despite the Ministry of Education Medical Director's report that Smith's condition did not place his students or others in the school at any risk, the district reassigned Smith to an administrative position and barred him from teaching in the classroom. Smith filed a human rights complaint.

4- Donna worked with Mike for over ten years. For all of that time, Mike constantly made fun of Donna and criticized her work performance. Donna began to question her abilities and did not apply for other positions because she believed she would be unsuccessful. Mike ridiculed the way she walked and the way she looked, calling her an "old lady" and a "fat cow" to other employees and indicated that he believed women should be at home looking after their children. Donna complained to the manager on a number of occasions, but nothing effective was ever done to stop Mike's behaviour.

5- John, who is just under five feet in height, met with the manager of a bottle depot to discuss employment. The manager seemed receptive, and John left the depot with the impression that the manager would call to arrange an orientation. However, the manager hired someone else. When John asked, the manager said John was too short to do all the lifting and storing of the bottles required to do the job. This was the first time John had not gotten a job because of his height.

6- Mark Johnston, a school custodian, is a Seventh Day Adventist. His religious beliefs prevent him from working from sundown Friday to sundown Saturday. The work schedule is designed to have custodians work when classes were not being taught and was outlined in detail in the union collective agreement. The employer dismissed Mark, feeling that his religious beliefs would not allow him to work the hours specified.

7- A women's clothing store is recruiting summer seasonal employees. It is May, and the successful candidates will be offered four months' work for the store's busiest tourism season. One applicant with years of experience in women's fashion sales was pregnant. The manager decides to hire another male applicant with limited experience in women's clothing sales.

8-An RCMP staff sergeant was prone to angry outbursts and derogatory remarks focused particularly on a pregnant female officer. He went out of his way to penalize her for supposed breaches of policy and verbally humiliated her in the presence of other detachment staff.

9-A catering company does not accommodate a scheduling request (not to work Friday evenings and Saturdays) of an employee whose religious observance is on Friday evenings and Saturdays.

10-An upset customer uses foul language and racist terms towards an employee who points out the return policy on the wall. The employee went to the staff room and cried. The employee was disciplined by the employer.

11-At a soccer tournament, organized by several workplace departments, a First Nations woman who was cheering for the winning team was called a derogatory racial term.

12-A manager comments to an older employee learning a new computer software, "I guess you can't teach an old dog new tricks."

13-A waitress alleges she was fired from her job as a result of shaving her head in support of cancer.



14-A banquet manager, a single mom of a young child, was terminated because the employer assumed she would not be able to work weekends because her child care arrangements had changed.

15-An obese person was not able to fit into one airline seat for a Canadian regional airline. She was asked to pay half price for the second additional seat.

ANS:

1-Discrimination based on sex

Pay equity

Lack of equity for women in the area of wages

Systemic discrimination

2- Discrimination based on race

Intentional direct discrimination

3- Discrimination based on disability

Sufficient Risk

BFOR

Privacy legislation

4- Discrimination based on sex

Sexual harassment

Importance of internal complaint channels or external human rights channels

5- Discrimination based on physical disability

Direct discrimination against short people

BFOR

Reasonable accommodation

6- Discrimination based on religion

Adverse Effect

Systemic Discrimination

7- Discrimination based on sex

Can NOT discriminate on the basis of gender or pregnancy

8- Discrimination based on sex

Sexual harassment

Offensive work environment  
Interfering with job performance  
The work environment must be harassment-free

9- Discrimination based on religion

Adverse Effect  
Systemic Discrimination  
BFOR  
Reasonable Accommodation

10. Discrimination based on race

The employer must ensure the workplace is free from discrimination

11-Discrimination based on race or ancestry

Act occurred within the course of the employment relationship  
Could be harassment

12- Discrimination and or harassment based on age

The employer must ensure the workplace is free from discrimination  
Intimidating, poisoned work environment  
Depends on the relationship

13-This is not discrimination

Voluntary shaving of one's head is not a human rights matter  
Human rights legislation is not intended to protect individuals against negative reactions to an exercise of personal preference

14-Discrimination based on family status

Employers can NOT alter the terms or conditions of employment due to the parental obligations of employees or other family-related situations.  
BFOR  
Reasonable accommodation

15-Discrimination based on physical disability

Reasonable accommodation

PTS: 1 REF: 45 OBJ: 1| 3| 4|6

4. Identify and briefly discuss the steps used by the CHRC to resolve human rights complaints.

ANS:

The steps are as follows:

- 1- Inquiry—Individual contacts the CHRC about launching a complaint and the CHRC determines if the allegations fall within its jurisdiction.
- 2- Early Resolution and Preventive Mediation—A CHRC representative determines if it is the correct agency and if so, encourages the parties to seek resolution by using its trained specialists in mediation.
- 3- Filing a Complaint—If the matter hasn't been resolved in Step 2, and if the individual wishes to pursue the matter, a complaint is filed. The CHRC can decide to deal with the complaint or it can be dismissed. If the CHRC will hear the complaint, a review is done to determine if mediation would work.
- 4- Mediation—Specialists are assigned by the CHRC to assist the parties in finding a mediated solution. This is a voluntary and confidential step.
- 5- Preliminary Assessment—If the parties are not willing to be involved in mediation (or if mediation is not appropriate), the complaint is referred to the Investigation Division to determine next steps. This stage of the process can once again include mediation or a decision to have a full investigation.
- 6- Investigation—An investigation, including any documents and other evidence, is gathered; a report is then prepared of the analysis of the information along with a recommendation as to the further handling of the case that is submitted to the commissioner. The commission can dismiss the case, refer it to conciliation, or refer to the tribunal for a final and binding decision. For example, AZ Bus Tours was recently ordered to compensate an employee over \$15,000 for lost wages as well as \$3,000 for pain and suffering. The employee stated that a documented medical condition had not been accommodated, as certain shifts were not being assigned. The tribunal concluded that the person had been discriminated against due to a disability.

PTS: 1 REF: 53 OBJ: 3

5. List six guidelines for managing an effective anti-harassment environment.

ANS:

- 1- Develop a written policy explaining what harassment is and the employer's commitment to a harassment-free work environment.
- 2- Have a statement of duties of everyone involved—employer, managers, supervisors, and employees.
- 3- Have clear procedures in place for complaints.

4- Create an outline of how a complaint will be handled, including confidentiality, and what will happen at conclusion of investigation.

5- Identify consequences for any employee who exhibits the prohibited behaviours or actions, and anyone who files a false complaint.

6- Communicate the policy to everyone and provide ongoing education and training.

PTS: 1 REF: 52 OBJ: 4

6. List three legislations that affect employment practices in Canada. Give an example of one.

ANS:

- Charter of Rights and Freedoms
- Human Rights Legislation
- Employment Equity Legislation
- Labour Relations Legislation
- Privacy Legislation
- Health and Safety
- Employment Insurance
- Canada Pension Plan
- Employment Standards Legislation (example; basic employment conditions, such as minimum wage)

PTS: 1 REF: 45 OBJ: 2|3|5|6

7. Define the term ‘diversity management’ and identify the benefits to firms that embrace diversity.

ANS:

Diversity management is the optimization of an organization’s multicultural workforce in order to reach business objectives. It is broader and more inclusive in scope than employment equity, and goes far beyond legal compliance or even implementing an employment equity plan voluntarily. It involves a set of activities designed to integrate all members of an organization’s multicultural workforce.

While there are ethical and social responsibility issues involved in embracing diversity, there are more pragmatic reasons for doing so:

- 1- It makes economic sense. The ethnocultural profile of Canada is changing. By the year 2017, visible minorities will account for 20% of the Canadian population. Their spending power cannot be ignored.
- 2- Employees with different ethnic backgrounds often also possess foreign-language skills, knowledge of different cultures and business practices, and may even have established trade links in other nations, which can lead to competitive advantage.
- 3- Having a workforce representative of the firm's clientele is of value both morally and economically, and may enable the firm to identify differences in customer needs or preferences that might otherwise be overlooked.
- 4- Visible minorities can help to increase an organization's competitiveness and international savvy in the global business arena. Specifically, cultural diversity can help fine-tune product design, marketing, and ultimately customer satisfaction.

PTS: 1 REF: 61 OBJ: 7

8. Discuss pay equity including the purpose of pay equity legislation and the two principles upon which it is based.

ANS:

Pay equity legislation was enacted based on evidence that the work women traditionally perform has been undervalued. The results of inequitable pay systems are that they contributed to a wage gap that saw males consistently being paid more than females. First attempts to address this issue were founded on the principle of "equal pay for equal work". This principle was regulated in Employment Standards legislation and essentially stated that employers could not differentiate the wages paid to females where the work they were performing was substantially the same as that being performed by males in the same organization. Some exceptions were allowed where the difference was a result of seniority, temporary training assignments or the existence of an incentive pay component. The second principle regulated through pay equity legislation is "equal pay for work of equal value" This means that jobs are compared on the basis of value to the organization and the comparisons are broader in scope to compare dissimilar jobs and look at jobs traditionally dominated by women vs. those dominated by men. Since the jobs are dissimilar, the basis for comparison became gender neutral compensable factors under the categories of skill, effort, responsibilities, and conditions of work. The process is referred to as job evaluation and it is designed to determine quantifiable measures of jobs for comparative purposes within an organization. Jobs receiving similar scores are deemed to be equal in value and the compensation must reflect this fact.

PTS: 1 REF: 60 OBJ: 6  
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