



ARAB CANADIAN
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Job Consequences for Palestine Support Activities: What are my employee rights?

ARAB CANADIAN LAWYERS ASSOCIATION

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Job Consequences for Palestine Support Activities: What are my employee rights?



DISCLAIMER: This is information and NOT legal advice. If you are facing workplace reprisal and are seeking legal advice, please fill out our [reporting form](#) and consult [our referral list](#).

ACKNOWLEDGEMENT: ACLA thanks the employment law specialists who created this document for our community.

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Introduction

This document provides an overview of your rights (and their limitations) in the workplace when it comes to your ability to engage in speech or action that supports Palestine.

In reading the information below, it is important to understand that employment law in Canada is designed to protect employers' interests and so generally does not provide strong protections for employees. Workers, particularly non-unionized ones, can and do face repercussions for standing up for their rights and the rights of others. This does not mean that you should stay silent, but it is also useful to be aware of the risks so you can:

- Take precautionary steps to reduce the chance of job consequences (e.g. limit your social media posting)
- Organize with others, such as like-minded colleagues or organizations supporting workers facing backlash

Remember, you are not alone. Workers take political stands and fight for their rights every day. Workers acting as a collective, calling on public support and seeking alliances with community and political groups can achieve many things even if the law does not appear to be on their side.

Legal Information

It is important to understand that **this document provides only general information about workplace law**. That means this document explains the law and the legal system in general terms.

The information contained here primarily focuses on provincially regulated work in Ontario. There is some reference to information for those working for federally regulated employers as well. Some of the information in this document may be different if you work in another place or jurisdiction.

This document is current to November 7, 2023. The law in this area continues to change. Depending on when you are reading this document, there may be areas in which your rights have changed since its release.

Please note that **this document does not provide legal advice**. Legal advice is advice that is personalized to a specific situation. It is based on a consideration of the law and the unique facts of a person's case. Each person's situation is different in ways that can change the legal analysis of your rights.

Throughout this document, you will see references to **"decision makers."** By this we mean someone deciding your legal case. For example, this may be a judge in court, a tribunal member at an administrative tribunal or, if you're unionized, an arbitrator at a grievance arbitration.

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If you need legal advice about something that is happening to you at work, **you can find a list of Ontario lawyers willing to assist people facing workplace consequences for Palestine support activities at this [link](#).**

Your employer might behave illegally

Even though there are some laws designed to protect you, your employer may still violate your rights at work. You may not always be able to stop your employer from breaking the law or violating your rights, but you may have some legal recourse if they do.

Section 1: What type of worker are you?

To determine your rights at work, there are a few questions to ask yourself.

(a) Are you an independent contractor or an employee?

This document is primarily directed at workers who are considered "employees" in law. You may be an employee even if your employment contract says you're an independent contractor. The Workers Action Centre [provides some guidance](#) to help you determine whether or not you're an employee in law.

If, however, a decision maker decides that you are an independent contractor, some or all of the rights described in this document may not apply to you.

The exception is that, generally speaking, protections under Ontario's [Human Rights Code](#) and the federal [Canadian Human Rights Act](#) have broader application to all workers, including those who may be independent contractors.

(b) Are you a unionized or non-unionized worker?

The rights of unionized and non-unionized employees are slightly different. These differences are highlighted in each section below.

(c) Are you employed in the federal sector?

Your workplace rights depend on whether your work is federally or provincially regulated.

Even though you may be physically located in Ontario, your work may be federally regulated (e.g. if you work at a bank or in telecommunications). A list of workplaces that are under federal jurisdiction can be found [here](#).

If you are unsure, it may be helpful to consult your employment contract. While a contract does not necessarily dictate the jurisdiction of your employment, it may provide you with some

direction if it references either the Ontario *Employment Standards Act* (provincial legislation) or the *Canada Labour Code* (federal legislation).

(d) Are you a permanent employee or do you work on a fixed-term contract?

A “limited-term” or “fixed-term” contract is a contract with a specific end date. For example, freelancers, project-based workers, and summer students often work under fixed-term contracts.

If you are a non-unionized employee who works under a limited-term contract, your rights may be different from people who are permanent employees.

If you are working under a fixed-term contract, [the sections in this document about your right to a workplace free of discrimination](#) will apply to you.

However, if you are working under a fixed-term contract, your rights at termination are different from employees who have been hired without an end-date in their contract. Therefore, [some of the dismissal laws that we discuss elsewhere in this document](#) may not apply to you. Instead, unless your contract says you can be fired within the contract’s term, if you are dismissed before the end of the contract, you will generally be entitled to all the wages and benefits owing over the balance of the contract’s term.

If you are in this position, check the language of your contract to see if your contract allows your employer to dismiss you for cause or for any other reason. It may be useful to have a lawyer look at your contract to ensure whatever termination rights are in the contract are enforceable.

[At the top of this document](#), you can find a list of Ontario lawyers who are willing to assist people facing workplace consequences for Palestine support activities.

Section 2: Can my employer limit my political speech?

Some provinces provide protection against discrimination at work on the basis of political belief/conviction, but Ontario is not one of them. In other words, in Ontario there is no general legal right to free speech at work, unless you are a provincial or federal government employee.

This does not mean that you cannot express support for Palestinian human rights at work. It means that whether or not you are legally protected from any job consequences for doing so will depend on the details of your employment. For this reason, it may be wise to avoid posting on social media during work time.

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If you are employed by the federal or provincial government, your rights at work with respect to your speech, public protest, and public criticism will be protected by the *Charter of Rights and Freedoms* (the "Charter"). As a government employee, your *Charter* rights are balanced against the specific duty of loyalty that public servants have to the Canadian government. They are also balanced against any code of ethics and/or conflict of interest policies that your workplace may have. This will add further complexity to any issue that arises in your workplace and it may be useful to consult with a lawyer.

(a) What if my employer says my support for Palestine human rights is antisemitic?

Of course, support of Palestinian human rights should not automatically be equated with antisemitism. We know, however, that this often happens.

Your employer may take the position that your comments or conduct in support of Palestine are antisemitic. Your employer may even discipline or fire you because they believe they are required to do so as part of their obligation to provide a discrimination-free workplace. If that happens to you, [see the section below on dismissals](#) and also [the section below on how this may constitute discrimination against you](#).

The laws in Ontario and Canada are not clear on the specifics of what might or might not constitute antisemitic speech, particularly as it relates to critique of human rights violations by the state of Israel. The fact that the law is unclear here may actually create space to demonstrate, if required to do so, that Palestine support is not per se antisemitic.

(b) Can I be fired if I criticise Israel or support Palestinian human rights at work?

There are many ways to express support for Palestine at work. This can include office decor, comments, or attire (e.g. keffiyeh, shirts, buttons); asking your employer to make a statement supporting Palestinian human rights; or trying to convince your employer to respect the Boycott Divestment and Sanctions ("BDS") campaign.

This work does create risks. In this section, we will discuss some of the consequences that may arise if your employer objects to your expressions of political convictions supporting Palestinian rights. Again, this does not mean that you should stay silent, but you should be aware of the risks so as to plan against them, and perhaps come together with like-minded colleagues in your efforts.

(i) I'm not unionized, what if my employer fires me **without** cause?

A provincially-regulated employer in Ontario can dismiss a non-unionized employee for almost any reason, so long as it is not discriminatory and they provide the employee with notice of

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dismissal and/or any statutory benefits they are owed. ([See the section below for more information on discrimination.](#))

For this reason, if, after you express support for Palestine in the workplace, your employer then informs you that they are dismissing you **without** cause, you may have certain entitlements.

In most situations, your employer must provide you with [notice](#) (i.e., that your employment will end at a specified future date, also called "working notice") and/or pay in lieu of notice (i.e., your employment will end immediately, but you will receive the wages that you would have received had you continued to be employed until a specified future date).

In some circumstances, you may also be entitled to [severance pay](#).

How much notice, pay in lieu of notice, or severance pay you are owed will depend on a variety of factors, including the terms of your employment agreement and your length of service. It may be useful to consult a lawyer to determine what you are entitled to.

If you are a federally-regulated employee, the rules regarding termination are a little different. If you have been in your position for at least 12 months, federal employers typically cannot dismiss you on a without cause basis. This is the case for federally-regulated employees in both unionized and non-unionized environments, even if the employer offers termination notice and/or pay. As a result, in order to dismiss an employee, federal employers will need to prove they have "just cause" for termination ([we discuss cause below](#)).

(ii) I'm not unionized, what if my employer fires me **with** cause?

In all but the most egregious circumstances of misconduct, if your employer takes issue with your conduct at work (and in some circumstances, outside of work, as detailed below) your [employer is typically expected to engage in progressive discipline prior to termination](#) with cause. This means that your employer should have told you what you've done wrong, how to improve it, have implemented lesser forms of discipline, and informed you of the job consequences if you do it again. This may then give you some time to plan a strategy on how to respond. For example, you might decide to connect with colleagues or allied groups to coordinate a response that is protective of you and anyone else in the workplace who may be in a similar situation.

If your employer has done all these things, they may be able to fire you without providing you with any notice or pay in lieu of notice, but only **if** they can establish either that they had "just cause" for dismissal and/or that you engaged in "wilful misconduct." These are two different standards:

1. **Just cause:** Proving "just cause" requires that your misconduct is sufficiently serious such that a decision maker would consider your employment relationship to be damaged beyond the point of repair. A decision maker will consider factors such as the context in

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which misconduct occurred, the nature of your position, and whether you have ever been disciplined before.

2. Wilful misconduct: The law around what constitutes “wilful misconduct” as compared to “just cause” continues to evolve. One of the primary interpretations is that wilful misconduct necessitates an element of intentionality that is not required when establishing just cause.

Your entitlements to notice may be different depending on whether your employer is able to prove that it had “just cause” to dismiss you, or that you engaged in “wilful misconduct.”

Some workplaces have policies about what is acceptable workplace attire or conduct. A policy may prohibit “disruptive” speech, or a policy may specify that employees cannot wear attire that visibly displays political affiliations/causes, or any messages at all. [In order to be enforceable](#), workplace policies should be known to employees, clear in content and consequences, reasonable, and non-discriminatory.

If you are aware of such a policy, it may be useful to determine if your conduct would violate the policy because it will be easier for your employer to take disciplinary action against you if you knowingly violated it. You may also wish to work with colleagues to pressure your employer to change the policy to ensure that political speech is protected against discipline.

Even if your conduct does not violate an enforceable workplace policy, your employer may take the position that pro-Palestinian speech is generally disruptive of the workplace. They may therefore ask you not to speak about political issues at work. In this situation as well, it may be helpful to coordinate with colleagues to encourage your employer to change its workplace direction on pro-Palestinian speech. If your employer doesn’t budge, ongoing disregard for workplace orders may constitute cause or wilful misconduct. If a decision maker finds this standard is met, you may not be entitled to working notice or pay in lieu of notice.

(iii) I’m unionized, is my employer still allowed to fire me?

If you are unionized, you have certain additional protections at work, compared to non-unionized workers.

First, unionized employees cannot be dismissed without cause. Unlike non-unionized employees in the provincial sector, your employer cannot simply dismiss you by providing you with notice or pay in lieu of notice. They can only dismiss you if they can show you engaged in cause sufficient to lead to the breakdown of the employment relationship. Like non-unionized employees, the employer must also engage in progressive discipline unless the conduct is sufficiently serious to warrant termination.

Second, your collective agreement may provide you with protections related to political speech that are specific to your workplace. If you are planning workplace or off-duty support actions for

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Palestine, you may wish to inquire with your union if your collective agreement provides any protections, and ensure that the union itself is willing to act to protect you should your employer attempt to discipline or discharge you for it. You may also work with your union to try and create such protections at work if none exist.

Third, your union is available to help you interact with your employer. If your employer raises any issues with your speech or actions at work or your off-duty conduct, you should consult with your union immediately about your rights. You should ensure that a union representative is present with you in all your interactions with your employer about the issue. ([See the section below for more information about your union's obligations to its members.](#)) If your employer does terminate you, your union may be able to grieve your dismissal, which, if successful, may allow you to get your job back.

(c) Can my employer discipline me for my conduct outside work?

Generally, what you do outside of work is your own business and not subject to employer oversight. You are free to express your political opinions and engage in political activity. But there are two primary caveats to this:

The first caveat is that, [as noted above](#), if you are a provincially-regulated and non-unionized employee, your employer has wide latitude to dismiss you without cause at any time provided that:

1. they give you the appropriate notice or pay in notice; and
2. the termination is not discriminatory, or, in the case of government employees, contrary to the *Charter*.

The second caveat is that, [in limited circumstances](#), speech and/or conduct outside of work may be subject to discipline or discharge if an employee's conduct outside of work harms the employer's reputation or product, affects the employee's ability to properly carry out their job duties, or there is a workplace policy on off-duty conduct that your actions violate.

When off-duty conduct will create sufficient reputational harm to warrant a for-cause termination is highly context-dependent. A decision maker will consider factors such as your job position (e.g., whether it is public facing or managerial), the nature of the harm caused (e.g., whether clients cancelled contracts or your actions made other employees feel unsafe), and the pattern of conduct (e.g., whether it was a single incident or repeated).¹ The employer has the burden of proving the connection between the off-duty conduct and the harm to the business.

To minimize the risk of the issue arising, you may wish to avoid wearing or doing anything that directly connects you to your employer while at an event supporting Palestine. For example, when at a protest, avoid wearing clothes with your employer's name on it.

¹ *Re Millhaven Fibres Ltd. & Oil, Chemical and Atomic Workers I.U. Loc. 9-670*, [1967] O.L.A.A. No. 4.

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Because social media commentary can also be linked to the workplace, if you post political speech or images, but want to reduce your legal risk, you might opt to:

1. Lock your social media profiles, so they aren't public;
2. Check whether coworkers and/or clients follow you on the platform you're posting on;
3. Avoid posting on social media during work hours or while using company technology (e.g. do not use your work laptop to post on social media); and
4. Avoid listing (or otherwise discussing) your employer on the same profile that you are posting political content.

None of the above removes all risk, but it makes it more difficult for an employer to prove that your speech amounted to cause for termination.

(d) What steps can I take if I'm disciplined or dismissed for supporting Palestine?

(i) Non-Unionized Workers

If you are not unionized, and you have been disciplined or dismissed for conduct relating to support of Palestine, you should consider speaking to a lawyer as soon as possible to determine your entitlements (e.g. notice, pay in lieu of notice, severance pay, general damages for discrimination, etc). You may also want to reach out to supportive colleagues and allied community groups to strategize on how to pressure your employer to take back their decision.

It is also possible that your discipline or dismissal may constitute discrimination against you, if there is sufficient evidence that you are being differentially targeted for reasons related to your race, ethnicity, place of origin, or religion. In this case, you may want to consider if other forms of political activity have been tolerated in the workplace in the past, and how that history (also known as "precedent") compares with your own treatment. ([See the section below for more information on discrimination.](#))

Besides seeking legal advice, you may want to consider some of the following suggestions:

- Be truthful, but careful, in what you say to your employer during all conversations. It is possible that they will rely on your conversations as the basis for further discipline. They may also use any perceived dishonesty as a basis for dismissing you where they otherwise might not have had enough cause.

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- This includes when speaking with your employer's human resources ("HR") or human rights department. Remember that the HR department typically represents the employer's interests and is focused on minimizing the employer's liability. Your employer's HR is not a third-party organization.
- Ask your employer to explain their concern with your speech/actions. If they misconstrue something that you have said, explain how they have misunderstood your words or actions. If you cannot seek legal advice, consider rehearsing what you plan to say with a trusted friend.
- If you know that other workers have faced similar treatment, it may be helpful to talk to each other and approach your employer as a collective.
- Partner with other allies in the workplace to present a united front.
- Document everything. [See the discrimination section below for documentation tips.](#)
- Consider if your discipline or dismissal may have been influenced by discrimination by your employer. ([See the section below for more information on discrimination.](#))
- Talk to a lawyer before signing any document your employer gives you.

[At the top of this document](#), you can find a list of Ontario lawyers who are willing to assist people facing workplace consequences for Palestine support activities.

(ii) Unionized Workers

If you are unionized and you have been disciplined or dismissed for expressing your support for Palestine at work or outside it, you should contact your union representative immediately, as there are often deadlines you will need to meet. Sometimes, these deadlines or procedural timelines can be very short.

Ask your union representative to accompany you to any investigative or decision-based meetings you have with the employer about the discipline and/or dismissal.

You should also implement the suggestions for non-unionized workers above, such as documenting interactions.

Section 3: What if I experience anti-Palestinian, anti-Arab, or Islamophobic treatment at work?

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"Discrimination" means you have been treated differently because you have a characteristic that is recognized as a prohibited ground of discrimination. This includes (but is not limited to) race, ethnicity, place of origin, or religion.

Discriminatory "harassment" means you have been subjected to an ongoing course of vexatious comment or conduct based on a prohibited ground (such as race, ethnicity, place of origin or religion), where those comments or conduct are known or ought reasonably to be known to be unwelcome.

These protections against discrimination apply to both unionized and non-unionized employees. It also covers employees in ongoing employment relationships, on fixed-term contracts, independent contractors, volunteers, and other kinds of workers.

These protections may also apply to non-Palestinians, Arabs, or Muslims who are subject to discrimination because of their association with Palestinians, Arabs, or Muslims.

Discrimination in the workplace is prohibited under both the provincial *Human Rights Code* (the "Code") and the federal *Canadian Human Rights Act* (the "Act"). If you are unionized, your collective agreement will also prohibit workplace discrimination.

Note that discrimination at work is defined relatively broadly, which means that sometimes discrimination you experience online or at work events outside the physical workplace, can also be covered under the *Code* or the *Act* if it comes from an employer, co-worker, customer, or contractor.

You may also be protected by the provincial *Occupational Health and Safety Act* ("OHS") or the federal *Canada Labour Code* ("CLC"), both of which establish obligations on employers related to workplace harassment and violence, even if the harassment or violence was not discriminatory. The *OHS* and *CLC* provide options for employees to file complaints if they are facing situations of workplace violence and/or harassment. They also protect employees from facing reprisal for exercising their rights.

(a) What are examples of discrimination against Palestinians, Arabs, or Muslims?

If you hear racist comments or have them directed toward you in the workplace by co-workers, clients, and/or your employer this may constitute anti-Palestinian, anti-Arab, or Islamophobic harassment or discrimination. It may also constitute discrimination if you are singled out, excluded, disciplined, dismissed, or generally treated differently because of assumptions about Palestinians, Arabs, or Muslims. If, for example, your employer takes issue with your at-work or off-duty activities to support Palestine, but did not do so when other employees supported other cases or communities, that could amount to differential treatment in violation of the Human Rights Code.

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It's important to note that discrimination does not have to be the *only* factor in a decision or action, it just has to form part of the decision or action. Further, discrimination can be found even if the person making the comment or taking the action had apparently good intentions. The focus is on the impact of their actions, not the motivation behind them.

[The Arab Canadian Lawyers Association describes anti-Palestinian racism](#) as:

Anti-Palestinian racism is a form of anti-Arab racism that silences, excludes, erases, stereotypes, defames or dehumanises Palestinians or their narratives. Anti-Palestinian racism takes various forms including:

- denying the Nakba and justifying violence against Palestinians;
- failing to acknowledge Palestinians as an Indigenous people with a collective identity belonging and rights in relation to occupied and historic Palestine;
- erasing the human rights and equal dignity and worth of Palestinians;
- excluding or pressuring others to exclude Palestinian perspectives, Palestinians and their allies;
- defaming Palestinians and their allies with slander such as being inherently antisemitic, a terrorist threat/sympathiser or opposed to democratic values.

[Dr Reem Bahdi identifies key stereotypes of Arab people](#) as including the assumptions that:

- Arab and Muslim cultures are by nature violent;
- Arabs and Muslims remain foreigners who threaten Western values regardless of actual citizenship status;
- Arabs and Muslims are dishonest.

[Dr Reem Bahdi and Azeezah Kanji explain Islamophobia in Canada](#) is:

Perpetrated by private actors and the state for the purposes or with the effect of creating fear and hostility towards Muslim communities, Islamophobia is the belief that Muslims are different from the rest of Canadian society, and that Canada needs to be protected from Muslims because they are inherently violent, patriarchal, alien, and unassimilable. Islamophobia includes the explicit and motivated targeting of Muslims, as well as legislative, policy, and adjudicative silences that implicitly perpetuate long-standing, negative stereotypes of Muslims. Private and public forms of Islamophobia exist in a mutually reinforcing dialectic relationship.

Note that it could be argued that your employer has discriminated against you if you are disciplined or dismissed for pro-Palestine support, while other co-workers who express support at work/participate in protests supporting the rights of other international communities are not disciplined.

(b) What steps can I take if I experience discrimination at work?

If you are experiencing harassment or discrimination at work, you can complain about it to your employer (if you are unionized, report it to your union first).

As well, find out if your employer has a workplace policy on how to file an internal complaint about harassment or discrimination, and decide if you want to engage in that process. (For advice on this front, you may wish to speak with a lawyer and/or your union representative.) You may also wish to reach out to other colleagues in similar situations if it feels safe to do so, to see if you can act as a collective.

Your employer has a duty under the *Human Rights Code* or the *Canadian Human Rights Act* to determine whether discrimination and/or harassment has occurred. If they find it has happened, they need to act to stop it from continuing. Also, if you bring a complaint of discrimination to your employer and they fail to investigate that claim, that itself can constitute a discriminatory action and be considered a breach of the *Code* or the *Act*.

The types of action the employer can take to stop discrimination will depend on a variety of factors, including the seriousness of the racism, whether it is repeated and ongoing, and who the perpetrator is (e.g., employee or customer).

If your employer finds that discrimination has not occurred and/or your employer doesn't do anything to stop the concerning conduct, you may have the basis for a human rights complaint, lawsuit, or a grievance.

If you are experiencing harassment or discrimination at work, here are some practical things you can do besides bringing an internal complaint:

- Document everything. Document all the discrimination and harassment you are experiencing. Document everything your employer tells you in response to your complaint of discrimination.
 - Keep copies of anything the employer provides you on these issues, including any correspondence between you and the employer, performance reviews (good and bad, old and recent), paystubs, contracts, agreements, and any other potentially relevant documents.
 - Write notes to yourself right after any relevant workplace incident, event, and meeting. These notes can include sending yourself an email or voicenote describing what happened, including its impact on you.
 - Tell your union representative and/or a friend about what happened as soon after the incident as possible.

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- If the discrimination is affecting your physical and/or mental health, tell your doctor or other health professional (including walk-in doctor, if you do not have a primary care doctor) about any symptoms you are experiencing. This can include headaches, loss of sleep, increased anxiety, nausea, loss of appetite, increased blood pressure, etc.
- Keep in mind that secretly recording interactions with your employer may be viewed as creating a breakdown in trust in the employment relationship. It could therefore support a finding of cause for termination.
- Keep all your personal documentation and notes on your own computer and forward any relevant work emails to your personal email. Remember that your work laptop, work phone, and any other work device or technology all belong to your employer. You have very limited rights to privacy when using your employer's property. This includes your browser history.
- Collect these documents as events unfold. Do not wait until the last minute to save them. Make sure you have them saved in your personal computer before the end of your employment. Once you resign or are dismissed, you likely will not have access to these documents, because your employer will cut off access to their servers, technology, and devices.
- These records may serve as important pieces of evidence, if you ever have to file a lawsuit.
- If you know that other workers have faced similar treatment, it may be helpful to talk to each other and approach your employer as a collective.
- Partner with other allies in the workplace to present a united front and/or seek external support from advocacy groups. Sometimes bringing public attention to the situation is helpful.
- Consider filing a complaint of discrimination with the Human Rights Tribunal of Ontario or the Canadian Human Rights Commission. Contact workers' rights organisations, a legal clinic, or a private lawyer for help in doing so.
- Talk to a lawyer before signing any document your employer gives you.
- If you decide to leave the job because of the discrimination (this is called "constructive dismissal"), you should speak to a lawyer and/or your union representative before you resign or at least as soon as possible after you resign. They can help you protect your entitlements to any compensation, including for lost wages, mental distress, injury to dignity, and more. When you resign, it will be essential to explain to your employer (ideally in writing) that you are resigning **because** of the discrimination you have faced.

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If you decide to pursue legal action on the basis of the discrimination you have experienced, remember that there are often deadlines to do so. For example, the deadline to file an application with the Human Rights Tribunal of Ontario is as short as 1 year from the discriminatory incident (if there was a series of incidents, the deadline is within one year after the last incident in the series). A year can go by very quickly, so it can be helpful to speak to a lawyer sooner rather than later.

[At the top of this document](#), you can find a link to a list of Ontario lawyers who are willing to assist people facing workplace consequences for Palestine support activities.

Section 4: I'm unionized, what are my union's obligations in representing me?

If any workplace issues arise related to your support of Palestine, you should speak with your union representative. A union representative should accompany you to any disciplinary meetings with your employer.

If you are dismissed for cause, your union may be able to represent you in a legal action against your employer. For example, they can file a grievance for you and go to arbitration to argue to have you reinstated in your job. They can also argue for compensation and damages. Note that some unions will grieve any matter a member wants to take forward, while others have policies to help them determine which grievances to bring forward to arbitration and which not to.

Unions are obligated to act fairly in their representation of members. They cannot act in a manner that is arbitrary, discriminatory or in bad faith. If you have concerns with your union's representation of you, consider speaking with a lawyer to assess whether you have any recourse against the union.

[At the top of this document](#), you can find a list of Ontario lawyers who are willing to assist people facing workplace consequences for Palestine support activities.

(a) What is a union's role in speaking out against Israeli apartheid and occupation in Palestine?

Unions are democratic institutions. They can and often do take stances on political issues. Unions can pass resolutions about political causes, join a protest, lobby elected officials, partner with trade unions in Palestine, commit to the BDS movement, etc.

Each union will have a democratic decision-making structure, typically consisting of an elected executive body and regular meetings with its members. It may be useful to find out how your union makes decisions, so that you can push it to get involved in any of the above ways.

Getting involved in political action through your union can also provide a degree of protection beyond what may be available to you acting as an individual employee.

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Conclusion

Standing up for what is right can be scary, lonely work. There is power in numbers, in audacity and in having resources to support you. Be brave, be strong, be informed.