

ARE YOU VIOLATING THE CONSTITUTIONAL RIGHTS OF YOUR EMPLOYEES AND CUSTOMERS?

How do BC government measures affect you? Any individual must be accommodated until undue hardship. Any business or store CANNOT refuse service or ask an individual to leave if their reason violates any aspects of the BC Human Rights Code. Any individual is NOT required to provide proof of their disability ie. a Doctor's note.

By enforcing mandatory masks, your business could be liable for up to \$75,000 in damages per incident. Know your rights, don't lose your business.

Contrary to popular belief, a mandate is not a LAW. Businesses that volunteer to impose Provincial Health Mandates can be held liable for any health deficiencies that their staff may sustain as a result of prolonged use of face coverings.

For more info feel free to visit:

www.action4canada.com/business

www.bchrc.net/mandatory-masks-and-human-rights/

www.jccf.ca/know-your-rights-on-mandatory-facemasks

www.bchrt.bc.ca

Office of the Human Rights Commissioner 1-844-922-6472



CHARTER SECTIONS

2. Everyone has the following fundamental freedoms:
 - (a) freedom of conscience and religion;
 - (b) freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication;
 - (c) freedom of peaceful assembly; and
 - (d) freedom of association.
7. Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.
8. Everyone has the right to be secure against unreasonable search or seizure.
9. Everyone has the right not to be arbitrarily detained or imprisoned.
15. (1) Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

SECTION VIOLATIONS

| | |
|---|------------------|
| Mandatory Masks..... | 2 (a), (b) and 7 |
| Hand Sanitizers..... | 2 (a), (b) and 7 |
| Temperature Taking..... | 2 (a), (b) |
| Mandatory Vaccines..... | 2 (a), (b) and 7 |
| Closure of all "non essential" playgrounds businesses, churches, and schools..... | 2 (a), (b) and 7 |
| Limited Social Gatherings..... | 2 (c), (d) and 7 |
| No Singing..... | 2 (b) |
| Asking for your ID (contact tracing)..... | 8 |
| Detainment..... | 9 |

IT'S NOT JUST A MASK

UNSAFE MASK USE

1

INCREASES RESPIRATORY INFECTIONS

Wearing a cloth mask significantly increases the risk of flu-like illness. Masks absorb moisture and can become reservoirs of bacteria and viral particles.⁽¹⁾

2

MENTAL HEALTH IMPACTS OVERLOOKED

Those with exemptions for mental health often face discrimination of their condition. Masks can cause stress and anxiety, aggravating pre-existing symptoms before, during and after use.

3

BULLYING AND SHAMING

Those who are unable to wear a mask will be confronted multiple times a day regarding mask use. Children who are unable to wear masks face bullying from other children and even their parents.

4

IMPAIRS SOCIAL DEVELOPMENT

Children rely on the nose and lips to identify their parents. Masks muffle sound, hide facial expression, and prevent lip reading.⁽²⁾ Communication relies heavily on lip movement, especially for the hearing impaired.

5

POSES PUBLIC SAFETY RISKS

Masks compromise safety and enable anonymous crime. Being able to identify people and children in distress is paramount for safety; this is especially important for identifying missing children.

6

CAUSES HEADACHES AND DIZZINESS

Masks impair breathing, can cause shortness of breath and have other negative side effects. Masks increase carbon dioxide and reduce oxygen concentrations inside the mask.⁽³⁾

[1] <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4420971/>

[2] <https://jov.arvojournals.org/article.aspx?articleid=2213025>

[3] <https://pubmed.ncbi.nlm.nih.gov/16441251/>

For more facts please visit

HugsOverMasks.ca

BEST PRACTICES FOR EMPLOYERS AND SERVICE PROVIDERS:

1. Provide exemptions to the mandatory mask policy for people with disabilities, or provide other accommodations, to the point of undue hardship. Listen to the employees' or customers' needs and work with them to create an accommodation plan.
2. Do not require verification or certification of someone's disability (ie. a doctor's note or official diagnosis).
3. Inform staff of their obligations under the Human Rights Code. Businesses will likely delegate the duty of mask enforcement to frontline staff, but the business will remain liable for the discriminatory acts of its employees.
4. Remind staff of the importance of maintaining a safe and discrimination-free workplace and how to make a complaint if harassment or bullying is occurring.
5. Provide free masks so that those without consistent access to a personal mask supply can still access the business or service.

CONCLUSION

Ultimately, unless a person has a disability that prevents them from wearing a mask, they likely do not have grounds for a human rights complaint. There is no duty to accommodate a personal preference.

If a person does have a disability that prevents them from wearing a mask, they must be accommodated to the point of undue hardship. While COVID-19 presents a real collective challenge to our public health, we must always strive to uphold and respect human rights.



SERVERS MAY NOT BE WEARING MASKS

Your server may not be wearing a mask because the best health information suggests that the wearing of a mask may cause added danger to the wearer and the people they are in contact with...

Wearing a mask causes the wearer to touch their face more often to adjust the mask. This places them at risk if they have been in contact with an infected item.

All employees may work, but only if they have no symptoms.

Masks will be provided to our employees if requested, however wearing one is not necessarily considered to be beneficial to all parties concerned.

Post this section at your entrance as a disclaimer, if you choose to respect individual Rights.



Under the BC Human Rights Code, all businesses or stores are required by LAW to comply with the applicable Human Rights Code. Applicable characteristics protected under the BC Human Rights Code are:

Race, Color, Ancestry, Place of Origin, Religion, Sex, Gender Identity, Sexual Orientation, PHYSICAL & MENTAL Disability, Marital Status, Family Status, Age.

Stores and companies HAVE A RIGHT to refuse service and/or entry to anyone, providing that they DO NOT violate any aspect of the applicable Human Rights Code. Stores, employers, service providers and business owners have a duty UNDER THE BC HUMAN RIGHTS CODE to accommodate those with a disability until UNDUE HARDSHIP. Failure to do so may result in a Human Rights complaint filed by the individual who was discriminated against.

Under the BC Human Rights Code, an individual is NOT required to disclose information about their medical condition or history to an employer, business or store if requested. There is NO legal obligation to provide proof of any medical issues; ie. no individual is required to provide a Doctor's note or engage in any discussion about why they cannot wear a mask.