



Environmental sensitivities and scent-free policies

A guide for federally regulated employers and
service providers

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What you need to know

What are environmental sensitivities?

Environmental sensitivity is a disability that causes people to experience negative health effects because of the air around them. People with environmental sensitivities, allergies or asthma have a much lower tolerance than other people for things like poor air quality, chemicals, perfumes or other scents. These are known as environmental triggers.

People with environmental sensitivities, allergies or asthma have a right to protection from environmental triggers that can provoke negative health effects, such as an allergic reaction or an asthma attack.

Because environmental sensitivity is an invisible or hidden disability, people are often not aware of it, or misunderstand it.

Environmental sensitivities may also be known by other names, including multiple chemical sensitivity, idiopathic environmental intolerance, and chemical intolerance.

Understanding the legislation

In Canada, the human rights of people with environmental sensitivities are well protected by federal and international laws.

The Canadian Human Right Act protects people with disabilities from discrimination. This includes people with environmental sensitivities. As a federally regulated employer or service provider, you have a legal duty to accommodate the needs of employees, contractors, customers and clients with environmental sensitivities up to the point of [undue hardship](#).

The Accessible Canada Act also requires employers and service providers to proactively identify, remove and prevent barriers to ensure that people with disabilities can fully participate.

The UN Convention on the Rights of Persons with Disabilities, which Canada has agreed to follow, also promotes and protects the human rights of people with disabilities. These include the right to live free from discrimination, the right to an accessible work environment and to reasonable accommodation in the workplace.

Employers and service providers must ensure that their facilities are accessible and safe. In the case of environmental sensitivities, this includes:

- having a scent-free policy.
- reducing or avoiding the use of chemicals and scented products.
- purchasing less toxic products.
- notifying employees and clients before construction or maintenance work.

These measures can prevent injuries and illnesses and reduce health and safety risks.

What is a scent-free policy?

Scent-free policies are similar to other health and safety workplace policies, such as anti-harassment policies. They apply to all employees and are intended to protect the health and safety of employees with environmental sensitivities.

Creating a scent-free policy

To foster inclusion in the workplace, it is important that everyone in the organization understands the need for a scent-free policy, and what it includes.

Your scent-free policy should:

- ✓ apply to all employees and non-employees alike (i.e. contractors, clients, customers, and visitors).
- ✓ describe the types of products that people should avoid using in the workplace.
- ✓ let employees know that if their environmental sensitivity is being triggered, they need to inform their employer so that accommodation can take place.
- ✓ be flexible and be adaptable to the changing needs of the workplace. For example, if a person is allergic to a specific food (i.e. peanuts), you might have to restrict it from the workplace, or designate a location where it can safely be consumed.
- ✓ raise awareness about the overall goal of reducing chemicals and environmental triggers in the workplace.
- ✓ include measures for when employees do not comply with the policy (i.e., performance management up to and including disciplinary action.)

While scent-free policies are an important way to accommodate people with environmental sensitivities, you should always remain open to other accommodation options and continue to approach the issue collaboratively.

How should an employer implement a scent-free policy?

Awareness is key. You should take every measure to ensure that employees are aware of their obligation to be scent-free, and the importance of complying with the policy.

You might consider:

- ✓ including the scent-free policy in every employee's job offer.
- ✓ installing signage in the workplace, particularly at entry points, stating that it is a scent-free environment.
- ✓ notifying visitors and clients on your public website that your environment is scent-free.
- ✓ including reminders in meeting invitations.

Another vital part of implementing a scent-free policy is promoting a psychologically healthy, safe, and respectful environment. This means making sure that everyone in the organization feels at ease expressing their needs, their ideas and their concerns, without fear.

Your role vs. the role of the employee

If an employee is experiencing difficulties at work because of an environmental trigger, they need to inform you, as their employer or supervisor. This is called their duty to inform.

At that point, your responsibility is to work with the employee to find reasonable accommodation. This is called your duty to accommodate.

The same goes for service providers. If your customer's or client's environmental sensitivity is triggered when visiting your organization, they need to inform you so that they can be accommodated.

It is critical that you act in good faith when addressing these needs. For more detailed guidance on accommodating employees, please refer to our guide "[Workplace Accommodation: a Guide for Federally Regulated Employers.](#)"

Important: If an employee (or client) experiences discrimination because of a disability, or does not receive appropriate accommodation, they can [file a complaint](#) with the Canadian Human Rights Commission. At the same time, they cannot hold out for their preferred accommodation if reasonable accommodation is offered to them. If an employee rejects a reasonable solution that meets their accommodation needs, the employer may be found to have met their duty to accommodate.