

“Just Joking”: Not Every Cultural Reference Is Discriminatory



Workplaces across the world are contending these days with many questions, including whether things have gotten too “woke” when it comes to permitted conduct.

A recent British Columbia Human Rights Tribunal decision provides a refreshing reminder that there still is scope in the Canadian workplace for well-intentioned humour, and it is not automatically discriminatory if people make cultural or humorous references.

In its decision in *Noël v. Board of Education of School District No. 23 (Central Okanagan)* (No. 4), 2025 BCHRT 18, the Tribunal addressed various allegations of discrimination within the workplace. A notable aspect of this case involved the use of the phrase “Knights of Ni,” a reference to characters from the British comedy troupe Monty Python’s film *Monty Python and the Holy Grail*. The Tribunal’s findings provide valuable insights for employers regarding the interpretation of cultural references in the workplace and their potential implications under human rights law.

The complainant, Michelle Noel, was an employee of the Central Okanagan School District who alleged that certain comments and actions by colleagues and supervisors created a discriminatory work environment. Among these allegations was the repeated use of the term “Knights of Ni” to describe a working group. In her human rights complaint, Noel asserted that this reference was used to mock and belittle her, contributing to a hostile work atmosphere.

The decision is quite helpful in that it involves a careful effort to properly analyze the allegations raised by the complaint. In other words, simply having the complainant say that she was offended was not sufficient for the Tribunal. After reviewing the evidence, the Tribunal considered the context in which the “Knights of Ni” reference was made. Originating from a comedic scene in *Monty Python and the Holy Grail*, the “Knights of Ni” are fictional characters known for their absurd demands and humorous dialogue. The Tribunal noted that the use of this phrase in the workplace was intended as a lighthearted, albeit obscure, cultural reference rather than a targeted insult or act of discrimination. (The fact that the humour and reference may have been obscure or misunderstood may have actually helped to support the argument that there was no concerted effort to offend or demean the complainant).

The Tribunal emphasized the importance of context when assessing allegations of discriminatory language. In this instance, there was insufficient evidence to suggest

that the use of “Knights of Ni” was connected to any protected characteristic under the British Columbia *Human Rights Code*. As such, the Tribunal concluded that this particular reference did not constitute discrimination. Importantly, this ruling helps demonstrate that the fact that someone “does not like your style” is not inherently a basis to claim discrimination.

Takeaways for Employers

This decision underscores several key considerations for employers:

1. **Context Matters:** The interpretation of language and cultural references in the workplace is highly context-dependent. Employers should be attentive to the intent behind words and actions, as well as how they are perceived by others.
2. **Cultural Sensitivity:** While some references may seem innocuous or humorous to certain individuals, they can be misunderstood or deemed inappropriate by others. Employers should foster an environment where employees are mindful of diverse perspectives and cultural sensitivities. This approach also includes the importance of all parties having some scope for inquiring about how they are communicating, and what the intentions of others are.
3. **Clear Policies and Training:** Implementing clear policies regarding workplace conduct and providing regular training can help prevent misunderstandings and ensure that all employees are aware of acceptable behaviour. The scope for this type of training will depend upon the particular workplace, but the focus will likely include developing interpersonal skills.
4. **Prompt and Fair Investigation:** When complaints arise, it is crucial for employers to conduct prompt, thorough, and impartial investigations. Understanding the nuances of each situation will aid in making informed decisions that uphold both employee dignity and legal compliance.

The *Noël v. Central Okanagan* case highlights the necessity for employers to consider the context and intent of language used in the workplace. While cultural references can enrich workplace interactions, they must be employed thoughtfully to maintain an inclusive and respectful environment. By remaining vigilant and proactive, employers can navigate the complexities of workplace communication and uphold the principles of human rights within their organizations, all while allowing some scope for light-hearted and well-intentioned banter among colleagues.

The content of this article is intended to provide a general guide to the subject matter. Specialist advice should be sought about your specific circumstances.

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