LGBT Discrimination – Know The Laws Of Your Province



Saskatchewan and Manitoba are the only provinces that don't expressly ban gender expression discrimination.

Federal employment discrimination laws in the US don't expressly protect LGBT people. To the extent such protections exist, they're based on state laws banning discrimination on the basis of sexual orientation, gender identity and gender expression. Unfortunately, these aren't protected grounds in all states. By contrast, human rights laws in Canada do specifically cover sexual orientation, gender identity and, in all but 2 provinces (Manitoba and Saskatchewan), gender expression as well. Such protections may also be implied under the ban on age and marital status discrimination. Here are the LGBT-related protected characteristics contained in the human rights laws of each separate jurisdiction. Go to the HR Insider site for a template policy you can adapt to ban LGBT discrimination in your own workplace.

HUMAN RIGHTS LGBT DISCRIMINATION PROTECTIONS ACROSS CANADA

FEDERAL

Sex, sexual orientation, gender identity, gender expression, marital status (*Canadian Human Rights Act,* Sec. 3(1))

ALBERTA

Gender, gender identity, gender expression, sexual orientation, marital status (*Alberta Human Rights Act*, Sec. 7(1))

BRITISH COLUMBIA

Sex, sexual orientation, gender identity, gender expression, marital status (*Human Rights Code*, Sec. 13(1))

MANITOBA

Sex, gender identity, sexual orientation, marital status (*Human Rights Code*, Sec. 9(2))

NEW BRUNSWICK

Marital status, sex, sexual orientation, gender identity, gender expression (*Human Rights Act*, Sec. 2.1)

NEWFOUNDLAND

Sex, sexual orientation, gender identity, gender expression, marital status (*Human Rights Act*, Sec. 9(1))

NOVA SCOTIA

Sex, sexual orientation, gender identity, gender expression, marital status (*Human Rights Act*, Sec. 5(1))

ONTARIO

Sex, sexual orientation, gender identity, gender expression, marital status (*Human Rights Code*, Sec. 5(1))

PRINCE EDWARD ISLAND

Sex, sexual orientation, gender identity, gender expression, marital status (*Human Rights Code*, Sec. 1(d))

QUÉBEC

Sex, sexual orientation, gender identity, gender expression, civil status (*Charter of Human Rights & Freedoms*, Sec. 10)

SASKATCHEWAN

Sex, sexual orientation, gender identity, marital status (*Saskatchewan Human Rights Code*, Sec. 2(1))

NORTHWEST TERRITORIES

Sex, sexual orientation, gender identity, gender expression, marital status (*Human Rights Act*, Sec. 5(1))

NUNAVUT

Sex, sexual orientation, gender identity, gender expression, marital status (*Human Rights Act*, Sec. 7(1))

YUKON

Sex, sexual orientation, gender identity, gender expression, marital status (*Human Rights Act*, Sec. 7)