

Who Human Rights Laws Protect from Employment Discrimination – Know the Laws of Your Province



Political belief, source of income, creed, etc., are protected in some provinces but not in others.

Human rights laws ban employers from basing employment decisions and policies based on a person's protected characteristics. While race, age, religion, colour, sex, national origin, disability, family status and sexual orientation are protected in all jurisdictions, there are also slight variances by geography, particularly with regard to:

- Political belief;
- Ancestry;
- Source of income;
- Gender identity and/or expression;
- Social condition;
- Criminal offences that have been pardoned; and
- Genetic characteristics.

Here's a complete list of all protected characteristics in each part of Canada.

FEDERAL

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Race, national or ethnic origin, colour, religion, age, sex (including pregnancy), sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, disability and conviction for an offence for which a pardon has been granted or a record suspension has been ordered (*Canadian Human Rights Act*, Sec. 3(1))

ALBERTA

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Race, religious beliefs, colour, gender (including pregnancy), gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation (*Alberta Human Rights Act*, Sec. 3(1))

BRITISH COLUMBIA

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Indigenous identity, race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or age (*Human Rights Code*, Sec. 11)

MANITOBA

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Ancestry, including colour and perceived race; nationality or national origin; ethnic background or origin; religion or creed, or religious belief, religious association or religious activity; age; sex, including sex-determined characteristics or circumstances, such as pregnancy, the possibility of pregnancy, or circumstances related to pregnancy; gender identity; sexual orientation; marital or family status; source of income; political belief, political association or political activity; physical or mental disability or related characteristics or circumstances, including reliance on a service animal, a wheelchair, or any other remedial appliance or device; social disadvantage (*Human Rights Code*, Sec. 9(2))

NEW BRUNSWICK

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Race, colour, national origin, ancestry, place of origin, creed or religion, age, physical disability, mental disability, marital status, family status, sex (including pregnancy), sexual orientation, gender identity or expression, social condition, and political belief or activity (*Human Rights Act*, Sec. 2.1)

NEWFOUNDLAND

NEWFOUNDLAND

Race, colour, nationality, ethnic origin, social origin, religious creed, religion, age, disability, disfigurement, sex (including pregnancy), sexual orientation, gender identity, gender expression, marital status, family status, source of income and political opinion (*Human Rights Act, 2010, Sec. 9(1)*)

NOVA SCOTIA

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Age; race; colour; religion; creed; sex (including pregnancy); sexual orientation; gender identity; gender expression; physical disability or mental disability; an irrational fear of contracting an illness or disease; ethnic, national or aboriginal origin; family status; marital status; source of income; political belief, affiliation or activity; an individual's association with another individual or class of individuals having characteristics referred to above (*Human Rights Act, Sec. 5(1)*)

ONTARIO

ONTARIO

Race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex (including pregnancy), sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability (*Human Rights Code, Sec. 5(1)*)

PRINCE EDWARD ISLAND

PRINCE EDWARD ISLAND

Age, colour, creed, disability, ethnic or national origin, family status, gender expression, gender identity, marital status, political belief, race, religion, sex, sexual orientation, or source of income (*Human Rights Act, Sec. 1(1)(d)*)

QUÉBEC

QUÉBEC

Race, colour, sex, gender identity or expression, pregnancy, sexual orientation, civil status, age except as provided by law, religion, political convictions, language, ethnic or national origin, social condition, a handicap or the use of any means to palliate a handicap (*Charter of Human Rights and Freedoms, Sec. 10*)

SASKATCHEWAN

SASKATCHEWAN

Religion; creed; marital status; family status; sex (including pregnancy); sexual orientation; disability; age; colour; ancestry; nationality; place of origin; race or perceived race; receipt of public assistance; gender identity (*Sask. Human Rights Code, 2018, Sec. 2(1)*)

NORTHWEST TERRITORIES

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Race, colour, ancestry, nationality, ethnic origin, place of origin, creed, religion, age, disability, sex (including pregnancy), sexual orientation, gender identity or expression, marital status, family status, family affiliation, political belief, political association, social condition and a conviction that's subject to a pardon or record suspension (*Human Rights Act, Sec. 5(1)*)

NUNAVUT

NUNAVUT

Race, colour, ancestry, ethnic origin, citizenship, place of origin, creed, religion, age, disability, sex (including pregnancy), sexual orientation, gender identity, gender expression, marital status, family status, pregnancy, lawful source of income and a conviction for which a pardon has been granted (*Human Rights Act, Sec. 7(1)*)

YUKON

YUKON

Ancestry, including colour and race; national origin; ethnic or linguistic background or origin; (d) religion or creed, or religious belief, religious association, or religious activity; age; sex, including pregnancy, and pregnancy related conditions; gender identity or gender expression; sexual orientation; physical or mental disability; criminal charges or criminal record; political belief, political association, or political activity; marital or family status; source of income; actual or presumed association with other individuals or groups whose identity or membership is determined by any of the above characteristics (*Human Rights Act, Sec. 7*)