



PROHIBITED GROUNDS

Prohibited Grounds of Discrimination in Canada

This document provides comparative information on the grounds of discrimination covered by federal, provincial and territorial human rights legislation in Canada. In some instances, prohibited grounds for employment differ from those for the provision of services.

Prohibited Ground	Jurisdiction	Comments
Race or colour		
Employment	all jurisdictions	In addition, Saskatchewan prohibits discrimination on the basis of "perceived race"
Provision of Service	all jurisdictions	In addition, Saskatchewan prohibits discrimination on the basis of "perceived race" Nunavut: prohibited grounds also apply in relation to provision of commercial premises or residential accommodation and in matters related to memberships in employee organizations, trade unions/associations, occupational/professional organizations and co-operatives
Religion		
Employment	all jurisdictions	Manitoba Code and Yukon's Act read "religion or creed, or religious belief, religious association or religious activity" In addition, Saskatchewan prohibits discrimination on the basis of "religious creed" Ontario uses the term "creed" Nunavut's Act says "creed [and] religion"
Provision of Service	all jurisdictions	Manitoba Code and Yukon's Act read "religion or creed, or religious belief, religious association or religious activity" In addition, Saskatchewan prohibits discrimination on the basis of "religious creed" Ontario uses the term "creed" Nunavut's Act says "creed [and] religion"

Prohibited Ground	Jurisdiction	Comments
Physical or mental disability		
Employment	all jurisdictions	<p>Quebec uses the phrase "handicap or use of any means to palliate a handicap"</p> <p>Ontario has prohibition on the basis of "both current and previous disabilities as well as the perception that one may have or have had a disability"</p> <p>Nunavut uses the word "disability"</p>
Provision of Service	all jurisdictions	<p>Quebec uses the phrase "handicap or use of any means to palliate a handicap"</p> <p>Ontario has prohibition on the basis of "both current and previous disabilities as well as the perception that one may have or have had a disability"</p> <p>Nunavut uses the word "disability"</p>
Dependence on alcohol or drugs		
Employment	all	<p>Policy to accept complaints in British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, New Brunswick, Northwest Territories and Prince Edward Island</p> <p>Included in "handicap" ground in Quebec</p> <p>Previous dependence only in New Brunswick and Nova Scotia</p> <p>Included in "disability" ground in the Yukon, Alberta and Nunavut</p>
Provision of Service	all	<p>Policy to accept complaints in the Northwest Territories and Manitoba</p> <p>Previous dependence only in New Brunswick and Nova Scotia</p> <p>Included in "handicap" ground in Quebec</p> <p>Included in "disability" ground in the Yukon, Alberta and Nunavut</p>

Prohibited Ground	Jurisdiction	Comments
Age		
Employment	all jurisdictions	<p>British Columbia: 19-65 Alberta: 18+ Saskatchewan: 18-64 Ontario: 18-65 Newfoundland: 19-65</p> <p>Quebec: except as provided for by law Nunavut: applies with no age restrictions in the Act *Please note that as of December 12, 2006, the upper limit in the definition of "Age" will be removed</p>
Provision of Service	all except British Columbia, Alberta and Newfoundland	<p>Saskatchewan: 18-64</p> <p>In Ontario, applies to those 18 years and older, although 16- and 17-year-olds who have left the care of parents or guardians are protected regarding accommodation In Quebec, except as provided for by law</p>
Sex (includes pregnancy and childbirth)		
Employment	all jurisdictions	<p>Alberta uses the term "gender" Manitoba includes gender-determined characteristics British Columbia and Ontario include breastfeeding Ontario recognizes the protection of transgendered persons and accepts complaints related to "gender identity"; Ontario accepts complaints related to female genital mutilation</p> <p>In Quebec, pregnancy as such is considered a ground of discrimination In the Northwest Territories, gender identity as such is considered a ground of discrimination Nunavut Act says: "sex, sexual orientation, marital status, family status, pregnancy"</p>
Provision of Service	all jurisdictions	<p>Alberta uses the term "gender" Manitoba includes gender-determined characteristics Ontario includes breastfeeding; Ontario recognizes the protection of transgendered persons and accepts complaints related to "gender identity"; Ontario accepts complaints related to female genital mutilation</p> <p>In Quebec, pregnancy as such is considered a ground of discrimination In the Northwest Territories, gender identity as such is considered a ground of discrimination Nunavut Act says: "sex, sexual orientation, marital status, family status, pregnancy"</p>

Prohibited Ground	Jurisdiction	Comments
Marital status		
Employment	all jurisdictions	Quebec uses the term "civil status"
Provision of Service	all jurisdictions	Quebec uses the term "civil status"
Family status		
Employment	all except New Brunswick and Newfoundland	Saskatchewan defines as being in a parent-child relationship Quebec uses the term "civil status" The Northwest Territories have prohibition on the grounds of "family status" as well as "family affiliation"
Provision of Service	all except New Brunswick and Newfoundland	Saskatchewan defines as being in a parent-child relationship Quebec uses the term "civil status" The Northwest Territories have prohibition on the grounds of "family status" as well as "family affiliation"
Sexual orientation		
Employment	all jurisdictions	The Supreme Court of Canada read sexual orientation into the <i>Alberta Human Rights, Citizenship and Multiculturalism Act</i> in 1998
Provision of Service	all jurisdictions	The Supreme Court of Canada read sexual orientation into the <i>Alberta Human Rights, Citizenship and Multiculturalism Act</i> in 1998

Prohibited Ground	Jurisdiction	Comments
National or ethnic origin (including linguistic background)		
Employment	all except British Columbia	Saskatchewan and Northwest Territories use the term "nationality" Manitoba Code uses "nationality " or "national origin" Manitoba Code uses "ethnic background or origin" Ontario's Code includes both "ethnic origin" and "citizenship" Alberta uses the term "place of origin"
Provision of Service	all except British Columbia	Saskatchewan and Northwest Territories use the term "nationality" Manitoba Code uses "nationality " or "national origin" Manitoba Code uses "ethnic background or origin" Ontario's Code includes both "ethnic origin" and "citizenship" Alberta uses the term "place of origin"
Ancestry or place of origin		
Employment	Yukon, British Columbia, Alberta, Saskatchewan, Manitoba, Northwest Territories, Ontario, Nunavut and New Brunswick	
Provision of Service	Yukon, British Columbia, Alberta, Saskatchewan, Manitoba, Northwest Territories, Ontario, Nunavut and New Brunswick	
Language		
Employment	Ontario, Quebec, New Brunswick, Northwest Territories and Yukon	Ontario accepts complaints on the grounds of ancestry, ethnic origin, place of origin and race New Brunswick and the Northwest Territories will accept language related complaints filed on the basis of ancestry, although not an enumerated ground Included under "linguistic background" ground in Yukon Nunavut: no specific mention in the Act
Provision of Service	Ontario, Quebec, New Brunswick, Northwest Territories and Yukon	Ontario accepts complaints on the grounds of ancestry, ethnic origin, place of origin and race New Brunswick and the Northwest Territories will accept language related complaints filed on the basis of ancestry, although not an enumerated ground Included under "linguistic background" ground in Yukon Nunavut: no specific mention in the Act

Prohibited Ground	Jurisdiction	Comments
Social condition or origin		
Employment	Quebec, Northwest Territories, New Brunswick and Newfoundland	
Provision of Service	Quebec, Northwest Territories, New Brunswick and Newfoundland	
Source of income		
Employment	Alberta, Saskatchewan, Manitoba, Quebec, Yukon, Prince Edward Island, Nova Scotia and New Brunswick	Defined as "receipt of public assistance" in Saskatchewan Included under "social condition" in Quebec and New Brunswick Nunavut says: "lawful source of income"
Provision of Service	British Columbia, Alberta, Saskatchewan, Manitoba, Quebec, Yukon, Prince Edward Island, Nova Scotia and New Brunswick	Applies to tenancy only (not public services or facilities) in British Columbia Defined as "receipt of social assistance" in Saskatchewan Ontario bans discrimination in accommodation on the grounds of receipt of public assistance Included under "social condition" in Quebec and New Brunswick Applies to occupancy or accommodation only in Nova Scotia
Assignment, attachment or seizure of pay		
Employment	Newfoundland and Quebec	Included under "social condition" in Quebec
Provision of Service	Newfoundland and Quebec	Included under "social condition" in Quebec
Based on association		
Employment	Yukon, Manitoba, Ontario, New Brunswick, Nova Scotia, Northwest Territories, Nunavut and Prince Edward Island	Northwest Territories has prohibition on basis of "political association"
Provision of Service	Yukon, Manitoba, Ontario, New Brunswick, Nova Scotia, Northwest Territories, Nunavut and Prince Edward Island	Northwest Territories has prohibition on basis of "political association"

Prohibited Ground	Jurisdiction	Comments
Political belief		
Employment	Yukon, Newfoundland, British Columbia, Manitoba, Quebec, Nova Scotia, Prince Edward Island, New Brunswick and Northwest Territories	Newfoundland has prohibition on basis of "political opinion" Manitoba Code includes political activity and political association
Provision of Service	Yukon, Manitoba, Quebec, Nova Scotia, Prince Edward Island, New Brunswick, Newfoundland and Northwest Territories	Manitoba Code and Yukon's Act include political activity and political association Newfoundland has prohibition on basis of "political opinion"
Record of criminal conviction		
Employment	Yukon, Manitoba, British Columbia, Quebec, Ontario and Prince Edward Island	Manitoba Code and Yukon's Act read "criminal charges or criminal record" Ontario has prohibition on basis of "record of offences"
Provision of Service	Yukon, Manitoba and Quebec	Manitoba Code and Yukon's Act read "criminal charges or criminal record"
Pardoned conviction		
Employment	Federal Government, Yukon, Ontario, Nunavut and Northwest Territories	Ontario has prohibition on basis of "record of offences"
Provision of Service	Federal Government, Yukon, Nunavut and Northwest Territories	

This document has been produced by the Canadian Human Rights Commission, in cooperation with provincial and territorial human rights commissions, as a service to the public. This chart has been designed for quick reference only. For interpretation or further details, contact the appropriate human rights commission.

For further information, please contact:

Commission regional offices in Halifax, Montreal, Toronto, Winnipeg, Edmonton and Vancouver,
toll free 1-800-999-6899 (addresses available on the Commission's website);

or

National office at 344 Slater Street, 8th floor, Ottawa, Ontario K1A 1E1

Telephone: 613-995-1151, or toll free 1-888-214-1090. TTY: 1-888-643-3304.

E-mail: info.com@chrc-ccdp.ca

Website: www.chrc-ccdp.ca

Provincial and Territorial Human Rights Agencies Websites

Alberta Human Rights and Citizenship Commission

www.albertahumanrights.ab.ca

British Columbia Human Rights Tribunal

www.bchrt.bc.ca

Manitoba Human Rights Commission

www.gov.mb.ca/hrc

New Brunswick Human Rights Commission

www.gnb.ca/hrc-cdp

Newfoundland and Labrador Human Rights Commission

www.justice.gov.nl.ca/hrc

Northwest Territories Human Rights Commission

www.nwthumanrights.ca

Nova Scotia Human Rights Commission

www.gov.ns.ca/humanrights

Ontario Human Rights Commission

www.ohrc.on.ca

Prince Edward Island Human Rights Commission

www.peihumanrights.ca

**Québec - Commission des droits de la personne et
des droits de la jeunesse**

www.cdpcj.qc.ca

Saskatchewan Human Rights Commission

www.gov.sk.ca/shrc

Yukon Human Rights Commission

www.yhrc.yk.ca

This document is available on our website and in multiple formats on request.