

Prohibited Grounds of Discrimination in Canada

Current to May 2018

This document provides comparative information on the grounds of discrimination covered by federal, provincial and territorial human rights legislation in Canada. In some instances, the prohibited grounds for employment differ from those for the provision of services. Note: **No** basic defences (e.g., reasonable and justifiable discrimination OR *bona fide* occupational requirement) are included in this chart. *Please confirm with the legislation from the correct jurisdiction* (see links below). The attached documents provide legal information about the interpretation of “employment” and “provision of services”.

Prohibited Ground (as listed in the <i>Alberta Human Rights Act</i>)	Protection of Ground(s)	Comments
Race or Colour	Race or Colour	Race or Colour
Employment	All jurisdictions	<ul style="list-style-type: none"> • Manitoba prohibits discrimination on the basis of “ancestry, including colour and perceived race” • In addition to “race” and “colour”, Saskatchewan prohibits discrimination on the basis of “perceived race”
		<p>Special provisions (exceptions, e.g., for special programs) re race/ colour and employment:</p> <p>Alberta s 10.1 Manitoba s 11 New Brunswick s 14 Newfoundland and Labrador s 8 Northwest Territories ss 7(5)(b); 67 Nova Scotia s 6(c) Nunavut ss 7(2); 9(6) Ontario ss 14, 24(1)(a) Prince Edward Island s 20 Quebec s 20 Saskatchewan s 16(10) Yukon s 13</p>
Provision of Services	All jurisdictions	<ul style="list-style-type: none"> • Manitoba prohibits discrimination on the basis of “ancestry, including colour and perceived race” • In addition to “race”, Saskatchewan prohibits discrimination on the basis of “perceived race”

		<p>Special provisions re race/ colour and services:</p> <p>Alberta s 10.1 Manitoba s 11 New Brunswick s 14 Newfoundland and Labrador s 8 Northwest Territories s 67 Nova Scotia s 6(i) Nunavut s 7(2) Ontario s 14 Prince Edward Island s 20 Yukon s 13</p>
Religious Beliefs	Religious Beliefs	Religious Beliefs
Employment	All jurisdictions	<ul style="list-style-type: none"> • Canada (Federal Government), British Columbia, Quebec and Newfoundland and Labrador use the term "religion" • Manitoba's and Yukon's Acts read: "religion or creed, or religious belief, religious association or religious activity" • New Brunswick uses "creed or religion" • Northwest Territories, Nova Scotia, Nunavut, Prince Edward Island, and Saskatchewan, use both "creed" and "religion" • Ontario uses "creed"
		<p>Special provisions re religion/creed and employment:</p> <p>Alberta s 10.1 Manitoba s 11 New Brunswick s 14 Newfoundland and Labrador ss 8; 14(8) Northwest Territories ss 7(5)(b); 67 Nova Scotia s 6(c) Nunavut ss 7(2); 9(6) Ontario ss 14, 24(1)(a) Prince Edward Island s 20 Saskatchewan s 16(10) Yukon s 13</p>
Provision of Services	All jurisdictions	<ul style="list-style-type: none"> • Canada (Federal Government), British Columbia, Quebec and Newfoundland and Labrador use the term "religion" • Manitoba's and Yukon's Acts read: "religion or creed, or religious belief, religious association or religious activity" • New Brunswick uses "creed or religion" • Northwest Territories, Nova Scotia, Nunavut, Prince Edward Island, and Saskatchewan, use both "creed" and "religion" • Ontario uses "creed"

		<p>Special provisions re religion/creed and provision of services: Alberta s 10.1 Manitoba s 11 New Brunswick s 14 Newfoundland and Labrador s 8 Northwest Territories s 67 Nova Scotia s 6(i) Nunavut s 7(2) Ontario s 14 Prince Edward Island s 20 Yukon s 13</p>
Gender, Gender identity, Gender expression	Gender, Gender identity, Gender expression	Gender, Gender identity, Gender expression
Employment	All jurisdictions	<ul style="list-style-type: none"> • Alberta, Canada (Federal Government), Northwest Territories, Nova Scotia, Ontario and Saskatchewan note that “gender” (“sex”) includes “pregnancy” • Nunavut and Quebec include “pregnancy” as a separate ground • Manitoba uses the terms "sex, including sex-determined characteristics or circumstances, such as pregnancy, the possibility of pregnancy, or circumstances related to pregnancy” and “gender identity." • Newfoundland and Labrador and New Brunswick state: “‘sex’ includes pregnancy, the possibility of pregnancy or circumstances related to pregnancy” • Yukon uses the terms "sex, including pregnancy, and pregnancy related conditions” and “gender identity or gender expression” • Canada (Federal Government), British Columbia, Quebec, and New Brunswick use the terms "sex” and “gender identity or expression". • Nova Scotia, Newfoundland and Labrador, Nunavut, Ontario and Prince Edward Island use the terms “sex”, “gender identity” and “gender expression” • Saskatchewan and Northwest Territories use the terms "sex” and “gender identity"

		<p>Special provisions re gender, gender identity, gender expression and employment: Alberta s 10.1 British Columbia s 13(3)(b) Manitoba s 11 New Brunswick s 14 Newfoundland and Labrador s 8 Northwest Territories s 67 Nova Scotia s 6(c) Nunavut s 7(2) Ontario ss 14; 24(1)(a) Prince Edward Island s 20 Saskatchewan s 16(10) Yukon s 13</p>
<p>Provision of Services</p>	<p>All jurisdictions</p>	<ul style="list-style-type: none"> • Alberta, Canada (Federal Government), Northwest Territories, Nova Scotia, Ontario and Saskatchewan note that “gender” (“sex”) includes “pregnancy” • Nunavut and Quebec include “pregnancy” as a ground • Manitoba uses the terms "sex, including sex-determined characteristics or circumstances, such as pregnancy, the possibility of pregnancy, or circumstances related to pregnancy" and “gender identity." • Newfoundland and Labrador and New Brunswick state: “‘sex’ includes pregnancy, the possibility of pregnancy or circumstances related to pregnancy” • Yukon uses the terms "sex, including pregnancy, and pregnancy related conditions" and “gender identity or gender expression • Canada (Federal Government), British Columbia, Quebec, and New Brunswick use the terms "sex" and “gender identity or expression". • Nova Scotia, Newfoundland and Labrador, Nunavut, Ontario and Prince Edward Island use the terms “sex”, “gender identity” and “gender expression” • Saskatchewan and Northwest Territories use the terms "sex" and “gender identity"

		<p>Special provisions re gender, gender identity and gender expression and provision of services: Alberta s 10.1 British Columbia s 8(2) Manitoba s 11 New Brunswick s 14 Newfoundland and Labrador ss 8; 11(3)(b), (c); 14(8)(a) Northwest Territories s 67 Nova Scotia s 6(i) Nunavut ss 7(2); 12(3) Ontario ss 14; 20(1), (3); 22 Prince Edward Island ss 14(1)(c); 20 Quebec s 20.1 Saskatchewan s 12(2) Yukon s 13</p>
Physical or Mental Disability	Physical or Mental Disability	Physical or Mental Disability
Employment	All jurisdictions	<ul style="list-style-type: none"> • (Canada) Federal Government, Newfoundland and Labrador, Northwest Territories, Nunavut, Ontario, Prince Edward Island, and Saskatchewan use the term "disability" • Manitoba uses the term "physical or mental disability or related characteristics or circumstances..." • Quebec uses the term "a handicap or the use of any means to palliate a handicap"
		<p>Special provisions re physical or mental disability and employment: Alberta s 10.1 British Columbia s 13(3)(b) Manitoba s 11 New Brunswick s 14 Newfoundland and Labrador s 8 Northwest Territories s 67 Nova Scotia s 6(c) Nunavut s 7(2) Ontario ss 10(3); 14; 17(1); 24(1)(a) Prince Edward Island s 20 Saskatchewan s 16(10) Yukon s 13</p>

Provision of Services	All jurisdictions	<ul style="list-style-type: none"> • (Canada) Federal Government, Newfoundland and Labrador, Northwest Territories, Nunavut, Ontario, Prince Edward Island, and Saskatchewan use the term "disability" • Manitoba uses the term "physical or mental disability or related characteristics or circumstances..." • Quebec uses the term "a handicap or the use of any means to palliate a handicap"
		<p>Special provisions re physical or mental disability and provision of services:</p> <p>Alberta s 10.1 British Columbia s 8(2)(b) Manitoba s 11 New Brunswick s 14 Newfoundland and Labrador s 8 Northwest Territories s 67 Nova Scotia s 6(i) Nunavut s 7(2) Ontario ss 10(3); 14; 17(1); 22 Prince Edward Island s 20 Yukon s 13</p>
Age	Age	Age
Employment	All jurisdictions	<ul style="list-style-type: none"> • Definition of age: Alberta 18+, Saskatchewan 18+, Ontario 18+, British Columbia 19+ • No age limit in definition: Canada (Federal Government), Manitoba, New Brunswick, Northwest Territories, Nova Scotia, Nunavut, Prince Edward Island, Quebec and Yukon • Quebec adds "except as provided by law"
		<p>Special provisions re age and employment:</p> <p>Alberta s 10.1 British Columbia s 13(3)(a), (b) Canada s 15(1)(b) Manitoba ss 11, 13(2), 14(10) New Brunswick ss 4(7); 14 Newfoundland and Labrador ss 8; 14(6) Northwest Territories s 67 Nova Scotia s 6(c) Nunavut s 7(2) Ontario ss 14; 24(1)(a) Prince Edward Island s 20 Saskatchewan s 16(10) Yukon s 13</p>

Provision of Services	All jurisdictions	<ul style="list-style-type: none"> • Definition: Alberta 18+, Saskatchewan 18+, Ontario 18+, British Columbia 19+ • No age limit in definition: Canada (Federal Government), Manitoba, Nova Scotia, New Brunswick, Northwest Territories, Nunavut, Prince Edward Island, Quebec and Yukon • Quebec adds “except as provided by law”
		<p>Special provisions re age and Services:</p> <p>Alberta ss 4.1; 4.2; 10.1 British Columbia s 8(2)(b) Manitoba ss 11; 13(2) New Brunswick ss 5(5); 6(3); 14 Newfoundland and Labrador: ss 8; ss11(4) - if person is under 19 and denial or refusal is required by another Act Northwest Territories s 67 Nova Scotia ss 6(a); 6(i); 6A Nunavut ss 7(32); 12(3) Ontario ss 4(2);14(1); 15; 20(2), (3), (4); 22; 49(1) Prince Edward Island s 20 Quebec s 20.1 Saskatchewan s 12(4) Yukon s 13</p>
Ancestry, Place of Origin	Ancestry, Place of Origin	Ancestry, Place of Origin
Employment	See comments	<p><i>In addition to Ancestry and Place of Origin:</i></p> <ul style="list-style-type: none"> • New Brunswick adds: “national origin” • Northwest Territories adds: “nationality” and “ethnic origin” • Nunavut adds: “ethnic origin” • Ontario adds: “ethnic origin” and “citizenship” • Saskatchewan adds: “nationality” <p><i>Instead of Ancestry and Place of Origin:</i></p> <ul style="list-style-type: none"> • Canada (Federal government) uses: “national or ethnic origin” • Manitoba uses: “ancestry, including colour and perceived race” and “ethnic background or origin” • Newfoundland and Labrador uses: “nationality”, “ethnic origin” and “social origin” • Nova Scotia uses: “ethnic, national or aboriginal origin” • Quebec and Prince Edward Island use: “ethnic or national origin”

		<ul style="list-style-type: none"> • Yukon uses: “ancestry, including colour and race”; “national origin”; and “ethnic or linguistic background or origin”
		<p>Special provisions re ancestry and employment:</p> <p>Alberta s 10.1 Manitoba s 11 New Brunswick s 14 Newfoundland and Labrador s 8 Northwest Territories s 67 Nova Scotia s 6(c) Nunavut s 7(2) Ontario ss 14, 24(1)(a) Prince Edward Island s 20 Saskatchewan s 16(10) Yukon s 13</p>
Provision of Services	See Comments	<p><i>In addition to Ancestry and Place of Origin:</i></p> <ul style="list-style-type: none"> • New Brunswick adds: “national origin” • Northwest Territories adds: “nationality” and “ethnic origin” • Nunavut adds: “ethnic origin” • Ontario adds: “ethnic origin” and “citizenship” • Saskatchewan adds: “nationality” <p><i>Instead of Ancestry and Place of Origin:</i></p> <ul style="list-style-type: none"> • Canada (Federal government uses): “national or ethnic origin” • Manitoba uses: “ancestry, including colour and perceived race” and “ethnic background or origin” • Quebec and Prince Edward Island use: “ethnic or national origin” • Nova Scotia uses: “ethnic, national or aboriginal origin” • Newfoundland and Labrador uses: “nationality”, “ethnic origin” and “social origin” • Yukon uses: “ancestry, including colour and race”; “national origin”; and “ethnic or linguistic background or origin”
		<p>Special provisions re Ancestry, Place of Origin and Services</p> <p>Alberta s 10.1 Manitoba s 11 Ontario s 14 New Brunswick s 14 Nova Scotia s 6(i) Prince Edward Island s 20 Newfoundland and Labrador s 8 Northwest Territories s 67</p>

		Nunavut s 7(2) Yukon s 13
Marital Status	Marital Status	Marital Status
Employment	All jurisdictions	Quebec uses “civil status”
		Special Provisions re Marital Status and employment: Alberta s 10.1 British Columbia s 13(3)(b) Manitoba s 11 New Brunswick s 14 Newfoundland and Labrador ss 8; 14(8)(a) Northwest Territories s 67 Nova Scotia s 6(c) Nunavut ss 7(2); 9(6) Ontario ss 14; 24(1)(a) Prince Edward Island ss 6(4)(c); 20 Saskatchewan ss 16(10), 16 (11) Yukon ss 11(1); 13
Provision of Services	All jurisdictions	Quebec uses “civil status”
		Special Provisions re Marital Status and provision of services: Alberta s 10.1 Manitoba s 11 Nunavut s 12(3) Newfoundland and Labrador ss 8; 11(3)(d) New Brunswick s 14 Nova Scotia s 6(i) Northwest Territories s 67 Nunavut ss 7(2); 12(3)(c) Ontario ss 14; 20(3); 22 Quebec s 20.1 Prince Edward Island s 2 Saskatchewan: s 12(4) Yukon ss 11(1); 13
Family Status	Family Status	Family Status
Employment	All jurisdictions	<ul style="list-style-type: none"> Northwest Territories adds “family affiliation” Quebec uses “civil status”
		Special Provisions re Family Status and Employment Alberta s 10.1 Manitoba s 11 New Brunswick s 14 Newfoundland and Labrador ss 8; 14(8)(a) Northwest Territories ss 7 (5), 7(6); 67 Nova Scotia s 6(c) Nunavut ss 7(2); 9(6) Ontario s 14 Prince Edward Island ss 6(4)(c); 20 Saskatchewan ss 16(10), 16 (11) Yukon ss 11(3); 13

Provision of Services	All jurisdictions	<ul style="list-style-type: none"> Northwest Territories adds “family affiliation” Quebec uses “civil status”
		Special Provisions re Family Status and Services: Alberta s 10.1 Manitoba s 11 New Brunswick s 14 Newfoundland and Labrador ss 8; 11(3)(d); 21(3) Northwest Territories ss 11(3); 67 Nova Scotia s 6(i) Nunavut ss 7(2); 12(3) Ontario ss 14; 20(3); 22 Prince Edward Island s 20 Quebec s 20.1 Saskatchewan: s 12(4) Yukon ss 11(1) (2); 13
Sexual Orientation	Sexual Orientation	Sexual Orientation
Employment	All Jurisdictions	Special Provisions re Sexual Orientation and employment: Alberta s 10.1 Manitoba s 11 New Brunswick s 14 Newfoundland and Labrador s 8 Northwest Territories s 67 Nova Scotia s 6(c) Nunavut ss 7(2); 9(6) Ontario s 14 Prince Edward Island ss 6(4)(c); 20 Saskatchewan ss 16(10) Yukon ss 11(3); 13
Provision of Services	All Jurisdictions	Special Provisions re Sexual Orientation and services: Alberta s 10.1 Manitoba s 11 New Brunswick s 14 Newfoundland and Labrador ss 8; 11(d) Northwest Territories s 67 Nova Scotia s 6(i) Ontario s 14 Prince Edward Island s 20 Yukon ss 11(1); 13
Source of income	Source of income	Source of income
Employment	See Comments	<ul style="list-style-type: none"> Source of Income ground for employment is NOT COVERED: Canada and Ontario Nunavut and British Columbia use “lawful source of income” Quebec, New Brunswick and Northwest Territories use “social condition”, which is arguably a broader term

		<ul style="list-style-type: none"> • Saskatchewan uses “receipt of public assistance”
		<p>Special Provisions re Source of Income and employment: Alberta s 10.1 Manitoba s 11 New Brunswick s 14 Newfoundland and Labrador s 8 Northwest Territories s 67 Nova Scotia s 6(c) Nunavut s 7(2) Prince Edward Island ss 6(4)(c); 20 Saskatchewan s 16(10) Yukon ss 11(3); 13</p>
Provision of Services	See Comments	<ul style="list-style-type: none"> • Source of Income in provision of services is NOT COVERED: (Canada) Federal Government, Ontario, and British Columbia • Nunavut uses “lawful source of income” • Quebec, New Brunswick and Northwest Territories use “social condition”, which is arguably a broader term • Saskatchewan uses “receipt of public assistance”
		<p>Special Provisions re Source of Income and services: Alberta s 10.1 Manitoba s 11 New Brunswick s 14 Newfoundland and Labrador s 8 Nova Scotia s 6(i) Northwest Territories s 67 Nunavut s 7(2) Prince Edward Island s 20 Yukon ss 11(3); 13</p>

Table of Human Rights Statutes (current to May 2018)

[Canadian Human Rights Act, RSC 1985, c H-6](#)

[Alberta Human Rights Act, RSA 2000, c A-25.5](#)

[Human Rights Code, RSBC 1996, c 210](#) (British Columbia)

[The Human Rights Code, CCSM c H175](#) (Manitoba)

[Human Rights Act, RSNB 2011, c 171](#) (New Brunswick)

[Human Rights Act, 2010, SNL 2010, c H-13.1](#) (Newfoundland and Labrador)

[Human Rights Act, SNWT 2002, c 18](#) (Northwest Territories)

[Human Rights Act, RSNS 1989, c 214](#) (Nova Scotia)

[Human Rights Act, SNU 2003, c 12](#) (Nunavut)

[Human Rights Code, RSO 1990, c H.19](#) (Ontario)

[Charter of Human Rights and Freedoms, CQLR c C-12](#) (Quebec)

[Human Rights Act, RSPEI 1988, c H-12](#) (Prince Edward Island)

[The Saskatchewan Human Rights Code, SS 1979, c S-24.1](#)

[Human Rights Act, RSY 2002, c 116](#) (Yukon)