

# MOUNT ROYAL UNIVERSITY

## HUMAN RIGHTS POLICY

### DEFINITIONS FOR THE THIRTEEN (13) PROHIBITED GROUNDS FOR DISCRIMINATION OR HARASSMENT

(Based on the Definitions Provided by the Alberta Human Rights Commission) <sup>1</sup>

#### APPENDIX 1

The Alberta Human Rights Act (the Act) prohibits discrimination in the following areas:

- Statements, publications, notices, signs, symbols, emblems or other representations that are published, issued or displayed before the public.
- Goods, services, accommodation or facilities customarily available to the public.
- Tenancy.
- Employment practices.
- Employment applications or advertisements.
- Membership in trade unions, employers' organizations or occupational associations.

The Act provides protection from discrimination in the above areas under the following grounds. The descriptions below are not legal definitions. For more information about protected grounds, contact the Alberta Human Rights Commission.

- (1) Age:** Age is defined in the Act as "18 years or older." Persons who are 18 years or older can make complaints on the ground of age in all of these areas:
- statements, publications, notices, signs, symbols, emblems or other representations that are published, issued or displayed before the public;
  - employment practices;
  - employment applications or advertisements;
  - membership in trade unions, employers' organizations or occupational associations.

Age is not a protected ground in the following areas:

- tenancy;
- goods, services, accommodation or facilities that are customarily available to the public.

Persons *under* the age of 18 can make complaints on all grounds *except the ground of age*.

- (2) **Ancestry:** belonging to a group of people related by a common heritage.
- (3) **Colour:** colour of a person's skin. This includes, but is not limited to, racial slurs, jokes, stereotyping, and verbal and physical harassment.
- (4) **Family Status:** being related to another person by blood, marriage or adoption.
- (5) **Gender:** being male, female or transgender. The Ontario Human Rights Commission offers a helpful definition of gender identity: "Gender identity is linked to a person's sense of self, and particularly the sense of being male or female. A person's gender identity is different from their sexual orientation, which is also protected under the [Ontario Human Rights] Code. People's gender identity may be different from their birth-assigned sex, and may include:

Transgender: People whose life experience includes existing in more than one gender. This may include people who identify as transsexual and people who describe themselves as being on a gender spectrum or as living outside the gender categories of 'man' or 'woman.'

Transsexual: People who were identified at birth as one sex, but who identify themselves differently. They may seek or undergo one or more medical treatments to align their bodies with their internally felt identify, such as hormone therapy, sex-reassignment surgery or other procedures.

Intersex: People who are not easily classified as "male" or "female", based on their characteristics at birth or after puberty. This word replaces the inappropriate term "hermaphrodite."

Crossdresser: A person who, for emotional and psychological well-being, dresses in clothing usually associated with the "opposite" sex.

Trans: An umbrella term used to describe individuals who, to varying degrees, do not conform to what society usually defines as a man or a woman."<sup>2</sup>

Also protected under gender are pregnancy and sexual harassment.

- (6) **Marital Status:** the state of being married, single, widowed, divorced, separated or living with a person in a conjugal relationship outside marriage.
- (7) **Mental Disability:** any mental disorder, developmental disorder or learning disorder regardless of the cause or duration of the disorder.
- (8) **Physical Disability:** any degree of physical disability, deformity, malformation or disfigurement that is caused by injury, birth defect or illness. This includes, but is not limited to, epilepsy, paralysis, amputation, lack of physical coordination, visual, hearing and speech impediments and physical reliance on a guide dog, wheelchair or other remedial appliance or device.
- (9) **Place of Origin:** place of birth.
- (10) **Race:** belonging to a group of people related by common heritage.
- (11) **Religious Belief:** system of belief, worship and conduct (includes Native Spirituality).
- (12) **Sexual Orientation:** The Act includes protection from differential treatment based on a person's actual or presumed sexual orientation. While the Commission lists homosexual, heterosexual and bisexual identities, Mount Royal recognizes the spectrum of sexual identities beyond those listed by the Commission and protects individuals from treatment based on those various identities.
- (13) **Source of Income:** lawful source of income. The protected ground of source of income includes any income that attracts a social stigma to its recipients, for example, social assistance, disability pension, and income supplements for seniors. Income that does not result in social stigma would not be included in this ground.

In addition to the areas and grounds described above, the *Act* protects individuals in the area of equal pay. When employees of any gender perform the same or substantially similar work, they must be paid at the same rate.

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<sup>1</sup> Protected areas and grounds under the Alberta Human Rights Act information sheet, Alberta Human Rights Commission, February 2012

<sup>2</sup> Ontario Human Rights Commission website: <http://www.ohrc.on.ca/en/gend>