YOUR RIGHTS : POLITICAL BELIEF

Kevin has been employed at a provincial park for five years. Recently, he found out that he is not being offered a position at the park this year. Two months ago there was a provincial election and the governing party changed. Kevin worked for the opposition party during the election campaign. Kevin believes that he is not being called back to work because of his involvement with the opposition party.

THE LAW

The Act defines political belief as a:

> *...belief in the tenets of a political party that is at the relevant time registered under section 24 of the Election Act, R.S.P.E.I. 1988, Cap. E-1, as evidenced by*
>
> *(i) membership of or contribution to that party, or*
> *(ii) open and active participation in the affairs of the party*

The Prince Edward Island Human Rights Act prohibits discrimination on the basis of political belief in these situations:

- Employment
- Volunteering
- Offering accommodations, services or facilities to the public
- Membership in professional, business or trade associations and employee organizations
- Leasing or selling property
- Publishing, broadcasting and advertising

However, there are EXCEPTIONS:

1. Genuine Occupational Requirement

There may be some jobs where having certain political beliefs may be a genuine occupational requirement. For example, it may not be discriminatory for a political organization to hire advisors who share the organization's political beliefs.

On the other hand, political belief is not relevant to an employee's ability to work on a highway patching crew.

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Human Rights: It's Everyone's Business...

Why Not Make It Yours?