

YOUR RIGHTS : SEX (GENDER)



Louise is a firefighter. When she applies for a job with a local fire department, she is told that women are not suited for firefighting because they are not strong enough.

John and Chris are looking for an apartment near U.P.E.I. They see an ad for a two-bedroom flat that sounds perfect, although the ad says “suitable for professional couple”. When they call to inquire, the landlord says that he will not rent to male students because they are noisy and cause damage.

Louise, John and Chris have experienced discrimination on the basis of sex (gender).

THE LAW

The Prince Edward Island Human Rights Act prohibits discrimination on the basis of sex (gender) 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 some EXCEPTIONS:

1. Rental Accommodations

The Act permits some rental accommodations to be restricted to individuals of the same sex, such as, a university dormitory or a rooming house.

2. Genuine Occupational Qualification

There may be some employment positions where being of a certain gender is a genuine occupational qualification. For example, a rape and sexual assault crisis centre may require a female counsellor to assist female clients.

3. Religious and Ethnic Non-Profit Organizations

The provisions of the Act that prohibit discrimination in employment, on the basis of sex, do not apply to religious or ethnic non-profit organizations that are operated primarily to foster the welfare of a particular religious or ethnic group. However, the organization must establish that being of a certain gender is a reasonable occupational qualification. For example, a Roman Catholic religious order may limit its membership to individuals of a particular gender.

4. Special Programs

The Commission may approve programs of government, private organizations or individuals designed to promote the welfare of any class of individuals, such as, employment equity programs.

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Everyone's
Business...*

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Yours?*