



## **NWT Human Rights Act - Grounds of Discrimination**

**Race, Colour, Ancestry, Place of origin, Ethnic origin, and Nationality:** These grounds are related and, because it is often difficult to draw clear distinctions between them. They are generally intended to get at allegations of racism.

**Religion or Creed:** These include religious beliefs and practices, as well as sets of personal beliefs that can be categorized as spiritual or religious in nature.

**Age:** Age is not defined in the *Act*. There are times when age discrimination is acceptable, such as a minimum age of driving, working, drinking and voting, or some services to seniors.

**Disability:** The *Act* provides examples of disability (see Section 1, Definitions). For the purposes of human rights complaints, a medical or physical condition is considered a disability when it:

- is permanent, ongoing, episodic, or of some persistence, and;
- imposes a substantial or significant limit in carrying out some of life's functions or activities.

**Sex:** includes whether you are male or female and pregnancy.

**Sexual orientation:** includes gay, lesbian, heterosexual, or bi-sexual.

**Gender identity:** includes transgendered persons and those who identify with or live as a gender that is different from their biological sex.

**Marital status:** includes civil status - married, single, divorced, widowed/er - and discrimination based on whom you are married to.

**Family status:** includes whether you are a parent or not, and discrimination based on who you are related to.

**Family Affiliation:** The NWT is the first jurisdiction to include this ground. The *Act* does not provide a definition. The definition of this ground will evolve with decisions and precedents set by adjudicators and the courts.

**Political belief, political association:** includes political beliefs associated with a formal political party; membership in a political party; political persuasions such as socialism, neo-liberalism; and, opinions on current political issues.

**Social condition:** defined in the *Act* as, "inclusion, other than on a temporary basis, in a socially identifiable group that suffers from social or economic disadvantage resulting from poverty, source of income, illiteracy, level of education or any other similar circumstance."

**Pardoned Criminal Conviction:** includes discrimination because of a conviction for which someone has received a pardon. It does not include unpardoned convictions. This leaves it open for employers to screen out job applicants based on criminal records, regardless of whether the convictions are related to the job.

***These definitions are guidelines, not legal definitions.***