

NOTICE OF CHANGES TO ALBERTA'S HUMAN RIGHTS LEGISLATION



Gender identity and gender expression are now expressly prohibited grounds of discrimination under the Alberta Human Rights Act

The Government of Alberta has amended the *Alberta Human Rights Act* to add gender identity and gender expression to the *Act* as expressly prohibited grounds of discrimination, effective December 11, 2015.

Before the amendment, gender was already an explicitly protected ground under the *Act*, and both gender identity and gender expression were considered to be implicitly protected under the ground of gender. The amendment to the *Act* makes it clear and explicit that gender identity and gender expression are protected grounds, and that people cannot be discriminated against based on either ground.

The Act does not define the terms gender identity and gender expression

The *Alberta Human Rights Act* does not define these two protected grounds. The Commission describes each ground as follows. Please note that these are not legal definitions.

Gender identity refers to a person's internal, individual experience of gender, which may not coincide with the sex assigned to them at birth. A person may have a sense of being a woman, a man, both, or neither. Gender identity is not the same as sexual orientation, which is also protected under the *Alberta Human Rights Act*.

Gender expression refers to the varied ways in which a person expresses their gender, which can include a combination of dress, grooming, demeanour, social behaviour and other factors.

Making a human rights complaint based on the grounds of gender identity and/or gender expression

The Commission's Human Rights Complaint Forms dated May 2014 or earlier do not include the grounds of gender identity or gender expression in the list of protected grounds. If you are making a complaint on either or both of these grounds, please write these specific grounds in section E on page 3 of the form.

The Commission is in the process of updating its publications and website to reflect the amendments to the legislation. In the meantime, if you are reading a Commission publication or web page dated before December 11, 2015, please note that the amendments have not yet been incorporated into the publication or web page.

Contact us

The Alberta Human Rights Commission is an independent commission of the Government of Alberta. Our mandate is to foster equality and reduce discrimination. We provide public information and education programs, and help Albertans resolve human rights complaints.

Hours of operation: 8:15 a.m. to 4:30 p.m., Monday to Friday (holidays excluded)

Northern Regional Office (Edmonton)

800 – 10405 Jasper Avenue NW
Edmonton, Alberta T5J 4R7
780-427-7661 Confidential Inquiry Line
780-427-6013 Fax

Southern Regional Office (Calgary)

200 J.J. Bowlen Building
620 – 7 Avenue SW
Calgary, Alberta T2P 0Y8
403-297-6571 Confidential Inquiry Line
403-297-6567 Fax

To call toll-free within Alberta, dial 310-0000 and then enter the area code and phone number.

For province-wide free access from a cellular phone, enter *310 (for Rogers) or #310 (for Telus and Bell), followed by the area code and phone number. Public and government callers can phone without paying long distance or airtime charges.

TTY service for persons who are deaf or hard of hearing

780-427-1597 Edmonton
403-297-5639 Calgary
1-800-232-7215 Toll-free within Alberta

Email: humanrights@gov.ab.ca

Website: www.albertahumanrights.ab.ca

Please note: The Commission must receive your completed complaint form or letter within one year after the alleged contravention of the *Alberta Human Rights Act*. The one-year period starts the day after the date on which the alleged contravention of the *Act* occurred. For help calculating the one-year period, contact the Commission.

The Commission will make this publication available in accessible formats upon request for people with disabilities who do not read conventional print.