

Family status and marital status



Alberta Human Rights
and Citizenship Commission

INFORMATION SHEET

The *Alberta Human Rights, Citizenship and Multiculturalism Act* makes it illegal to discriminate against anyone on the grounds of family or marital status.

What is family status?

Family status is interpreted as being related to another person by blood, marriage or adoption.

What is marital status?

Marital status is interpreted as being married, single, widowed, divorced, separated or living with a person in a conjugal relationship outside marriage.

In which areas are family and marital status protected?


Discrimination based on family and marital status is prohibited in all the areas protected under the *Act*. The protected areas are:

- public services, accommodation and facilities
- tenancy
- public notices, signs or other representations
- membership in trade unions, employers' organizations or occupational associations

- employment practices, including job applications and advertisements: It is illegal for anyone to circulate, publish or advertise an employment position that states a preference, limitation or specification that discriminates on the basis of family and marital status.

Employers' responsibilities

An employer is required to make *reasonable accommodation* in situations where marital status or family status may interfere with an employee's ability to perform his or her duties in the workplace. However, if it can be shown that an employee cannot perform his or her duties because of family or marital status, and the requirements of the job to be performed are shown to be *bona fide occupational requirements*, or if making accommodation would cause the employer *undue hardship*, the employer may refuse to employ, may redeploy, or if all else fails may consider dismissing that employee.

For example, an employee may request a change in work shifts because of family responsibilities. The employer should accommodate the request if at all possible. However, if there are not enough employees to meet the extra demand, thus placing additional stress on the other employees, and hiring more staff is financially not possible (i.e. undue hardship), then the onus is on the employee to make other family arrangements in order to continue working in the same job. 

Contact the Commission

For more information, please contact the **Alberta Human Rights and Citizenship Commission**. We are 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.

Northern Regional Office

800 Standard Life Centre

10405 Jasper Avenue

Edmonton, Alberta T5J 4R7

(780) 427-7661 Confidential Inquiry Line

(780) 427-6013 Fax

Southern Regional Office

Suite 310, 525 – 11 Avenue SW

Calgary, Alberta T2R 0C9

(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-AT&T) or #310 (for Telus).

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

E-mail humanrights@gov.ab.ca

Website www.albertahumanrights.ab.ca

Please note: A complaint must be made to the Alberta Human Rights and Citizenship Commission within one year after the alleged incident of discrimination. The one-year period starts the day after the date on which the incident occurred. For help calculating the one-year period, contact the Commission.

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