Protected Characteristics

The law protects certain characteristics from unfair treatment and bullying. This means no one can treat you badly because of these traits or qualities. These are called Protected Characteristics.

For example, if you are trying to get a job and the employer doesn't hire you just because you use a wheelchair (which is a physical disability), that's unfair treatment based on a protected characteristic. It's illegal to treat you differently because of your disability.

Here are the protected characteristics under the Nova Scotia Human Rights Act:

- **Age**: Not hiring someone because they are too young or too old is unfair treatment based on age.
- **Race, or ancestry or physical characteristics shared by a group of people**: Not letting someone join a club because they are a different race is unfair treatment based on race.
- **Colour, or the colour of a person's skin**: Treating someone unfairly because they have darker skin is discrimination based on colour.
- **Religion, also known as the belief in and worship of a god or gods**: Not allowing someone to take time off for their religious holidays is unfair treatment based on religion.
- **Creed, or a set of beliefs guiding someone's actions**: Treating someone badly because of their personal beliefs is discrimination based on creed.
- **Ethnic, national, or aboriginal origin, or where someone or their family comes from**: Not giving someone a promotion because they are from a different country is unfair treatment based on their origin.
- **Sex (including pregnancy and pay equity), whether someone is biologically male or biologically female (different from gender identity)**: Paying a woman less than a man for doing the same job is discrimination based on sex.
- **Sexual orientation, or who someone is attracted to**: Bullying someone because they are gay is an unfair treatment based on sexual orientation.
- **Physical disability, or a condition that limits a person's movements, senses, or activities**: Not hiring someone because they use a wheelchair is discrimination based on physical disability.
- **Mental disability, or a condition that affects a person's thinking, feeling, or mood**: Not allowing someone to join a team because they have depression is unfair treatment based on mental disability.
- **Family status, or whether someone has children or not**: Firing someone because they have to care for their child is discrimination based on family status.

- **Marital status, whether someone is single, married, divorced, or widowed**: Not renting an apartment to someone because they are not married is unfair treatment based on marital status.
- **Source of income, or where someone's money comes from**: Treating someone unfairly because they get financial help from the government is discrimination based on their source of income.
- **Harassment (and sexual harassment), also known as unwanted behaviour that makes someone feel scared or uncomfortable**: Making rude comments about someone's appearance or touching them without consent, is harassment.
- **Irrational fear of contracting an illness or disease, or being afraid of getting a disease without a good reason**: Refusing a service to someone because you think they might have a disease is discrimination based on irrational fear.
- **Association with protected groups or individuals, or being friends with or supporting someone with a protected characteristic**: Treating someone badly because they have friends of a different race is unfair treatment based on association.
- **Political belief, affiliation, or activity, believing in or supporting a certain political party or idea**: Not hiring someone because they support a different political party is discrimination based on political belief.
- **Gender identity, or how someone personally identifies their gender**: Not letting someone use the bathroom that matches their gender identity is unfair treatment based on gender identity.
- **Gender expression, or how someone shows their gender through clothing, behaviour, and appearance**: Making fun of someone because they dress in a way that is different from their gender at birth, is discrimination based on gender expression.
- **Retaliation**, also known as punishing someone because they complained about unfair treatment, is unfair treatment based on retaliation. Firing someone because they reported being bullied at work is a form of retaliation.

The Canadian Human Rights Act shares the same protected characteristics, as well as:

- **Genetic Characteristics**, *or traits inherited from family members*: Treating someone unfairly because they have a family history of a certain disease is discrimination based on genetic characteristics.
- **A conviction for which a pardon has been granted or a record suspended**, *also known as having a criminal record that has been cleared*: Not hiring someone because they had a past conviction that has been pardoned or suspended is unfair treatment based on their past conviction.

Protected Areas

The Act not only protects people from discrimination but also stops bullying based on these traits in public places.

Sexual harassment is wrong because it targets someone's gender, sexual orientation, or gender identity. When someone faces sexual harassment, they are being treated unfairly because of who they are.

Under the Canadian Human Rights Act, these are the protected characteristics:

- **Employment**
- **Housing or accommodation** (like your rental unit, apartment, condo, or staying at a hotel)
- **Services and facilities** (such as stores, restaurants or provincially funded programs)
- **Purchase or sale of property** (when you are buying a house, condo, or land)
- **Volunteer public service** (volunteering with a community centre, local charity, hospital, etc.)
- **Publication, broadcasting or advertisement**
- **Membership in a professional, business or trade association, or employers' or employees' organization** (like a trade association or a union)