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BC HUMAN RIGHTS CODE AMENDED TO INCLUDE “GENDER IDENTITY AND EXPRESSION”

[Katy Allen](#)

The BC Government has passed a bill ([Bill 27 – 2016: Human Rights Code Amendment Act, 2016](#)) to add "gender identity and expression" as a prohibited ground of discrimination under the *Human Rights Code*. The amendment adds a prohibition against discrimination on the basis of "gender identity and expression" in addition to the existing grounds of "sex" and "sexual orientation".

The amendment will mean that individuals cannot be discriminated against because of their gender identity and expression in a variety of settings such as tenancy, services customarily available to the public, and employment. Employers may wish to review their policies (for instance, their dress code policies) to ensure they comply with the new law.

Gender identity and expression are recognized as prohibited grounds in other provinces' human rights legislation, which provides us with some guidance on how the new language in the BC *Code* may be interpreted by the BC Human Rights Tribunal going forward. For instance, the Ontario Human Rights Commission has a useful policy on preventing discrimination because of gender identity and gender expression which can be viewed [here](#).

We will keep you up to date on when the amendment comes into force and how it impacts human rights complaints in the context of employment in the future.

For more information, please contact one of the members of our [Labour and Employment Group](#) seen below.

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