

1979 BILL 215

First Session, 19th Legislature, 28 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 215

**AN ACT TO AMEND THE INDIVIDUAL'S RIGHTS
PROTECTION ACT (No. 2)**

MR. R. SPEAKER

First Reading -----

Second Reading -----

Committee of the Whole -----

Third Reading -----

Royal Assent -----

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Bill 215
Mr. R. Speaker

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AN ACT TO AMEND THE INDIVIDUAL'S RIGHTS PROTECTION ACT (No. 2)

(Assented to _____, 1979)

HER MAJESTY, by and with the advice and consent of the
Legislative Assembly of Alberta, enacts as follows:

1. *The Individual's Rights Protection Act is amended by this Act.*

2. *The Act is amended by adding "marital status" after "colour, sex," wherever it occurs, except in sections 6 and 9.*

3. *Section 2(2) is amended by adding the following after clause (b):*

(b.1) the display or publication by or on behalf of an organization that caters primarily or exclusively for persons of a particular marital status.

4. *Section 4 is amended*

(a) *by renumbering the section as subsection (1),*

and

(b) *by adding the following after subsection (1):*

(2) Subsection (1) does not apply to prevent a person denying accommodation or discriminating solely on the basis of marital status in respect of a unit which forms part of a number of units that are provided for the exclusive use of persons of the same marital status.

5. *Section 5(5) is amended*

(a) *by repealing clause (a) and substituting the following:*

(a) the action shall be commenced within 12 months from the date upon which the cause of action arose and not afterward, except in a case where a complaint has been made to the Commission, in which case the action shall be commenced within 12 months from the date upon which the Commission has concluded its investigation with regard to the complaint;

Explanatory Notes

- 1.** This Bill will amend chapter 2 of the Statutes of Alberta, 1972.
- 2.** Establishes marital status as a forbidden ground for discriminating.
- 3.** Exemption for special purpose organizations.
- 4.** Exemption for accommodation provided solely for persons of a certain marital status.
- 5.** Extends time within which action may be commenced when Commission has investigated.
Section 5(5)(a) and (c) presently read
 - (a) the action shall be commenced within 12 months from the date upon which the cause of action arose and not afterward,
 - (c) the action may not be commenced or proceeded with where the employee has made a complaint to the Commission in respect of the contravention of this section, and

and

(b) by repealing clause (c) and substituting the following:

- (c) where the employee has made a complaint to the Commission in respect of a contravention of this section, the action may not be commenced or proceeded with until the Commission has concluded its investigation with regard to the complaint.

6. Section 7(1)(b) is amended by adding “marital status” after “colour”.

7. Section 9 is repealed and the following substituted:

9. No trade union, employers’ organization or occupational association shall

- (a) exclude any person from membership therein,
- (b) expel or suspend any member thereof,
- (c) discriminate against any person or member, or
- (d) negotiate any agreement that has the effect of discriminating against any person or member,

because of the race, religious beliefs, colour, sex, marital status, age, ancestry or place of origin of that person or member.

8. The following is added after section 19:

19.1 The Minister may direct that a board of inquiry investigate a complaint relating to one or more individuals or to a class of individuals.

9. This Act comes into force on the day upon which it is assented to.

6. Marital status not to be asked for in job application.

7. Section 9 presently reads:

9. No trade union, employers' organization or occupational association shall
(a) exclude any person from membership therein, or
(b) expel or suspend any member thereof, or
(c) discriminate against any person or member,
because of the race, religious beliefs, colour, sex, marital status, age, ancestry
or place of origin of that person or member.

8. Allows a board to investigate on behalf of a group or class.