

**MANITOBA HUMAN RIGHTS COMMISSION
POLICY AND PROCEDURES MANUAL**

POLICY # L-7
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SECTION: Legislation

Effective date: February 21, 2003

SUBJECT: DEFINING MARITAL AND FAMILY STATUS

Purpose: This policy is intended to assist in the interpretation of the terms “marital status” and “family status” referred to in section 9 of *The Code*. Where there is any conflict between this policy and *The Code*, *The Code* prevails.

“Marital Status” will be interpreted to include being engaged to be married, married, single, separated, divorced, widowed, or being a partner in a common-law relationship.

“Family Status” will be interpreted to include being a parent or not being a parent, regardless of the manner in which a person becomes a parent; and it may also include any other familial or perceived familial relationship.

In accordance with the principles set out by the Supreme Court of Canada in *B. v. Ontario (Human Rights Commission)* (October 31, 2002), the marital or family relationship referred to in the above definitions may include a relationship with a particular person. As a result, a person who is shown to have been stereotyped or arbitrarily disadvantaged on the basis of a relationship with a particular person may be considered to have been discriminated against on the basis of “marital or family status”, depending on the circumstances. For example, differential treatment based on personal animosity, which did not result from any action or behaviour by an individual, but rather because of his or her marital (or family) affiliations with a specific person, may fall within the definitions.

APPROVED BY:

Original Signed By

"Janet Baldwin"
Chairperson

4 March 2004
Date