



Office of the Minister
Box 2703, Whitehorse, Yukon Y1A 2C6

January 15th, 2018

Linda Moen
Public Service Alliance of Canada Aboriginal People's Committee and Regional Women's
Committee
2285 2nd Avenue, Suite 100
Whitehorse YT, Y1A 1C9 |
linda.moen@ec.gc.ca

Dear Linda Moen,

RE: PROPOSED LGBTQ2S+ LEGISLATIVE AMENDMENTS

The Government of Yukon committed to “conduct a review of legislation, policies, and practices to ensure Yukon government meets the rules and social standards for LGBTQ non-discrimination.” The Department of Justice and the Women’s Directorate began this work by coordinating a legislative review with all government departments that focused on identifying provisions that may be discriminatory to Lesbian, Gay, Bisexual, Trans, Queer, and Two-Spirit (LGBTQ2S+) individuals. The legislative review identified many references to binary sex/gender identifiers (e.g. “male” or “female”) and heteronormative terms (e.g. “father” or “mother”) that may be considered discriminatory or exclusionary against LGBTQ2S+ individuals.

The Government of Yukon proposed a spring 2018 bill to ensure legislation supports a diverse, inclusive society that promotes LGBTQ2S+ equality and non-discrimination.

Specifically, we proposed amendments to support gender diversity on legislated boards and committees that already have statutory sex or gender composition requirements. The goal of this amendment will be to replace explicit binary sex and gender references with a provision that is inclusive of trans, Two-Spirit, and other non-binary genders. This will ensure that a person has the option to apply and be considered as a trans, Two-Spirit, or non-binary gender candidate. The amendment will promote gender diversity in the composition of the board or committee.

Additionally, we proposed updating the *Corrections Regulation* and the *Public Service Labour Relations Act* to include an expression that ensures that no person can discriminate against a person based on a prohibited ground of discrimination under the *Human Rights Act (HRA)*. The benefit of updating the *Corrections Regulation* is to prevent harassment by inmates against other inmates based on their gender identity or gender expression. This provision will make it a disciplinary matter for an inmate to behave in a manner that shows hatred or contempt for another person based on the person’s gender identity or gender expression – similar to other prohibited grounds in the *HRA* (e.g.



sexual orientation, age, etc.). The benefit of updating the *Public Service Labour Relations Act* is to ensure that no employee organization that discriminates against trans, Two-Spirit, or other non-binary employees could be certified as bargaining agents for a bargaining unit.

We ask that you please let us know on or before **February 12th, 2018** if you have any feedback and any questions you might have:

By mail: Policy and Communications
Department of Justice, Yukon Government
Box 2703
Whitehorse, Yukon, Y1A 2C6

By email: justice@gov.yk.ca

If you would like to meet with government officials to discuss this matter, please contact Ariel Lincez, Policy Development Officer, at 867-667-8148 or Ariel.Lincez@gov.yk.ca.

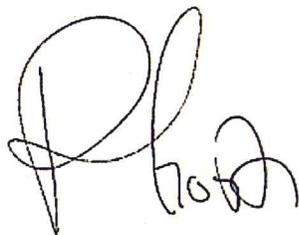
Yours truly,



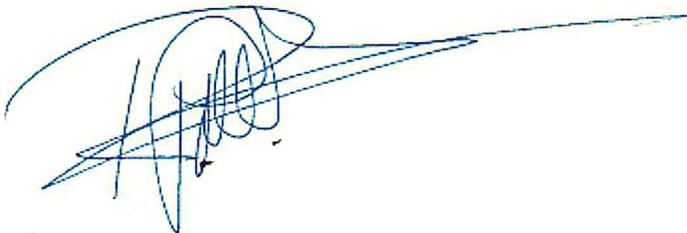
Tracy-Anne McPhee
Minister of Justice and Attorney General



Jeanie Dendys
Minister of the Women's Directorate



Pauline Frost
Minister of Education



Richard Mostyn
Minister of the Public Service Commission