

Addressing Employment Discrimination and Improving Labour Market Outcomes For 2SLGBTQI People in Canada



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Context

This brief is part of a series of policy briefs created for RainbowCanada.org, a tool that aims to improve understanding of the historical and contemporary landscape of laws and policies that shape the health and experiences of 2SLGBTQI people in Canada. These briefs highlight opportunities for policy advances in Canada, acknowledging the successes and limitations of policy-work to-date. This brief includes an introduction to 2SLGBTQI employment, followed by a review of the current Canadian policy landscape and recommended policy actions.

To help put this brief into context, you may want to explore the [employment](#) policy category on RainbowCanada.org.

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Introduction

All people in Canada should have access to good quality, secure employment, free from discrimination. This leads to improved social networks, feelings of independence and structure in life, improved health and happiness, and economic security¹. Unfortunately, Two-Spirit, lesbian, gay, bisexual, transgender, and queer (2SLGBTQI) people are more likely to be excluded from the labour market and are particularly vulnerable to employment discrimination and employment characterized by low-wages, involuntary part-time status, and overall poorer quality²⁻⁵. Employment disparities vary between 2SLGBTQI groups. Transgender people often face the poorest outcomes. Historically in Canada, 2SLGBTQI people have been criminalized, pathologized, and systematically excluded from employment (e.g., the Canadian government's "Purge" of 2SLGBTQI people from the workforce between 1950 and 1990)⁶ and broader society^{7,8}. This legacy of marginalization – sustained by cisnormativity and heteronormativity¹ – continues to impede equal employment outcomes^{8,9}.

This research-based policy brief provides an overview of labour market experiences of 2SLGBTQI people in Canada, as well as barriers to employment and economic security. There is an urgent need to address employment inequities and labour market discrimination among 2SLGBTQI people so that these groups can equitably benefit from secure employment and to address the significant burden of poverty faced by this population. Recommendations are made to guide stakeholders at the policy level to begin to address employment inequities and discrimination in the Canadian labour market, impacting 2SLGBTQI individuals, the communities they live in, and broader society.

¹ Cisnormativity refers to the systemic privileging of cisgender (cis) people and their lives; heteronormativity refers to the systemic privileging of straight people and their lives.

Current policy landscape

Labour market inequities among 2SLGBTQI people

Research exploring 2SLGBTQI labour market experiences in Canada is limited. Existing research is predominantly US-based. This literature highlights that relative to cis and straight populations, 2SLGBTQI people have poorer employment outcomes (e.g., unemployment, underemployment, or being removed from the labour market) and poorer employment quality (e.g., lower wages, lower workplace satisfaction, and higher rates of discrimination), with trans and bisexual workers facing the poorest outcomes¹⁰⁻¹³. Employment outcomes for 2SLGBTQI people have stayed the same¹⁴ or even worsened over the past decade.

Canadian research shows that harassment and discrimination directed at 2SLGBTQI people are commonplace in the labour market and in the workplace¹⁵⁻²⁰. Canadian research highlights the impacts of these adverse conditions on wages, income, getting a job, and job security among 2SLGBTQI people. Canadian studies have shown that sexual minorities, on average, earn less than their straight counterpart, with bisexual people facing the greatest wage gap of any sexual orientation group. These differences are greatly impacted by gender as well^{3,21}. Notably, though gay and lesbian people in Canada are more highly educated than their straight counterparts, it does not correspond with labour market advantage, as may be expected²¹. Conversely, bisexual and trans people have significantly lower rates of education than cisgender, gay, lesbian, or straight people^{22,23}. Due to a lack of population data among 2SLGBTQI populations, labour market earnings among Two Spirit, trans, and

Why is our understanding of 2S/LGBTQ+ employment in Canada so limited?

Only seven population-based surveys collect data on sexual orientation, and three collect gender data that might identify trans people (Waite & Denier, 2019). Unfortunately, Canada's leading survey on work – the Labour Force Survey – does not collect sexual orientation or gender identity data that might identify trans people. Due to the dearth of good quality data, many studies on employment outcomes look at households with two people of the same gender; however, this ignores single people and erases bisexual people, leading to limited quality research. There are no population-level surveys that collect nonbinary genders that have been used to understand wage and employment disparities among trans and nonbinary people.

gender diverse workers are currently unknown in Canada. However, community-based studies show that trans and gender diverse people disproportionately experience poverty and labour market discrimination and exclusion^{17,24}. US-based research indicates that trans people, and particularly those who do not 'pass' as cis, and racialized trans people, are most likely to be unemployed or not in the labour market at all^{12,25}.

Maintaining employment and stagnation

Maintaining employment can also prove challenging for 2SLGBTQI workers in Canada due to fewer social supports, poorer mental health, and workplace discrimination without adequate means of addressing these issues (e.g., inadequate publicly funded mental health care in Canada, limited employer health benefits)¹⁹. A French study found that gay men took longer to find a job than their straight counterparts and had higher turnover than straight men for fear of discrimination²⁶. Among trans workers in Ontario, 28% reported being fired for – or reasons related to – being trans^{17,27}. On the other hand, some 2SLGBTQI workers have reported being “stuck” in their current positions, unable to advance their careers. This occurs for many reasons, including: fear of re-entering the job market and re-experiencing the hostility in hiring processes; feeling indebted to their current employers for hiring them or treating them with respect when other employers may not; or the uncertainty or expectation of experiencing discrimination in another workplace setting t)²⁸.



Average household income is higher among men and women in partnership than among two women in partnership given the gender gap; lesbian women earn approximately 9% less than straight men.

Barriers to Employment Equity

Canada ranks highly for
2S/LGBTQ+ social
inclusion

1996 – Canadian
Human Rights Act adds
sexual orientation

2017 – Canadian Human
Rights Act adds gender
identity

*Then why do discrimination
and labour market inequities
persist?*

Life course barriers to employment

2S/LGBTQ+ people enter the labour market with life history that might be fraught with adversity due to stigma, violence, and discrimination.

Coming out can be traumatic and lead to sexual, physical, and verbal abuse.

Leaving home is common due to safety or being kicked out.

15-40% of homeless youth are 2S/LGBTQ+

School bullying, leaving school early, and taking longer to complete education is common.

Substance use, self-harm/suicidality, and anxiety/depression are more common among 2S/LGBTQ+ youth, particularly those who have experienced stigma, violence, and discrimination.

With fewer supports, 2S/LGBTQ+ youth might be more focused on survival than career planning.

Marginalization & discrimination

2SLGBTQI people have poorer employment outcomes for many reasons. Their career trajectories are shaped by marginalization well before they enter the labour market (see Box 4) and potentially experience labour market or employment discrimination

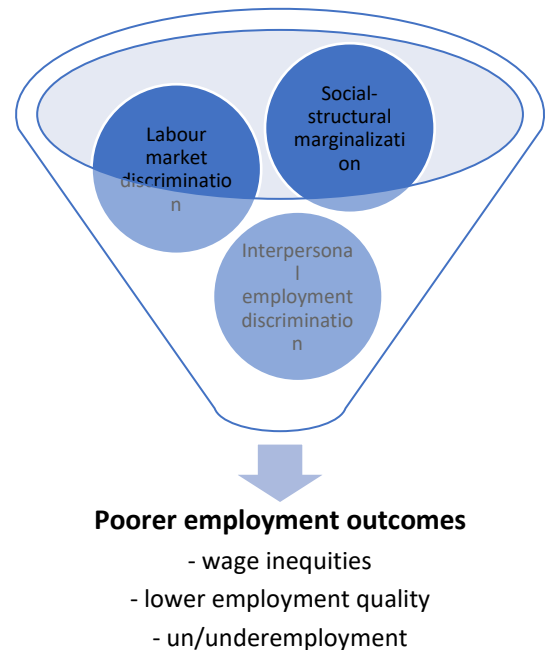
¹⁹. Social-structural marginalization

The dominant values and ideals that normalize straight and cisgender ways of being - referred to as cisheteronormativity - lead to adversity in many aspects of 2SLGBTQI people's lives. This can affect key determinants of employment, such as housing, education, social connection, or health. Further, the employment inequities discussed above occur in complex and nuanced ways that impact 2SLGBTQI people differently depending on race, age, sexual orientation and gender identity and expression ^{17,21,29-32}. Intersecting experiences of structural and systemic racism, ableism, etc. can limit 2SLGBTQI people's access to employment, resulting from

familial and social exclusion ³³, hostile education systems ³⁴, employment discrimination ^{3,35,36}, disproportionate rates of involvement with the criminal justice system ^{37,38}, homelessness ³⁹, interaction with the child welfare system ⁴⁰, poverty ^{24,29}, mental health issues ^{27,41,42}, and violence and trauma ^{43,44}. These factors limit 2SLGBTQI people's ability to reach their full social and economic potential ^{2,3,38,45-47}.

Labour market and employment discrimination

Despite legislative employment protections for 2SLGBTQI people, they are discriminated against when looking for work (e.g., based on a 2SLGBTQI-identifiers on their resume or in interviews) and when on the job (e.g., hostile attitudes of co-workers, being passed for promotion, aggression/assault from customers and employers) ^{15,20,21,29-31,48,49}. This echoes US findings among white collar sectors ⁴⁹. Among trans and nonbinary Canadian federal employees who completed the 2017 Public Sector Employee Survey, 35% reported experiencing harassment in the workplace, about double the rate of cis men and women. This group also reported being less valued and respected at work compared to their cis counterparts ⁵⁰.



Geographic differences across Canada

Geography also has a significant impact on 2SLGBTQI people's employment and wages. 2SLGBTQI people are most concentrated in Canada's provinces that are home to the three largest cities, presumably due to more accepting social attitudes and social infrastructure in these areas ⁵¹. Rates of poverty and wage gaps are highest for 2SLGBTQI populations in rural areas. For example, one Canadian study found that the wage gap for gay men was 18% in rural Canada, compared to that of 6% in large cities. However, wage gaps differ by gender, sexual orientation, and by city. For example, lesbian women had a 17% wage gap in Vancouver compared to 10% in Montreal, relative to straight men ⁴.

Consequences of marginalization & discrimination

Low quality employment

2SLGBTQI people may be forced or select into unskilled labour, precarious and low-wage employment, and/or other positions that result in low-quality work or unemployment ^{20,36,38,49,52}. Some 2SLGBTQI workers go into sectors that might be safer from discrimination and violence than others (e.g., retail, service, arts). These sectors are often lower paying and less likely to offer extended benefits or employment security ^{19,31}. Lack of employment security can make it difficult to address hostility and discrimination in the workplace for fear of losing one's job. Analyses of Canadian General Social Survey data from 2016 show that sexual minority workers (i.e., lesbian, gay, bisexual people) are three times more likely to be in low-quality, precarious employment ⁵.

Interventions to address employment discrimination and improve employment outcomes

Employment inequities among 2SLGBTQI people are complex and require equally complex solutions. Multi-pronged, comprehensive interventions are needed. Unfortunately, labour market interventions targeting 2SLGBTQI workers in Canada have been minimal. These are often singular, precariously funded employment programs that target one subset of the 2SLGBTQI population in major cities (e.g., [PRISM Employment Support Program](#)) ²⁸. International research might guide some promising ways forward ²⁸ and can be broadly categorized into four domains:

Legal policy and politics	Workplace policy and practices	Mentorship	Unemployment programming
Explicit anti-discrimination laws predict improved employment outcomes for 2SLGBTQI workers. This includes employment-specific and 2SLGBTQI rights	Workplace inclusion, diversity, and anti-discrimination policies improve employment outcomes Supportive workplace policies improve the likelihood of 2SLGBTQI people filing a	Mentorship programs for 2SLGBTQI workers lead to increased skill development, promotion and salary	Empowerment and skills-building programs for unemployed workers and those out of the labour market hold promise for

<p>policies more broadly (e.g., same gender marriage; protected access to gender affirming care) ⁵³⁻⁵⁶</p> <p>State political ideology is strongly correlated with 2SLGBTQI employment outcomes, where employment rates are higher in democratic regions ²⁵</p> <p>Caution: Anti-discrimination laws might not be effective if inadequately enforced or implemented; laws and policies must have strong mechanisms of enforcement ⁵⁷</p>	<p>grievance when experiencing harassment and/or discrimination ^{57,58}</p> <p>Impactful policies are wide ranging and include comprehensive healthcare coverage, hiring 2SLGBTQI-supportive supervisors, appointing a lead 2SLGBTQI issues person at board/executive level, establishing 2SLGBTQI employee resource groups, hiring 2SLGBTQI staff, having visible 2SLGBTQI symbols in the workplace, and being explicit about the value of 2SLGBTQI workers ⁵⁹⁻</p> <p style="text-align: center;">⁶²</p>	<p>increases, and a variety of other employment-related improvements (e.g., self-confidence) ⁶³⁻</p> <p style="text-align: center;">⁶⁵</p>	<p>improving employment outcomes ⁶⁶⁻⁶⁹</p>
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A multi-pronged approach is needed to address employment discrimination in Canada

Recommendations for policy action

Audience: all

Engage 2SLGBTQI people in actions

- Any employment policy at the federal and/or provincial government level should involve consultation with 2SLGBTQI people as a key stakeholder group.

Audience: Federal (e.g., ESDC) and provincial

Policies to make legal protections meaningful

– laws that protect and grant equal rights to, 2SLGBTQI people are essential to combating 2SLGBTQI employment inequities and discrimination. Legislation and policies protecting 2SLGBTQI rights (e.g., same-gender marriage, extended health benefits) lead to improved employment outcomes⁷⁰. Examples of laws and protections that promote workplace equity might include: might be improved are i. including 2SLGBTQI people in the Employment Equity Act, ii. improving access to gender affirming care and ensuring processes for workers to access gender affirming care, iii. include time off to care for families of choice, iv. providing grants that are specifically designated for 2SLGBTQI students who may have limited means of social mobility due to family of origin relationships; or v. extending funding in the LGBTQ Action Plan.⁷¹ Further provinces should also develop their own action plans to ensure that current laws are having their intended impact.

Make rights accessible

Enforcement of policies and protections (e.g., Ontario Human Rights Commission) is not always accessible. Without access to resources for enforcement, 2SLGBTQI workers may be made more vulnerable to discrimination/harassment by outing themselves to management/human resources or having perpetrators escalate behaviours²⁸. Funded education campaigns and a human rights legal support centre (e.g., <https://hrlsc.on.ca/homepage/>) in each province and territory would make rights more accessible.

Require workplace training

Employers should be required to provide training on mandatory workplace harassment and violence prevention plans to expressly address 2SLGBTQI harassment.

Establish 2SLGBTQI-specific training and employment programming

Federally, provincially, and/or municipally-funded training and employment supports are available for many marginalized groups facing employment inequities. Offering analogous training and employment programs for 2SLGBTQI people can similarly address employment inequities²⁸.

Increase support for 2SLGBTQI youth

Formal supports are needed for 2SLGBTQI adolescents who must navigate cisheteronormative environments during formative years of their lives.

Educational supports - educational supports in secondary school and university are needed to help students with unaffirming families, gender dysphoria, bullying and school based violence, and other barriers to education and career planning. Further, informal supports that validate and affirm 2SLGBTQI identities are needed. This could be in the form of 2SLGBTQI content in curriculum, representation of 2SLGBTQI people in positions of power, or other means.

Postsecondary financial support

Federal and provincial grants are needed to alleviate the financial barriers to postsecondary education that many 2SLGBTQI youth experience as a result of social and familial hostility. Similar to item #5, there are analogous programs for other systemically marginalized groups to consider for guidance.

Emergency housing for 2SLGBTQI youth

Social and familial hostility results in staggering rates of 2SLGBTQI youth homelessness and barriers to education and the labour market⁷². Robust and consistent emergency housing is needed for unhoused 2SLGBTQI youth

Audience: Provincial

Basic income

The current welfare system across Canada is inadequate to ensure those excluded from the labour market or experiencing mental health disability can live above the poverty line. Increase financial support and other mechanisms to address poverty.

Accessible, public mental healthcare

2SLGBTQI people often enter the labour market with trauma from 2SLGBTQI-related adversity with fewer resources/supports to address it. This might impact employment outcomes. 2SLGBTQI people are disproportionately in precarious employment positions without extended health benefits. Improved access to mental healthcare and other health services is particularly important.

Attend to intersecting identities in developing and assessing interventions

2SLGBTQI people are diverse, and experience intersectional oppression., policies and programming to address employment equity for 2SLGBTQI people must consider racism, classism, sexism, xenophobia, ableism and other forms of oppression alongside cisheterosexism. Diverse 2SLGBTQI communities must be consulted in intervention development.

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