



Tables 1, 2, 3 and 5

Marriage Leave

What are our demands?

- We demand that this article include same-sex spouses so that they too can receive leave with pay when they decide to get married or participate in same-sex commitment ceremonies in provinces where marriage is not available.
- We also want the term "spouse" to be interpreted to include one of two persons legally married to one another or who has participated in a public commitment ceremony.

Why have we proposed these demands?

The union's proposal on marriage leave is designed to remove a discriminatory practice found in the marriage leave provisions of the collective agreement by extending an equivalent entitlement to employees participating in same-sex commitment ceremonies.

Aside from a basic question of fairness, the union's position is based on key developments last year in the treatment of leave for same-sex unions in the federal public service domain. Specifically, on May 26, 2003, the Canadian Human Rights Tribunal (CHRT) issued a decision on the complaints of three federal government employees alleging that the denial of marriage leave under their respective collective agreements discriminated against them on the basis of sexual orientation.

This is also required to ensure equal treatment of employees and their spouses between those in relationships with access to full legal marriage and those without current access. If a heterosexual couple or same-sex couple in Ontario or B.C. are married tomorrow, they are spouses tomorrow. The same principle must apply in those jurisdictions where a same-sex couple is not yet able to access marriage.

What has been the employer's response?

The employer has not deigned to respond to our proposal.

