



Public Service
Commission

Anti-Discrimination
Branch

Commission de la
Fonction publique

Direction
Anti-discrimination

*PE file
Copy for SF*

S. 1-6
Copy for Mr. D.W. Hall

August 27, 1975.



Dear [REDACTED]

In your letter of August 19 you ask me to comment on two points regarding the employment of homosexuals in the federal public service.

As I said in my letter in the Globe and Mail, it would not be appropriate for me as an appointed official to comment on the political issue of whether or not the proposed Human Rights legislation should include sexual orientation among the grounds on which discrimination is prohibited. The following comments therefore do not address that issue.

Your first point is that people known or thought to be gay can be excluded from a very large number of public service jobs not just those with a high security classification. You go on to say that, in your view, the matter of security is nothing but a cover for prejudice since heterosexuals as well as homosexuals can be blackmailed for sexual behaviour.

The federal government's personnel security system could be used to discriminate against homosexuals. But it could also be used to discriminate against members of a particular religious or social group, against men who wear beards, or against women who don't wear brassieres.

I am not a security officer, and I have no wish to defend the current security clearance processes since I have been a vigorous critic of them. I have been assured by senior security officers that the system does not automatically withhold security clearance from homosexuals. I believe that these assurances were given in good faith and I accept them. I appreciate that you may not choose to do so.

If you wish to pursue further the security aspects of possible discrimination against homosexuals, I suggest you write to Mr. D.W. Hall, the Assistant Secretary to the Cabinet who is responsible for security matters. I am sending him a copy of this letter.

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Your second point is that, given the fact that homosexuals are not a "recognized" minority, they are less likely to lodge complaints of discriminatory treatment for fear of being "gaylisted".

This is, I think, a point of substance. Members of "recognized" minorities like black people, native people, and women (who are a minority in the labour force though not in the general population) frequently express reluctance to lodge formal complaints of discriminatory treatment for fear of retaliation, and it seems evident that this kind of concern would be even more prevalent in the case of homosexuals who felt discriminated against by the public service.

It would be silly for me to deny that there is prejudice in the public service against homosexuals. Canadian society, as a whole, is prejudiced against homosexuals and I am sure that you are aware of this. Indeed, until a few years ago, any homosexual act was an offence under the Criminal Code. But prejudice is one thing, and discrimination is an entirely different thing.

The Anti-Discrimination Branch does, nevertheless, stand ready to investigate any complaint made to us by a homosexual who feels discriminated against in employment in the federal public service, and to ensure that any such complainant is not victimized by reason of making such a complaint. I appreciate that this statement does not entirely meet the concern expressed in your second point.

Yours sincerely,

ORIGINAL SIGNED BY
A.R.K. ANDERSON

A.R.K. Anderson,
Director General.

Public Service Commission of Canada,
Ottawa, Ontario
K1A 0M7

Copy to: Mr. J.J. Carson,
Chairman of the Public Service Commission.

Mr. D.W. Hall,
Assistant Secretary to the Cabinet.

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