

# Winnipeg same-sex couple say they were denied daycare space<sup>[1]</sup>

**Author:** Caruk, Holly

**Source:** CBC News

**Format:** Article

**Publication Date:** 2 Apr 2015

## AVAILABILITY

Read Online<sup>[2]</sup>

## EXCERPTS

A Winnipeg couple say they were denied daycare services for their 10-month-old daughter after they disclosed their status as a same-sex couple.

Agata Durkalec and Kate Taylor moved to Winnipeg from Toronto in February and were desperately searching for a daycare. They made contact with an unlicensed home daycare after finding it through a Facebook site for home-based daycares.

The couple said they made contact with the woman who runs the page and began to discuss placement.

After discussing details about their schedules and their child's needs, the couple disclosed that they were a same-sex couple.

"At the end of one of our messages, I told her that we're a queer couple; just if she has any questions about that to let us know," Durkalec told CBC News on Thursday.

The woman who runs the daycare responded in a Facebook message, "My heart goes out to the both of you, but I know where my families stand on the subject, therefore it would not be a good fit. I hope everything works out for you and your family."

'We were just really shocked'

Durkalec said it was made very clear that this was the only reason for being refused a space.

"It's the status of our family, it's because we are queer that she doesn't want to give us the spot," Durkalec said.

"She cheerfully, and with regret, told us that she was going to discriminate against us."

Said Taylor, "I think we were just really shocked, actually, that she would turn us down outright because of our sexual orientation."

The operator of the daycare has not yet responded to CBC News' request for an interview.

Durkalec and Taylor are now considering filing a human-rights complaint against the operator.

"The part that was the most upsetting is that she clearly thinks that she's within her rights in doing this," Taylor said.

"She clearly thinks there is no problem..... It's still a denial of service because we are gay. As far as I know, that's illegal."

Sexual orientation protected under human rights code

Azim Jiwa, executive director of the Manitoba Human Rights Commission, says sexual orientation is a protected characteristic under the Manitoba Human Rights Code.

"A business providing a service is not allowed to discriminate based upon sexual orientation. The Human Rights Code does not distinguish between licensed and unlicensed businesses and the same law applies to both," Jiwa said.

The couple have since found another daycare, but Durkalec and Taylor say they want the daycare operator to know that it's not OK to discriminate against someone based on their sexual orientation.

"If it's a business that's providing a service, then they need to be held to the same standards as any other business in Canada and not discriminate amongst their clients," said Durkalec.

**Region:** Manitoba<sup>[3]</sup>

**Tags:** inequality<sup>[4]</sup>

#### Links

[1] <https://childcarecanada.org/documents/child-care-news/15/04/winnipeg-same-sex-couple-say-they-were-denied-daycare-space> [2]

<https://www.cbc.ca/news/canada/manitoba/winnipeg-same-sex-couple-say-they-were-denied-daycare-space-1.3019903> [3]

<https://childcarecanada.org/taxonomy/term/7857> [4] <https://childcarecanada.org/category/tags/inequality-0>