



COVID-19 Emphasizes Why Sex Work is a Labour Issue

Sex work must be viewed from a labour perspective, not from a criminal justice perspective.

COVID-19 has exposed the issues with treating sex work as a criminal justice issue. As long as sex work remains criminalized, sex workers experience barriers to doing their work safely and receiving the same supports as other workers.

- **Self-employment:**

Many sex workers are not employees, and are therefore not eligible for employer-provided benefits like health care plans, paid vacation, or sick leave. Employment Insurance is also more difficult to access as self-employed people must pay both the employee and employer premiums. Even at the best of times, self-employed sex workers must rely on their own resources to pay for job-related supplies and health care needs, along with taking a personal financial hit if crisis strikes and they cannot work for a period of time. In a global health crisis, these needs become critical gaps.

- **Barriers to applying for supports:**

Even if they are eligible, not all sex workers can access government supports and programs. Some sex workers rely on cash transactions in an informal economy and may not have a bank account. Some may fear disclosing their full income for taxation purposes; uncertainty about how their personal information could be used by the government can be a major concern. Further, sex workers without a fixed address have difficulty applying for government programs, and migrant sex workers with precarious immigration status are not eligible to apply.



Sex workers need access to the same labour protections as other workers.

Sex work is the exchange of money or sexual services provided by a consenting adult. It can include escorting, street-based sex work, cam work, cyber sex, exotic dancing, pornography, and more.



But isn't sex work different than other industries?

Some people believe that because a client is paying a sex worker, the client holds power over the sex worker, and that payment being exchanged means consent is erased. In reality, most sex workers view an encounter with a client as a transaction negotiated by consenting adults.

This requires seeing sex work as work. For the most part, there are no concerns expressed about whether workers in other industries consent to their work. That is assumed to be a normal part of a relationship between employer and employee, and it should be no different for sex workers. The difference, for some people, is that sex is involved, and their objection to sex work often has more to do with their own moral values about sex – who should be having it and under what circumstances – than it has to do with exploitation.

In Canada, we already have laws to address offences including violence and assault, workplace health and safety, and human trafficking. These laws will remain and can address these harms. And by making sex work safe and destigmatized, sex workers will be better able to access justice supports as they need them.

- **Government claw-backs:**

Some sex workers receive social assistance or disability benefits and may do sex work to supplement the small amounts these programs offer. For these workers, their benefits could be clawed back if they disclose additional income in a government application.

- **Stigma:**

Even though selling sex in Canada is legal, sex work is still highly stigmatized in society and sex work is not seen as legitimate work. Because sex work is stigmatized, sex workers are de-valued and dehumanized. This dehumanization means that sex workers are targeted for violence and face barriers to health care and social service supports. And because of the stigmatized nature of sex work, sex workers are blamed for the violence that they experience. Sex workers often experience fear and hesitation in accessing services, such as government supports and health care, due to concern that this cycle will happen to them.

- **Criminalized work environment:**

Other than selling services, all other aspects of sex work (such as purchasing services and communicating for the purpose of selling services) are illegal in Canada. This makes it difficult for sex workers to safely negotiate their terms, control their work environment, or do their work without fear. Moreover, a criminalized work environment means sex workers cannot advocate for safer workplaces such as by filing concerns with WorkSafeBC or the Employment Standards Branch, or by unionizing to collectively demand greater labour protections.

If sex work was decriminalized, sex workers would have access to the same labour protections and access to supports and services that all workers deserve.

Living in Community is a unique initiative that brings together diverse stakeholders to collaboratively improve the health and safety of sex workers. We undertake public education, policy advocacy, and sharing of our unique model of collaboration with the goal of creating communities that are healthy and safe for everyone.

Learn more at: www.livingincommunity.ca