

Complaint process



Alberta Human Rights
and Citizenship Commission

INFORMATION SHEET

There is no fee for filing a complaint alleging discrimination with the Human Rights and Citizenship Commission and it is not necessary to obtain outside assistance. Individuals may, however, appoint someone to assist or represent them when making a complaint or responding to a complaint. If the parties to the complaint seek outside legal assistance, they are responsible for any costs incurred. The Commission keeps the parties informed of the steps and welcomes questions at any time during the process.

1. The complaint

Complaints may be made by completing and signing a complaint form, which is available at the Commission office, or by a letter signed by the person making the complaint (*complainant*). The letter must contain the information required by the complaint form. If a verbal complaint is made or if assistance is required, an intake officer may help the complainant in making a complaint. A complaint must be made within twelve months of the alleged incident or contravention of the *Human Rights, Citizenship and Multiculturalism Act*.

2. Serving a complaint on respondent(s)

A copy of the complaint, along with other information supplied, is served on the person accused of discrimination (*respondent*) from which date the respondent is given 21 days to file a response.

3. Sharing the respondent's response with complainant

A copy of the respondent's response is sent to the complainant. During this early stage in the process, the parties may voluntarily decide to settle the matter between themselves without any further involvement by the Commission.

4. Conciliation

Conciliation is a voluntary, non-adversarial way of resolving disputes in which a neutral person known as a conciliator (on staff with the Commission) helps the complainant and the respondent to identify the issues, discuss the factors surrounding the issues and generate possible solutions. The conciliator does not take sides or assess the complaint. All information provided by the parties during conciliation is without prejudice and will not be used for any

purpose other than the conciliation. If a settlement which is acceptable to both parties is not achieved or if one of the parties declines conciliation, a human rights investigator is then assigned.

5. Investigation

The complainant and respondent are informed by the Commission that an investigation will be undertaken. The purpose of the investigation is to establish the facts and determine whether or not there is merit to the complaint.

6. Dismissal

If the complaint is not found to have merit it may be dismissed. In some cases, there are no reasonable grounds to believe a contravention has occurred.

7. Discontinuance

The director may discontinue a merit complaint if the director is of the opinion that the complainant has refused to accept a proposed settlement that is fair and reasonable.


8. Appeals to chief commissioner

If a complaint is dismissed or discontinued, an appeal may be made to the chief commissioner in writing within 30 days. If the chief commissioner does not concur with the dismissal or discontinuance, then it is referred to a Human Rights Panel. A decision of the chief commissioner concurring with the dismissal or discontinuance is final and binding on the parties, subject to judicial review by the Court of Queen's Bench. A judicial review is a review of the process used in making the decision, not an appeal of the decision, and must be requested within six months.

9. Report to chief commissioner and referral to human rights panel

The director may report to the chief commissioner and refer to a human rights panel complaints that have merit, where the parties are unable to settle the complaint.

10. Human rights panel

A panel hearing shall be before one or more commissioners. The decision of the panel, once filed with the Court of Queen's Bench, has the same force and effect as the Court of Queen's Bench decision. A panel decision may be appealed within 30 days to the Court of Queen's Bench. 

Contact the Commission

For more information, please contact the **Alberta Human Rights and Citizenship Commission**. We are an independent commission of the Government of Alberta. Our mandate is to foster equality and reduce discrimination. We provide public information and education programs, and help Albertans resolve human rights complaints.

Northern Regional Office

800 Standard Life Centre

10405 Jasper Avenue

Edmonton, Alberta T5J 4R7

(780) 427-7661 Confidential Inquiry Line

(780) 427-6013 Fax

Southern Regional Office

Suite 310, 525 – 11 Avenue SW

Calgary, Alberta T2R 0C9

(403) 297-6571 Confidential Inquiry Line

(403) 297-6567 Fax

To call toll-free within Alberta, dial 310-0000 and then enter the area code and phone number.

For province-wide free access from a cellular phone, enter *310 (for Rogers-AT&T) or #310 (for Telus).

TTY service for persons who are deaf or hard of hearing

(780) 427-1597 Edmonton

(403) 297-5639 Calgary

1-800-232-7215 Toll-free within Alberta

E-mail humanrights@gov.ab.ca

Web site www.albertahumanrights.ab.ca

Please note: A complaint must be made to the Alberta Human Rights and Citizenship Commission within one year after the alleged incident.

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