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Please note: In 2016-17, the budget for the Alberta Human Rights Commission was integrated into the budget for the Ministry of Justice and Solicitor General. The financial statements for the ministry are included in the 2016-17 Annual Report of the Ministry of Justice and Solicitor General, which is available on the ministry’s website.

Upon request, the Commission will make this publication available in accessible alternative formats for people with disabilities who do not read conventional print.
Introduction

The Alberta Human Rights Commission is an independent commission of the Government of Alberta, which is established under the Alberta Human Rights Act (Act). The Chief of the Commission and Tribunals for the Alberta Human Rights Commission (the Commission) is responsible for keeping the Minister of Justice and Solicitor General, who has responsibility for the Act, informed about human rights issues and the activities of the Commission; providing the Members of the Commission with guidance regarding their tribunal hearings and other functions; providing guidance to the Director of the Commission and the Director of Education and Engagement regarding the overall goals and direction of the Commission; and rendering appeal decisions pursuant to section 26 of the Act.

Under section 19 of the Alberta Human Rights Act, the Alberta Human Rights Commission is required to submit a report of its activities at the end of each fiscal year, including a summary of the disposition of complaints under the Act and any other information that the Minister may require. This annual report provides a summary of activities that took place during the period April 1, 2016 to March 31, 2017.
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Message from the Chief of the Commission and Tribunals

June 30, 2017 will mark the end of my tenure as Chief of the Commission and Tribunals. After almost three years as the head of the Commission, it is an opportune time to offer my observations and reflections on the state of the Commission and Alberta’s human rights legislation.

45th anniversary of human rights legislation in Alberta

2017 marks the 150th anniversary of Confederation in Canada, 35 years since the introduction of the Canadian Charter of Rights and Freedoms, and the 45th anniversary of the legislation that enabled the establishment of the Alberta Human Rights Commission.

From Alberta’s very first human rights act, which prohibited discrimination on the grounds of race, religious beliefs, colour, ancestry and place of origin, Alberta’s human rights legislation has evolved over time to expressly prohibit discrimination on the grounds of gender, marital status, age, physical and mental disability, source of income, family status, sexual orientation, gender identity and gender expression.

Still, we know that certain groups—among them Indigenous Peoples, racial and religious minority groups, immigrants and refugees, homeless people and people living in poverty, people with mental and physical disabilities, women and the LGBTQ community—continue to experience discrimination and other barriers and inequities in their day-to-day lives.

More work to be done, more resources needed

When I commenced in the position of Chief of the Commission and Tribunals in 2014, I brought to the job a commitment to ensuring access to a fair and timely process in which to resolve human rights disputes. As well, I brought a strong belief in access to justice and an active concern about how poverty, unemployment, lack of education and lack of housing negatively impact people’s ability to be healthy, access the justice system, function in daily life and ultimately participate fully in the cultural, social, economic and political life of our province and country.

What I have come to believe over the past three years in my position as Chief of the Commission and Tribunals is that, as a province, we need to devote more resources to advance human rights education. We also need to devote more resources to eliminating the existing backlog of human rights complaints and processing complaints in a more timely manner. As well, we need to undertake a comprehensive review of Alberta’s human rights legislation, which has not been reviewed since 1994.

Lengthy delays in processing complaints

While the Commission has implemented a number of effective procedures that have improved the timeliness of the complaint process in recent years, the main complaint about the operation of the Commission that I hear is still related to the long delays that parties experience during the complaint process.
The delay in processing complaints and the complexity of the complaint process can be overwhelming for many people, creating barriers to access to justice, particularly for those marginalized by poverty, unemployment, lack of education and lack of housing.

Increasing caseload
The Commission is seeing an ever-increasing caseload, which only promises to grow as the population of the province grows and as the legislation evolves. Complaints coming before us are growing in complexity and in their litigious nature. Heavy caseload and complex complaints lead to longer processing time for complaints. Detailed complaint statistics for 2016-17 can be found in the Inquiry and Complaint Resolution Services section of this report.

In the coming months, the Government of Alberta will amend the Alberta Human Rights Act to add “age” as a protected ground in the area of tenancy and the area of goods, services, accommodation or facilities. This has the potential to dramatically increase the number of complaints before the Commission, particularly in the immediate aftermath of the proclamation of the amendments.

A need to review the structure of the Commission
There is a need to review the structure of the Commission. The 2009 amendments to the Act included a change in the way the Director is appointed. Rather than remaining a staff position, the Director’s position became an appointment by Order in Council. As well, the Director began reporting directly to the Chief of the Commission and Tribunals. There should be a separation between the Commission and the Tribunal, in order for each area to be truly independent. This is not possible when the Director reports to the Chief. As well, the Director position should return to being a staff appointment at the Executive Manager level, and there must be a provision to allow for the appointment of an Acting Director to take on duties in the Director’s absence.

A need to review procedural matters
There is also a need to review procedural matters in the legislation. For example, the Commission has only a few frivolous and vexatious complainants, but they take up a disproportionate amount of staff time. The Chief or Director should have the ability under the legislation to declare certain parties frivolous and vexatious—not for the purpose of denying any complainant their human rights, but so that the Chief or Director or a tribunal member can have the legislated ability to review and determine if the complaint has threshold merit.

A need to review the legislation
In my view, there are shortcomings in the legislation that need to be addressed in order for the Commission to function as a truly independent agency and to bring the legislation up to date and in line with other human rights legislation across the country.

While Alberta’s human rights legislation has been amended for various reasons over the last 45 years, it has not had a thorough comprehensive review since 1994, at which time the changes introduced had minimal impact and were mainly related to the operation of the Commission.
A need to review substantive matters

There are also substantive matters that should be addressed in the legislation, for example, consideration should be given to expanding the protected grounds to prohibit genetic discrimination and discrimination based on social condition, sizeism and political belief.

A need to strengthen and expand education and engagement

The public profile of the Commission and of the Alberta Human Rights Act is largely advanced through the Commission’s education and engagement activities. It is important to maintain and increase that work.

As Chief of the Commission and Tribunals, I have taken an active role in acting as the principal spokesperson for the Commission, participating in many public events and meetings, independently and along with Commission Education and Engagement staff. In addition to my community participation as an ambassador for the Commission, I also volunteer on various community boards and participate in charity fundraising activities. I was honoured in 2017 to receive a Distinguished Service Award for service to the community from the Law Society of Alberta and the Canadian Bar Association-Alberta Branch for my community service, particular to organizations dealing with mental health, addiction, homelessness, and support for Aboriginal communities.

What I and others at the Commission continue to learn from our community involvement is that while we have many partners in the community advancing the human rights agenda, there is a need for more contact and partnering between community and Commission. The increasing complexity of issues related to systemic discrimination contributes to the need for more community involvement. The main thing that holds us back is lack of resources—the Education and Engagement team is relatively small, and handles a large portfolio for the Commission.

A detailed account of Commission education and engagement activities is included in the Education and Engagement section of this report.

Human Rights Education and Multiculturalism Fund

The Human Rights Education and Multiculturalism Fund, which is established under the Act and administered by the Commission on behalf of the Minister of Justice and Solicitor General, provides support for educational programs and services that promote an environment where all Albertans can participate in and contribute to the cultural, social, economic and political life of the province. It is unique in Canada, and the envy of every other human rights commission in the country. It allows us to support organizations that are doing front-line upstream human rights education work in the community, which the Commission could not possibly do on its own. The fund also supports the education work of the Commission. You can read more about the legislative framework for the fund in Appendix C of this report. As well, you can learn about some of the funded projects that were completed this year in the Education and Engagement section of this report.
Members of the Commission

Members of the Commission play an adjudicative role in complaint resolution and settlement. Their work is distinct and separate from the work of the Director.

In 2016-17, the Commission welcomed Cherie Langlois-Klassen as a new Member of the Commission and bade farewell to William J. Johnson, QC and to Gwen Gray, QC. Joanne Archibald and William D. McFetridge, QC, were reappointed with their current terms ending in January 2020.

You can read the biographies of all Members of the Commission in Appendix B of this report. You can read a detailed account of the activities of the tribunal in the section of this report titled Office of the Chief of the Commission and Tribunals.

New Tribunal Hearing Room

In 2016-17, the Tribunal acquired a dedicated Edmonton hearing room, which is located adjacent to the Office of the Chief of the Commission and Tribunals. Previously, Edmonton hearings were held in various locations throughout the city.

Looking forward

In 2017-18, the Commission will be hosting a series of community conversations to mark the 45th anniversary of the founding legislation that was the basis for the Alberta Human Rights Act and for the creation of the Alberta Human Rights Commission. We will learn about current community issues and priorities related to human rights and identify strategies for advancing human rights work in Alberta.

These conversations will provide an opportunity to reflect on the advances that have been made in human rights in our province and for the Commission to extend its gratitude for ongoing community efforts towards these advancements. As well, it will be a timely occasion to discuss the challenges that remain and to recommit to the work ahead. I look forward to hosting these events and engaging in these meaningful conversations with Albertans.

Acknowledgments

As my time at the Commission draws to a close, I extend my sincere gratitude to all Members of the Commission and Commission staff for their hard work and dedication. Their commitment to, knowledge of, and strong belief in human rights move the principles enshrined in the Alberta Human Rights Act forward on a daily basis. It has been my pleasure and privilege to serve alongside all of you to advance human rights in Alberta.

Robert A. Philp, Queen’s Counsel
Chief of the Commission and Tribunals
Education and Engagement

The Commission’s mandate is to foster equality and reduce discrimination. In support of this mandate, the Commission’s Education and Engagement area focuses on upstream, preventative work that builds capacity and works collectively to address human rights issues. Throughout 2016-17, the Commission continued to implement educational programs and initiatives aimed at furthering the principle that all Albertans are equal in dignity, rights and responsibilities. A variety of strategies involving all sectors of society were crucial in creating a human rights culture where all Albertans can fully participate in and contribute to the cultural, social, economic and political life of the province.

Increasing awareness and understanding of human rights

To help fulfill its mandate, the Commission provides information and education to Albertans and Alberta organizations about the Commission, its programs and services; rights and responsibilities under the Alberta Human Rights Act; and creating diverse, welcoming and inclusive environments that are free from harassment and discrimination.

The Commission’s website, albertahumanrights.ab.ca, remains a key educational tool for reaching out to Albertans, providing information and educational publications and resources to the public. In 2016-17, the Commission rebuilt its website, modifying the design and making it more mobile-friendly.

Alberta Human Rights Information Service, the Commission’s online newsletter, continued to make readers aware of new tribunal and court decisions, Commission policies, education and engagement activities, and other news related to human rights and diversity. In 2016-17, three regular issues and four special issues were published. As of March 31, 2017, the newsletter had approximately 3,560 subscribers.

In addition, the Commission revised its Human Rights Complaint Form and Guide along with these related publications: Information for Complainants; Information for Respondents; The Human Rights Complaint Process: A guide for complainants; and The Human Rights Complaint Process: A guide for respondents. The materials were revised to reflect current Commission policies and procedures and to include gender identity and gender expression in the listings of protected grounds. The Commission also presented a two-part Understanding the Human Rights Complaint Process webcast series on Making a Complaint and The Complaint Process.

Creating a human rights culture in Alberta

Alberta is a province that values human rights and promotes diversity, multiculturalism and inclusion. In 2016-17, the Chief of the Commission and Tribunals spoke at 11 conferences and community events across the province as well as nationally on important human rights issues and to promote the importance of creating a human rights culture for all by encouraging attendees to live the ideals set out in the Act. In addition, the Commission released eight messages from the Chief of the Commission and Tribunals, informing the public about important human rights issues and dates significant to human rights. A new section for messages from the Chief of the Commission and Tribunals was added to the Commission’s website.
In an effort to better reflect Alberta’s diverse racial and cultural composition, the Commission updated and relaunched its *We are Alberta. Diversity is our Strength* resources. This campaign, initially developed in 1983, was redesigned to feature five toddlers who represent Alberta’s diversity. In addition, the *Racism. Stop It!* sticker was updated for communities to use as part of their awareness-raising efforts for International Day for the Elimination of Racial Discrimination. These and other resources with information about human rights and the Commission’s programs and services were disseminated at more than 30 community events throughout Alberta.

Creating respectful and inclusive environments

The Commission aims to help Albertans to create respectful and inclusive environments and to provide barrier- and discrimination-free services and tenancy. In 2016-17, the Commission enhanced its outreach to businesses, organizations and services providers through increasing access to information. The Commission offered in-person and online education to increase knowledge of the Alberta Human Rights Commission, the *Alberta Human Rights Act*, rights and responsibilities under the Act, and human rights concepts and principles.

Workplaces

In 2016-17, the Commission offered 65 in-person customized and remedy workshops that provided in-depth human rights information. As well, the Commission offered four public workshops that provided information on human rights in the workplace.

The Commission also provides a human rights, harassment and respectful workplace policy review service to support organizations in creating respectful and inclusive workplaces that are free from harassment and discrimination.

In 2016-17, the Commission reviewed 11 policies from a variety of businesses and organizations.

Harassment in workplaces, particularly sexual harassment towards women, continues to be an issue in organizations across Alberta. In order to support organizations in creating harassment-free work environments and in dealing with harassment, the Commission hosted a forum titled Preventing Harassment and Bullying in the Workplace in both Edmonton and Calgary. The Commission also presented two webinars in the Preventing Harassment in the Workplace series titled Roles and Responsibilities of Organizations, and I am Being Harassed or Witnessing Harassment. What Can I Do? These webinars complemented the first webinar in the series, Developing and Implementing an Effective Harassment Prevention Policy in the Workplace.

The Commission also participated in the Human Rights Institute of Alberta’s annual conference by bringing information and resources to over 500 human resource professionals in Alberta.

In order to recognize organizations that embrace diversity in their workforce, proactively encourage respect and inclusion, and work toward eliminating discrimination and barriers to fair employment practices, the Commission once again partnered with the Alberta Chambers of Commerce to offer the Diversity Leadership Award of Distinction. The award for 2017 went to NorQuest College. Other finalists included Enbridge Inc., Stantec and Tiny Toes Castle Ltd.

In addition, the Commission was honoured to receive the 2016 BPW Canada Centennial Recognition Award from the Canadian Federation of Business and Professional Women (BPW Canada) in recognition of being one of 100 organizations from across Canada that is dedicated to improving lives of Canadian women and girls, their families and their communities.
Municipalities

Incidents of racism and discrimination continue to occur in communities throughout Alberta, and municipalities are often called upon to react and respond. One of the Commission’s priorities for 2016-17 was supporting municipal efforts to break down barriers to full inclusion and participation of all its citizens and to promote human rights and diversity.

As part of its online learning program, developed to increase access to information and education, the Commission partnered with the Alberta Urban Municipalities Association, the City of Lethbridge and the Town of Cochrane to host a webinar for municipalities titled Resources for Building Welcoming and Inclusive Communities.

The Commission also partnered with the Alberta Urban Municipalities Association to offer the Municipal Inclusion Symposium in Edmonton on March 16 and 17, 2017. This event brought together municipal administrators, elected officials and key stakeholders to share, learn and dialogue about the initiatives in which Alberta municipalities are involved in order to create more welcoming and inclusive communities. Municipalities that received Community Inclusion grants through the Human Rights Education and Multiculturalism Fund shared details of their projects, including successes and challenges in implementation. A final report summarizing the symposium and project outcomes was developed for participants to share with other municipalities and use within their own communities.

Additionally, presentations and workshops on planning and strategy development for creating welcoming and inclusive communities were given at the South Central Rural Regional Forum on Inclusion Strategies in Chestermere, at the CMARD1 Lethbridge Inclusion Conference 2016: Building Inclusive Neighbourhoods in a Changing World, and at the City of Red Deer Fostering Diverse Communities Conference. Through this work, municipalities are better positioned to become more welcoming, inclusive and free from racism and discrimination.

Engaging with the community on human rights issues

Engaging with communities through partnerships is an important part of the Commission’s education and engagement work. In 2016-17, the Commission partnered with a number of organizations to take action on the human rights issues impacting Albertans, particularly marginalized groups who continue to experience discrimination and other barriers and inequities.

Indigenous Peoples

Alberta’s Indigenous Peoples continue to face racism and discrimination in their daily lives. The Commission has made an ongoing commitment to engage and collaborate with Indigenous communities to strengthen relationships and better support their human rights efforts.

In 2016-17, the Commission engaged with several groups and agencies related to the intersection of Indigenous Peoples and human rights, including Making Treaty 7, Native Counselling Services of Alberta, SEEDS Connection, Calgary Indigenous Human Rights Circle and the Calgary Police Service. Through this work, further Indigenous education and engagement tools are being developed. In addition, the Commission made a presentation on human rights issues at the Calgary Indigenous Grass Roots Gathering and the Indigenous Connections Conference.

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1 Canadian Coalition of Municipalities against Racism and Discrimination
LGBTQ community
Following the inclusion of gender identity and gender expression as expressly protected grounds in the Act in December 2015, the Commission worked with the LGBTQ community to better understand the issues they encounter and support them in addressing the needs of their community. In 2016-17, the Commission partnered with the Pride Centre of Edmonton and the Trans Equality Society of Alberta (TESA) to develop materials for the Commission’s workshop program and to co-present to several groups. This included the Understanding Gender Identity and Gender Expression in the Workplace forums held in Edmonton and Calgary, which provided information on best practices in creating work environments that are inclusive of transgender individuals. Also through this partnership, Commission-wide training was provided to staff to increase their understanding of the issues that transgender people face. This, in turn, supported staff in providing services that are sensitive to the needs of transgender individuals.

Refugees
Throughout 2016-17, Canada welcomed thousands of refugees, particularly from Syria, many of whom have settled in Alberta. Although many of these newcomers have successfully resettled and been welcomed into their new communities, the Commission continued to hear about incidents of xenophobia, discrimination and hate directed towards refugees. In response, the Human Rights Education and Multiculturalism Fund provided a grant to the Alberta Association of Immigrant Serving Agencies to develop an anti-racism and anti-Islamophobia Advocacy and Outreach toolkit. The Commission participated in the development and review of this work, which engaged over 50 organizations in the settlement sector as well as community members and sponsors to increase individual and organizational capacity to address Islamophobia.

In addition, the Chief of the Commission and Tribunals moderated a panel discussion titled The Refugee Experience: Settlement and Integration at the 2016 GlobalFest Human Rights Forum, which explored issues related to resettlement and how sponsors, communities and workplaces can best support successful integration.

Racial and religious groups
Alberta continued to see instances of xenophobia directed towards certain religious and racialized groups throughout 2016-17. Racism issues, such as police carding, racial profiling and street and public harassment of racialized minorities, have emerged in some municipalities. In response, the Chief of the Commission and Tribunals released a message highlighting the upsurge of racist and hate incidents that have taken place and the need for Albertans to remain vigilant in countering racist and xenophobic rhetoric. The Commission continues to work with and support several organizations in their efforts to address racism, discrimination and xenophobia, particularly those in the Black, Indigenous, Muslim and Jewish communities.

The issue of police carding, or street checks, has been identified by community members and in the media as a discriminatory practice of collecting identifying information based on a person’s race. The Human Rights Education and Multiculturalism Fund provided a grant to the Rocky Mountain Civil Liberties Association to conduct research and engage stakeholders on the issue of police carding. This research identified that an individual was more likely to get stopped and “carded” in certain neighbourhoods in Calgary. The Commission participated in these engagement sessions and has since been called upon by both law enforcement and community groups to address the discriminatory issues related to the practice of police carding.
The Commission worked with Shiloh Centre for Multicultural Roots, which represents Alberta Black settlers who came to Canada to escape slavery and racial persecution. They received funding for a project, Stories of Pioneer African American Canadians as Catalyst for Reconciliation, which allowed the descendants to collect the stories of historical and contemporary racism and discrimination in Alberta as a way towards reconciliation and racial harmony.

In response to acts of hate and intolerance in the Regional Municipality of Wood Buffalo, the Commission supported a grant to assess needs, host community dialogues and identify attitudes and underlying discriminatory behaviour. This research will be used to develop a public education campaign to reduce religious intolerance.

The Commission released a new information sheet titled Religious Beliefs, which discusses religious beliefs as a protected ground under the Alberta Human Rights Act.

In addition, the Organization for Security and Cooperation in Europe – Office for Democratic Institutions and Human Rights (OSCE–ODIHR) invited the Commission to participate in a meeting on anti-Semitism education. The meeting, held in Belgrade, Serbia, facilitated an exchange of best practices on educational initiatives and other measures to raise awareness of anti-Semitism. Participants from 14 member states brought perspectives from government, civil society and post-secondary institutions. Information from the meeting was shared with Alberta organizations working on anti-Semitism education and the prevention of hate.

People living in poverty, homelessness and unemployment

Poverty, homelessness and unemployment are inextricably linked with inequality and can all be caused and exacerbated by the racism and discrimination that people living in these situations can experience. In 2015-16, the Commission worked with staff and clients of the Calgary Homeless Foundation to develop the Homeless Charter of Rights. The Commission co-presented the outcomes of this project at the 7 Cities Conference on Homelessness and Housing in Edmonton in 2016-17. As a result, several other jurisdictions are now looking at developing similar initiatives, which will help remove barriers for homeless individuals when accessing services. The Commission also helped raise awareness of the intersection of human rights and poverty, homelessness and unemployment by speaking on these issues at a number of conferences and events, and by attending Homeless Connect Edmonton to provide human rights resources and information.

Human Rights Education and Multiculturalism Fund

The Human Rights Education and Multiculturalism Fund continues to be one of the cornerstone tools and resources for the Commission’s education and engagement work as it provides support to community organizations for human rights programs and initiatives.

In 2016-17, the fund awarded nearly $1 million in funding to non-profit organizations and municipalities in three funding streams, including: 21 Experience Human Rights grants to nonprofit organizations to support raising awareness, engaging residents or leveraging future human rights initiatives; seven Community Inclusion grants to municipalities to advance
strategies associated with being a Welcoming and Inclusive Community or a Canadian Coalition of Municipalities against Racism and Discrimination signatory; and 20 Human Rights Project grants to non-profit organizations for advancing human rights change and addressing specific human rights issues.

There were a number of notable projects supported through the fund that came to completion in 2016-17. For example, the City of St. Albert conducted extensive community consultations that led to the development of the It Starts with Me campaign, which included several learning and engagement events. In collaboration with 17 other organizations, the Ethno-Cultural Council of Calgary engaged men across Alberta to garner insight into the capacities, supports, services and resources they require in order to take an active role in reducing gender-based violence. The Alberta Restorative Justice Association supported 10 community groups to develop small human rights projects that led to removing barriers for Indigenous people and marginalized populations using restorative justice approaches. The Alberta Civil Liberties Research Centre developed materials and workshops regarding preventing discrimination faced by seniors and staff within the seniors’ residential care system.

Supporting studies in human rights

With support from Student Aid Alberta, the Commission selected award winners for the 2016 Alberta Award for the Study of Canadian Human Rights and Multiculturalism. This scholarship program supports two graduate students in furthering research that will support Albertans to reduce discrimination and support the full participation of Albertans.

The doctoral research will explore how the United Nations Declaration on the Rights of Indigenous Peoples can contribute to social and political mobilization, influence government mandates and objectives, and establish links between diverse constituents. The findings will assist community organizations to engage diverse audiences on matters of human rights and positive race relations.

The Pardeep Singh Gundara Memorial Scholarship for master’s research will use community-based participatory action research to work with transgender communities in Alberta. This research will provide insight into the functions that transgender communities serve for their members, as well as how these communities can be better supported as they, in turn, support transgender people.
Inquiry and Complaint Resolution Services

As in previous years, physical disability, mental disability and gender continued to be the three protected grounds most cited in complaints opened at the Commission in 2016-17. The two protected areas most cited were employment practices; and goods, services, accommodation or facilities, also in keeping with previous years.

The processing and resolution of complaints occurs at regional offices in Edmonton and Calgary, as well as at the Director’s Office. The complaints closed this fiscal year at the Director’s Office and regional offices were dealt with through the complaint resolution process, meaning they were resolved through conciliation or investigation, dismissed or discontinued by the Director, withdrawn by the complainant, or they proceeded to the tribunal stage. The average number of days to close a complaint in 2016-17 was 671 days, up from 614 days in 2015-16 and 613 days in 2014-15.

Inquiries made to regional offices

Regional office staff answered 14,432 inquiries over the past year, a decrease of 337 (2 per cent) from the previous year. Inquiries were received from individuals who believed they may have a complaint, as well as from employers, service providers and others interested in learning more about their rights and responsibilities under the Alberta Human Rights Act. In response to these inquiries, staff provided verbal and print information about human rights issues and the human rights complaint process, information that could be used to resolve situations, clarification on how to meet requirements under the Act, guidance on how to complete a human rights complaint form, and helpful referrals, including to the Commission website and a variety of nearly 60 other agencies that might be of assistance.

Complaints received and accepted

Regional office staff review completed complaint forms to determine if they can be accepted as complaints under the Act. Complaints must fall within jurisdiction of the Act, demonstrate reasonable grounds, be made within one year of the alleged contravention of the Act and meet requirements described in the Bylaws of the Commission. In 2016-17, 1,588 parties submitted complaint forms, up 14 per cent from the 1,390 complaints submitted in 2015-16 and 1,395 in 2014-15. In 2016-17, the Commission accepted 923 complaints as meeting the acceptance criteria. This marked a record high for complaints accepted in one year, and was up from 821 complaints accepted in 2015-16.

Complaints opened and closed

In 2016-17, the Commission opened 923 new complaints, the highest number in the last 15 years, and 637 complaints were closed. Due primarily to the high number of new complaints opened, the number of open complaints at March 31, 2017 increased by 286 over the previous year, reaching 1,765 complaints. This was an increase of more than 19 per cent.
Complaints opened and closed and year-end count

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Open complaints</td>
<td>853</td>
<td>923</td>
<td>821</td>
</tr>
<tr>
<td>Closed complaints</td>
<td>683</td>
<td>766</td>
<td>683</td>
</tr>
<tr>
<td>At March 31</td>
<td>1,424</td>
<td>1,479</td>
<td>1,765</td>
</tr>
</tbody>
</table>
Grounds of discrimination cited in complaints opened

An individual complaint may cite more than one protected ground and more than one protected area of the Act. A total of 2,657 grounds were cited in the 923 complaints opened in 2016-17. The breakdown of protected grounds is relatively consistent with previous years.

### Grounds cited in complaints opened (2016-17)

<table>
<thead>
<tr>
<th>Protected ground</th>
<th>Times cited*</th>
<th>Per cent of total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Physical disability</td>
<td>796</td>
<td>30%</td>
</tr>
<tr>
<td>Mental disability</td>
<td>511</td>
<td>19%</td>
</tr>
<tr>
<td>Gender</td>
<td>465</td>
<td>18%</td>
</tr>
<tr>
<td>Race/Colour</td>
<td>204</td>
<td>8%</td>
</tr>
<tr>
<td>Ancestry/Origin</td>
<td>191</td>
<td>7%</td>
</tr>
<tr>
<td>Age</td>
<td>132</td>
<td>5%</td>
</tr>
<tr>
<td>Family status</td>
<td>128</td>
<td>5%</td>
</tr>
<tr>
<td>Religious beliefs</td>
<td>80</td>
<td>3%</td>
</tr>
<tr>
<td>Other</td>
<td>36</td>
<td>1%</td>
</tr>
<tr>
<td>Marital status</td>
<td>34</td>
<td>1%</td>
</tr>
<tr>
<td>Sexual orientation</td>
<td>34</td>
<td>1%</td>
</tr>
<tr>
<td>Source of income</td>
<td>19</td>
<td>&lt;1%</td>
</tr>
<tr>
<td>Gender expression</td>
<td>14</td>
<td>&lt;1%</td>
</tr>
<tr>
<td>Gender identity</td>
<td>13</td>
<td>&lt;1%</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>2,657</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

*Figures represent grounds cited in 923 complaints from April 1, 2016 to March 31, 2017.

**Percentages have been rounded.

### Complaint grounds cited by section of the Alberta Human Rights Act (2016-17)

<table>
<thead>
<tr>
<th>Grounds cited</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employment practices (Section 7)</td>
<td>82%</td>
</tr>
<tr>
<td>Goods, services, accommodation or facilities (Section 4)</td>
<td>13%</td>
</tr>
<tr>
<td>Tenancy (Section 5)</td>
<td>2%</td>
</tr>
<tr>
<td>Applications and advertisements re: employment (Section 8)</td>
<td>2%</td>
</tr>
<tr>
<td>Retaliation (Section 10.1)</td>
<td>1%</td>
</tr>
<tr>
<td>Membership in a trade union, etc. (Section 9)</td>
<td>1%</td>
</tr>
<tr>
<td>Equal pay (Section 6)</td>
<td>&lt;1%</td>
</tr>
<tr>
<td>Frivolous or vexatious complaints with malicious intent (Section 10.2)</td>
<td>&lt;1%</td>
</tr>
<tr>
<td>Publications, notices (Section 3)</td>
<td>0%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

*Percentages have been rounded.
Disposition of closed complaints

The Commission closed 637 complaints in 2016-17, a decrease of 129 complaints (17 per cent) compared with 2015-16. The vast majority of complaints (590, or 93 per cent) were dealt with through the Commission’s complaint resolution processes. This means they were resolved by the parties through conciliation or investigation, dismissed or discontinued by the Director, or abandoned or withdrawn by the complainant. The remaining 47 complaints (7 per cent) were handled through the Commission’s tribunal process.

Conciliated complaints

Conciliation is a voluntary, non-adversarial way of resolving disputes. The conciliator is an impartial person who works with the complainant and respondent to generate possible solutions to resolve the complaint. In 2016-17, 271 of 637 complaints (43 per cent) were closed with the help of a conciliator provided by the Commission. Of conciliations completed, regional offices were successful in reaching resolution in 53 per cent of the complaints, similar to last year’s success rate.

Investigated complaints

Regional offices may gather information related to the complaint, share collected information with the parties, and seek comments from the parties as necessary in order to assess whether there is a reasonable basis to proceed with the complaint. If there is a reasonable basis to proceed, regional staff or the regional director will offer help to the parties to reach a resolution. There were 56 complaints resolved through investigation in 2016-17, 12 complaints fewer than in the previous year.

Regional offices may also expedite a complaint to the attention of the Director, normally after receiving the respondent’s response. For complaints that include sufficient information from the parties to recommend if there is a reasonable basis to proceed or not, the complaint may be expedited to the Director for a decision under section 22 of the Act.

Dismissed complaints

The Director may dismiss a complaint if the Director believes there is no reasonable basis for proceeding with the complaint. Complainants may request a review of the Director’s decision by the Chief of the Commission and Tribunals if they disagree with the Director’s decision to dismiss a complaint.

In 2016-17, 186 dismissed complaints were closed. In 137 of the 186 complaints, the complainants did not request a review, and the complaint was closed after the 30-day time period ended.

In 49 complaints, the complainants requested a review by the Chief of the Commission and Tribunals, who upheld the dismissals, and the complaints were closed.

In a further 16 complaints where the complainants requested a review, the Chief of the Commission and Tribunals overturned the dismissals, and the complaints remained open as the complainants accepted the opportunity to go to tribunal.
Discontinued complaints
The Director may discontinue a complaint if a complainant refuses to accept a resolution offered by the respondent that the Director believes is fair and reasonable. Complainants may request a review by the Chief of the Commission and Tribunals if they disagree with the Director’s decision to discontinue.

In 2016-17, no complaints were closed after being discontinued.

Abandoned or withdrawn complaints
In 2016-17, 12 per cent of the complaints (77 of 637 complaints) were closed because complainants abandoned or withdrew their complaints. Complaints are abandoned or withdrawn for a variety of reasons, including when a complainant fails to maintain contact with the Commission, agrees there is no merit to their complaint or resolves the dispute in another forum (such as a grievance or arbitration procedure), or where withdrawal of a human rights complaint is part of a settlement agreement between the parties.

Disposition of closed complaints

<table>
<thead>
<tr>
<th></th>
<th>2014-15</th>
<th>2015-16</th>
<th>2016-17</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolved through conciliation</td>
<td>285 (42%)</td>
<td>310 (40%)</td>
<td>271 (43%)</td>
</tr>
<tr>
<td>Resolved through investigation</td>
<td>76 (11%)</td>
<td>68 (9%)</td>
<td>56 (9%)</td>
</tr>
<tr>
<td>Dismissed</td>
<td>205 (30%)</td>
<td>259 (34%)</td>
<td>186 (29%)</td>
</tr>
<tr>
<td>Discontinued</td>
<td>3 (&lt;1%)</td>
<td>2 (&lt;1%)</td>
<td>0 (0%)</td>
</tr>
<tr>
<td>Abandoned or withdrawn</td>
<td>71 (10%)</td>
<td>72 (9%)</td>
<td>77 (12%)</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td>640 (94%)*</td>
<td>711 (93%)*</td>
<td>590 (93%)</td>
</tr>
</tbody>
</table>

*Percentages have been rounded.
Office of the Chief of the Commission and Tribunals

Requests for Review decided by the Chief of the Commission and Tribunals

In 2016-17, 65 complaint files were decided by the Chief of the Commission and Tribunals under section 26 of the Alberta Human Rights Act. Of those 65 complaint files, 49 (75 per cent) of the Director's dismissals were upheld and the files were closed, and 16 (25 per cent) of the dismissals were overturned. There were no discontinuance reviews in 2016-17.

<table>
<thead>
<tr>
<th>Type of review</th>
<th>Number of decisions upheld</th>
<th>Number of decisions overturned</th>
<th>Total number of reviews</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dismissal</td>
<td>49</td>
<td>16</td>
<td>65</td>
</tr>
</tbody>
</table>

Tribunal process

The tribunal process is independent from the work of Commission staff in receiving and resolving complaints. Human rights tribunals are composed of part-time Members of the Commission appointed by the Lieutenant Governor in Council. Members are assigned to cases by the Chief of the Commission and Tribunals. Pursuant to the Bylaws of the Commission, the Members of the Commission are required to have law degrees and expertise in administrative or human rights law. The Members also have training and experience in conducting mediations and negotiations. Their biographies can be found in Appendix B.

Complaints proceed to the tribunal stage in one of two ways. The Director may at any time report to the Chief of the Commission and Tribunals that the parties are unable to settle a complaint and ask the Chief of the Commission and Tribunals to refer the complaint directly to the Tribunal. In these cases, the Director of the Commission has “carriage” of the complaint, and if the Chief of the Commission and Tribunals or designate does not find a reasonable basis in the evidence to proceed to a tribunal hearing, the Director's dismissal or discontinuance will be upheld and the complaint will be closed. If there is a reasonable basis in the evidence to proceed to a tribunal hearing, the Chief of the Commission and Tribunals will overturn the
Director’s dismissal or discontinuance, and the complaint will proceed to the tribunal stage, subject to the complainant accepting carriage of the complaint before a tribunal.

At the tribunal stage, all parties are first offered mediation by a Member of the Commission through the Tribunal Dispute Resolution (TDR) program. If the parties do not wish to participate in TDR or they are unable to settle, the matter proceeds to the hearing stage for adjudication by a Member or Members of the Commission (three-person tribunals in some cases).

Areas and grounds cited in complaints that closed at the tribunal stage

There were 47 complaints closed at the tribunal stage in 2016-17. These complaints were resolved through TDR, decided after a hearing or settled by the parties.

In these cases the most frequently cited area of discrimination was employment practices (section 7), followed by retaliation (section 10). The grounds most often cited were physical disability, gender and mental disability.

**Complaint areas cited by section of the Alberta Human Rights Act in files closed at the tribunal stage (2016-17)**

<table>
<thead>
<tr>
<th>Area</th>
<th>Times Cited*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employment practices (Section 7)</td>
<td>40</td>
</tr>
<tr>
<td>Retaliation (Section 10)</td>
<td>4</td>
</tr>
<tr>
<td>Goods, services, accommodation, facilities (Section 4)</td>
<td>2</td>
</tr>
</tbody>
</table>

*Some complaints cite more than one area. Areas are not counted when the tribunal is considering the validity of a severance agreement.

**Complaint grounds cited in files closed at the tribunal stage (2016-17)**

<table>
<thead>
<tr>
<th>Ground</th>
<th>Times Cited*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Physical disability</td>
<td>18</td>
</tr>
<tr>
<td>Gender</td>
<td>13</td>
</tr>
<tr>
<td>Mental disability</td>
<td>11</td>
</tr>
<tr>
<td>Age</td>
<td>4</td>
</tr>
<tr>
<td>Ancestry/Origin</td>
<td>3</td>
</tr>
<tr>
<td>Religious beliefs</td>
<td>1</td>
</tr>
<tr>
<td>Race/Colour</td>
<td>3</td>
</tr>
<tr>
<td>Family status</td>
<td>3</td>
</tr>
</tbody>
</table>

*Some complaints cite more than one ground. Grounds are not counted when the tribunal is considering the validity of a severance agreement.
Complaints settled through the human rights tribunal process

Of the 47 complaints that closed at the tribunal stage in 2016-17, 32 files (68 per cent) were settled through TDR or by the parties prior to the tribunal hearing. Of those 32 files, 24 files (75 per cent) settled through the TDR process, and eight files (25 per cent) settled outside of the TDR process through private settlement.

Tribunal Dispute Resolution (TDR)

The TDR process allows parties to settle a complaint through mediation instead of going to a tribunal hearing, thereby avoiding the significant time and costs of a hearing. The tribunal office aims to proceed with the TDR within four weeks of the file arriving at the tribunal stage.

Mediation through TDR is confidential and voluntary. The TDR program allows the parties to a complaint to meet with a Member of the Commission (TDR Commissioner) who acts as a neutral mediator and tries to help the parties settle the complaint before it goes to a tribunal hearing.

An additional benefit of TDR is that a Member of the Commission may also, when requested, provide a non-binding evaluation of the complaint. A non-binding evaluation is an informal assessment as to what an outcome might be if the matter went to a tribunal hearing. More information on the TDR program can be found on the Commission website.

In 2016-17, there were 35 files (an increase of 35 per cent from the previous fiscal year) that completed the TDR process. Of those 35 files, 27 settled at TDR, which represented a 77 per cent settlement rate for files that proceeded through TDR in 2016-17. Note that not all 27 files closed in 2016-17.

Tribunal hearings

If a matter proceeds to adjudication at a hearing by a Member or Members of the Commission, a pre-hearing teleconference is scheduled as soon as possible to address any preliminary issues. Hearing dates are usually set within approximately three months of the pre-hearing teleconference. Although every attempt is made to have the complaint adjudicated as soon as possible, the time it takes for a matter to be heard depends on many factors, including availability of parties and their counsel, availability of witnesses, any preliminary issues, proceedings in other forums that may be addressing similar issues, settlement discussions and the complexity of the case.

There were 21 tribunal decisions issued in 2016-17. Not all of the decisions resulted in a file closing as some decisions addressed preliminary matters. Of the 15 files that did close through the hearing process, the tribunal found merit in five complaints and ordered appropriate remedies. The tribunal found no merit in eight complaints and dismissed the complaints. Two other files were closed for other reasons; in one case the complaint was withdrawn, and the other case closed as the severance agreement was found to be valid and enforceable through a preliminary hearing.
Complaints closed through the human rights tribunal process

<table>
<thead>
<tr>
<th></th>
<th>2014-15</th>
<th>2015-16</th>
<th>2016-17</th>
</tr>
</thead>
<tbody>
<tr>
<td>Settled prior to tribunal hearing</td>
<td>32</td>
<td>33</td>
<td>32</td>
</tr>
<tr>
<td>Merit</td>
<td>5</td>
<td>10</td>
<td>5</td>
</tr>
<tr>
<td>No merit</td>
<td>2</td>
<td>7</td>
<td>8</td>
</tr>
<tr>
<td>Other</td>
<td>4</td>
<td>5</td>
<td>2</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>43</strong></td>
<td><strong>55</strong></td>
<td><strong>47</strong></td>
</tr>
</tbody>
</table>
Appendix A: Legislative Framework for the Alberta Human Rights Commission

In Alberta, the Alberta Human Rights Act protects Albertans from discrimination in certain areas based on specified grounds. The purpose of the Act is to ensure that all Albertans are offered an equal opportunity to earn a living, find a place to live and obtain services customarily available to the public without discrimination.

The Act establishes the Alberta Human Rights Commission as an independent commission of the Government of Alberta that is responsible for administering the Act.

The Commission has a two-fold mandate: to foster equality and to reduce discrimination. It fulfills this mandate through public education and community engagement initiatives, and the resolution of complaints through settlement and adjudication.

The Chief of the Commission and Tribunals and Members of the Commission are appointed by the Government of Alberta through Order in Council. As head of the Commission, the Chief of the Commission and Tribunals is responsible for the overall management of the Commission and provides direction and guidance to the three distinct areas of activity undertaken by the Commission: education and engagement; inquiry and complaint resolution services; and Tribunal adjudication. The Chief of the Commission and Tribunals is also responsible for keeping the Minister of Justice and Solicitor General informed about human rights issues, appointing Members of the Commission to serve on human rights tribunals and reviewing decisions made by the Director to dismiss or discontinue complaints under section 26 of the Alberta Human Rights Act. The Chief of the Commission and Tribunals also undertakes activities related to community engagement. The Minister of Justice and Solicitor General may appoint a Member of the Commission who serves as Acting Chief in the absence of the Chief of the Commission and Tribunals.

The Director of the Commission, who is appointed by the Government of Alberta through an Order in Council, and employees handle the administrative responsibilities related to the resolution and settlement of complaints made under the Alberta Human Rights Act. This work is separate and distinct from the work of the Chief of the Commission and Tribunals in reviewing the Director’s decision to dismiss or discontinue a complaint and the work of the Members of the Commission in adjudicating human rights complaints.

The Director of Education and Engagement leads the Commission’s Education and Engagement team to further the Commission’s work to eliminate discrimination and barriers to full participation in society through education and community engagement. The Human Rights Education and Multiculturalism Fund, which is administered by the Commission on behalf of the Minister of Justice and Solicitor General, provides financial support for the Commission’s education and community initiatives. Through its grant program, the fund also provides financial support to community organizations for projects that foster equality and reduce discrimination.
Protection from discrimination under the Alberta Human Rights Act

The Alberta Human Rights Act protects Albertans from discrimination in the following areas: publications and notices; goods, services, accommodation or facilities; tenancy; employment practices; applications and advertisements regarding employment; and membership in trade unions, employers’ organizations or occupational associations.

Within the areas listed above, it is a contravention of the Act to discriminate against any person on the basis of race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, ancestry, place of origin, marital status, source of income, family status or sexual orientation. Age is also a protected ground, except in two areas: goods, services, accommodation or facilities; and tenancy.

In addition to protecting Albertans in the areas and grounds discussed above, the Act specifically protects Albertans in the area of equal pay. This provision requires that employees who perform the same or substantially similar work for an employer must be paid at the same rate, regardless of gender.

The Act also prohibits a person from retaliating against any person who has made a complaint, given evidence about a complaint or assisted anyone else in making a complaint. In addition, the Act does not allow a person to make a frivolous or vexatious complaint with malicious intent.
Appendix B: Biographies of the Members of the Commission

These are summaries of the biographies of the individuals who served as Members of the Commission in 2016-17. The complete biographies of the Members of the Commission are available on the Commission website at albertahumanrights.ab.ca/about/organization/Pages/bio_members_of_commission.aspx.

Chief of the Commission and Tribunals

Mr. Robert A. Philp, Queen’s Counsel

Judge Robert Philp became Chief of the Commission and Tribunals of the Alberta Human Rights Commission on July 1, 2014. His term expires June 30, 2017. He is a respected jurist and lawyer as well as a community and social justice activist committed to human rights, equality and education, locally, nationally and internationally. Judge Philp earned his Bachelor of Arts degree in 1972 and his Law Degree in 1975, both from the University of Alberta. Judge Philp has been a strong supporter of his alma mater as a donor, volunteer and frequent lecturer.

Judge Philp was an Adjunct Professor at the University of Alberta’s Faculty of Business from 1979 to 1996. Judge Philp continues to lecture in many university faculties. As well as his university lectures, Judge Philp is a frequent public speaker on community, poverty and human rights issues.

Judge Philp has extensive legal and judicial experience, which includes 29 years in the practice of law, nine years as an Alberta Criminal Court Judge and seven years as a Deputy Judge of the Northwest Territories. In addition Judge Philp has many notable professional appointments, including numerous appointments to law society committees in Alberta, the Northwest Territories and Nunavut.

Judge Philp continues to hold executive or board positions on many community organizations, including Boyle Street Community Services, Reach Edmonton, the Edmonton Community Legal Center, Jellinek Men’s Recovery House and the Mayor’s Task Force for the Elimination of Poverty in Edmonton. Judge Philp was named Queen’s Counsel in December 1999. He received the Queen’s Golden Jubilee Medal in 2003 and the Alberta Centennial Medal in 2005.

Judge Philp is a mentor to many young lawyers and law students.
Members of the Commission

Joanne Archibald, B.A., LL.B., RPDR

Joanne Archibald was appointed for a term beginning July 25, 2013 and was reappointed for a second term beginning January 18, 2017 and ending January 16, 2020. She received a Bachelor of Arts degree and a Bachelor of Laws degree, both from the University of Calgary. Ms. Archibald also holds the designation of Registered Practitioner in Dispute Resolution from The Canadian International Institute of Applied Negotiation.

Early in her law career, Ms. Archibald practised at a private law firm, after which she conducted investigations for the Canadian Human Rights Commission. She served as an Appeal Board Chairperson for the Public Service Commission of Canada, which led to her position as Governor in Council to the Public Service Staffing Tribunal. As a mediator, Ms. Archibald regularly intervenes in contentious matters to assist the parties in addressing and resolving contextual issues in an informal and meaningful way without resorting to formal process.

Cherie Langlois-Klassen, B.Sc. (Pharmacology), M.Sc. (Pharmacology), LL.B.

Cherie Langlois-Klassen was appointed for a term beginning January 18, 2017 and ending January 16, 2020. She received a Bachelor of Science (Pharmacology) degree, a Master of Science (Pharmacology) and Law degree, all from the University of Alberta. Ms. Langlois-Klassen was called to the Alberta Bar in 2007.

Early in her law career, Ms. Langlois-Klassen practised at Blair Chahley Seveny Lawyers. She also served as Political Action Coordinator for Alberta Federation of Labour. She is currently a Labour Relations Officer with the United Nurses of Alberta. Ms. Langlois-Klassen has a special interest in mental health issues. She is a frequent speaker at various forums and conferences on topics of health and labour law and has published several academic publications and conference papers.

Sarah FitzGerald, B.Sc. (Hon.), LL.B.

Sarah FitzGerald was appointed for a term beginning July 25, 2013 and ending July 24, 2016. Ms. FitzGerald received her Honours degree in Science (Biology) from the University of Guelph and her Bachelor of Laws degree from the University of Western Ontario. Ms. FitzGerald also holds a Certificate in Arbitration from the Alberta Arbitration and Mediation Society. Her training as part of the Canadian Institute of Applied Negotiation’s Alternative Dispute Resolution Certification Program includes negotiation and mediation.

Ms. FitzGerald worked in private practice early in her law career. She was appointed as a full-time Member of the Canada Labour Relations Board in Ottawa and eventually served as a part-time Vice-Chair of the Alberta Labour Relations Board. She has led sessions at the Canadian Centre for Management Development's annual training of new members of federal tribunals, agencies and commissions.
Gwen Gray, Q.C.

Gwen Gray was appointed for a term beginning August 21, 2015 and ending August 20, 2018. Ms. Gray received a Bachelor of Arts degree and Bachelor of Laws degree, both from the University of Saskatchewan.

Ms. Gray’s extensive legal career includes over 30 years of practice in the areas of labour, employment and human rights law. Ms. Gray has extensive litigation and adjudicative experience, has taught labour law at the University of Alberta and has been a guest speaker at numerous conferences on topics of labour, employment and human rights law. Ms. Gray left the Commission when she was appointed as the Essential Services Commissioner for the Province of Alberta effective June 1, 2016.

William J. Johnson, Q.C.

Bill Johnson was appointed for a term beginning July 25, 2013 and ending July 24, 2016. Mr. Johnson received a Bachelor of Arts (Distinction) degree and Bachelor of Commerce (Distinction) degree, both from the University of Saskatchewan. He received his Bachelor of Laws degree from Osgoode Hall Law School, York University.

Mr. Johnson’s established legal career includes over 30 years of practice in Alberta in the areas of employment, labour and human rights law. Mr. Johnson also frequently speaks at conferences on employment law, labour law, human rights and administrative law topics.

Sharon V. Lindgren, B.Comm., LL.B.

Sharon Lindgren was appointed for a first term beginning December 15, 2011 and was reappointed for a second term beginning August 21, 2015 and ending August 20, 2018. She received her Bachelor of Commerce and Bachelor of Laws (Juris Doctor) degrees, both from the University of Saskatchewan.

Ms. Lindgren is an experienced labour and employment lawyer and mediator. Ms. Lindgren worked on a pilot project with the Alberta Provincial Court where she mediated hundreds of disputes and assisted in numerous mediation training programs. Ms. Lindgren combined a return to private practice in Calgary with an executive position on the Alternative Dispute Resolution Subsection and an active membership in the Labour and Employment Law Subsection, both of the Alberta Branch of the Canadian Bar Association.

Melissa L. Luhtanen, J.D.

Melissa Luhtanen was appointed for a first term beginning December 15, 2011 and was reappointed for a second term beginning August 21, 2015 and ending August 20, 2018. Ms. Luhtanen has a Juris Doctor from the University of Calgary and was called to the bar in Alberta in 2000.

Ms. Luhtanen is an experienced educator in the field of human rights. She conducted workshops for the Alberta Human Rights Commission until 2008. Ms. Luhtanen works for the Alberta Civil Liberties Research Centre as a researcher and educator. She runs a private practice conducting legal research and providing legal advice on wills and estates.

Duncan Marsden, LL.B. (with French)

Duncan Marsden was appointed for a term beginning August 21, 2015 and ending August 20, 2018. Mr. Marsden received his Law degree (with French) from Leicester University. He was called to the England and Wales (Solicitor) Bar in 2000 and called to the Alberta Bar in 2009.
Mr. Marsden has years of experience in all areas of labour and employment law. He speaks frequently at conferences on employment law issues. Mr. Marsden has written numerous articles for a variety of legal publications and has provided training to Civil Court Provincial Judges on employment law updates.

**William D. McFetridge, Q.C.**

William McFetridge was appointed for a first term beginning September 30, 2010 and was reappointed for a third term beginning January 18, 2017 and ending January 16, 2020. He received his Bachelor of Arts degree from the University of Alberta and his Bachelor of Laws degree from the University of Calgary.

Mr. McFetridge is a Chartered Arbitrator and regularly chairs labour arbitration boards to resolve grievances and collective bargaining disputes in the public and private sectors. He has worked in the industrial relations field for over 30 years and has chaired human rights, interest and rights arbitrations since 1983.

**D. Jean Munn, Q.C.**

Jean Munn was appointed for a term beginning August 21, 2015 and ending August 20, 2018. She received a Bachelor of Arts degree and a Bachelor of Laws degree, both from the University of Calgary. Ms. Munn also holds a certificate in Arbitration from Alberta Arbitration and Mediation Society.

Ms. Munn brings with her years of extensive experience in all facets of immigration and employment law. Her academic appointments include sessional lecturer at the Faculty of Law, University of Calgary and Immigration Practitioner Instructor at Bow Valley College.

**Kathryn Oviatt, B.A. (Distinction), LL.B. (Distinction)**

Kathryn Oviatt was appointed for a term beginning August 21, 2015 and ending August 20, 2018. She received a Bachelor of Arts degree (Distinction) and a Bachelor of Laws degree (Distinction), both from the University of Alberta.

Ms. Oviatt focusses her practice on legal research and writing with a particular interest in administrative law, constitutional law, labour and employment law, and human rights law. She has written numerous articles on a variety of legal issues.

**Karen Scott, LL.B. (Distinction)**

Karen Scott was appointed for a term beginning August 21, 2015 and ending August 20, 2018. She received a Bachelor of Laws degree (Distinction) from the University of Alberta. She also holds certificates in Interest Based Negotiation and Interpersonal Conflict Resolution from the Alberta Arbitration and Mediation Society.

Ms. Scott practises almost exclusively in the field of labour and employment advising and representing employees, employers and unions on human rights and accommodation issues. She is a frequent speaker on labour and employment issues at conferences.

**Please note:** After their appointments expire, Members of the Commission remain empowered to conclude matters that were assigned to them before the expiration of their appointment. This is pursuant to section 20(7) of the *Interpretation Act*. 
Appendix C:
Legislative Framework for the Human Rights Education and Multiculturalism Fund

The Human Rights Education and Multiculturalism Fund is established under the Alberta Human Rights Act and administered by the Commission on behalf of the Minister of Justice and Solicitor General. This fund was established to provide support for educational programs and services that promote an environment where all Albertans can participate in and contribute to the cultural, social, economic and political life of the province.

The Human Rights Education and Multiculturalism Fund financially supports the education and engagement activities of the Alberta Human Rights Commission. In addition, a key function of the fund is to provide grants to community organizations for projects that foster equality and reduce discrimination.

The goal of the Human Rights Education and Multiculturalism Fund is full civic participation of all Albertans. Achieving this goal means that all Albertans have the opportunity to be involved in and benefit from all aspects of society without discrimination. This fund is used to support non-profit organizations to develop and deliver effective initiatives that build communities and organizations that are more inclusive and free from discrimination, promote human rights and the benefits of diversity and inclusion, and encourage the elimination of barriers that limit Albertans from participating as equal partners in Alberta society. Alberta municipalities also may receive support for their efforts to create welcoming and inclusive communities.
Appendix D: Tribunal Decisions

This is a list of the tribunal decisions that were released in 2016-17. All Alberta human rights tribunal decisions released after January 1, 2000 can be accessed free of charge through the Canadian Legal Information Institute (CanLII) website at canlii.org/en/ab/abhrc.

Hoang Nguyen v. Grant MacEwan University
Preliminary Matters Decision Adjourning the Matter *Sine Die*
Decision date – April 1, 2016; Joanne Archibald, Tribunal Chair

Jennifer Sylvén v. A.B.W. Management Ltd. o/a South Calgary Oral and Maxillofacial Surgery (SCOMS)
Preliminary Matters Decision on the Validity and Enforceability of a Severance Agreement
Decision date – April 20, 2016; D. Jean Munn, Q.C., Tribunal Chair

Hans Goossen v. Summit Solar Drywall Contractors Inc.
Decision Regarding Quantification of Lost Wages
Decision date – May 26, 2016; Sharon V. Lindgren, Tribunal Chair

Hannah Pelchat v. Ramada Inn and Suites (Cold Lake), o/a Cold Lake Investments Ltd.
Grounds – Gender, Sexual Harassment, Pregnancy
Area – Employment Practices
Decision date – June 23, 2016; Kathryn Oviatt, Tribunal Chair

Thu Hien Pham v. Vu’s Enterprises Ltd. o/a La Prep and Son Vu
Grounds – Gender, Sexual Harassment
Area – Employment Practices
Decision date – July 5, 2016; D. Jean Munn, Q.C., Tribunal Chair

Douglas Klinger v. Cubbon Building Centre Ltd.
Preliminary Matters Decision on the Validity and Enforceability of a Severance Agreement
Decision date – July 14, 2016; Gwen Gray, Q.C., Tribunal Chair

D. W. and K. W. on behalf of K.W. (minor son) v. Lethbridge Soccer Association
D. W. v. Lethbridge Soccer Association
K. W. v. Lethbridge Soccer Association
D. W. and K. W. on behalf of K.W. (minor son) v. Lethbridge Soccer Association
D. W. and K. W. on behalf of K.W. (minor daughter) v. Lethbridge Soccer Association
Preliminary Matters Decision Regarding Bifurcation of Hearing
Decision date – July 26, 2016; Melissa L. Luhtanen, Tribunal Chair
Martina Bruehl v. Oasis Medical Clinic Ltd. (o/a Oasis Medical Centre Family and Walk-In Clinics) and Dr. A. Adegbulu, Dr. E. Magerman, Mr. T. Andreopoulos
Preliminary Matters Decision Regarding Adding Parties to the Complaint
Decision date – July 27, 2016; D. Jean Munn, Q.C., Tribunal Chair

Hannah Pelchat v. Ramada Inn and Suites (Cold Lake), o/a Cold Lake Investments Ltd.
Decision Regarding Quantification of Lost Wages
Decision date – August 15, 2016; Kathryn Oviatt, Tribunal Chair

Kieran Devine v. IS2 Staffing Services Inc.
Ground – Physical Disability
Area – Employment Practices
Decision date – August 25, 2016; Joanne Archibald, Tribunal Chair

Miladinka Kovacevic v. City of Red Deer
Preliminary Matters Decision Regarding Application to Dismiss Complaint
Decision date – September 12, 2016; Melissa L. Luhtanen, Tribunal Chair

Kathalin Horvath v. Rocky View School Division No. 41
Ground – Physical Disability
Area – Employment Practices
Decision date – October 5, 2016; William D. McFetridge, Q.C., Tribunal Chair

Gail Lidkea v. Edmonton Public School Board
Ground – Physical Disability
Area – Employment Practices
Decision date – October 14, 2016; William J. Johnson, Q.C., Tribunal Chair

Chris Pelletier v. Timberwolf Hearth Products (1979) Ltd. (a.k.a. Timberwolf Hearth Products Ltd.) and John Richard Knight
Ground – Mental Disability
Area – Employment Practices
Decision date – January 9, 2017; Duncan Marsden, Tribunal Chair

Miladinka Kovacevic v. City of Red Deer
Interim Decision Regarding Holding the Matter in Abeyance Pending the Statutory Appeal
Decision date – January 18, 2017; Melissa L. Luhtanen, Tribunal Chair

Stuart Jobb (on behalf of C.J.) v. Parkland School Division No. 70
Ground – Mental Disability
Area – Goods, Services, Accommodation, Facilities
Decision date – February 15, 2017; Joanne Archibald, Tribunal Chair
Timothy Duncan (on behalf of Ruth Duncan) v. Alberta Health Services
Decision Regarding Remedy
Ground – Physical Disability
Area – Employment Practices
Decision date – February 28, 2017; Sharon V. Lindgren, Tribunal Chair

Kathalin Horvath v. Rocky View School Division No. 41
Supplementary Decision on Remedy Regarding Production of Documents
Decision date – February 28, 2017; William D. McFetridge, Q.C., Tribunal Chair

Stuart Jobb (on behalf of C.J.) v. Parkland School Division No. 70
Decision on Costs
Decision date – March 8, 2017; Joanne Archibald, Tribunal Chair

Renee Mandziak v. Taste of Tuscany Ltd. and Medhat Salem
Grounds – Gender, Sexual Harassment
Area – Employment Practices
Decision date – March 21, 2017; Kathryn Oviatt, Tribunal Chair

D. W. and K. W. on behalf of K.W. (minor son) v. Lethbridge Soccer Association
D. W. v. Lethbridge Soccer Association
K. W. v. Lethbridge Soccer Association
D. W. and K. W. on behalf of K.W. (minor son) v. Lethbridge Soccer Association
D. W. and K. W. on behalf of K.W. (minor daughter) v. Lethbridge Soccer Association
Grounds – Family Status, Retaliation
Area – Goods, Services, Accommodation, Facilities
Decision date – March 23, 2017; Melissa L. Luhtanen, Tribunal Chair
Appendix E:
Court Decisions

Court of Queen’s Bench: Appeals of Tribunal Decisions

Marie Marquardt and Strathcona County and Alberta Human Rights and Citizenship Commission, Dismissal Order, June 14, 2016

Webber Academy Foundation and Alberta Human Rights Commission (Director) and Farhat Amir (on behalf of Sarmad Amir) and Shabnam Nazar (on behalf of Naman Siddique), 2016 ABQB 442, August 10, 2016

Summit Solar Drywall Contractors Inc. and Alberta Human Rights Commission (Director) and Joanne Goossen and Hans Goossen, 2017 ABQB 215, March 27, 2017

Court of Queen’s Bench: Judicial Reviews

Gloria Rein and Alberta Human Rights Commission and Alberta Union of Provincial Employees and Unifor Local 880, 2016 ABQB 386, July 18, 2016

Court of Appeal

Ladislav Mihaly and The Association of Professional Engineers and Geoscientists of Alberta and Alberta Human Rights Commission, 2017 ABCA 15, January 12, 2017
