



**Alberta Human Rights
and Citizenship Commission**

Strategic Plan 2009 - 2012

An independent commission created by the Government of Alberta

Contents

Introduction and overview	3
Guiding framework for the Commission’s 2009-12 strategic plan	4
Link to ministry strategic priority of Inclusive communities	5
Commission responsibilities and key strategies	6
Part 1: Chief Commissioner’s responsibilities as head of the Commission	6
a) Responsibilities in relation to the Minister	6
b) Responsibilities in relation to the commissioners	6
c) Responsibilities in relation to the director	6
d) Other responsibilities	6
Part 2: Chief Commissioner’s and Commissioners’ responsibilities for adjudicative and other activities	7
a) Appeals to the Chief Commissioner	7
b) Human rights panels	7
c) Other activities	7
d) Key strategies	7
Part 3: Commission activities under the director’s responsibility for the administration of the Act	8
a) Complaint resolution services	8
b) Education and community services	8
c) Other activities	8
d) Key strategies	8
Resources	9
Results	9
a) Overall ministry results	9
b) Part 1 and 2 results: Chief Commissioner’s and commissioners’ responsibilities	10
c) Part 3 results: Commission activities under the director’s responsibility for the administration of the Act	10
Appendix	12
1 Organizational chart	12

Note: This document contains selections from the Ministry business plan. The complete Ministry business plan can be found at <http://www.finance.alberta.ca/publications/budget/budget2009/culture.pdf>

This document contains excerpts from the Human Rights, Citizenship and Multiculturalism Act. The complete Act can be found at <http://www.qp.gov.ab.ca/Documents/acts/H14.CFM>

Introduction and overview

The *Human Rights, Citizenship and Multiculturalism Act* (the Act) protects people in Alberta from discrimination that is prohibited under this legislation. The purpose of Alberta's human rights legislation is to ensure all Albertans have an equal opportunity to earn a living, find a place to live and enjoy services available to the public without experiencing discrimination.

The Act establishes the Alberta Human Rights and Citizenship Commission (the Commission) as an independent commission that reports to the Minister of Culture and Community Spirit.

As outlined in the Act, the Commission has a two-fold mandate:

- to foster equality, and
- to reduce discrimination.

Commission mandate under Section 16 (1) of the <i>Human Rights, Citizenship and Multiculturalism Act</i>

- | |
|--|
| <ul style="list-style-type: none">• forwarding the principle that all persons are equal in dignity, rights and responsibilities without regard to race, religious beliefs, colour, gender, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status, or sexual orientation• promoting awareness and appreciation of and respect for the multicultural heritage of Alberta society• promoting an environment in which all Albertans can participate in and contribute to the cultural, social, economic and political life of Alberta• encouraging all sectors of Alberta society to provide equality of opportunity• researching, developing and conducting educational programs designed to eliminate discriminatory practices related to the protected grounds• promoting an understanding of, acceptance of and compliance with this Act• encouraging and co-ordinating both public and private human rights programs and activities• advising the Minister on matters related to this Act. |
|--|

The Commission carries out work in three separate and distinct areas:

- the work of the Chief Commissioner as head of the Commission,
- the work of the Chief Commissioner in reviewing appeals and the work of the commissioners on human rights panels hearing and making decisions on complaints, and
- the work of the director and staff in resolving and settling complaints and in delivering public information, education and consultation services.

As the head of the Commission, the Chief Commissioner is responsible for keeping the Minister informed on human rights issues, providing the commissioners with guidance regarding their panel hearings and other functions, and providing the director with guidance regarding the overall goals and direction of the Commission. In addition, the Chief Commissioner undertakes other related activities.

One of the primary roles of the Chief Commissioner and commissioners in relation to human rights complaints is to make decisions about complaints that have not been resolved through the services provided by the director and staff. The Chief Commissioner reviews appeals of decisions made by the director to dismiss or discontinue complaints. He also appoints commissioners to serve on human rights panels (tribunals) that hold public hearings into human rights complaints. These adjudicative responsibilities are carried out completely independently of the ministry and government. The Chief Commissioner and commissioners also undertake other related activities.

An appointed director and employees handle the administrative responsibilities relating to the resolution and settlement of complaints made under the Act. Responsibilities related to the resolution and settlement of individual complaint files are carried out completely independently of the ministry and government. This work is also separate and distinct from the work of the Chief Commissioner in reviewing appeals and the work of commissioners in hearing and making decisions on human rights complaints. In keeping with the purposes of the Act, the director and employees also provide public information, education and consultation services and undertake other related activities.

Appendix 1 provides an organizational chart showing the relationship of the Chief Commissioner, the director and the ministry.

Guiding framework for the Commission's 2009–12 strategic plan

The Ministry's business plan for 2009 – 12 provides a guiding framework for the Commission's strategic plan, as it does for all other entities that report through the Ministry.

Alberta Culture and Community Spirit Ministry Vision statement:

A superior quality of life that makes Alberta one of the best places to live, work and visit.

Alberta Culture and Community Spirit Ministry Mission statement:

Support vibrant, inclusive communities and promote, develop and preserve Alberta's culture.

The work of the Commission aligns with the Ministry's core business to:

Protect human rights, promote, fairness and access, and support the inclusion of all Albertans

Link to the Government of Alberta Strategic Business Plan

The work of the Commission links to the Government of Alberta's goal (Goal 7) that *Alberta will be a safe place to live, work and raise families*. The work of the Commission also contributes to achieving the Government of Alberta's strategic priority to *promote strong and vibrant communities*.

Link to Ministry strategic priority of inclusive communities

The work of the Commission supports the Ministry's strategic priority of inclusive communities:

Foster equality, reduce discrimination and barriers to full participation in society and help build welcoming and inclusive communities and workplaces for all Albertans. A review of the human rights policy and legislative framework will be completed.

The issues facing the Commission related to this priority include the following:

- the ongoing pressure on the complaint resolution process of the Alberta Human Rights and Citizenship Commission related to the nature and volume of cases,
- the continuously evolving nature of human rights case law and the increasingly litigious environment in which statutory human rights agencies operate,
- the need for programs and services that meet the needs of an increasingly diverse population, that contribute to social cohesion and build a more inclusive society,
- the overall increasing complexity of human rights and diversity issues, and
- the diversity of interests and stakeholders.

Link to Ministry Goals, Strategies and Performance Measures

The Commission's work is directly linked to Goal 5 of the Ministry's business plan:

Albertans participate in the social, economic and cultural life of the province without discrimination.

Through its work on advancing its own mandate and priorities, the Commission will also help contribute to the achievement of relevant Ministry strategies outlined in its 2009-12 Business Plan, including:

- **Strategy 5.1:** Develop and implement strategies that help build welcoming and inclusive communities and workplaces, particularly for immigrants and ethno-cultural and racial groups.

- **Strategy 5.2:** Support nonprofit organizations and public institutions in building their capacity to develop and deliver effective initiatives that advance the goal of full civic participation.
- **Strategy 5.3:** Complete the review of the human rights policy and legislative framework that protects human rights and protects fairness and access to the opportunities to participate fully in the social, cultural and economic life of the province.

Commission responsibilities and key strategies

Part 1: Chief Commissioner's responsibilities as head of the Commission

a) Responsibilities in relation to the Minister

The Chief Commissioner advises the Minister on current human rights, diversity, multiculturalism and other matters relating to the Act. The Chief Commissioner is also appointed by the Minister to serve as vice-chair of the Human Rights, Citizenship and Multiculturalism Education Fund Advisory Committee.

b) Responsibilities in relation to the commissioners

The Chief Commissioner oversees the actions the Commission takes on human rights complaints that are not resolved or settled by the staff in the regional offices or by the director. The Chief Commissioner assigns part-time commissioners to chair and serve on human rights panels (tribunals), and leads the commissioners in developing policy and managing issues related to their responsibilities. He also oversees the initial selection and re-appointment of part-time commissioners and recommends training for commissioners as appropriate.

c) Responsibilities in relation to the director

The Chief Commissioner provides the director with guidance regarding the overall goals and direction of the Commission.

d) Other responsibilities

The Chief Commissioner confers with other provincial and national organizations and agencies to advance mutual goals. As head of the organization, the Chief Commissioner issues public statements related to significant Commission matters and related human rights, diversity and multicultural issues, and represents the Commission at public events.

e) Key strategies

- Provide input to the review of human rights policy and the legislative framework and implement any changes to the Commission's activities arising from changes to the policy or legislation.

- Work with government to secure appropriate staffing and accommodation for the Chief Commissioner's office.
- Oversee/conduct an organizational review of structure and processes to ensure the Commission is organized to deliver effective and efficient services.

Part 2: Chief Commissioner's and Commissioners' responsibilities for adjudicative and other activities

a) Appeals to the Chief Commissioner

The Chief Commissioner reviews appeals of decisions made by the director to dismiss or discontinue complaints. He either upholds the director's decision or offers the complainant the opportunity of having the complaint decided by a human rights panel.

b) Human rights panels (tribunals)

The Chief Commissioner assigns commissioners to chair and serve on human rights panels. The human rights panels hold public hearings for complaints that have been forwarded by the Chief Commissioner, as well as complaints that have been forwarded by the director because they have not been resolved through the Commission's complaint resolution process. Commissioners maintain hearing skills proficiency by taking training as appropriate.

c) Other activities

In addition to their responsibilities for adjudication, the Chief Commissioner and commissioners develop policy and manage issues related to their responsibilities. They also represent the Commission at public events. In addition, the Chief Commissioner responds to judicial reviews of his decisions.

d) Key strategies

- Deliver high-quality, timely and fair service in reviewing dismissals and discontinuances of complaints and in adjudicating complaints through the human rights panels to achieve high settlement and closure rates.
- Continue to implement improvement strategies in the review and human rights panel processes.
- Work with government to secure appropriate staffing and accommodation to support the human rights panels.

Part 3: Commission activities under the director's responsibility for the administration of the Act

a) Complaint resolution services

The director and staff administer the following activities provided for by the Act:

- responding to confidential inquiries on human rights matters and making referrals to other agencies where appropriate
- resolving human rights complaints, including screening, accepting, conciliating, investigating and settling complaints made under the Act
- participating as a party before human rights panels as required
- participating as a party in appeals of panel decisions at Court of Queen's Bench and at higher courts as required
- advocating before the Supreme Court of Canada in cases of national importance

In addition, Commission legal counsel support the Chief Commissioner and commissioners as appropriate, and appear for the Chief Commissioner in court on judicial reviews. The director and staff also support the enforcement of remedies that human rights panels order to settle human rights complaints.

b) Education and community services

The director and staff provide the following services:

- developing and offering resources and programs to build awareness and understanding of human rights, diversity, multiculturalism and the impact of legal decisions, and of the programs and services offered by the Commission
- promoting an understanding of, acceptance of, and compliance with the Act
- building knowledge and skills within targeted audiences and building partnerships that support the development of a society respectful of human rights and diversity

c) Other activities

The director and staff develop policy and manage issues related to their responsibilities. They also liaise with other jurisdictions, organizations and agencies to achieve mutual goals. The director advises the assistant deputy minister on general matters that fall under the director's responsibilities. The director and staff also respond to media inquiries concerning the Commission's processes and activities. The director and staff are responsible for planning, management and administration of the Commission.

d) Key strategies

- Provide input to the Chief Commissioner on suggested changes to strengthen and improve the policy and legislative framework.
- If changes to the policy and legislative framework are approved, develop an educational resource or resources to explain those changes that relate to the work

- of the Commission, and update existing Commission resources to reflect the changes.
- Investigate and implement improvements to processes for preventing and resolving individual and systemic human rights complaints.
 - Continue to champion the Coalition of Municipalities Against Racism and Discrimination and contribute to advancing the Coalition within Alberta and on a national level.
 - Continue the partnership with the Alberta Urban Municipalities Association to increase municipal capacity to build welcoming and inclusive communities.
 - Resolve remaining issues relating to the Commission’s new website, in particular the search function for panel and legal decisions.
 - Pilot public workshops, including some in partnership with other organizations and in locations outside of Edmonton and Calgary, and complete a review of the workshop program.
 - Develop three information sheets on obtaining and responding medical information in the workplace, and launch a promotional plan for the interpretive bulletin and information sheets.
 - Updating selected interpretive bulletins to reflect current case law and Commission policies.
 - Implement changes to the Commission’s electronic newsletter arising out of the survey of subscribers.
 - Expand outreach through the display programme to reach new audiences, including audiences outside of Edmonton and Calgary.
 - Engage in collaborative initiatives to combat discrimination in targeted sectors and on targeted issues, for example, on hate/bias crime and incidents, sexual orientation, and Aboriginal issues.

Resources

All resources required by the Commission are provided through the Ministry of Alberta Culture and Community Spirit. See Program 5 “Human Rights and Citizenship” in the Alberta Culture and Community Spirit estimates for 2009-10.¹ The Commission receives financial support from the Human Rights, Citizenship and Multiculturalism Education Fund for expenses related to its educational initiatives.

Results

a) Overall ministry results

The ministry’s success in achieving its goal of protecting human rights, promoting fairness and access, and supporting the protection, inclusion, and participation of all

1. <http://www.finance.alberta.ca/publications/budget/estimates/est2009/culture.pdf>

Albertans is measured through the following public perception indicators. These indicators are evaluated annually through an independent public survey.

Performance Measure	Results 2002-03	Results 2003-04	Results 2004-05	Results 2005-06	Results 2006-07	Results 2007-08	Results 2008-09	Target 2009-10
Adult Albertans' perception of the effectiveness of human rights protection in Alberta	83.7%	84.8%	87.6%	86.7%	88.1%	88.0%	91.1%	89%
Percentage of Albertans who believe their current or last place of work is free of discrimination*	n/a	n/a	n/a	n/a	n/a	79.3%	81.2%	81%

*New performance measure

b) Part 1 and 2 results: Chief Commissioner's and commissioners' responsibilities

The Commission reports annually on the following activities related to appeals to the Chief Commissioner and human rights panels conducted by commissioners:

- number of appeals reviewed by the Chief Commissioner and his decisions on them
- number of complaints scheduled for or heard by panels and how the complaints are closed
- panel decisions
- relevant court decisions

Results from other activities undertaken by the Chief Commissioner and commissioners are also reported.

c) Part 3 results: Commission activities under the director's responsibility for the administration of the Act

The Commission reports annually on the following activities related to the activities of the director and staff in resolving and settling complaints:

- timeliness of processing of human rights complaint files
- the number of complaint files opened
- the areas and grounds on which complaints are made
- the number of complaints closed

- the way in which complaints are closed

The level of educational activity is reported in terms of:

- changes to existing programs and services
- new programs and services developed
- level of activity in programs and services (e.g. number of presentations and workshops)

Results from other activities undertaken by the director and staff are also reported.

Appendix 1

Alberta Human Rights and Citizenship Commission Organizational Chart

