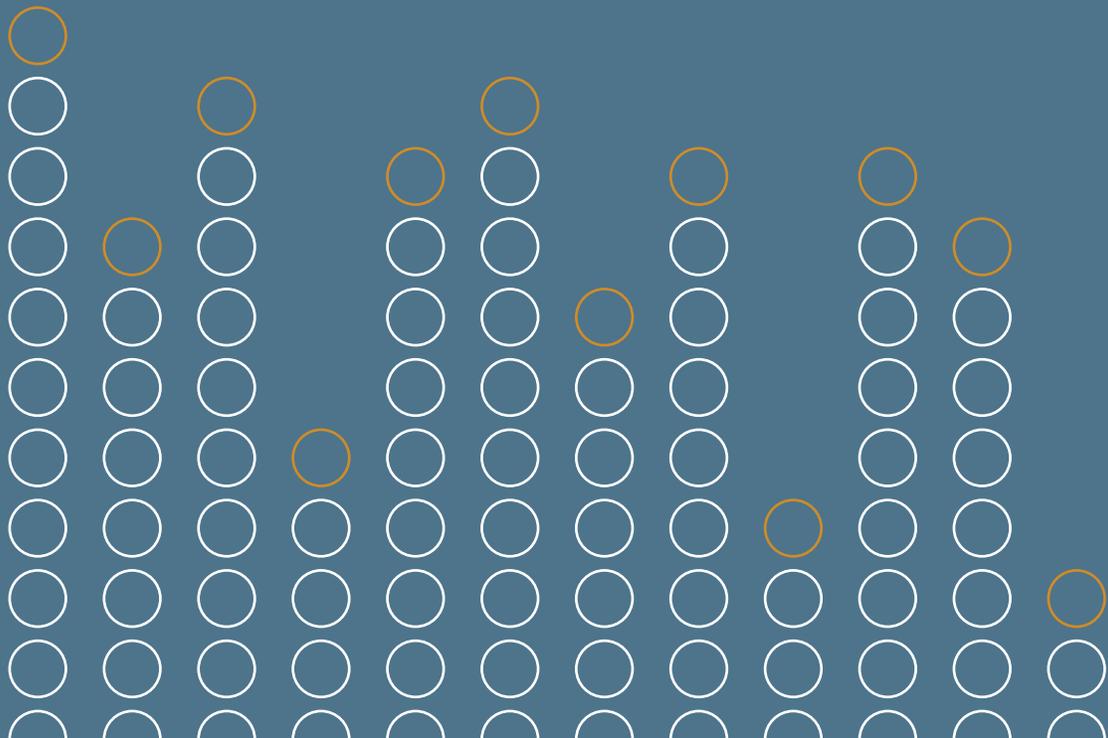




Alberta  
Human Rights Commission

# ANNUAL REPORT

# 2019–20



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**Please note:** In 2019-20, 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 *2019-20 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 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* (the *Act*). The Chief of the Commission and Tribunals of 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 Commission's activities; 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 Communication, Education and Engagement regarding the Commission's overall goals and direction; and rendering appeal decisions pursuant to section 26 of the *Act*.

Under section 19 of the *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, 2019 to March 31, 2020.

# Mandate, Vision, Mission

## Our Mandate

To foster equality and reduce discrimination.

## Our Vision

A vibrant and inclusive Alberta where the rich diversity of people is celebrated and respected, and where everyone has the opportunity to fully participate in society, free from discrimination.

## Our Mission

To serve the public interest by ensuring access to justice, advancing equity and inclusion, and upholding human rights principles in Alberta.

# Message from the Chief of the Commission and Tribunals

It is with great honour, and appreciation to all Commission staff and members, along with our community partners, that I present the 2019-20 Alberta Human Rights Commission Annual Report.

Who knew when we started this year that it would end in a global pandemic, with enormous, real-life impacts on all Albertans? While it is easy to see the pandemic as a great equalizer, since no one is immune from the risk, we have quickly come to understand that different communities, and people within communities, experience the impacts very differently. We have seen that our fellow Albertans of Asian heritage and origin have been subjected to senseless acts of hatred and abuse. We are still learning how women, Indigenous Peoples, individuals from immigrant communities, and people of colour contract COVID-19 at disproportionate rates and have more severe health outcomes. There appears to be a consensus that these concerning trends have their roots in historical and chronic disadvantage and marginalization, including poverty, job ghetto-ization, and unequal community resources. The pandemic has also forced us to take stock of how we care for the elderly, people with mental illness, and others who can face isolation and loneliness. If we are a society that truly believes in justice, equality, and human rights, these are realities we will need to confront, and remedy, in the coming months and years.

At the Alberta Human Rights Commission, in late February and early March, we quickly pivoted to ensure our services continued to

be available. We started moving to online conciliation, mediation, and hearings. We also developed information and tools to address questions specifically related to COVID-19 in the workplace, in relation to goods and services, and in housing. Our staff was equipped to work remotely, and while we faced common challenges associated with uncertainty and almost daily change, we continued, and will continue, to meet the needs of Albertans. I want to give a shout out and thanks to everyone at the Commission for stepping up during these challenging times. I want to also thank parties and the public for their cooperation and understanding.

The Commission saw a number of changes and achieved several successes this past year. In the spring of 2019, we launched the Case Inventory Resolution Project (CIRP). In order to address the oldest files in our case inventory, we set up two teams: one for the conciliation queue and one for the investigation queue. We implemented faster timelines to conciliation and streamlined the investigation process. I am proud to say because of this project, and the great work of Commission staff in general in 2019-20, we were able to resolve close to 1,150 complaints—more than double the number in the prior year and far more than in any year on record. Impressively, this was achieved in a year in which we were met with a significant budget constraint. We continue to work through the oldest cases and hope that, by spring 2021, the CIRP project will be complete.

In addition to these impressive results, the CIRP project has allowed us to gain experience and valuable insights on how to make our dispute resolution more effective and efficient.

2019-20 marked the wind-up of our Human Rights Education and Multiculturalism Fund (the Fund). The Fund had long been at the center of our community engagement activities. More importantly, it had been a source of funding and partnerships for numerous community groups and organizations. Again, we were able to pivot quickly and the Communication, Education and Engagement unit continued the Commission's important presence and contributions across various communities. This past year, we worked with the Ministry of Culture, Multiculturalism and Status of Women to support its grant funding programs, and played a key role in the anti-racism strategy. As we support and oversee the completion of grant projects funded prior to October 2019, we will shift to work with community organizations in different ways. For example, amongst our strategic priorities that we developed this year, we included the commitment to build capacity to support work with Indigenous communities and to focus on the needs of persons with disabilities. As in the past, we will also focus on eliminating hate, and racial and gender-based violence in Alberta. The expertise, experience, and perspectives that we can offer are all critical to promoting the values of human rights in our evolving society.

Finally, I want to note that in March 2020, Cathy Finlayson, Tribunal Registrar, retired after 25 years in the role and 40 years of dedicated public service. Anyone who had dealings with the Tribunal knew Cathy as professional, always helpful, and kind. She was a great and invaluable asset to me as I took on my role in 2018, and was always a true leader at the Tribunal and across the Commission. On behalf of everyone at the Commission and all Albertans, I want to give my sincerest thanks and admiration to Cathy.

I would also like to introduce Laura Ritzen, the new Tribunal Registrar. Laura comes with great experience and commendations, and I know she will continue to advance the highest principles of professionalism and integrity.

In conclusion, I want to once again thank all Commission staff and Tribunal members. As our province continues to go through tremendous economic, social, and cultural change, the Alberta Human Rights Commission must be ready to play its central role in furthering the values of equality, diversity, inclusion, and justice—values that can make us proud of who we are and guide us into the future.

[Original signed by]

Michael Gottheil  
Chief of the Commission and Tribunals

# Communication, Education and Engagement

Throughout 2019-20, the Commission continued to deliver impactful programs and initiatives to inform and educate Albertans about their rights and responsibilities under the *Alberta Human Rights Act* (the *Act*). These initiatives equipped Albertans to address discrimination in organizations, communities, and in their personal lives, and reduced the barriers that prevent many Albertans from participating fully in society.

The Commission also engaged with key stakeholders and partnered in collaborative strategic initiatives to address issues of racism and discrimination impacting various groups, in informed and meaningful ways.

## Increased Albertans' understanding of their rights and responsibilities under the *Act*, through information and educational initiatives

The [Commission's website](#) is its core communications tool to keep Albertans informed about their rights and responsibilities related to the *Act*, and about the programs and services available to them. In 2019-20, the Commission revised sections across the website to streamline and improve Albertans' access to key information related to [complaint resolution](#), [educational programs](#), and [grants](#).

The website is also a key platform for sharing information with Albertans about [COVID-19 and human rights](#). Soon after the public health emergency was declared in Alberta, the Commission created a section on the website dedicated to informing the public about their human rights and responsibilities related to the pandemic.

The Commission also developed a range of new informational resources to update the public on the Commission's new complaint resolution process. This included three new information sheets about the Commission's [investigation process](#) and [conciliation process](#), as well as a [notice of revisions to the human rights complaint resolution process](#).

Throughout 2019-20, the Commission held **workshops** and delivered **presentations** for organizations, municipalities, as well as stakeholders representing the Indigenous, disability, LGBTQ+, and immigrant communities.





The Chief of the Commission and Tribunals spoke at events recognizing anniversaries significant to human rights and diversity, such as Black History Month and National Indigenous Day, as well as at conferences, including the Alberta Council of Disability Services' 2019 annual conference.

The Commission continued to support businesses and organizations in their efforts to create workplaces that are respectful and inclusive of all. The Commission hosted four public workshops in Calgary and Edmonton targeted to employers and employees, providing basic human rights information about the *Act*, concepts such as the duty to accommodate, and strategies to prevent and deal with harassment. In addition, the Commission delivered remedy workshops, providing in-depth human rights information to businesses and organizations.

## Supported organizations following the dissolution of the Human Rights Education and Multiculturalism Fund by reaching out and assisting

As per the Government of Alberta's Budget 2019, released on October 24, 2019, the Alberta Lottery Fund was transferred to Alberta Treasury Board and Finance on behalf of the General Revenue Fund and, subsequently, the Human Rights Education and Multiculturalism Fund (the Fund) was dissolved. Therefore, the Commission no longer offers funding through the Human Rights and Multiculturalism Grants program, and did not issue a call for grants in 2019-20. While the Fund's dissolution has left a significant gap in resources to support community organizations that respond to and address racism and discrimination experienced by marginalized communities, as well as a gap in funding to support the Commission's educational programs, the Commission quickly pivoted to find new and creative ways to engage and work with the community to address current human rights issues and challenges. This included strategies to reduce barriers and inequities through systemic change.

Following the budget announcement, the Commission focused on supporting organizations through the period of transition. The Commission provided advice, introductions, and referrals to other funding sources. The Commission also conducted a reflective review of the grant program, consulting current and past grant recipients regarding the benefits

and impacts of the funding on their work. The goal of this review was to inform the work of communities and other funders who may invest in future human rights, equity, and anti-racism initiatives.

The Commission also assisted organizations with the **57 grant projects** in progress at the start of 2019-20. Nineteen of the projects were completed in 2019-20. Just two of the many notable projects completed in 2019-20 include:

The Elizabeth Fry Society of Edmonton received a Human Rights Project grant to develop a 56-page handbook describing human rights legislation in plain language for a diverse population of incarcerated women (including Indigenous and transgender women). Human Rights in Action: A Handbook for Provincially Incarcerated Women in Alberta describes the handbook as “a tool that is intended to ensure that those whose rights are interfered with have support in addressing discriminatory treatment, and are able to identify and address areas that require system advocacy and change.” The Elizabeth Fry Society hosted workshops in the Edmonton area for approximately 300 incarcerated women, along with their family members and friends, where they learned about their rights as inmates and citizens.

The Town of Banff and the Regional Municipality of Wood Buffalo received funding from the Community Inclusion Grant Program for Municipalities to collaborate and research best practices to address diversity, inclusion, and equity for their local workforces. From their research, they developed training curriculum for employers and employees to support improved employee retention, productivity, financial returns, and customer satisfaction. In addition, ongoing recognition programs were developed for the businesses that participate in inclusivity training and make positive change to create respectful workplaces. They also developed the 2017 Bow Valley Workplace Inclusion Charter.

## Advanced the work to address hate, racism, and inequity in the province by supporting collaborative human rights initiatives

The Commission continued to partner in, and support several major initiatives that are strategically addressing discrimination, racism, and hate in the province, including:

- The **Coalitions Creating Equity (CCE)** initiative, created in partnership with community organizations and supported by the Fund, was launched in 2017 to help advance human rights and address local human rights issues and priorities. This year, the Commission provided direction and supported the five regional CCE centers as they moved forward to complete their projects. They each held separate events and consultations to collect data and build support for developing a **collaborative response model to address hate** in Alberta.
- The **Alberta Hate Crimes Committee** was established in 2001 as a response to the increased incidents of hate in Alberta. This fiscal year, the Commission supported and advised the committee, as it addressed hate, racist, and discriminatory incidents. The Committee worked with the CCE to increase its outreach and better respond to hate and bias.
- The Commission supported the **12 Communities Safety Initiative (12CSI)**, a local crime prevention collaborative, in their development of six anti-racism workshops in communities in east Calgary.
- The **Government of Alberta's anti-racism strategy**, including the Anti-Racism Advisory

Council and the Anti-Racism Community Grant (ARCG) program, was established in 2018. In 2019-20, the Commission participated in the review of 39 ARCG proposals. In addition, the Commission advised and provided support to the Ministry of Culture, Multiculturalism and Status of Women, as they assumed responsibility of the anti-racism strategy and ARCG program from the Ministry of Education. ARCG was later replaced with the **Multicultural, Indigenous and Inclusion Grants Program**, which supports initiatives and projects that build intercultural awareness and understanding.

The Commission continued to collaborate with Alberta Advanced Education to support studies in human rights. The **Alberta Award for the Study of Canadian Human Rights and Multiculturalism** supports graduate studies in Canadian human rights or multiculturalism. The award program—including the Master's level award (the Pardeep Singh Gundara Memorial Scholarship) and the Doctoral level award—is funded through the Alberta Heritage Scholarship Fund and is administered jointly by the Commission and Alberta Advanced Education.

With support from Alberta Student Aid, the Commission selected award winners for the 2019 awards. The Doctoral research will further examine the decolonization and Indigenization of Alberta post-secondary institutions. The Master's research will research the risk of ageism in the workplace.

## **Advanced the work to address the ongoing racism and discrimination experienced by Indigenous Albertans through respectful engagement and collaboration**

Indigenous Albertans continue to face racism and discrimination in various sectors of society, including in many areas protected under Alberta's human rights legislation, such as in employment, in accessing goods and services, and in housing. The Commission remains committed to building respectful and trusting relationships with Indigenous Albertans and organizations to advance collective efforts to address the racism and discrimination they disproportionately experience.

In addition to the above initiatives to address racism and discrimination, the Commission continued to engage and collaborate with Indigenous Albertans and organizations to support collaborative, Indigenous-led initiatives. For example, the Commission continued to co-chair the Calgary Indigenous Human Rights Circle, which further advanced its Re-Conciliation Project. This year, the project developed Indigenous resources for employers and service providers, and hosted three workshops for workplaces and communities on identifying racism and adding Indigenous perspectives. As well, the Commission

supported Kainai and Sikska First Nations as they developed Indigenous-led initiatives to address racism and discrimination experienced by their members, including consulting with members and collaborating with their local governments to address issues.

The Commission also continues to support efforts to better understand the human rights issues impacting Indigenous Albertans. In 2019-20, the Commission facilitated the Grass Roots Gathering event in Calgary to identify how and where Indigenous people experience racism and discrimination.

**The Commission was involved in convening the Network of Indigenous Funders in Alberta. Forty-three funders met quarterly to work together to enhance the success of Indigenous agencies and build funders' capacity to work with Indigenous communities. The network hosted a gathering "Our Journey Together" on November 21, 2019 in Edmonton, where over 120 people met to discuss funding Indigenous projects and updated an Indigenous funding guidebook.**

## **Helped resolve and advance matters related to human rights through consultation and advice**

The Commission continued to provide specialized consultative and advisory services to assist organizations, institutions, and governments on human rights matters. For example, in 2019-20 the Commission provided advice to:

- The RCMP and supported the development of information on police investigations involving LGBTQ+ members
- Canadian Heritage as they planned to engage with Albertans regarding racism and diversity issues
- Municipalities that were advancing their inclusion work, including Calgary, Medicine Hat, Fort MacLeod, and the Regional Municipality of Wood Buffalo
- The Disability Advocate and the Calgary Ability Network regarding accessibility legislation and other human rights issues
- Occupational Health and Safety and CPHR Alberta to discuss harassment legislation and policies regarding updates and changes to their education programs and external communications

## **Inquiry and Complaint Resolution Services**

The Commission's inquiry and complaint resolution service is a central part of the Commission's work. The Commission receives thousands of inquiries a year from Albertans and provides information on a confidential basis, free of charge to anyone who: wants to know more about rights and responsibilities under the *Alberta Human Rights Act* (the *Act*); wants to find ways to foster equality and reduce discrimination; believes they may have experienced discrimination; or is responding to a human rights issue.

This year, the Commission implemented new initiatives to help resolve complaints of discrimination more efficiently and in a timelier manner, while maintaining fairness. The various initiatives have yielded significant results, including a reduction in the time the Director and staff take to either resolve the complaint or make a decision under section 22 of the *Act*.

### **Responded to public inquiries related to human rights**

The Commission received inquiries 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 *Act*. Through its inquiry service, the Commission offered Albertans comprehensive information about the *Act*, human rights concepts, how to apply human rights principles to proactively resolve issues, and the human rights complaint process, as well as referral to other resources and supports.

[Information for complainants](#)

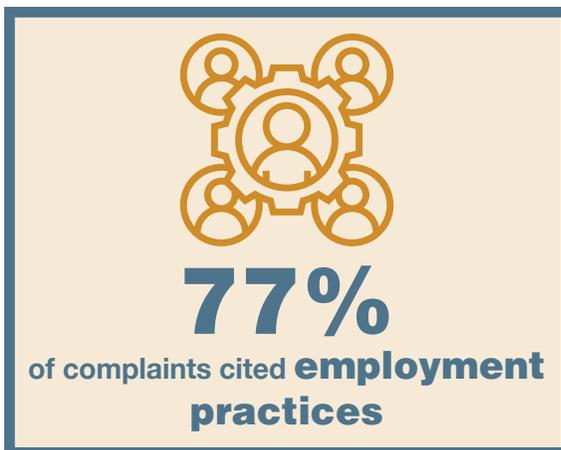
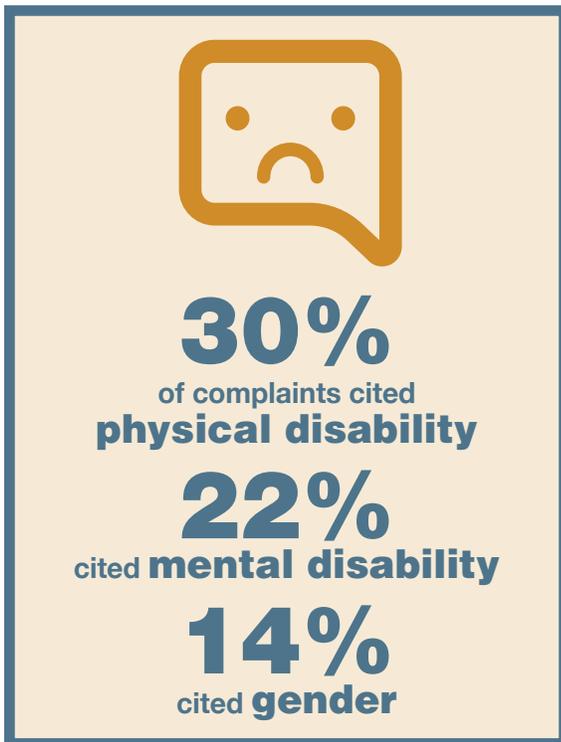
[Information for respondents](#)

[Human rights in the workplace](#)



As in previous years, in 2019-20, discrimination in employment on the grounds of physical disability, mental disability, and gender continued to be the most cited in complaints opened at the Commission.

See [Appendix C](#) for a breakdown of the areas and grounds cited in complaints made to the Commission in 2019-20.



## Resolved complaints of discrimination effectively and efficiently

At the end of 2018-19, the Commission launched the [Case Inventory Resolution Project \(CIRP\)](#) to deal with the case inventory more efficiently through streamlined processes. Work on the project continued in 2019-20, and methods honed in the project were applied to current complaint processing. Examples include efficiencies in gathering information, collaborative case conferences, and virtual conciliations.

### [Revisions to the complaint resolution process](#)

The Commission added a prescreening assessment tool to help the public understand if their complaint meets the required criteria, as well as made revisions and updates to a number of related sections of the website.

These new complaint processes have resulted in some significant improvements.

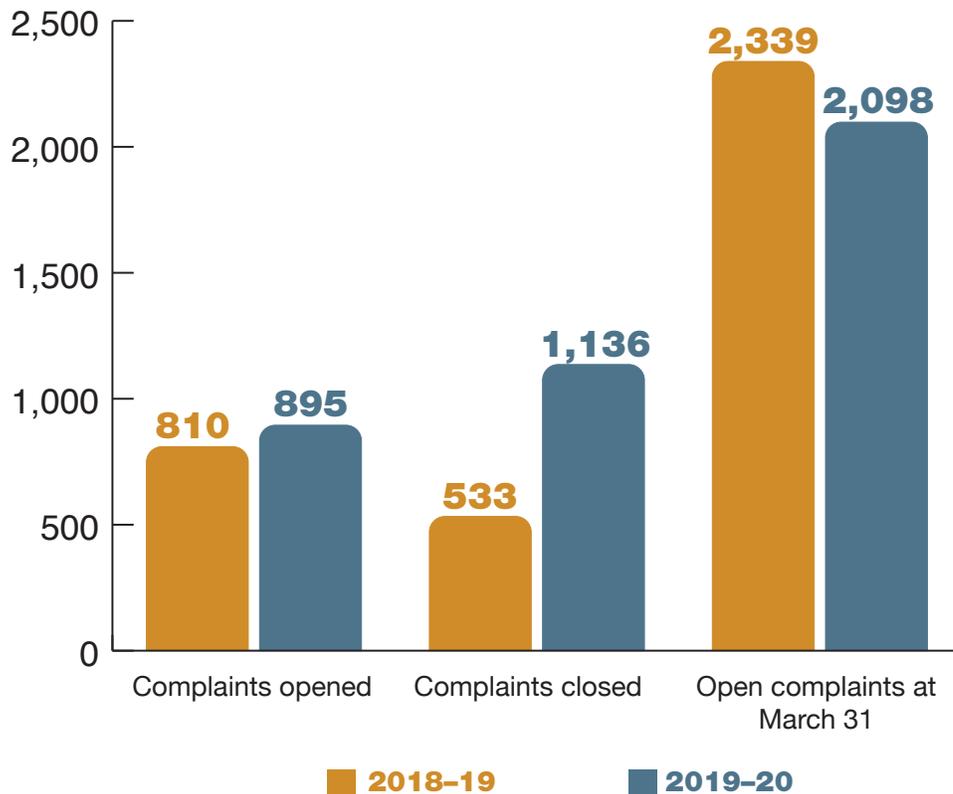


In 2019-20, the Commission **closed more than double the number of complaints** than the previous year, bolstered by a large number of complaints resolved at conciliation



**54%** of complaints were **resolved through conciliation**

**Complaints opened and closed and year-end balance**

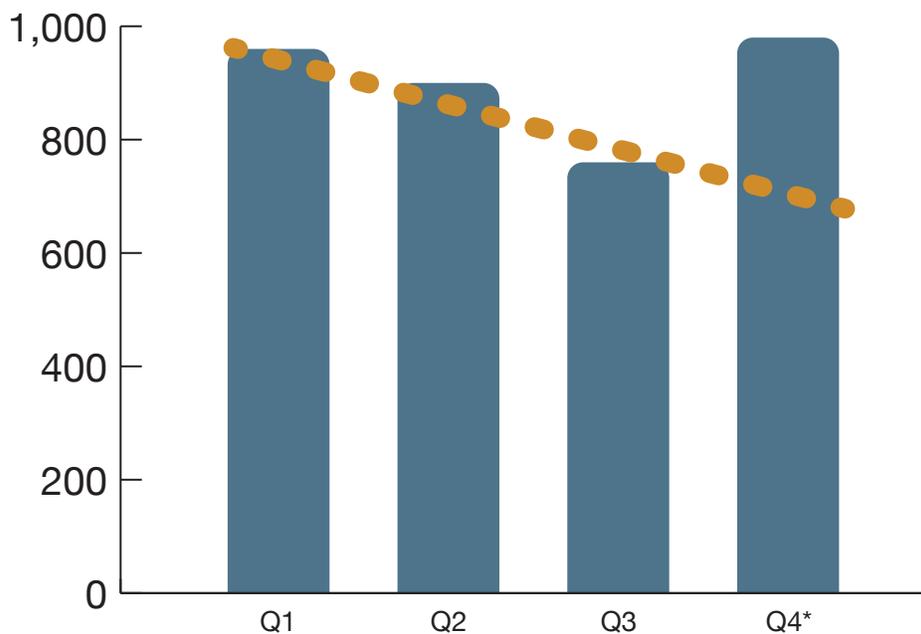


In conciliation, the use of scheduled face-to-face meetings, both in-person and virtually, has improved the Commission’s ability to provide meaningful resolutions for both complainants and respondents, with a higher resolution rate.

For investigations, strict timelines apply to all parties in each step of the process. Quicker turnaround times for submissions have increased the speed at which files can be processed.

- After a steady rise in the 2018-2019 fiscal year, 2019-20 showed a down-trend for the time complaints spent with the Director and staff to either resolve or make a decision under section 22 of the Act.

### Time with Director and staff in 2019-20 (days)



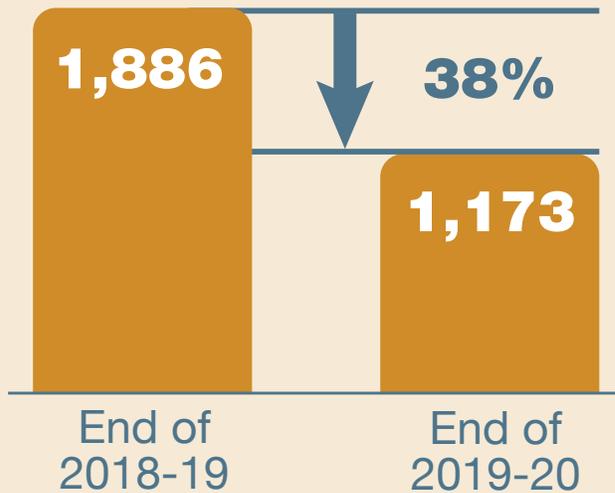
\*Q4 showed a slight uptick as the older files were processed.

In 2019-20, there was a

**38% drop**

**in the number of files waiting in a queue**

(for conciliation or investigation services, or for a decision by the Director)



## Office of the Chief of the Commission and Tribunals

The [tribunal process](#) is independent from the work of the Director of the Commission and her 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 (see [Appendix E](#) for biographies of the Members of the Commission).

There are two ways in which complaints proceed to the tribunal stage:

1. If the Director has dismissed or discontinued a complaint, the complainant may submit a Request for Review to the Chief of the Commission and Tribunals (Chief), pursuant to section 26 of the *Alberta Human Rights Act* (the Act). If the Chief does not find a
2. The Director may at any time report to the Chief that the parties are unable to settle a complaint and ask the Chief to refer the complaint directly to the tribunal. In these cases, the Director of the Commission has “carriage” of the complaint.

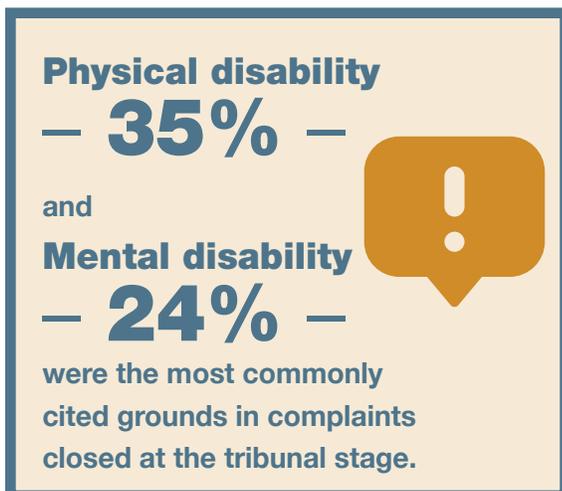
reasonable basis in the evidence to proceed to a tribunal hearing, the Chief will uphold the Director’s dismissal or discontinuance and the complaint will be closed. If the Chief finds there is a reasonable basis to proceed to a tribunal hearing, the Chief will overturn the Director’s dismissal or discontinuance, and the complaint will proceed to the tribunal stage, subject to the complainant accepting carriage of the complaint before a tribunal.

### Requests for Review decided by the Chief of the Commission and Tribunals under section 26 of the *Alberta Human Rights Act* in 2019-20

Type of Review	Decisions Upheld	Decisions Overturned	Total
Dismissal	52 (80%)	13 (20%)	65
Discontinuance	0	0	0

## Areas and grounds cited in complaints closed at the tribunal stage in 2019-20

There were 59 complaint files closed at the tribunal stage in 2019-20.



See [Appendix D](#) for details of the areas and grounds cited in complaints closed at the tribunal stage.

## Complaints closed through the human rights tribunal process

Of the 59 files that closed in 2019-20:

- 34 (58%) settled through the Tribunal Dispute Resolution (TDR) process
- 11 (19%) settled through private settlement
- seven (12%) closed as a result of a tribunal hearing
- four (7%) closed for other reasons (for example, loss of contact with the complainant)
- three (5%) were withdrawn

## Tribunal Dispute Resolution (TDR)

At the tribunal stage, all parties are first offered mediation by a Member of the Commission through 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.

In 2019-20, 53 files completed the TDR process. Of those, 34 (64%) settled at TDR.

## Tribunal hearings

If the parties are unable to settle the matter at TDR or choose not to participate in the TDR, the matter proceeds to a tribunal hearing for adjudication by a member or members of the Commission (in some cases, three-person tribunals adjudicate the matter). Parties may enter into settlement discussions at any time before the tribunal hearing in an effort to resolve

the matter. The tribunal that adjudicates the matter may decide the complaint has merit or that the complaint has no merit and dismiss the complaint.

There were a total of 29 tribunal decisions issued in 2019-20. Not all of the decisions resulted in a file closing, as some were interim decisions that addressed preliminary matters.

## Outcome of complaints closed through the human rights tribunal process

Outcome	2017-18	2018-19	2019-20
Settled prior to tribunal hearing	37	32	45
Merit	7	2	5
No Merit	4	5	2
Other	6	4	7
<b>Total</b>	<b>54</b>	<b>43</b>	<b>59</b>

## APPENDIX A: Legislative Framework for the Alberta Human Rights Commission

In Alberta, the *Alberta Human Rights Act* (the *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 (the 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 by 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: communication, 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 *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 resolving and settling complaints made under the *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 Communication, Education and Engagement leads the Commission's proactive work to eliminate discrimination and barriers to full participation in society. This includes efforts to increase awareness and understanding of rights and responsibilities under the *Act* among targeted audiences; support Albertans in their work to promote human rights and prevent discrimination; and encourage and contribute to meaningful collaborative efforts to reduce discrimination, eliminate barriers, and advance human rights.

## Protection from discrimination under the Alberta Human Rights Act

The *Alberta Human Rights Act* (the *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, sexual orientation and age. Prior to January 1, 2018, age discrimination was not protected in the area of goods, services, accommodation or facilities; and in the area of 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: Legislative Framework for the Human Rights Education and Multiculturalism Fund**

The Human Rights Education and Multiculturalism Fund (the 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 Fund financially supported the education and engagement activities of the Alberta Human Rights Commission. In addition, a key function of the Fund was to provide grants to community organizations for projects that foster equality and reduce discrimination. As per the Government of Alberta's Budget 2019, released on October 24, 2019, the Alberta Lottery Fund was transferred to the Alberta Treasury Board and Finance on behalf of the General Revenue Fund, and the Fund was dissolved. The Commission will oversee the closure of final projects, ensuring adherence to funding requirements.

## APPENDIX C: Grounds of Discrimination and Areas Cited in Complaints Opened, and Disposition of Complaints

### Complaints by ground and independent areas\* (2019-20)\*\*

Protected ground	Times cited	Per cent of total
Physical disability	764	30%
Mental disability	560	22%
Gender	360	14%
Race/Colour	212	8%
Ancestry/Origin	174	7%
Family status	137	5%
Age	106	4%
Religious beliefs	83	3%
Marital status	41	2%
Sexual orientation	35	1%
Retaliation*	22	1%
Gender identity	16	1%
Gender expression	10	<1%
Source of income	6	<1%
Equal pay*	4	<1%
<b>Total</b>	<b>2,530</b>	

\*Sections 6 and 10 of the Act allow for complaints that do not depend on the involvement of a protected ground. These sections are referred to as independent areas.

\*\*Table provides information on the number of grounds and areas cited in the 895 new complaint files opened. Each complaint may cite more than one ground and area. Percentages have been rounded.

## Complaint grounds cited by area of the *Alberta Human Rights Act* (2019-20)\*

Protected area	Per cent of total
Employment practices (section 7)	77%
Goods, services, accommodation, or facilities (section 4)	16%
Tenancy (section 5)	3%
Applications and advertisements re: employment (section 8)	2%
Retaliation (section 10.1)	1%
Membership in trade union, etc. (section 9)	1%
Publications, notices (section 3)	<1%
Equal pay (section 6)	<1%
Frivolous or vexatious complaints with malicious intent (section 10.2)	0%

\***Note:** Table provides information on the number of grounds and areas cited in the 895 new complaint files opened. Each complaint may cite more than one ground and area. Percentages have been rounded.

## Disposition of complaints closed by complaint resolution services (2019-20)

Disposition	Number closed	Per cent of total
Resolved through conciliation	615	54%
Resolved through investigation	47	4%
Dismissed	222	20%
Discontinued	0	0%
Abandoned or withdrawn	193	17%
<b>Total</b>	<b>1,077</b>	<b>95%*</b>

\***Note:** Percentages are of the total 1,136 complaints closed.

## APPENDIX D: Grounds of Discrimination and Areas Cited in Files Closed at the Tribunal Stage

A total of 65 areas and 94 grounds were cited in the 59 complaints that closed at the tribunal stage (**note:** a complainant may cite more than one area and more than one ground).

### Complaint grounds in files closed at the tribunal stage (2019-20)

Protected ground	Times Cited
Physical disability	35
Mental disability	24
Gender	10
Race/Colour	5
Source of income	5
Family status	4
Marital status	3
Ancestry/Origin	2
Age	2
Religious beliefs	2
Sexual orientation	2
<b>Total</b>	<b>94</b>

**Note:** Grounds are not counted when the tribunal is considering the validity of a severance agreement.

### Complaint grounds cited by area of the *Alberta Human Rights Act* in files closed at the tribunal stage (2019-20)

Protected area	Times Cited
Employment practices (section 7)	47
Retaliation (section 10)	8
Goods, services, accommodation or facilities (section 4)	5
Membership in a trade union, etc. (section 9)	4
Applications and advertisements re: employment (section 8)	1
<b>Total</b>	<b>65</b>

**Note:** Areas are not counted when the tribunal is considering the validity of a severance agreement.

## **APPENDIX E: Biographies of the Members of the Commission**

The following are summaries of the biographies of the 2019-20 Members of the Commission. The complete biographies of active members are available on the [Commission website](#).

Pursuant to the Alberta Human Rights Commission Bylaws, 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.

Pursuant to section 20(7) of the *Interpretation Act*, after their appointments expire, members of the Commission remain empowered to conclude matters that were assigned to them before the expiration of their appointment.

### **Chief of the Commission and Tribunals**

#### **Michael Gottheil**

Michael Gottheil was appointed Chief of the Commission and Tribunals of the Alberta Human Rights Commission and began his term in August 2018.

Mr. Gottheil brings many years of leadership experience in the administrative justice sector, having previously served as Chair of the Human Rights Tribunal of Ontario and Executive Chair of both the Environment and Land Tribunals Ontario and the Social Justice Tribunals Ontario. A graduate of Osgoode Hall Law School, he also practiced labour, employment, and human rights law for close to 20 years.

### **Members of the Commission**

#### **Darryl A. Aarbo, Q.C.**

Darryl Aarbo was appointed for a term beginning January 22, 2019; on August 15, 2019, his term was rescinded. Mr. Aarbo practiced at a labour and employment law firm in Ontario before moving back to his home province of Alberta in 1997. Since then, he has maintained a practice in employment and human rights law, as well as a general litigation practice. Early in his legal career, he conducted investigations and mediations for the Alberta Human Rights Commission. Mr. Aarbo was appointed Queen's Counsel in 2016.

#### **Rita Aggarwala**

Dr. Rita Aggarwala was appointed for a term beginning January 22, 2019; on August 15, 2019, her term was rescinded. Dr. Aggarwala has been involved in a broad range of legal activities, including articling at the Court of Queen's Bench in Calgary; practicing at a small litigation firm in employment law, administrative law, environmental law, and constitutional law; working as in-house counsel; appearing as a statistical expert in cases of national importance; assisting with complex legal matters involving Aboriginal consultation; and assisting in matters involving Indigenous rights to oil and gas royalties.

#### **Joanne Archibald**

Joanne Archibald was appointed for a term beginning July 25, 2013; on January 16, 2020,

her term expired. Early in her law career, Ms. Archibald practiced 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.

### **Doris Bonora, Q.C.**

Doris Bonora was appointed for a term beginning August 15, 2019. Ms. Bonora is partner at Dentons Canada LLP. She is the Canadian group leader for Dentons' Trust, Estates, Tax, and Wealth Preservation. She has a particular interest in equal rights of Indigenous Canadians, the elderly, and women. She has a Bachelor of Laws from the University of Alberta.

### **Roxanne Davis**

Roxanne Davis was appointed for a term beginning January 22, 2019; on August 15, 2019, her term was rescinded. Ms. Davis practiced law in New Brunswick and then Ontario before settling in Calgary and joining Carbert Waite LLP, where she is now a partner. She practices litigation with a focus on employment law, including human rights, privacy, and occupational health and safety matters.

### **David Findlay, Q.C.**

David Findlay was appointed for a term beginning September 25, 2019. Mr. Findlay is a Partner at Findlay McQuaid Law Firm and is an active member of the community. He has extensive experience in family law, child protection, wills and estates, as well as in Aboriginal and Elder law. Mr. Findlay has a Bachelor of Science from the University of Alberta and a Bachelor of Laws from the University of Calgary. He also has a Certificate in Human Resource Management.

### **Teresa Haykowsky**

Teresa Haykowsky was appointed for a term beginning August 15, 2019. Ms. Haykowsky is a Partner at McLennan Ross LLP. Ms. Haykowsky specializes in education law, labour and employment, human rights, and constitutional law. She has appeared at all court levels, including the Supreme Court of Canada. Ms. Haykowsky has a Bachelor degree from the University of Alberta and a Bachelor of Law from the Université Laval. She is a member of the Québec, Alberta, and Nunavut Law Societies.

### **Cherie Langlois-Klassen**

Cherie Langlois-Klassen was appointed for a term beginning January 18, 2017; on April 25, 2019, she resigned as a member of the Commission. Ms. Langlois-Klassen previously practiced at Blair Chahley Seveny Lawyers. She also served as Political Action Coordinator for Alberta Federation of Labour. After nearly a decade representing the members of the United Nurses of Alberta, she moved to a position where she represented the Alberta Union of Provincial Employees and its members in labour disputes and arbitrations.

### **Sharon V. Lindgren**

Sharon Lindgren was appointed for a term beginning August 21, 2015. Ms. Lindgren's 23-year professional career includes previous roles as a practicing lawyer, staff lawyer to the British Columbia Labour Relations Board, legal counsel to unions, mediator, in-house counsel to Talisman Energy, and Director of Faculty and Employee Relations at the University of Calgary. She has extensive conflict mediation experience, as well as broad experience appearing before a variety of administrative tribunals.

### **Duncan Marsden**

Duncan Marsden was appointed for a term beginning August 21, 2015. Mr. Marsden has over 20 years of experience in the human rights field. He was a solicitor and senior associate in employment law in the United Kingdom. Mr. Marsden is currently a partner with Borden Ladner Gervais LLP. He has a Bachelor of Laws (Law with French) from Leicester University and a legal practice course from the College of Law.

### **Collin May**

Collin May was appointed for a term beginning August 15, 2019. Mr. May is a private wealth and corporate services lawyer. He has a Bachelor of Arts degree from the University of Alberta, a Bachelor of Laws from Dalhousie Law School, and a Master's degree in Theological Studies from Harvard.

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

William D. McFetridge was appointed as a Member of the Commission beginning September 30, 2010; on January 16, 2020, his term expired. He is a Chartered Arbitrator and, since 1983, has chaired arbitration boards dealing with grievances and collective bargaining disputes in the public and private sectors. He also adjudicates unjust dismissal complaints under Part III of the *Canada Labour Code*. Mr. McFetridge was appointed Queen's Counsel in 2012. He taught in the Alberta Arbitration and Mediation Society arbitrator training program and has been a frequent speaker on employment law, labour and human rights issues.

### **Laura L. Mensch**

Laura Mensch was appointed for a term beginning January 22, 2019; on August 15, 2019, her term was rescinded. Ms. Mensch has extensive experience in employment and labour law and related fields, including human rights, occupational health and safety, workers' compensation, and privacy law. Prior to joining Miller Thomson LLP as a partner, she practised with Gowling WLG (Canada) LLP. Ms. Mensch provides labour and employment law advice to a broad spectrum of clients including public bodies, private companies in a variety of industries, Indigenous Peoples, and non-profit agencies.

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

Jean Munn was appointed for a term beginning August 21, 2015. She has 29 years of experience as a practicing lawyer, specializing in employment and immigration law. She is a partner with Caron and Partners LLP and has significant experience dealing with administrative law and human rights issues. Ms. Munn has a Bachelor of Arts and a Bachelor of Laws. She was a sessional instructor at the University of Calgary, Faculty of Law, for seven years and has served on a number of community and professional boards.

### **Kathryn Oviatt**

Kathryn Oviatt was appointed for a term beginning August 21, 2015. She is a partner at Oviatt Law where she focuses on labour arbitration, employment law, and legal research and writing. Ms. Oviatt has been a lawyer since 2006 and an independent adjudicator since 2014. She holds the professional designation of Qualified Arbitrator from the ADR Institute of Canada. Prior to joining Oviatt Law, Ms. Oviatt served as legal counsel for the Court of Queen's Bench and was an associate at a large regional law firm.

### **Erika Ringseis**

Dr. Erika Ringseis was appointed for a term beginning August 15, 2019. She is located in Calgary and is senior legal counsel, specializing in labour and employment law at InHaus Legal. Dr. Ringseis has a Juris Doctorate degree in addition to her undergraduate degree from the University of Calgary, and a Master's of Science degree and a Ph.D. in Industrial-Organizational Psychology, both from the Pennsylvania State University.

### **Karen Scott**

Karen Scott was appointed for a term beginning August 21, 2015. She is a partner with Seveny Scott Lawyers, practicing in the field of labour and employment law, as well as human rights law. She has a Bachelor of Arts and a Bachelor of Laws (with distinction) from the University of Alberta and holds certificates from the Alberta Arbitration and Mediation Society. She is also a sessional lecturer at the University of Alberta Law School.

### **Patrizia C. Valle**

Patrizia Valle was appointed for a term beginning September 25, 2019. She is Principal of Patrizia C. Valle Professional Corporation, where she acts as external general counsel to corporations, government entities, and charities on a variety of matters. Ms. Vallee has extensive corporate governance experience and has volunteered on several boards. She is trilingual, has completed continuing education training, and received numerous honours, including post-secondary distinction and Dean's list standings, as well as various scholarships and awards. She received her Bachelor of Arts degree and Juris Doctor from the University of Alberta.

### **Sharon Sproule**

Sharon Sproule was appointed for a term beginning January 22, 2019; on August 15, 2019, her term was rescinded. Ms. Sproule brings over 20 years of legal experience, encompassing client advocacy, mediation, dispute resolution, and trial representation. She has extensive knowledge of employment, privacy, and administrative law and has worked as both external and in-house legal advisor for private industry and public sector clients. Ms. Sproule is currently Senior Legal Counsel with Alger Zadeiks Shapiro LLP in Lethbridge.

### **Nazrina H. Umarji**

Nazrina H. Umarji was appointed for a term starting January 22, 2019; on August 15, 2019, her term was rescinded. Ms. Umarji has practiced in various facets of the law. She began her career in private practice, then joined the City of Edmonton Law Branch, practicing in the areas of expropriation and municipal law. Ms. Umarji practiced administrative law and civil litigation with the Workers' Compensation Board of Alberta for nine years. Currently, Ms. Umarji is a Board Officer with the Alberta Surface Rights Board.

### **Moin Yahya**

Dr. Moin Yahya has been appointed for a term beginning August 15, 2019. He is a Professor in the Faculty of Law at the University of Alberta. Dr. Yahya has a Bachelor and Master of Arts in economics from the University of Alberta, a Ph.D. in economics from the University of Toronto, and a Juris Doctor from Antonin Scalia Law School (George Mason University).

