

INFORMATION SHEET

When there has been a contravention of the *Alberta Human Rights Act*, a remedy provides compensation for losses that a person who has been dealt with contrary to the *Act* (in most cases, the complainant) has experienced. A remedy may also provide for certain actions to be taken by the respondent to prevent future contraventions of the *Act*.

A remedy can be financial or non-financial. It is intended to restore the complainant to the position they would have been in if a contravention of the *Act* had not occurred. It is not intended to punish the respondent. Some examples of remedies include money for loss of wages or injury to dignity and self-respect, an apology, a change in policy, or participation in a human rights education activity.

A **complainant** is the person who makes a complaint to the Commission because they have a reasonable basis to believe that someone has discriminated against them or that the *Alberta Human Rights Act* has been contravened. A complainant may also make a complaint on behalf of someone else. Completing a complaint form or making a complaint does not mean that the complaint has been accepted by the Commission.

A **respondent** is the employer, service provider, landlord, organization or individual against whom the complainant is making a complaint.

How are remedies determined?

Remedies are determined based on assessing the losses that the complainant has actually experienced, and a consideration of whether or not any non-monetary remedies are necessary to prevent the discrimination from occurring in the future. Remedies are also based on previous human rights decisions.

The specific factors of each complaint will be considered when determining remedy. Tribunal and court decisions have considered a number of factors, including:

- the nature of the contravention,
- the frequency and intensity of the contravention,
- the vulnerability of the complainant, and
- the impact on the complainant.

The steps the complainant took or could have taken to minimize losses, such as looking for or accepting a job, will also be considered.

For example, if a complainant has lost his or her job because of their race, remedy may include one or more of the following:


- a verbal or written apology to the complainant;
- a job reference for the complainant;
- an agreement or order that the respondent stop the behaviour and take steps to ensure that the behaviour will not happen again;
- reinstatement of the complainant to their former job;

- financial compensation to the complainant for lost income and benefits as well as for general damages for injury to dignity and self-respect;
- participation by the respondent in a human rights education activity; and/or
- development and implementation of an anti-discrimination policy in the workplace.

During the Commission's complaint process, complainants and respondents (the parties) are encouraged to find a resolution that is agreeable to both parties and in keeping with the *Act*. If the parties agree to resolve the complaint, they should document and sign their agreement and provide a copy of the signed agreement to the Commission.

For more information

For detailed information about the human rights complaint process, see the following publications, which are available on the Commission website at albertahumanrights.ab.ca or by calling the Commission and requesting printed copies.

1. *The Human Rights Complaint Process* information sheet
2. *The Human Rights Complaint Process: A guide for complainants*
3. *The Human Rights Complaint Process: A guide for respondents*
4. *Human Rights Complaint Form and Guide* 

Contact us

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

For our business office and mailing addresses, please see the [Contact Us](#) page of our website (albertahumanrights.ab.ca), or phone or email us.

Hours of operation are 8:15 a.m. to 4:30 p.m.

Northern Regional Office (Edmonton)
780-427-7661 Confidential Inquiry Line
780-427-6013 Fax

Southern Regional Office (Calgary)
403-297-6571 Confidential Inquiry Line
403-297-6567 Fax

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

For province-wide free access from a cellular phone, enter *310 (for Rogers Wireless) or #310 (for Telus and Bell), followed by the area code and phone number. Public and government callers can phone without paying long distance or airtime charges.

TTY service for persons who are deaf or hard of hearing
780-427-1597 Edmonton
403-297-5639 Calgary
1-800-232-7215 Toll-free within Alberta

Email humanrights@gov.ab.ca
Website albertahumanrights.ab.ca

Please note: A complaint must be made to the Alberta Human Rights Commission within one year after the alleged incident of discrimination. The one-year period starts the day after the date on which the incident occurred. For help calculating the one-year period, contact the Commission.

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