



Alberta Human
Rights Commission
2022 | 23 Annual Report

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Please note: In 2022-23, the budget for the Alberta Human Rights Commission was integrated into the budget for the Ministry of Justice. The financial statements for the ministry are included in the 2022-23 Annual Report of the Ministry of Justice, which is available on the ministry's website.

Upon request, the Commission will make this publication available in accessible formats for individuals who are blind, partially-sighted, or have other disability-related needs.

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.

Introduction

The Alberta Human Rights Commission (the Commission) is an independent commission of the Government of Alberta, established under the *Alberta Human Rights Act* (the *Act*). The Commission's Chief of the Commission and Tribunals is responsible for keeping the Minister of Justice, 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 overall goals and direction of the Commission; and rendering appeal decisions pursuant to section 26 of the *Act*.

Under section 19 of the *Act*, the 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, 2022 to March 31, 2023.

Message from the Chief of the Commission and Tribunals

It is my privilege to present the 2022-23 Alberta Human Rights Commission Annual Report.

The Commission is entrusted with the vital task of safeguarding and championing the fundamental rights of all Albertans, a responsibility it takes seriously. I am pleased to provide this report in the spirit of transparency, accountability, and public engagement.

Significant amongst the achievements of 2022-23 was the final implementation of a streamlined complaint process. This fiscal year was the first full year under the new process. For several decades, the Commission accepted more complaints into its complaint process than it resolved, leading to an increasing backlog year over year, and increasing wait times for Albertans to see justice. The streamlined complaint system uses specialized teams in intake, conciliation, and screening, while ensuring that parties have the opportunity to make their case. I am pleased to report that the new complaint process has reversed the more than two decade trend of an increasing backlog and 2022-23 was the fourth year in a row where the Commission resolved more complaints than it accepted into its complaint process.

Notwithstanding the progress on efficiency in the complaint process, there is still more work to be done. The Commission expects a service standard of one year in the complaint process under the Director. While many complaints are meeting that standard, we still need to reach that goal for all complaints. The Commission is committed to continuing to streamline and make its processes more efficient as we move forward.

The Tribunal also continued its work in improving access to justice. It hired a case manager to help self-represented parties navigate the Tribunal process and ensure an efficient process. It also continued its practice of case management through prehearing conferences, case management meetings, and case management directions on procedural issues like deadlines for submissions and keeping complaints moving towards hearing. This was important given the Tribunal's increasing number of hearings and preliminary applications.

Additionally, the Commission moved forward on implementing its Indigenous Human Rights Strategy. We conducted an organization-wide external review to identify areas in which the Commission may be unknowingly perpetuating systemic discrimination against Indigenous Peoples through our programs, procedures, and operations. With support from the Indigenous Advisory Circle, we have begun reviewing and implementing a number of the report's recommendations. The Commission had an eagle feather blessed for use in formal proceedings and meetings of significance, the Tribunal developed a practice direction on Indigenous cultural and spiritual practices

at Tribunal proceedings, staff participated in Indigenous-specific training, and the Commission continues to work on making its process easier to navigate and developing outreach to connect with Indigenous and other marginalized communities. In addition to training related to Indigenous human rights, staff participated in training and development opportunities related to anti-racism, accessibility, and other topics to assist us in better serving Albertans.

The calendar year 2023 is also significant because it marks the Commission's 50th anniversary and 50 years of human rights legislation in Alberta. The Commission started the work in honouring that legacy with its first launch on a social media platform, and the launch of the Alberta 50 for 50 campaign to encourage Albertans to spend time expanding their knowledge and understanding about human rights. It also did the bulk of the work needed to launch a new, accessible website.

This year posed considerable leadership challenges for the Commission, with the absence of an appointed Director for over a year, more than four different interim or longer term Chief appointments, and considerable staff turnover. I express my gratitude to Commission staff and interim leaders who adapted to these leadership challenges and continued to serve Albertans throughout and make progress on improving human rights.

We understand the importance of ensuring that our processes are accessible and understood by all, and are dedicated to fostering an open and inclusive dialogue with the people of Alberta.



Kathryn Oviatt
Chief of the Commission and Tribunals



Inquiry and Complaint Resolution

The Commission assists Albertans with inquiries related to human rights, and helps them resolve complaints of discrimination that fall under the *Alberta Human Rights Act* (the *Act*).

The Office of the Director of the Commission oversees the first stage of the human rights complaint process through Complaints Management. Complaints Management plays a central role in resolving human rights complaints as it responds to public inquiries, receives complaints, conciliates, and decides whether to send a complaint to a full tribunal hearing or to dismiss it without a hearing under section 21 of the *Act*.

Over the past four years, we have adopted new initiatives and strategies to address the large and growing backlog of complaints effectively and fairly. In January 2022, the Commission implemented a streamlined complaint process to manage the volume of complaints received, working towards a goal of resolving complaints within a year of acceptance. These changes built on the lessons learned through the two-year Complaint Inventory Resolution Project launched in 2019 and the increased use of the Director of the Commission's powers under the *Act*.

The highlights and statistics reported below demonstrate the positive trend towards complaints being managed more effectively and efficiently, reflecting the significant impact of the changes to the complaints process.

Responded to public inquiries and potential complaints

Inquiries are the first point of contact that most individuals have with the Commission. We receive thousands of inquiries from Albertans each year and provide information and education on a confidential basis, free of charge to anyone who:

- wants to know more about rights and responsibilities under the *Act*
- wants to learn how to foster equality and reduce discrimination
- believes they have experienced discrimination
- wants information about our complaint process or next steps for their complaint
- is responding to a human rights issue

Human Rights Officers
(HROs) answered

6,584

inquiries from
the public in
2022-2023

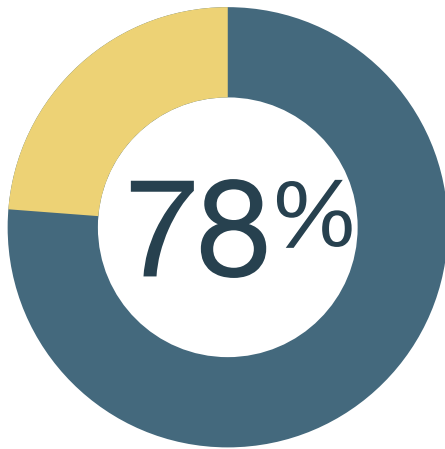


As in previous years, Employment Practices remains the number one area cited in complaints and increased from 70% in 2021-22 to 78% in 2022-23. The number of times Goods and Services was cited dropped by 42% this year from 2021-2022, likely influenced by the decrease in COVID-19 related complaints. Like previous years, physical and mental

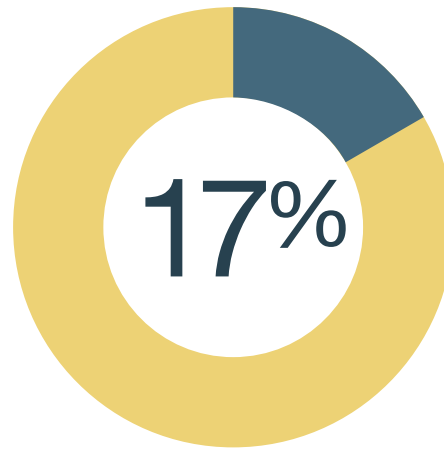
disability were the most cited grounds in complaints opened in 2022-23. Notably, the ground of religious beliefs dropped from 13% (the third most commonly cited ground in 2021-22) to 8% in 2022-23. The drop is likely due to the overall decrease in the number of vaccine and mask complaints received and accepted.

Most cited areas in complaints made to the Commission in 2022-2023

Employment Practices

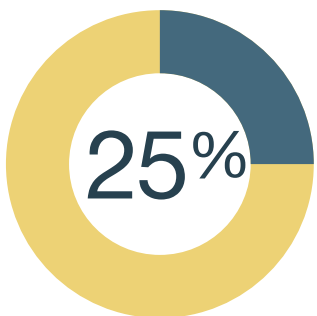


Goods and Services

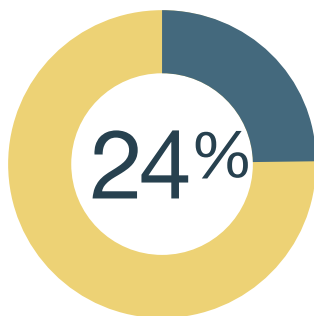


Most cited grounds in complaints made to the Commission in 2022-2023

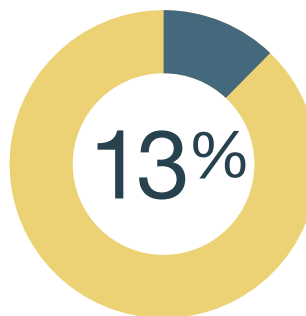
Physical Disability



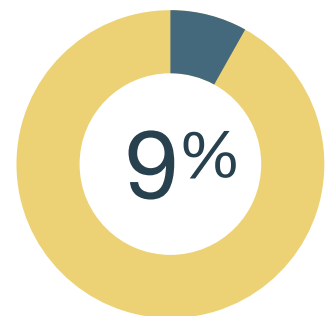
Mental Disability



Gender



Race/Colour



Managed complaints effectively and efficiently

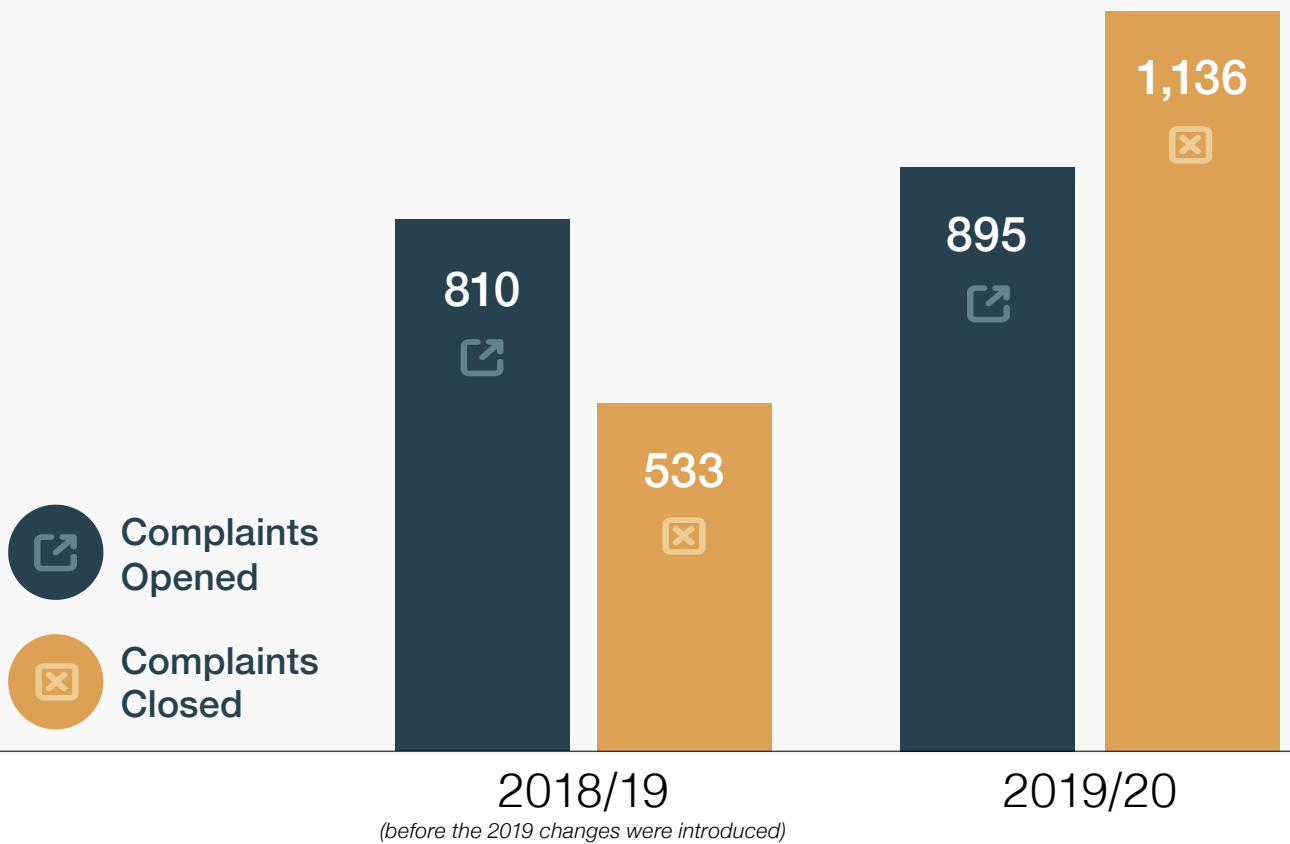
This fiscal year was the first full year that the revised complaints process was in effect. The revised complaints process aims to allow the Commission to reach a state of equilibrium, where we are closing as many complaints as we receive in a year, with the majority being closed within a year of receiving them. The changes reflect lessons learned during the Complaint Inventory Resolution Project.

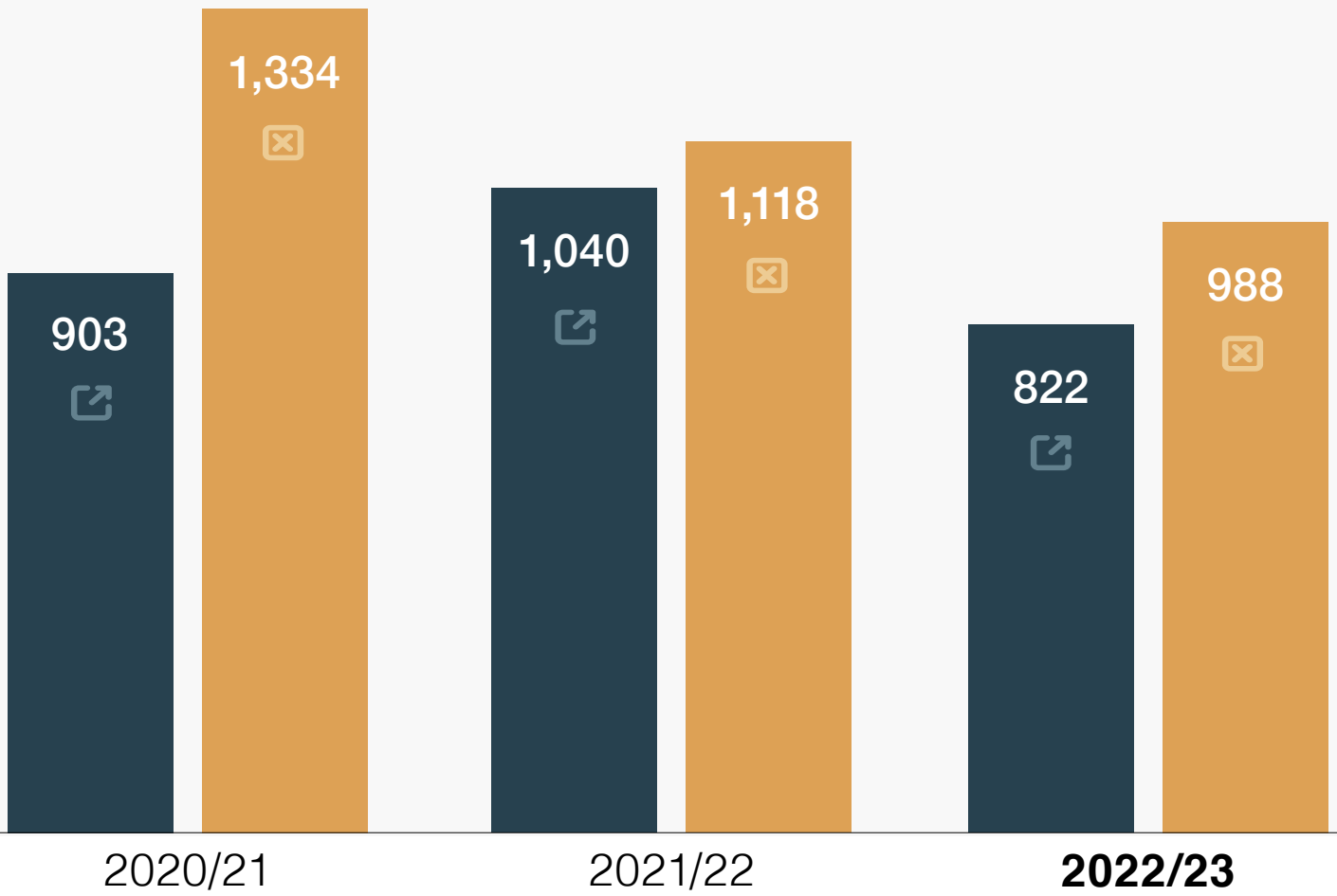
These include using specialized teams, triaging complaints, placing more emphasis on conciliation, and having a team that drafts decisions for the Director of the Commission's review.

- For the fourth consecutive year, **the number of complaints closed (988) exceeded the number of complaints opened (822).**
- Through the work of our specialized teams, **the average length of time from acceptance of a complaint until resolution, dismissal, or referral to Tribunal reduced to 515 days in 2022-23** from 538 days in 2021-2022 and 844 days in 2020-2021.
- This year, we closed a significant number of complaints at the conciliation stage or by the Director compared to previous years.
- **81% of files were closed by Complaints Management staff or the Office of the Director of the Commission in 2022-23**, compared to 70% in 2021-22
- Due to the time saving benefits of the new complaint process, **files waiting for a decision from the Director dropped by 72% year over year**



For the fourth consecutive year, the number of complaints closed exceeded the number of complaints opened.





Resolved most complaints through virtual conciliations

The 2022-2023 fiscal year continued to highlight the importance of the changes to the conciliation process in resolving complaints. One key change was moving from shuttle conciliations to virtual conciliation meetings where parties come together at a joint session to attempt to resolve the complaint.

- **43% of complaints closed were resolved through conciliation in 2022-23**, compared to 38% in 2021-22

Virtual conciliations:

- give parties the flexibility to join the meeting from any location
- are an efficient use of time and resources for the parties and the Commission
- allow the parties an opportunity to hear directly from each other, understand each other's perspectives, and reach a resolution on the complaint

COVID-19 Related Complaints

While the Alberta Government lifted the province-wide restrictions related to COVID-19, the Commission continued to experience the impact of COVID-19-related complaints in our process.

- 113 complaints accepted in 2022-23 were related to COVID-19, compared to 329 complaints in 2021-22

Complaints Referred to the Tribunal

Under the *Act*, the Director of the Commission may refer a complaint to the Chief of the Commission and Tribunals for resolution by a Tribunal. At the Tribunal, the Director plays an advocacy role and is a party to all proceedings. The Director has carriage of all complaints at the Tribunal except where:

- Having carriage is not necessary or consistent with the interest of the public
- The Chief has overturned the Director's decision to dismiss a complaint

The Director's role in having carriage of complaints is essential to ensuring that issues of the public interest are advanced at hearings and in supporting self-represented complainants. Complainants can choose to adopt the Director's position or present their own position. The role of the Director at the Tribunal is fulfilled by the Director's legal counsel through their participation in Tribunal Dispute Resolutions (TDRs) and tribunal hearings.

In 2022-2023:

- The Director had **carriage in 70 of the 90 complaints mediated** at Tribunal Dispute Resolution
- The Director had **carriage in 28 of the 32 tribunal hearings held**



Alberta Human Rights Tribunal

The Tribunal is the independent, adjudicative (decision-making) arm of the Alberta Human Rights Commission. It is an administrative tribunal, which means it has powers and procedures similar to a court of law, but is less formal (known as “quasi-judicial”).

The Tribunal includes the Chief of the Commission and Tribunals and the Members of the Commission (Members), who hear appeals of the Director of the Commission’s dismissal decisions, chair Tribunal Dispute Resolution mediations, and chair tribunal hearings, ultimately deciding on human rights complaints ([see Appendix E for Members of the Commission biographies](#)).

In order to provide fair and impartial Tribunal proceedings, the Tribunal Office is organizationally and procedurally distinct from the Director of the Commission.

Advanced access to justice

In 2022-23, the Tribunal continued its commitment to providing fair, efficient, accessible, and timely access to justice. To assist in achieving this goal:

- In January 2023, the Tribunal Office introduced a new Case Manager position.

The Case Manager is designed for self-represented parties who may have difficulty accessing or understanding the Tribunal’s process. The Case Manager provides information and procedural guidance to self-represented parties, but cannot provide legal advice, advocate for a party, or represent a party at a Tribunal Dispute Resolution (TDR) or tribunal hearing.

- To make our processes clearer and consistent, we developed new practice directions and updated old procedures to help parties understand how the Tribunal addresses certain issues.

Practice Directions and Procedures

- The Tribunal also focused on training Members of the Commission so they are better equipped to mediate complaints and effectively manage hearings that are fair and accessible to all parties.

Requests for Review

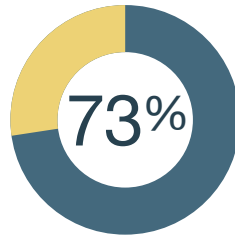
If the Director of the Commission (the Director) dismisses a complaint, the complainant may file a Request for Review to the Chief of the Commission and Tribunals (the Chief).

- If the Chief agrees with (upholds) the Director’s dismissal, the file is closed. A party may judicially review the Chief’s final and binding appeal decision to the Court of King’s Bench of Alberta.
- If the Chief disagrees with (overturns) the Director’s dismissal, the complaint will proceed to the Tribunal for a hearing.

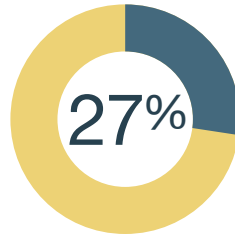
The Request for Review process gives the parties an opportunity to have the Chief (or their delegate) review the Director’s decision to dismiss. It is a documentary review of the complaint file and structured to be an expedited process.

Requests for Review decided by the Chief of the Commission and Tribunals in 2022-23

Decisions Upheld: 36



Decisions Overturned: 13

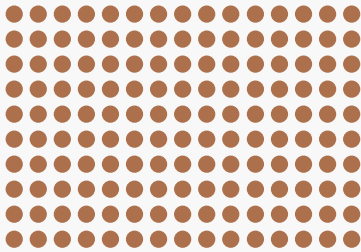


Total Decisions: 49



Complaints resolved at the Tribunal stage

A complaint is closed at the Tribunal stage, when: the parties resolve it (independently or through Tribunal Dispute Resolution); a Member hears it at a tribunal hearing and issues a final decision; the complainant withdraws it; or the Tribunal closes it for other reasons (for example, dismisses it following a preliminary application).



150
Complaints closed
at the Tribunal stage



52*
Closed through
Tribunal Dispute
Resolution



53
Closed through
private settlement

**Note: This includes complaints that participated in Tribunal Dispute Resolution in a previous year, but were closed in 2022-23.*



32

Closed as a result of a tribunal hearing



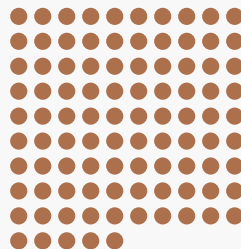
7

Closed for other reasons



6

Withdrawn



95

Tribunal Dispute Resolution sessions held



Tribunal Dispute Resolution

Tribunal Dispute Resolution (TDR) is a confidential and voluntary mediation service for parties who want to try to resolve their complaint before it goes to a hearing. The parties meet with a Member of the Commission who helps them try to settle the complaint.

There are many benefits to participating in a TDR, including but not limited to:

- The TDR process is much faster than going to a hearing.
 - In 2022-23, **TDRs were held within an average of 135 days** from when the Tribunal received the complaint.
- TDRs generally take only one day or less.
- If a complaint resolves at TDR, it can save the parties the time and costs associated with preparing for and participating in a hearing, which sometimes involves legal representation.
- Settlement at TDR also saves public resources in Tribunal costs, compared to holding a fully contested hearing.
- The parties craft a settlement that works for all of them, rather than the Tribunal imposing a decision.
 - **53% of complaints that went to TDR in 2022-23 reached a settlement** and did not proceed to a hearing.

Tribunal hearings

Experience during the COVID-19 pandemic demonstrated that videoconference proceedings are accessible and useful in decreasing the wait time for a proceeding to be scheduled, while protecting fairness in hearing proceedings. With a high number of complaints proceeding to a tribunal hearing in 2022-23, the Tribunal continued holding its hearings through videoconference to ensure that hearings were scheduled with minimal delay. Parties can apply for an in-person hearing if the interests of justice require it.

Held a record number of tribunal hearings

The Commission continued to see an increase in the number of tribunal hearings, holding a record number of hearings this year.

- In 2022-23, the Tribunal held 32 tribunal hearings, which is three more than the previous record of 29 hearings held in 2021-22.
- The Tribunal published 142 written decisions on CanLII in section 26 appeals of Director decisions, interim decisions, and decisions on the merits.

Wait times for a hearing

The Tribunal ended 2022-23 with approximately 43 complaints scheduled for a tribunal hearing (some of these were a continuation of a hearing that began in the previous year).

In the face of a spiking demand for tribunal hearings, coupled with an increase in the number of hearing days required per complaint, the Tribunal is aware that wait times for hearings may lengthen. To address this, the Tribunal is committed to exploring options for providing the parties appropriate time for a tribunal hearing while balancing available resources.

Public Education, Outreach, and Engagement

In 2022-23, the Commission delivered impactful programs and initiatives to inform and educate Albertans about the Commission's programs and services and their rights and responsibilities under the *Alberta Human Rights Act (the Act)*. These initiatives advanced human rights principles and equipped Albertans to address discrimination in their organizations, communities, and in their personal lives.

Through the Commission's education, outreach, and engagement efforts, we are helping to reduce the barriers that prevent many Albertans from participating fully in society. This year, we furthered efforts to engage Albertans in human rights conversations and encourage actions that promote human rights, including through the launch of our [#AB50for50](#) campaign and our social media presence on [LinkedIn](#). We also advanced major human rights initiatives in collaboration with stakeholders.

Informed, educated, and engaged Albertans about their rights and responsibilities under the Act

The [Commission's website](#) is our core education tool to keep Albertans informed about their rights and responsibilities related to the *Act*, and about the programs and services available to them.

This year, we moved forward on our project to rebuild the website with new content, structure, and technology. We conducted extensive stakeholder consultations to inform the new website, which will launch in late 2023.

- **The Commission conducted 14 internal and external focus group sessions to inform the website rebuild.** Participants represented diverse perspectives, lived experiences, and expertise in various areas such as Indigenous, newcomer, disability, and housing issues. We also engaged with businesses, employers, post-secondary institutions, and community advocates.

From May 1, 2022 to March 31, 2023, the website had 200,000 new visitors.

The Commission used its 50th anniversary as an opportunity to engage Albertans in human rights and action. In consultation with community organizations across Alberta's vast human rights sector, in 2022-2023, we launched the [#AB50for50](#) campaign, an initiative encouraging Albertans to spend a minimum of 50 minutes in 2023 expanding their knowledge and understanding of human rights. To assist Albertans in participating in the campaign, the Commission put together a [campaign webpage](#) with a comprehensive list of human rights resources, including engaging videos, reports, webinars, books, events, and more.

In March 2023, the Commission launched a LinkedIn account to further efforts to connect with Albertans and other key stakeholders. In doing so, we aim to better reach a variety of audiences, including service providers, employees and employers, human resources professionals, industry associations, advocates, academics, small- and medium-sized businesses, unions, employer associations, and the labour and employment sector more broadly.

• **Our LinkedIn account gained 200 followers within the first month of launching**

In 2022-2023, we offered educational resources to inform Albertans about human rights law and related principles, diversity and inclusion, and programs and services.

- We published the updated human rights guide, [Human rights, pregnancy, and parental rights and responsibilities](#) (formerly, "Rights and responsibilities related to pregnancy, childbirth and adoption"). The revised version reflects the 2015 and 2018 amendments to the *Act*, current case law, and Commission policies and guidelines. This guide explains the provisions of the *Act* as they apply to pregnancy, breastfeeding, maternity and parental leave, adoption, and childcare obligations. It also provides resources for finding more information about maternity leave and parental leave, which includes leave for adoptive parents.
- We continued to support businesses and organizations in their efforts to create workplaces that are respectful and inclusive of all.

Public workshops, targeted to employers and employees, provided basic human rights information about the *Act*, concepts such as the duty to accommodate, and strategies to prevent and deal with harassment.

- We hosted 6 Human Rights in the Workplace online public workshops with each session at full registration capacity.
- 95% of the public workshop participants said that they are likely to use information learned about human rights in their workplace
- We participated in learning events throughout the year, hosting our display booth and providing information about our programs and services.
- We hosted an exhibitor booth at the Chartered Professionals in Human Resources of Alberta (CPHR Alberta) Annual Conference, the Alberta Council of Disability Services' 2022 Annual Conference, and co-hosted a booth with the Calgary Indigenous Human Rights Circle at the Pokaiks Commemorative Walk & IndigiTRAILS - Remembering Our Children event.





3,455 subscribers

There were 3,455 subscribers to our quarterly electronic newsletter, the [Alberta Human Rights Information Service \(AHRIS\)](#), which informs the public about recent tribunal decisions, Commission news and events, significant dates to human rights, and related human rights information.



7,315 webinar views

There were 7,315 views of Commission webinars and videos on various human rights topics such as the duty to accommodate, gender discrimination, and harassment



12 presentations

We delivered remarks or presentations at 12 events for organizations, lawyers, and post-secondary students, human rights educators, and other stakeholders.



33 media requests

We responded to 33 media requests on various topics.



6 public statements

The Chief of the Commission and Tribunals released six public statements on important issues and dates significant to human rights and diversity.

Advanced efforts to protect human rights through legislative change and informing public policy

Throughout 2022-23, the Commission collaborated with key stakeholders in the disability sector working on accessibility legislation in Alberta. We continued our partnership with the Alberta Ability Network (AAN) on their [Barrier-free AB](#) campaign to develop strong and effective accessibility legislation in Alberta.

International Human Rights

In 2022-23, the Commission provided input and updates for several international human rights joint responses including:

- Two reports on the Convention on the Rights of the Child (CRC)
- Two reports to the International Labour Organization (ILO)
- A questionnaire related to the International Covenant on Civil and Political Rights (ICCPR)
- Canada's 24th and 25th Reports on the United Nations International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)

As well, the Commission drafted a response to a policy request on the relationship between the freedom of religious beliefs and sexual orientation and gender identity, submitted a response to policy request on Canada's Common Core Document, and drafted a response to Canada's Fourth Universal Periodic Review.

Advanced the work to address the ongoing racism and discrimination faced by Indigenous people in Alberta

The Commission is committed to building respectful and trusting relationships with Indigenous people and organizations in Alberta to advance collective efforts that address the racism and discrimination Indigenous people disproportionately experience.

In 2022-2023, as part of our [Indigenous Human Rights Strategy](#), we conducted an organization-wide external review to identify areas in which the Commission may be unknowingly perpetuating systemic discrimination against Indigenous Peoples through our programs, procedures, and operations. An independent, Indigenous-led third party conducted this review. The reviewer used an in-depth approach to develop an understanding of the systemic issues that may exist within the Commission and practices that may have negative impacts on Indigenous Peoples.

With support from the Indigenous Advisory Circle, we have begun reviewing and implementing a number of the report's recommendations, in particular:

- Making the complaint process easier to navigate
- Engaging with organizations that support Indigenous people with navigating the human rights system, including educating community navigators about the Commission's complaint process
- Making our systems more culturally relevant
- Improving our communications by finding new ways to better reach Indigenous people and communities
- Enhancing staff training
- Expanding our reach to new Indigenous groups, organizations, and communities

To recognize National Indigenous History Month and the first year of the Circle's contributions, the Commission hosted an in-person pipe ceremony on June 27, 2022 at the kihciy askiy (Sacred Land) site in Edmonton. Three Elders provided teachings and shared their medicines with the Commission to support our next steps towards truth and reconciliation. This ceremony represented a spiritual agreement between the Alberta Human Rights Commission, the Commission's Indigenous Advisory Circle, and Indigenous communities in Alberta to work together to remove barriers that impact Indigenous people in the province. After the pipe ceremony, the Elders blessed two eagle feathers for the Commission's use. Kathryn Oviatt, Chief of the Commission and Tribunals, was gifted a blanket by Elder Phyllis Mustus, an honour that highlighted her commitment to the Indigenous community.





"The Commission invited designs for a graphic image, which embodied the Indigenous Human Rights Strategy and represented our commitment to working with Indigenous people in addressing discrimination in Alberta. Derek Fisher, an Edmonton-based Cree and Saulteaux graphic designer and illustrator, submitted the winning design. He describes the artwork as representing "the circle of life and within are the four directions and the iconic symbolism of Alberta's rich and diverse Indigenous Peoples and communities. They are coming together with the province. The arrowheads indicate the commonality the groups share, sunrise to sunset." Derek further incorporated our logo "to signify partnership and give legitimacy to the Commission's efforts."

Collaborated and advised to address hate, racism, and inequity in the province

In the past year, we continued to partner on and support major initiatives that are strategically addressing racism, discrimination, and hate in the province.

- The Coalitions Creating Equity (CCE) initiative, created in partnership with community organizations and supported by the Human Rights Education and Multiculturalism Fund, was launched in 2017 to help advance human rights and address local human rights issues and priorities. Twenty practitioners representing various municipalities across the province are now part of the CCE Community of Practice. This year, the Coalition held bi-monthly meetings with the practitioners, featuring speakers that presented on various relevant subjects, including anti-racism, hate crimes, and Indigenous and disability issues.
- The Alberta Hate Crimes Committee (AHCC) was established in 2001 in response to the increase in hate incidents in Alberta. Throughout 2022, the AHCC conducted an extensive consultation to inform the 2023 report, Victimized Community Perceptions about Hate Crime and Incidents: A 2019-2022 Analysis. AHCC interviewed 300 people and held 21 focus groups in 11 regions. As well, in January 2023, the committee hosted a Hate Crime Symposium with 80 people representing various stakeholders and communities attending. The event featured keynote addresses from Kathryn Oviatt, Chief of the Commission and Tribunals, and Mark Neufeld, President of the Alberta Association of Chiefs of Police, as well as an in-depth conversation sharing the survey results before the report's publication. This year, the AHCC received the Alberta Community Justice Award in the Partnerships and Collaboration category.
- Throughout 2022-23, we continued to provide specialized consultative and advisory services to assist organizations, institutions, and governments to advance their human rights programs and initiatives. For example, we provided advice to the:
 - John Humphrey Centre on planning for their major event to commemorate the 75th anniversary of the Universal Declaration of Human Rights
 - Ministry of Justice on the newly formed Hate Crimes Coordination Unit and the Provincial Hate Crimes Liaisons
 - Alberta Association of Chiefs of Police (AACP) as an advisor on issues related to human rights and policing

- Communities of Calgary, Medicine Hat, Lethbridge, Wood Buffalo, Cochrane, Red Deer, Strathmore, St. Albert, and Grande Prairie on various issues relation to human rights and diversity—from anti-racism to human rights issues impacting Indigenous people—and how to access related grants and resources
- RCMP on their upcoming disaggregated data pilot project to allow them to provide a more informed response to justice and policing

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 winners for the 2022-2023 awards.

Marie Cecile Kotyk received the doctoral-level award. Marie Cecile's research will utilize a multi-method approach oriented in lived experience to develop a framework addressing anti-Black racism in the housing and homelessness sector.

Ashmeen Aneja received the master's-level Pardeep Singh Gundara Memorial Scholarship. Ashmeen's research will explore the psychological help-seeking patterns of international students in Alberta.



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 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 reduce discrimination. It fulfills this mandate through public education and community engagement initiatives, and the resolution of complaints through settlement and adjudication.

The complaint process is a two-stage process. First, the Director of the Commission receives, reviews, conciliates, and screens complaints. The Director decides under section 21 of the *Act* whether to refuse to accept, dismiss, defer, or to refer a complaint to the Tribunal. Second, under sections 30 and 32, the Tribunal fully adjudicates complaints that the Director referred to the Tribunal or complaints whose dismissals were successfully appealed.

The Office of the Chief of the Commission and Tribunals oversees the Commission as a whole and coordinates between three areas:

1. Office of the Director of the Commission:

- a. Complaints Management, which answers public inquiries and receives, reviews, and resolves complaints of discrimination through conciliation and Director's screening decisions (s. 21).
- b. Legal Counsel to the Director, which advances complaints in the public interest and may appear in court on judicial review (ss. 28 and 29).

2. Tribunal Office, which hears appeals of Director's dismissals (s. 26), mediates human rights complaints through a Tribunal Dispute Resolution program, conducts tribunal hearings, and renders final and binding decisions (s. 32).

3. Communication, Education and Engagement, which develops public policy, engages stakeholders, implements programs and initiatives, raises awareness, and provides education on human rights (preamble and sections, 13, 14, 16 and 19).

The Office of the Director of the Commission oversees the complaint process in Complaints Management. The Director's team answers public inquiries and receives, reviews, conciliates, and decides whether to dismiss a complaint at screening or to refer the complaint to the Tribunal for a full hearing under section 21 of the *Act*. The Director's role shifts after screening from a neutral screening role to that of an advocate. If the Director refers a complaint to a hearing, they usually have carriage of the complaint under section 29. In this role, the Director acts as an advocate in advancing the complaint in the public interest. Usually, the Director's interests are aligned with those of the complainant. The Director is also a party to all proceedings before the Tribunal (s. 29). When there is a judicial review of a Tribunal decision, the Director may have carriage of the complaint at court as a party (s. 29).

The Chief and Members of the Commission are appointed by the Lieutenant Governor in Council (s. 15). As head of the Commission, the Chief is responsible for the overall management of the Commission and provides direction and guidance to the three distinct areas: Communication, Education and Engagement; the Office of the Director of the Commission; and the Tribunal Office. The Chief hears, or delegates a Member of the Commission to hear, appeals of the Director's dismissal decisions (s. 26), appoints Members of the Commission to a Tribunal proceeding (s. 27), and sits as a Member of the Commission in tribunal proceedings (s. 27). The Chief is responsible for advising the Minister of Justice on matters related to the *Act* (s. 16). The Chief also undertakes activities related to community engagement. The Minister of Justice may appoint a Member of the Commission who serves as Acting Chief in the absence of the Chief (s. 15).

The *Act* mandates an educational and engagement function under the preamble and sections, 13, 14, 16 and 19. The Director of Communication, Education and Engagement leads the Commission's prevention 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*; support Albertans in their work to promote human rights and prevent discrimination; and encourage and contribute to meaningful collaborative efforts that reduce discrimination, eliminate barriers, and advance human rights.

See appendix B for information pertaining to the Human Rights Education and Multiculturalism Fund and its administration.

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, sexual orientation, and age. Prior to January 1, 2018, age discrimination was not protected in the area of goods, services, accommodation or facilities, nor 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* (sections 13 and 14) and administered by the Alberta Human Rights Commission on behalf of the Minister of Justice. 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 Commission's education and engagement activities. 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. Subsequently, the Human Rights Education and Multiculturalism Fund was ended and the remaining funds will be drawn down as per the guidelines and purpose of the Fund.

Appendix C

Grounds of Discrimination and Areas Cited in Complaints Opened, and Disposition of Complaints

Complaints by ground and independent areas* (2022-23)**

Protected Ground	Times cited	Percent of total
Physical disability	657	25%
Mental disability	633	24%
Gender	336	13%
Race/Colour	222	9%
Religious beliefs	201	8%
Family status	166	6%
Ancestry/Origin	148	5%
Age	91	3%
Sexual orientation	36	1%
Marital status	35	1%
Gender identity	32	1%
Gender expression	18	<1%
Retaliation*	17	<1%
Source of income	8	<1%
Equal pay*	5	<1%
Malicious intent*	1	<1%
Total	2606	100%

*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 822 new complaint files opened. Each complaint may cite more than one ground and area. Percentages have been rounded.

Appendix C

Grounds of Discrimination and Areas Cited in Complaints Opened, and Disposition of Complaints

Complaints cited by area of the Alberta Human Rights Act (2022-23)*

Section of Act	Percent of total
Employment practices (Section 7)	78%
Goods, services, accommodation, or facilities (Section 4)	17%
Tenancy (Section 5)	4%
Retaliation (Section 10.1)	<1%
Applications and advertisements re: employment (Section 8)	<1%
Membership in trade union, etc. (Section 9)	<1%
Equal pay (Section 6)	<1%
Frivolous or vexatious complaints with Malicious intent (Section 10.2)	<1%
Publications, notices (Section 3)	0%

*Note: Table provides information on the number of grounds and areas cited in the 822 new complaint files opened. Each complaint may cite more than one ground and area. Percentages have been rounded.

Disposition of complaints closed

Disposition	Number closed	Percent of total
Resolved through conciliation	423	43%
Resolved through Director's Decision	10	1%
Dismissed	202	20%
Abandoned or withdrawn	168	17%
Closed by the Tribunal Office	185	19%
Total	988	100%

*Note: Percentages based on 988 complaints closed at the Complaints Management or tribunal stages.

Appendix D

Grounds of Discrimination and Areas Cited in Complaints Closed at the Tribunal Stage

Grounds cited in complaints closed in 2022-23

Protected Ground	Times Cited*
Physical disability	69
Mental disability	50
Gender	33
Race/Colour	21
Family status	14
Ancestry/Origin	12
Religious beliefs	6
Age	4
Marital status	2
Sexual orientation	1
Total	212

Area cited in complaints closed in 2022-2023

Protected Area	Times Cited*
Employment practices (section 7)	124
Goods, services, accommodation, or facilities (section 4)	23
Tenancy (section 5)	7
Applications and advertisements re: employment (section 8)	2
Retaliation, or frivolous or vexatious complaints with malicious intent (section 10)	4
Total	160

*Some complaints cite more than one area.

Appendix E

Biographies of the Members of the Commission

The following are summaries of the biographies of Members of the Commission in 2022-23. The complete biographies of active members are available on the Commission's website.

Chief of the Commission and Tribunals

Kathryn Oviatt

*April 1, 2022 to July 6, 2022 (interim)
and December 1, 2022 to March 31, 2023*

Kathryn Oviatt served as the interim Chief of the Commission and Tribunals from November 24, 2022 to July 13, 2023. She was appointed Chief of the Commission and Tribunals (Chief) on December 1, 2023, with a five-year term ending November 30, 2027. Prior to her appointment as Chief, she was appointed for three terms as a Member of the Commission.

Ms. Oviatt has spent her entire legal career practicing in administrative law, including in human rights, labour and employment, professional regulation, privacy, policing, and education. Since 2015, she has exclusively practiced as a neutral adjudicator, including as a labour arbitrator in Alberta and federally. Other past appointments include to the Hearing Panel for the Real Estate Council of Alberta, the General Insurance Council, the Sports Dispute Resolution Centre of Canada and its Safeguarding Tribunal (which addresses abuse, harassment, and discrimination in sport), the Law Society of Alberta's Equity, Diversity and Inclusion Committee, and the Subdivision Development Appeal Board for the City of Edmonton.

Ms. Oviatt holds the designation of Chartered Arbitrator from the Alternative Dispute Resolution Institute of Canada and a certificate

in Tribunal Administrative Justice from the Foundation of Administrative Justice. She received a Bachelor of Arts degree (with distinction) in 2001 and a Law degree (with distinction) in 2005, both from the University of Alberta. Ms. Oviatt was called to the Alberta Bar in 2006.

Evaristus Oshionebo

August 31, 2022 to November 30, 2022 (interim)

On August 31, 2022, the Minister of Justice appointed Dr. Oshionebo as Acting Chief of the Commission and Tribunals. He served as Chief of the Commission and Tribunals from September 27, 2022 to November 30, 2022. Dr. Oshionebo is a Tenured Professor and Associate Dean (Academic) in the Faculty of Law at the University of Calgary. He teaches Law of Contracts, Business Associations, and Mining Law. He previously taught at Osgoode Hall Law School and the Faculty of Law at the University of Manitoba. Dr. Oshionebo has a Bachelor of Laws from the Obafemi Awolowo University (Nigeria), a Masters of Laws from the University of Lagos and from the University of Alberta, and a Doctor of Philosophy from Osgoode Hall Law School at York University.

Collin May

July 14, 2022 to August 30, 2022

Collin May was appointed as Chief of the Commission and Tribunals, serving from July 14 to August 30, 2022. Mr. May previously worked as a private services and municipal lawyer specializing in estate planning and administration, corporate governance and reorganization, and municipal law and professional regulation. From 1997 to 2002, Mr. May worked with the United Nations International Telecommunication Union and the International Committee of the Red Cross in Geneva, Switzerland before completing his studies in political philosophy. Mr. May earned his Bachelor of Arts from the University of Alberta in 1992, a Master of Theological Studies from Harvard University in 1995, a Diplôme d'études approfondies at the École des hautes

études en sciences sociales in Paris, France in 2003, and his LLB from Dalhousie Law School in 2009.

Members of the Commission

Nduka Ahanonu

Nduka Ahanonu was appointed for a term ending August 20, 2024. Mr. Ahanonu is a trial lawyer with over 20 years of experience in the legal field. He is the Founder and Managing Lawyer at Duke Law Office. Prior to this, he worked as the Student-at-Law for Legal Aid Alberta and as a Legal Resource Officer for the Alberta Law Line. Mr. Ahanonu is an active member in the community and is currently serving as a Member on the Legal Aid Appeals Committee. He has a Bachelor of Laws from the University of Lagos, his Barrister-at-Law from Nigerian Law School, and a Master of Laws from the University of Alberta.

Sandra Badejo

Sandra Badejo was appointed for a term ending August 20, 2024. Ms. Badejo is a lawyer with over 17 years of experience, specializing in all areas of family law, including divorce, parenting, child and spousal support, and property. She also represents children and youths in child welfare matters. Ms. Badejo is currently a Partner at Crerar Badejo Hagen Family Law Group and a Director and shareholder in I. Sandra Badejo Professional Corporation. Ms. Badejo has a Bachelor of Laws from the University of Lagos, a Barrister-at-Law from the Nigerian Law School, and a Master of Laws from the University of Alberta.

Faraz Bawa

Faraz Bawa has been appointed for a term ending August 17, 2025. Mr. Bawa is a Senior Associate at Stewart Sharma Harsanyi, primarily practicing immigration and family law. Prior to being called to the Alberta Bar in 2014, he was a compensation analyst for the Wynford Group and a currency trader for Olympia Trust

Company. Mr. Bawa received a Juris Doctor from the University of Toronto and a Bachelor of Commerce from the University of Calgary.

Doris Bonora, K.C.

Doris Bonora was appointed for a term ending August 14, 2025. Ms. Bonora is a 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 for Indigenous Canadians, the elderly, and women. She has a Bachelor of Laws from the University of Alberta.

Samuel Crowfoot

Samuel Crowfoot was appointed for a term ending August 17, 2025. Originally from Siksika, Mr. Crowfoot spent the better part of the last 20 years living and working in the United States. Mr. Crowfoot worked as a prosecutor and represented a tribal children and family services agency in their litigation of abusive and neglectful parents/guardians. Mr. Crowfoot also delved into private practice with a national law firm in Phoenix and served four years as Tribal Court Chief Judge in western New Mexico. He has served on various boards for school districts, non-profits, and community organizations. Mr. Crowfoot is currently completing his first term as a Siksika Nation councillor, working in the areas of health, social services, public safety, and land claims (settling the largest and oldest land claim in Canadian history).

Cynthia Dickins

Cynthia Dickins was appointed for a term ending October 6, 2023. Ms. Dickins is General Counsel at the Department of Justice Canada, Prairie Region Office at Edmonton where she has spent most of her career litigating criminal and civil law cases at every level of court, including at the Supreme Court of Canada. Ms. Dickins has appeared before several Tribunals including the National Energy Board, the Specific Claims Tribunal, and the Residential

Tenancy Dispute Resolution Service. Ms. Dickins is a past co-chair of the Canadian Bar Association Aboriginal Law subsection, and has completed arbitration, negotiations and other alternative dispute resolution training.

Jessica Gill

Jessica Gill was appointed for a term ending August 17, 2025. Ms. Gill has experience providing legal advice on labour and employment, human rights, privacy, and administrative law matters to provincial and federally regulated employers. She is currently counsel for the Canada Energy Regulator in Calgary. Ms. Gill was previously an associate with an international law firm in Calgary and also clerked with the Alberta Court of Appeal. She received a Juris Doctor and a Bachelor of Arts in Political Science, both from the University of Calgary. Ms. Gill also serves on the Board of Directors of the South Asian Bar Association and is a volunteer with the University of Calgary Public Interest Law Clinic.

Teresa Haykowsky, K.C.

Teresa Haykowsky was appointed for a term ending August 14, 2025. 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.

Duncan Marsden

Duncan Marsden was appointed for a term ending June 28, 2024. Mr. Marsden has years of experience in all areas of labour and employment law. Upon graduating from law school, he practiced employment law for several years in London, England. He moved to Canada and joined Borden Ladner Gervais, where he is now a Partner and Regional Leader

of the Labour and Employment Group in the Calgary office. Mr. Marsden is fluent in French and provides advice to clients on employment matters including dismissal procedures, dispute resolution, workers' compensation, discrimination law, and interpretation of employment contracts and policies.

Collin May

Collin May was appointed for a term ending August 14, 2022. Mr. May previously worked as a private services and municipal lawyer specializing in estate planning and administration, corporate governance and reorganization, and municipal law and professional regulation. From 1997 to 2002, Mr. May worked with the United Nations International Telecommunication Union and the International Committee of the Red Cross in Geneva, Switzerland before completing his studies in political philosophy. Mr. May earned his Bachelor of Arts from the University of Alberta, a Master of Theological Studies from Harvard University, a Diplôme d'études approfondies at the École des hautes études en sciences sociales in Paris, France, and an LLB from Dalhousie Law School.

Ali Memon

Ali Memon was appointed for a term ending August 17, 2025. Mr. Memon is a practicing lawyer with over 10 years of experience. Currently, he is a Partner with the financial services team at Miller Thomson LLP. Mr. Memon received a Juris Doctor from the University of Saskatchewan. He is trilingual and is an active member in the community.

Evaristus Oshionebo

Dr. Evaristus Oshionebo was appointed for a term ending August 20, 2024. Dr. Oshionebo is a Tenured Professor and Associate Dean (Academic) in the Faculty of Law at the University of Calgary. He teaches Law of Contracts, Business Associations, and Mining Law. He previously taught at Osgoode Hall Law School and the Faculty of Law at the University

of Manitoba. Dr. Oshionebo has a Bachelor of Laws from the Obafemi Awolowo University (Nigeria), a Masters of Laws from the University of Lagos and from the University of Alberta, and a Doctor of Philosophy from Osgoode Hall Law School at York University.

Erika Ringseis

Dr. Erika Ringseis was appointed for a term ending August 14, 2025. Dr. Ringseis is currently Senior Legal Counsel for InHaus Legal in Calgary, and has a strong background in human rights and respectful workplace governance and implementation. Dr. Ringseis specializes in employment law with an emphasis on practical resolution and strategic legal advice.

Karen Scott

Karen Scott was appointed for a term ending June 28, 2024. Ms. Scott has extensive knowledge of human rights, employment, and administrative law. After graduating from law school, she clerked at the Alberta Court of King's Bench and Alberta Court of Appeal prior to entering private practice. She has been a Partner with the Edmonton law firm Seveny Scott since 2008, where she practices almost exclusively in the field of labour and employment advising and representing employees, employers, and unions on human rights and accommodation issues. Ms. Scott also maintains a civil litigation practice related to her labour and employment practice. Ms. Scott is a frequent speaker on labour and employment issues to audiences from across Canada at conferences and audio-seminars presented by Lancaster House and the Canadian Bar Association.

Wilma Shim

Wilma Shim was appointed for a term ending August 20, 2024. Ms. Shim is a lawyer with over 10 years of experience, having worked as a Barrister and Solicitor for Alberta Justice and Solicitor General and as a Crown Prosecutor.

She is active in the community, serving as a Senator on the University of Calgary Senate, the Vice Chair for the University of Calgary Alumni Association, and a board member for Special Olympics Calgary. Ms. Shim continues to be involved with her alma mater as a sessional instructor in the area of Sports Law for both the Faculties of Law and Kinesiology at the University of Calgary.

Salimah Walji-Shivji, K.C.

Salimah Walji-Shivji was appointed for a term ending August 17, 2025. Ms. Walji-Shivji is the Chief Operating Officer & General Counsel for AgeCare – Communities of Care & Wellness, where she oversees all matters related to operations and acts as general counsel and advisor to the AgeCare Board and executive leadership team. Previously, she worked at Alberta Health Services as General Counsel. Ms. Walji-Shivji is active within the community and serves on multiple boards and committees. She received a Bachelor and Masters of Social Work from the University of Calgary and a Bachelor of Laws from the University of Manitoba. Ms. Walji-Shivji recently completed her ICD.D designation.

Nathalie Whyte

Nathalie Whyte was appointed for a term ending October 6, 2025. Prior to her career in law, Ms. Whyte worked as a social worker in a variety of settings, including Child and Family Services. Ms. Whyte has practiced for over 10 years at a boutique law firm in the area of Aboriginal and treaty rights litigation. Ms. Whyte practices in the area of family law and has appeared before various administrative tribunals and all levels of Court, including the Supreme Court of Canada.

