

2023–24

Annual Report

Alberta Human Rights Commission



50 YEARS OF UPHOLDING
HUMAN RIGHTS IN ALBERTA

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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.

Please note: In 2023-24, 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 2023-24 Annual Report of the Ministry of Justice, which is available on the ministry's website. More information about the Commission's budget allocation can be found in "[Appendix F](#)".

Introduction

The Alberta Human Rights Commission (the Commission) is an independent commission established under the *Alberta Human Rights Act* (the *Act*). The Chief of the Commission and Tribunals is responsible for the Commission's overall operations, including its three primary statutory functions: (1) to intake, conciliate (mediate) and make a Director's decision on (screen) complaints, and later to appear as a party in Tribunal proceedings, (2) to formally adjudicate and resolve complaints, and (3) to educate and engage with Albertans to foster equality and reduce discrimination. 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, 2023 to March 31, 2024.

The Alberta Human Rights Commission acknowledges that what we call Alberta is the traditional and ancestral territories and gathering place for diverse Indigenous Peoples. This includes 45 First Nations and 140 reserves who are subject to Treaties 4, 6, 7, 8, and 10, Métis settlements and lands, the five territories of the Métis Nation of Alberta, and the Inuit who have lived on and cared for these lands for generations. We are grateful for the traditional Knowledge Keepers and Elders who are still with us today and for those who have gone before us.

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

Celebrating 50 Years of Human Rights in Alberta

I am pleased to present the Alberta Human Rights Commission's 2023-24 annual report in this significant milestone year. The year 2023 marked the 50th anniversary of the Commission and human rights legislation in Alberta. The Commission focused on advancing key initiatives to foster equality and reduce discrimination. Significant progress was made in all areas of our work, despite increased demand and resource constraints.

The Commission has three main divisions or departments, based on its statutory functions:

1. Director's operations including both Complaints Management, the initial phase of the complaint process, and Director's legal counsel who advance complaints before the Tribunal;
2. Tribunal for full adjudication; and
3. Communication, education and engagement.

Complaints Management deals with a large volume of complaints. It continued to benefit from improvements made to the complaint processes in recent years. However, potential complaints made to the Commission were up by 36% from the previous fiscal, representing a historic high, with no corresponding increase in funding. The Commission continues to face considerable operational challenges with complaint volume and preexisting backlog despite innovative and ongoing process improvements.

Complaints Management's focus in 2023-24 was to build capacity to respond to the increasing volume through hiring, training, and supports. In addition, the Commission was able to launch, for the first time, an online complaint form to improve access to justice for Albertans where they can easily file complaints directly through the website.

The Tribunal also saw increased volume and responded by hiring a case manager to improve access to justice and ensure efficient proceedings with self-represented parties. It also developed new practice directions for consistency, transparency, and fairness, and released several ground-breaking decisions.

Communication, Education and Engagement supports both the complaint process and has its own statutory function to promote equality and prevent discrimination. To support those mandates, the Commission launched an entirely new website designed to improve access to justice by focusing on the user experience, plain language, and principles of accessibility. It also launched a disaggregated data tool along with the new complaint form, to provide additional information about the diversity of Albertans bringing forward human rights complaints. This will be invaluable in the years to come.

The Commission also continued its work under its Indigenous Human Rights Strategy, including through continued consultation and work with its Indigenous Advisory Circle. Staff and Members of the Commission were trained on using the eagle feathers Elders blessed for the Commission, a significant step towards reconciliation, and undertook additional training to deepen staff knowledge of Indigenous histories and the impact of colonialism.

In this milestone year, the Commission remained steadfast in its commitment to advancing human rights, overcoming challenges, and laying the groundwork for continued progress in the years to come.



Kathryn Oviatt

Chief of the Commission and Tribunals

"Human rights in Alberta have come a long way in the past 50 years. For that we celebrate, but there is still much to do. For that, we roll up our sleeves and embrace the challenge."

Excerpt from remarks at the Commission's 50th Anniversary Symposium



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 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*.



50 Years of Upholding Human Rights in Alberta

In our 50th year, we continued to resolve complaints of discrimination efficiently and effectively using the streamlined processes and tools implemented in recent years. In addition to supporting Albertans impacted by human rights issues, this milestone year focused on building our internal capacity to ensure that we continue to provide excellent service to Albertans in the coming years.



The highlights and statistics reported below show the value of our ongoing improvements to the complaint process, and this year's focus on improving Albertans' access to the complaint process.

Rebuilding staff capacity

In 2023-24, many experienced staff members in Complaints Management transitioned to other areas in the Commission or moved to new organizations, leading to a year focused on rebuilding staff capacity. This included recruitment efforts and training new staff to ensure that they are set up to deliver quality services to Albertans.

Responded to public inquiries

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 8,041 inquiries from the public in 2023-24. This represents a 22% increase from the previous year and was close to the high number of inquiries we received during the COVID-19 pandemic.

Human Rights
Officers answered

8,041

inquiries from the public in 2023-24, representing a 22% increase from 2022-23

The Commission received

2,255

potential complaints in 2023-24, representing a 36% increase from 2022-23 and a historic high

The Commission **accepted**

1,047

complaints into the complaint process in 2023-24, compared to 822 in 2022-23, representing a 27% increase and a 10-year high

Increased access to the complaint process

We introduced significant changes to improve access to information and help Albertans better access the complaint process, including launching an online complaint form.

Between September 13, 2023 (when the Commission's new online complaint form launched) and March 31, 2024, the online complaint form was **viewed 23,546 times**

The online complaint form includes a new optional Personal Information section, allowing us to collect disaggregated demographic data, which includes information about potential complainants' age, gender, sexual orientation, marital status, disability, education, income, Indigenous identity, ethnicity, country of origin, religion, and other factors. Collecting this information allows the Commission to better understand who uses our services and address systemic discrimination that exists for marginalized groups. Providing personal information is voluntary and confidential. It is used to identify trends and does not influence the processing of human rights complaints in any way.

In 2023-24, the Director of the Commission (the Director) received 2,255 potential complaints, a 36% increase from the previous year. With the increase in the overall number of potential complaints, the number of accepted complaints also increased.

Managed complaints effectively and efficiently

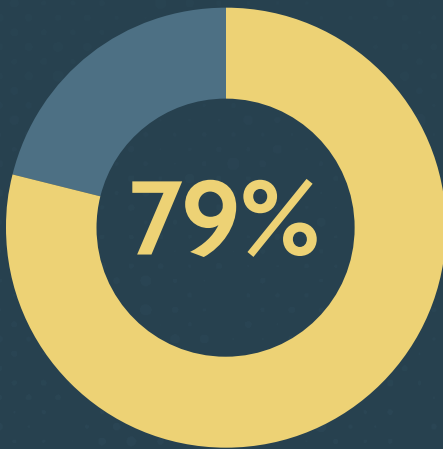
The Commission's new complaint process implemented in January 2022 continued to benefit Albertans in 2023-24. Changes to the process included using specialized teams, triaging complaints, placing more emphasis on conciliation, and having a team that drafts decisions for the Director's review. These changes proved impactful this year given the record number of accepted complaints.

- ▶ 1,047 complaints were accepted in 2023-24, compared to 822 in 2022-23, representing a 10-year high.
 - » Employment practices remains the most cited area in complaints accepted by the Commission in 2023-24, with 79% of grounds citing employment practices. Like last year, physical disability and mental disability were the most cited grounds in accepted complaints.
- ▶ We closed 821 complaints in 2023-24.
 - » This closure rate was achieved despite the record high number of complaints accepted by the Commission, and in a year of rebuilding staff capacity.
- ▶ Through the work of our specialized teams, we have seen a significant reduction in the average length of time from acceptance of a complaint until resolution, dismissal, or referral to Tribunal since changes were made to the complaints process in 2022.

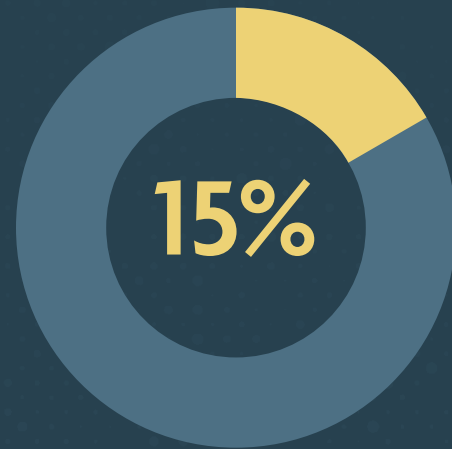
In 2023-24, the average length of time a file spent in the Director's stage was 555 days, compared to 844 days in 2020-21. This represents a 289-day reduction in time. The Commission continues to work towards the goal of resolving complaints at the Director's stage within 12 months of intake.
- ▶ The majority of complaints are resolved and settled at the Director's stage. This number increased in 2023-24 compared to previous years, before the implementation of the new complaints process in 2022.
 - » 83% of files were closed at the Director's stage in 2023-24, compared to 78% in 2021-22.
 - » 36% of all complaints closed by the Commission in 2023-24 were resolved through conciliation.

Most cited areas in complaints made to the Commission in 2023-24

Employment Practices

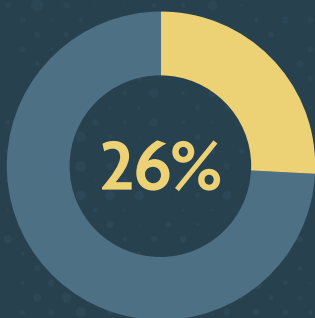


Goods and Services

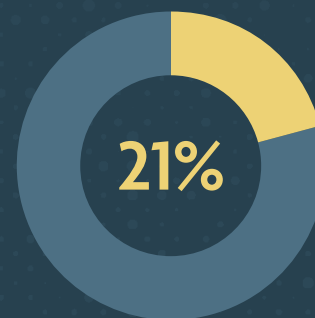


Most cited grounds in complaints made to the Commission in 2023-24

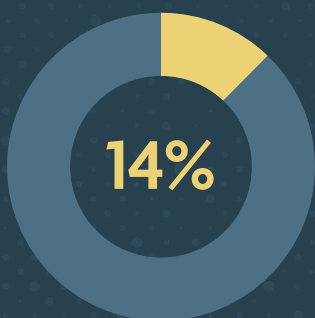
Physical Disability



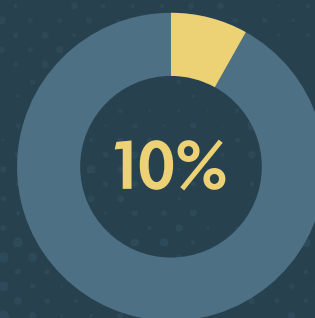
Mental Disability



Gender



Race/Colour





Maximized the benefit of conciliation

2023-24 continued to demonstrate the importance of conciliation in resolving complaints. Conciliation helps parties resolve complaints based on terms to which they agree. HROs facilitate the discussion and provide information on human rights law that is applicable to the complaint, which aids in the settlement discussion.

Complaints referred to the Tribunal

Under section 21 of 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 proceedings. The Director has carriage of all complaints at the Tribunal except where:

- ▶ Having carriage is not necessary or consistent with the public interest
- ▶ 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 is essential in supporting self-represented complainants. Complainants can choose to adopt the Director's position or present their own position. The Director's role at the Tribunal is fulfilled by the Director's legal counsel through their participation in Tribunal Dispute Resolutions (TDRs) and tribunal hearings. In 2023-24, the Director was actively involved in several proceedings at the Tribunal and:

- ▶ Had carriage in 75 of the 89 complaints mediated at Tribunal Dispute Resolution
- ▶ Had carriage in 24 of the 31 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 decides on complaints of discrimination brought under the *Alberta Human Rights Act* (the Act).

The Tribunal consists of Members of the Commission (Members), which includes the Chief of the Commission and Tribunals (see "[Appendix E](#)" for Members of the Commission biographies).

To ensure equitable and unbiased Tribunal proceedings, the Tribunal Office is a separate area within the Commission, distinct from the Director of the Commission. The Tribunal's operations are independent and separate from the Director's responsibilities and their staff's duties in resolving complaints.

50 Years of Upholding Human Rights in Alberta

In its 50th year, the Tribunal worked diligently to provide fair, efficient, accessible, and timely access to justice. It released ground-breaking decisions, which will have significant impact in protecting the human rights of marginalized groups.

Advanced access to justice

In 2023-24, the Tribunal implemented the following initiatives to assist in achieving its goals to advance access to justice:

- ▶ In June 2023, the Tribunal Office introduced a navigator service for self-represented parties involved with Tribunal proceedings.

The navigator service offers information to unrepresented individuals as they navigate through the Tribunal process, ensuring that those representing themselves have an equitable chance to access justice and receive a fair mediation or hearing. This navigation also ensures that Tribunal proceedings are efficient.

- ▶ The Tribunal developed new and updated old [practice directions](#) to help parties understand how the Tribunal addresses certain issues.
 - » [Requests for Notices to Attend](#)
 - » [Request for Review - Section 26](#)
 - » [Recording and Transcripts of Proceedings](#)
- ▶ The [Tribunal section of the Commission's new website](#) describes in detail each step of the Tribunal process in a concise and easy-to-understand way.



Requests for Review

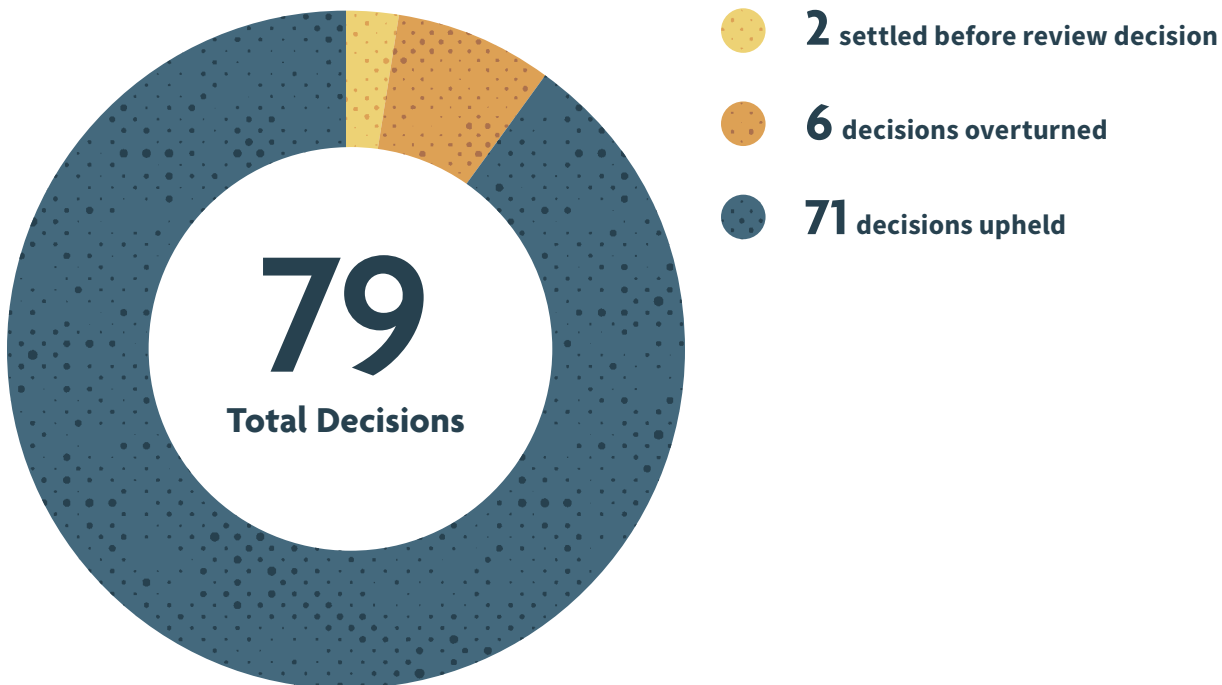
If the Director dismisses a complaint, the complainant may request a review (appeal) to the Chief of the Commission and Tribunals under section 26 of the *Act*. The Chief (or a delegated Member of the Commission) reviews the Director's dismissal decision to determine if the complaint should have been dismissed. It is a screening process based on the record and written submissions.

- ▶ If the Chief upholds the Director's dismissal, the complaint is closed and the Chief's decision is final, subject only to judicial review.
- ▶ If the Chief disagrees and reverses the Director's dismissal, the complaint will advance to the Tribunal.

Complaint closures at Tribunal

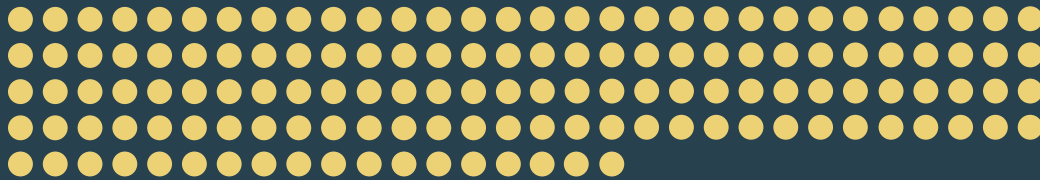
At the Tribunal stage, closing a complaint occurs through various avenues: the parties settle (either independently or via Tribunal Dispute Resolution); the Tribunal issues a final decision after a hearing; the complainant withdraws the complaint for any reason; or closure by the Tribunal for other reasons, such as dismissal following a preliminary application.

Requests for Review decided by the Chief of the Commission and Tribunals in 2023-24



138

Complaints closed
at the Tribunal stage



25

Closed through
tribunal hearing



6

Withdrawn



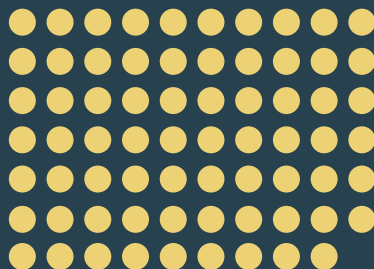
35

Closed through
private settlement



69

Closed through Tribunal
Dispute Resolution



3

Closed for
other reasons



Tribunal Dispute Resolution

If a complaint proceeds to the Tribunal, the first step in the Tribunal process involves Tribunal Dispute Resolution (TDR), which is a confidential and voluntary mediation process. The parties meet with a Member of the Commission who chairs the TDR. If the parties successfully resolve the complaint through TDR, it is closed. However, if the parties do not settle during TDR, the matter proceeds to a tribunal hearing.

Participating in TDR offers numerous benefits, including (but not limited to) its expedited process compared to a hearing. The Tribunal continues to prioritize timely scheduling of TDRs to ensure efficiency in its process.

- ▶ In 2023-24, 89 TDR sessions were held.
- ▶ In 2023-24, TDRs were held within an average of 107 days from when the Tribunal received the complaint compared to an average of 135 days in 2022-23, representing a 28-day reduction in wait times.

During the TDR, both the complainant and respondent possess decision-making authority to reach a settlement, unlike in a hearing where the Tribunal has the power to make a decision on the complaint.

- ▶ In 2023-24, 64% of TDRs reached a settlement.

Tribunal hearings

During 2021-22, the Tribunal transitioned all proceedings to videoconference, a move that has proven beneficial in reducing scheduling wait times and maintaining fairness in hearing proceedings. Given the rise in the number of complaints proceeding to a hearing, the Tribunal has continued to conduct all hearings via videoconference to ensure minimal scheduling delays.

- ▶ In 2023-24, the Tribunal held 31 hearings, some of which were a continuation of a hearing that started in 2022-23.
- ▶ The length of Tribunal hearings ranged from one day to 32 days.
- ▶ In 2023-24, 25 complaints were closed through a decision following a hearing. Of those, 12 were heard in a previous fiscal year and one was closed after written submissions only.

The Tribunal ended 2023-24 with approximately 41 complaints scheduled for a hearing (some of these, a continuation of a hearing that began in the previous year).

Written decisions issued

The Tribunal published on CanLII, 137 written decisions on section 26 appeals of Director's decisions, interim decisions, and decisions on the merits.



Public Education, Outreach, and Engagement

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.



50 Years of Upholding Human Rights in Alberta

In our 50th year, we engaged in various initiatives to better reach Albertans and inform and educate them about the Commission's programs and services and their rights and responsibilities under the *Alberta Human Rights Act (the Act)*. This included: launching a new, accessible website; further engaging Albertans in human rights issues and topics through initiatives such as the #AB50for50 campaign, expanding our social media presence; and advancing our Indigenous Human Rights Strategy.

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

The Commission launched our [new website](#) in September 2023 to improve access to information and to help Albertans better understand human rights and access the complaint process. We combined best practices in accessibility with an updated design to improve the user experience and help Albertans better navigate our information. Informed by extensive research and feedback from diverse communities in Alberta, the website includes new content written in plain language that speaks to Albertans' questions about human rights in an approachable and clear way.

With the launch of the new website, in 2023-24, we began collecting [disaggregated demographic data](#) from complainants to help us better understand the discrimination that diverse groups of people experience. This information will help us identify and remove barriers within the human rights complaint process, and plan for and deliver equitable and inclusive programs and services. We sought input from various community stakeholders serving marginalized groups about the data collection process and policy to inform this initiative. Partner organizations also supported users to better understand why the Commission is collecting this information and how it will be used to address systemic barriers that exist. We have a [web page](#) that provides an overview of why we are collecting this information, how we plan to use it, and how we are keeping it confidential and safe.

There were
3,700
visitors to the new
website in the first week
of its launch.

Our new website includes:

- ▶ New design: new approachable and modern design, single page navigation, increased white space, and easier-to-consume blocks of information
 - ▶ Plain language content: legal information is written in clear, concise, and easier-to-understand language
 - ▶ Accessibility features: the ability to adjust text size, contrast, and magnification, user-centered navigation, option for text-only, coding that works with assistive technologies, and embedded American Sign Language (ASL) translation videos throughout the site
 - ▶ Education tools: infographics, glossary tooltips indicated by a dotted underline that pop up when hovered over, and a focus on tangible tools and practical ways to prevent discrimination
 - ▶ A mobile-friendly format: users can access information from any device
- ▶ Online self-assessment and complaint forms: allow people making a complaint of discrimination to assess if their issue falls within the *Act*, submit a complaint form directly on our website, and voluntarily provide information about their age, gender, marital status, disability, identity, ethnicity, religion, and other factors to help the Commission identify and address systemic discrimination

And:

- ▶ **95 pages of new content**
- ▶ **[209 Frequently Asked Questions](#)** and answers related to the Commission and human rights
- ▶ **[87 glossary definitions](#)** listing all the terms defined on the website



In 2023-24, we continued to roll out the [#AB50for50 campaign](#) launched in early 2023. The initiative encouraged Albertans to spend a minimum of 50 minutes in 2023 expanding their knowledge and understanding of human rights.

- ▶ We gave 10 presentations promoting the campaign and human rights education to various organizations from the immigrant-serving, disability, women's, human resources, and volunteer sectors, and used social media to engage partners to encourage further participation in the campaign.
- ▶ In collaboration with the Chartered Professionals in Human Resources of Alberta (CPHR Alberta), we coordinated the #AB50for50 student challenge, which reached 219 CPHR student members across Alberta, the Northwest Territories, and Nunavut.
- ▶ Commission staff participated in the #AB50for50 campaign through five lunch and learn sessions on various human rights topics.
- ▶ In September 2023, the Commission hosted a 50th anniversary symposium, bringing together more than 200 human rights stakeholders to learn about current human rights issues and look towards the future of human rights in Alberta. In her [keynote address](#) to the symposium attendees, the Honourable Ritu Khullar, Chief Justice of Alberta, reflected on the importance of human rights work over the past 50 years and discussed the ongoing need to advance human rights principles.

To add to our social media presence, and enhance the launch of our LinkedIn account in March 2023, we launched a Facebook account in December 2023 to further efforts to connect with and inform Albertans and other key stakeholders.

- ▶ In its first year, the Commission's LinkedIn account generated over 85,000 impressions, 3,000 page views, 2,000 reactions, 1,300 followers, and 250 reposts.
- ▶ In its first 4 months, the Commission's Facebook account reached nearly 2,000 people, and generated over 1,200 page visits.
- ▶ 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.

99% of the 160 public workshop participants said that they are likely or very likely to use information learned about human rights in their workplace

The Chief of the Commission and Tribunals released [six public statements](#) on important issues and dates significant to human rights and diversity, including:

- ▶ International Day for the Elimination of Racial Discrimination
- ▶ Recognizing human rights for transgender, two-spirit, and gender diverse youth
- ▶ International Human Rights Day
- ▶ Standing against rising anti-Semitism and Islamophobia in Alberta
- ▶ National Day for Truth and Reconciliation
- ▶ National Indigenous Day

“... Transgender, two-spirit, non-binary, and gender diverse youth need support, understanding, and acceptance. While the Legislature considers what it thinks is the right balance, Albertans should approach the discussion focused on the dignity, humanity, and need for equality of this vulnerable group.”

Kathryn Oviatt

Chief of the Commission and Tribunals

Recognizing human rights for transgender, twospirit, and gender diverse youth, March 1, 2024



3,298
subscribers

There were 3,298 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.



7,719
webinar views

There were 7,719 views of Commission webinars and videos on various human rights topics such as the duty to accommodate, gender discrimination, and harassment.



46
presentations

We delivered remarks or presentations at 46 events, including conferences, annual general meetings, seminars, learning sessions, community gatherings, and much more, on various topics related to human rights.



15
media requests

We responded to 15 media requests on various topics.



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

In 2023-24, 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 2023-24, the Commission provided input and updates for international human rights joint responses including:

- ▶ Canada's Universal Periodic Review 4 (UPR4) response
- ▶ Canada's annual report on human rights related to the Canada-Colombia Free Trade Agreement

Addressed the ongoing racism and discrimination Indigenous people in Alberta face

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. With support from the Indigenous Advisory Circle, we continued this commitment through our Indigenous Human Rights Strategy by focusing on reducing barriers for Indigenous people so they are able to receive effective, accessible, and culturally relevant services.

- ▶ The Commission now has two [eagle feathers](#) available in our Edmonton and Calgary offices, which can be used during meetings, to swear an oath, or to hold while giving statements during conciliation meetings, tribunal dispute resolution meetings, or tribunal hearings. In September 2023, all Commission

staff participated in specialized training on how to use our blessed eagle feathers, as did Members of the Commission in January 2024. Both trainings were led by Knowledge Keeper, Steven O'Chiese.

- ▶ All Commission staff completed mandatory online training to deepen knowledge of Indigenous histories and the current legacies of colonialism.
- ▶ Our new website now has an [Indigenous human rights page](#) specifically designed to better serve Indigenous people in Alberta, as well as information specific to Indigenous Peoples embedded throughout the site.
- ▶ In April 2023, the Chief of the Commission and Tribunals [appeared before the Standing Senate Committee on Indigenous Peoples](#), expressing the Commission's willingness to work with other provincial, territorial, and federal human rights bodies to improve access to justice and ensure Indigenous people have confidence in Canada's human rights systems. The Commission followed its appearance with a written submission in August 2023.
- ▶ In collaboration with stakeholders, we produced and disseminated an information package in response to what we heard about the discrimination Indigenous people experienced when seeking services after being evacuated from their home communities due to wildfires. The Evacuation Information Package is intended for evacuees and those providing support and includes resources about the rights and responsibilities of individuals, organizations, and service providers that may be relevant during an evacuation or emergency.

In December 2023, the Northwest Territories (NWT) Human Rights Commission invited us to present to their Commission Members about our Indigenous Human Rights Strategy. The NWT Commission shared information about their complaint process and how they use a restorative approach to resolve human rights complaints. We also presented information about the Strategy to the Ministry of Justice's Indigenous Policy and Services branch, the University of Calgary's Faculty of Law, and the John Humphrey Centre for Peace and Human Rights Ignite Change Human Rights Convention.



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. The CCE initiative—established to help advance human rights and address local human rights issues and priorities—expanded further this year; thirty 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.

- ▶ [Stop Hate AB](#) (formerly the Alberta Hate Crimes Committee). In 2023-24, Stop Hate AB published the [Victimized Community Perceptions about Hate Crime and Incidents: A 2019-2022 Analysis](#) detailing several recommendations to better address hate crimes and incidents in Alberta. This year, Stop Hate AB facilitated 10 train-the-trainer Bystander Workshops across the province and convened a strategic planning session.

In addition, we partnered with stakeholders on new initiatives, including with:

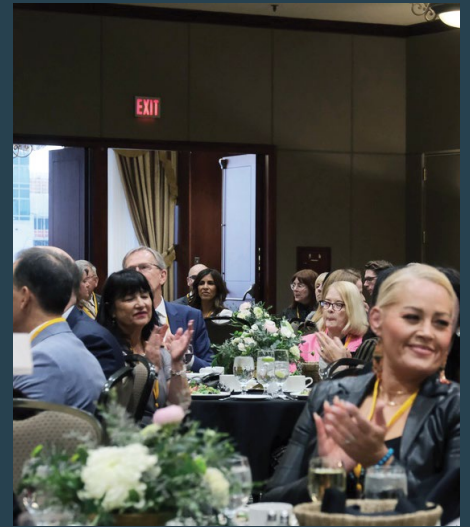
- ▶ PolicyWise for Children and Families and the Calgary Immigrant Women's Association on a [resource for service providers supporting clients requesting accommodations at work](#). We informed the research stage of the project to develop the tool and assisted in its launch, including presenting the tool to new audiences. The tool enables practitioners to better support clients by providing information on how to request and document their request for accommodations in the workplace.
- ▶ The Post-Secondary Human Rights Network, to provide a community of practice for postsecondary institutions to advance human rights for staff, students, and others within postsecondary institutional systems. The network provides support to post-secondary institutions throughout Alberta by identifying gaps and priorities, addressing emerging trends and issues, and supporting collaborative initiatives that move towards more equitable post-secondary institutions for all.

Throughout 2023-24, we continued to provide specialized consultative and advisory services to assist organizations, institutions, and governments to advance their human rights programs and initiatives, including to Jewish and Muslim community leaders on alternative resolutions to discrimination and racism, and to municipalities across the province about the Commission's programs and services, including our confidential inquiry line. In January 2024, we met with Minister Yaseen, Minister of Immigration and Multiculturalism, Government of Alberta, to discuss areas of collaboration in fostering equality and reducing discrimination.

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 2023-24 awards.

- ▶ **Arielle Perrotta** received the doctoral-level award. Arielle's research will examine strategies to address the ways in which colonialism, sexism, and discrimination continue to impact Indigenous maternal health. In Alberta, Indigenous women experience higher rates of adverse birth outcomes.
- ▶ **Hawra Al-Khaz'Aly** received the master's-level Pardeep Singh Gundara Memorial Scholarship. Hawra's research will focus on protective and risk factors in the link between trauma exposure and post-traumatic stress disorder in Canadian refugees.

As part of our 50th anniversary commemoration, in September 2023, the Commission was pleased to bring together more than 250 human rights stakeholders for a learning event to highlight current human rights issues and look towards the future of human rights in Alberta. Attendees represented Albertan municipalities, Indigenous communities, the disability sector, ethno-cultural communities, religious groups, labour organizations, human resources professionals, government leaders, lawyers, and many others.







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 through the resolution of complaints through settlement and adjudication.

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

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

1. 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 to the Tribunal in the public interest and may appear in court on judicial review (ss. 28 and 29).

2. **Tribunal**, which hears appeals of Director's dismissals (s. 26), mediates human rights complaints through Tribunal Dispute Resolution, conducts tribunal hearings, and renders final and binding decisions (s. 32).
3. **Communication, Education and Engagement**, which prevents discrimination through developing public policy, engaging stakeholders, implementing programs and initiatives, raising awareness, and providing education on human rights (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, 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 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: the Office of the Director of the Commission; the Tribunal Office; and Communication, Education and Engagement. 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 to serve 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, and ended future funding for the Human Rights Education and Multiculturalism Fund. The Commission will oversee drawing down the remaining Fund through education initiatives and support to community.

Appendix C

Director's Stage: Key Statistics, Grounds of Discrimination and Areas Cited in Complaints Opened, and Disposition of Complaints

Director's Stage: Key Statistics	2023-24
Inquiries from the public	8,041
Potential complaints	2,255
Accepted complaints	1,047
Conciliations completed	425
Director's decisions	305
Dismissals	237
Referrals to the Tribunal	68
Carriage before the Tribunal	The Director had carriage in 24 of the 31 tribunal hearings held

Complaints by ground and independent areas* (2023-24)**

Protected Ground	Times cited	Percent of total
Physical disability	881	26%
Mental disability	712	21%
Gender	468	14%
Race/Colour	320	10%
Ancestry/Place of origin	251	8%
Family status	195	6%
Age	160	5%
Religious beliefs	92	3%
Sexual orientation	60	2%
Marital status	54	2%
Gender expression	43	1%
Gender identity	39	1%
Retaliation*	34	1%
Source of income	19	<1%
Equal pay*	13	<1%
Malicious intent*	0	0%
Total	3341	

*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 1,047 new complaint files opened. Each complaint may cite more than one ground and area. Percentages have been rounded.

Complaints cited by area of the Alberta Human Rights Act (2023-24)*

Section of Act	Percent of total
Employment practices (Section 7)	79%
Goods, services, accommodation, or facilities (Section 4)	15%
Tenancy (Section 5)	3%
Retaliation (Section 10.1)	1%
Applications and advertisements re: employment (Section 8)	1%
Publications, notices (Section 3)	<1%
Equal pay (Section 6)	<1%
Membership in trade union, etc. (Section 9)	<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 1,047 complaint files opened in 2023-24. 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	297	36%
Resolved after conciliation	6	1%
Dismissed	217	26%
No Communication	28	3%
Withdrawn*	135	16%
Closed by Tribunal Office	138	17%
Total	821	100%**

*Most of the complaints withdrawn were due to settlements reached by the parties outside of the Commission's process.

**Note: Percentages based on 821 complaints closed through the complaint process at the Director's stage and the Tribunal stage.

Appendix D

Tribunal Stage: Key Statistics, Grounds of Discrimination and Areas Cited in Complaints Closed, and Disposition of Complaints

Tribunal Stage: Key Statistics	2023-24
Total number of complaints referred to the Tribunal	74
Referrals from the Director of the Commission	68
Referrals from section 26 appeals	6
Tribunal Dispute Resolution (TDR) sessions held	89
Tribunal hearings held	31
Total closed	138

Grounds cited in complaints closed in 2023-24

Protected Ground	Times Cited*
Physical disability	82
Mental disability	66
Gender	34
Race/Colour	33
Family status	18
Ancestry/Place of origin	25
Religious beliefs	29
Age	15
Sexual orientation	6
Marital status	5
Gender expression	0
Gender identity	0
Retaliation**	0
Source of income	0
Equal pay**	0
Malicious intent**	0
Total	313

*Some complaints cite more than one ground.

**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.

Areas cited in complaints closed in 2023-24

Protected Area	Times Cited*
Employment practices (section 7)	138
Goods, services, accommodation, or facilities (section 4)	42
Tenancy (section 5)	6
Applications and advertisements re: employment (section 8)	3
Retaliation, or frivolous or vexatious complaints with malicious Intent (section 10)	7
Total	196

*Some complaints cite more than one area.

Disposition of complaints closed	2023–24
Closed through Tribunal Dispute Resolution	69
Closed through private settlement	35
Closed as a result of a tribunal hearing	25
Withdrawn	6
Closed for other reasons	3
Complaints closed by the Tribunal	138

Appendix E

Member of the Commission Biographies

The following are summaries of the biographies of Members of the Commission in 2023-24. The complete biographies of active members are available on the Commission's website.

Chief of the Commission and Tribunals

Kathryn Oviatt, K.C.

Kathryn Oviatt was appointed the Chief of the Commission and Tribunals beginning December 1, 2022 for 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, in which she was a leader on the Tribunal and demonstrated commitment to the principles of natural justice and the rule of law.

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 2014, she has exclusively practiced as a neutral adjudicator, including as 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.

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 & Company. 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 and the Law Enforcement Review Board (LERB). 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 20 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 and practices in the areas of Real Estate and Wills & Estates. Ms. Badejo is currently the managing lawyer at Badejo Law Group in Edmonton. Ms. Badejo received 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 was appointed for a term ending August 17, 2025. Mr. Bawa is the 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 was called to the Alberta Bar in 1987. Ms. Bonora currently practices with KPMG Law LLP in Edmonton. She has extensive experience at all levels of court in Alberta and also in alternate dispute resolution. Ms. Bonora is involved in dealing with advocacy for seniors around ageism and also litigation involving trusts that are discriminatory to Indigenous women. She is a frequent panelist and keynote speaker on topics including trusts, litigation, and disabled-adult estate planning, presenting to local, national, and international audiences. She has also written numerous articles for a variety of legal publications. Ms. Bonora is a sessional professor at the University of Alberta. She obtained a Law degree in 1986 from the University of Alberta.

Cynthia Dickins, K.C.

Cynthia Dickins was appointed for a term ending October 6, 2025. Ms. Dickins was most recently general counsel at the Department of Justice Canada at Edmonton where she spent her career litigating criminal and civil law cases at every level of court, including at the Supreme Court of Canada. Ms. Dickins has also appeared as counsel before several tribunals including the National Energy Board. She is a past co-chair of the Canadian Bar Association Aboriginal Law subsection. Ms. Dickins received the joint CBA Law Society of Alberta Distinguished Service award for dedicated service of pro bono legal services in 2022. Ms. Dickins continues to volunteer at Edmonton Community Legal Centre.

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. She 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, a Bachelor of Law from the Université Laval and a LLM from Osgood Hall in Dispute Resolution. She is currently completing an LLM in constitutional law at Osgoode Hall. As a member of the Québec, Alberta, and Nunavut law societies, Ms. Haykowsky practices law in French and in English.

Duncan Marsden, K.C.

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.

Evaristus Oshionebo

Dr. Evaristus Oshionebo was appointed for a term ending August 20, 2024. On August 31, 2022, the Minister of Justice appointed Dr. Oshionebo as Acting Chief of the Commission and Tribunals. He served in this role 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), Masters of Laws from the University of Lagos, and 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. She received a Bachelor of Arts in 1995 from the University of Calgary, a Master's of Science (Industrial/Organizational Psychology) in 1997 and a Ph.D. (Industrial/Organizational Psychology) in 1999, both from the Pennsylvania State University, and a Juris Doctor in 2002 from the University of Calgary. She was called to the Alberta Bar in 2003.

Karen Scott

Karen Scott was appointed for a term ending June 28, 2024. She received a law degree (Distinction) in 2002 from the University of Alberta. Ms. Scott was called to the Alberta Bar in 2003. 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 as a crown prosecutor. She is active in the community, serving as a senator on the University of Calgary Senate, and a board member for the Alberta Lawyers' Assistance Society, Federation of Asian Canadian Lawyers (Western), Association of Women Lawyers, and Special Olympics Calgary. Ms. Shim continues to be involved with her alma mater as an instructor in Sports Law for both the Faculties of Law and Kinesiology at the University of Calgary.

Nathalie Whyte

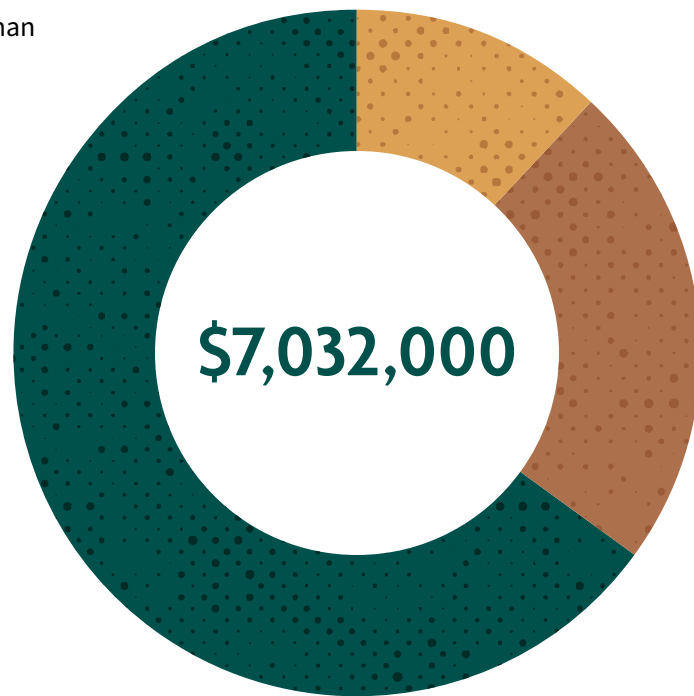
Nathalie Whyte was appointed for a term ending October 6, 2025. In 1997, Ms. Whyte obtained a Bachelor of Social Work (Honours) from Carleton University and in 2007 received her Juris Doctor from the College of Law, University of Saskatchewan. Prior to her career in law, Ms. Whyte worked as a social worker in a variety of settings including Child and Family Services and health care. Ms. Whyte articulated and practiced for over 10 years at a boutique firm specializing in Aboriginal and treaty rights litigation. Ms. Whyte also practices in the area of family law. Ms. Whyte has appeared at all levels of Court, including the Supreme Court of Canada (co-counsel and written submissions), and has appeared before various administrative tribunals. For two terms, Ms. Whyte taught a course called "Indigenous Law in Canada" as a sessional lecturer at the University of Calgary, International Indigenous Studies Program, Department of Political Science.

Appendix F

2023-24 Budget Allocation

The budget was allocated within the Alberta Human Rights Commission as follows:

- 65%**
Office of the Director of the Commission
- 23%**
Office of the Chief of the Commission and Tribunals and Tribunal Office
- 12%**
Communication, Education, and Engagement





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For toll-free, dial 310-0000 and enter the Confidential Inquiry Line number when prompted. For province-wide free access from a mobile phone, enter *310 (for Rogers) or #310 (for Telus and Bell) and then the Confidential Inquiry Line number when prompted. Callers can phone without paying long distance or airtime charges.

For video-relay service for Albertans who are deaf, hard of hearing, or speech-impaired, access our services via your own interpreter or via Canada VRS, which provides an interpreter.