

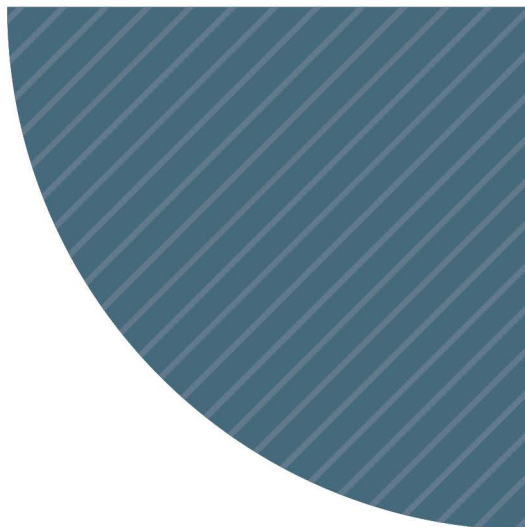


Alberta Human Rights Commission

Annual Report 2021-2022

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Please note: In 2021-22, the budget for the Alberta Human Rights Commission was integrated into the budget for the Ministry of Justice and Solicitor General. The financial statements for the ministry are included in the 2021-22 Annual Report of the Ministry of Justice and Solicitor General, which is available on the ministry's website.

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




Introduction

The Alberta Human Rights Commission (the Commission) is an independent commission of the Government of Alberta, which is 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 and Solicitor General, who has responsibility for the *Act*, informed about human rights issues and the Commission's activities; providing the Members of the Commission with guidance regarding their tribunal hearings and other functions; providing guidance to the Director of the Commission and the Director of

Communication, Education and Engagement regarding the 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, 2021 to March 31, 2022.



Mandate, Vision, Mission

Our Mandate

To foster equality and reduce discrimination.

Our Vision

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

Our Mission

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

Message from the Chief of the Commission and Tribunals

I am pleased to present the 2021-22 Alberta Human Rights Commission Annual Report. It has been an honour to serve as Chief of the Commission and Tribunal alongside our dedicated Commission staff and Members of the Commission who have worked diligently throughout the year to advance human rights in our province.

In November 2021, Michael Gottheil departed as Chief of the Commission and Tribunals. I extend my gratitude to Mr. Gottheil for his leadership over the past three years, including towards the many accomplishments highlighted in this report.

This was a year of both challenge and growth for the Commission. The COVID-19 pandemic continued to impact the Commission's work, both operationally as staff continued to work from home for most of the reporting fiscal year and in the nature and number of inquiries and complaints we received. Despite these challenges, we found opportunities to provide Albertans with effective programs and services. I am proud to report on the significant accomplishments of the year.

Perhaps most significantly, the Commission's complaint management area addressed its long standing backlog. The Case Inventory Resolution

Project (CIRP) came to a close in 2021. This was a two-year project to eliminate the backlog of more than 1,700 human rights complaints. Prior to this project, wait times were approximately 19 months for conciliation and 27 months for investigation. The CIRP team applied a new model to resolving complaints, using streamlined processes and specialized teams, which resulted in complaints completing conciliation or investigation within 12 months. For the third consecutive year, in 2021-22, the number of complaints closed exceeded the number of complaints accepted.

The CIRP brought significant learning about efficiency and fairness. In December 2021, the Legislature amended the Alberta Human Rights Act, which facilitated longer term, permanent systems-wide changes to address complaints more quickly, reduce the backlog, and make tribunal hearings more accessible. After engaging key stakeholders on proposed changes to the Act, the Commission implemented a new streamlined complaint management process on January 1, 2022. The new complaint management process will benefit Albertans for many years to come by ensuring the fair and timely resolution of human rights complaints.

These changes could not have come at a better time. We received a record number of potential complaints this fiscal year and more than 1,000 more public inquiries over last fiscal year. Many of the inquiries and potential complaints in 2021-22 related to the COVID-19 pandemic, including masking and vaccine requirements. Albertans continued to look to the Commission for information regarding COVID-19 and human rights. The Commission's website, including its detailed advice about human rights related to COVID-19, was a key source of information for the public. Visits to our website rose significantly in the fall of 2021 and peaked at 25,000 views in a single day in September, coinciding with the launch of the Government of Alberta's Restriction Exemption Program.

To add to an already difficult year for Indigenous people in Canada, who have been disproportionately impacted by the pandemic, 2021-22 revealed the heartbreaking recovery of unmarked graves at residential school sites across Canada. To date, over 1,700 unmarked graves have been located and in March 2022, we were devastated to learn about the 169 potential graves identified at the former Grouard Residential School

in northern Alberta. This was a tragic reminder that Alberta has much progress to make in reconciling the dark legacies of our past, and in promoting and protecting human rights in the present. As a Commission, we continue to work in collaboration with Indigenous people and organizations in Alberta to determine how to better uphold the dignity and human rights of Indigenous Peoples, ensure justice and equality, and create a society that is free from discrimination.

On June 21 2021, National Indigenous Peoples Day, we launched an Indigenous Human Rights Strategy and soon after established the Indigenous Advisory Circle to support the Strategy's implementation. The Strategy will help guide the Commission's practices and operations with the goal of reducing barriers that Indigenous individuals and communities face, including ensuring the Commission's policies, programs, and services are accessible, meaningful, responsive, and culturally relevant to Indigenous people. As part of our Indigenous Human Rights Strategy, we contracted The Imagination Group to conduct an external review of the Commission and identify barriers that exist for Indigenous people when accessing our programs and services,



and ways in which we may be creating barriers and inadvertently perpetuating discrimination.

To further advance our organizational efforts towards truth and reconciliation, we held a Commission-wide learning session with Elder Doreen Spence for staff on Canada's first Truth and Reconciliation Day on Orange Shirt Day. The session began with a screening of the two-part film series "Every Child Matters: Truth" and "Every Child Matters: Reconciliation," followed by an open discussion where Ms. Spence shared her experiences of residential school, intergenerational legacy of the residential school system, resilience, and reconciliation.

We also worked to strengthen our partnerships and collaborative initiatives with stakeholders representing other marginalized groups. This year, we partnered with the Alberta Ability Network (AAN) in their Barrier-free Alberta campaign to advance their advocacy efforts towards creating strong and effective accessibility legislation in Alberta.

The Commission supported the development of a communications strategy and social media plan for Barrier-free Alberta, and assisted with the campaign's outreach and engagement strategy.

Throughout the fiscal year, the Commission worked diligently to improve access to justice, and to provide relevant education and public outreach. Our work in advocating for equality and eliminating discrimination has never been more relevant and we look forward to further advancing efforts in the year to come.

My thanks and admiration goes out to all.



Kathryn Oviatt
Chief of the Commission and Tribunals



Communication, Education and Engagement

In 2021-22, we delivered impactful programs and initiatives to inform and educate Albertans about their rights and responsibilities under the Alberta Human Rights Act (the Act), the Commission's programs and services, and advancing human rights principles. These initiatives equipped Albertans to address discrimination in their organizations, communities, and in their personal lives, and are helping to reduce the barriers that prevent many Albertans from participating fully in society. This year, we strengthened partnerships with key stakeholders and communities and furthered collaborative initiatives to advance these goals.

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

The [Commission's website](#) is our core education tool to keep Albertans informed about their rights and responsibilities related to Act, and about the programs and services available to them. This year, we initiated a project to rebuild the website with new content, structure, and technology. The new website will launch in 2023.

In 2021-22, we completed phase one of the content development and a mockup of the website design. We held interactive focus group sessions with three organizations—Deaf and Hear Alberta, Voices of Albertans with Disabilities, and the Canadian National Institute for the Blind—to evaluate the design mockup through user accessibility testing. We heard important perspectives related to website accessibility from people with various accessibility needs and their advocates, which will inform the new website.



Throughout 2021-22, Albertans continued to look to the Commission for information regarding COVID-19 and human rights. The website was a key resource for sharing information with individuals, businesses and organizations, service providers, and landlords about COVID-19 and human rights. The website's [COVID-19 and Human Rights section](#) were the most frequently visited pages.

- Visits to the site rose significantly in the fall of 2021 and **peaked at 25,000 views in a single day** in September, coinciding with the launch of the Government of Alberta's Restriction Exemption Program

We offered **educational resources** to inform Albertans about human rights law and related principles, diversity and inclusion, and programs and services.

- **3,360 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
- **7,250 views** of Commission webinars and videos on various human rights topics such as the duty to accommodate, gender discrimination, and harassment

In 2021-22, we produced an [infographic](#) to provide Albertans with an overview of the new complaint process. We also hosted two virtual presentations to key stakeholders about the new process.

Over 100 people attended the presentations to the Alberta Labour & Employment Law section of the Canadian Bar Association and to community organizations that regularly support complainants through the complaint process.

We collaborated with the Post-secondary Accessibility and Disability Resource Association (PADRA) on a webinar about the recently revised human rights guide, [Duty to accommodate students with disabilities in post-secondary educational institutions](#). The webinar, facilitated by the Commission, included panelists from Alberta Civil Liberties Research Centre, PADRA, NAIT, and the Commission, as well as a student with lived experience. **Eighty-one people attended the webinar**, which featured captioning and American Sign Language services.



17 Virtual Events

5 Public Statements

16 Media Requests

Due to pandemic-related restrictions, we used online platforms to participate in events related to human rights. The Commission delivered presentations at online events for organizations, lawyers, and post-secondary students, and for stakeholders representing women and the disability and Francophone communities.

- We delivered remarks or presentations at **17 virtual events**
- The Chief of the Commission and Tribunals **released five public statements** on important issues and dates significant to human rights and diversity.

“Younger women were most affected by job losses.”

→ LESSONS FROM COVID-19: THE IMPACT OF CAREGIVING DURING A PANDEMIC

“To date, over 1,700 unmarked graves have been located at residential school sites across Canada.”

→ UNMARKED GRAVES AT GROUARD RESIDENTIAL SCHOOL IN ALBERTA

“We simply cannot be a society that values equality without continual introspection and action.”

→ EQUALITY IS A PROCESS

“In August, we completed our selection process for our new Indigenous Advisory Circle.”

→ NATIONAL DAY FOR TRUTH AND RECONCILIATION 2021

“On this National Indigenous Peoples Day, I encourage everyone to do their part to improve their understanding of this difficult history.”

→ NATIONAL INDIGENOUS PEOPLES DAY 2021

- The Commission responded to **15 media requests** from Canadian media outlets and **one from the US-based, New York Times**. Most media requests were on topics related to COVID-19 and human rights, such as masking and vaccination requirements. Other media requests related to specific human rights complaints.

94 Workshop Participants

In 2021-22, 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.

- 94 participants representing 60 organizations from across the province attended the four online public workshops

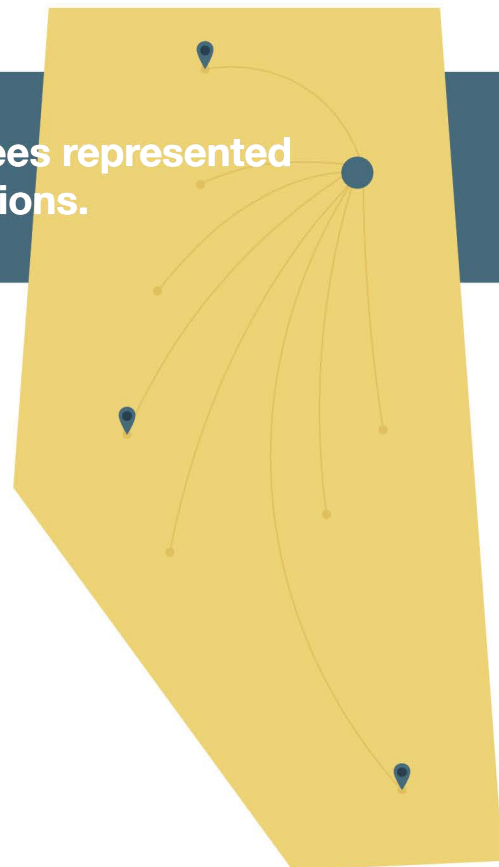
The virtual workshops' attendees represented 30 different geographical locations.

Advanced efforts to protect human rights through legislative change

Throughout 2021-22, the Commission continued to work with key stakeholders in the disability sector to champion accessibility legislation in Alberta, as established federally and in several other provinces. The Commission partnered with the Alberta Ability Network (AAN) in their Barrier-free Alberta campaign to advance their advocacy efforts towards developing strong and effective accessibility legislation in Alberta. We supported the development of a communications strategy and social media plan for Barrier-free Alberta, and assisted with the campaign's outreach and engagement strategy.

Barrier-free Alberta launched a website to raise awareness and engage Albertans in the campaign.

As well, as part of our ongoing work to provide input into legislative and policy review requests through a human rights lens, the Commission provided input on Statistics Canada's Police Reporting on Indigenous and Racialized Identity.



www.barrierfreeab.ca

International Human Rights

Canada is a signatory to various international human rights treaties and conventions and is responsible for reporting on Canada's progress related to these instruments. In 2021-22, the Commission provided input and updates for several international human rights joint responses, including two reports to the International Labour Organization (ILO), one report to the UN Committee on Economic, Social and Cultural Rights (ICESCR), three reports on the Convention on the Rights of Persons with Disabilities (CRPD), and one report to the Committee on the Rights of the Child (CRC).



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 in order to advance collective efforts to address the racism and discrimination they disproportionately experience.

In June of 2021, we launched our [Indigenous Human Rights Strategy](#) and established an Indigenous Advisory Circle to support the Strategy's implementation. The Strategy will help guide the Commission's practices and initiatives with the goal of reducing barriers that Indigenous individuals and communities face, including ensuring the Commission's programs, policies, services, and operations are accessible, meaningful, responsive, and culturally relevant to Indigenous people.

We continued to engage with Indigenous people and organizations in Alberta to support collaborative, Indigenous-led initiatives. For example, the Commission continued to co-chair the Calgary Indigenous Human Rights Circle, which this year hosted an in-person gathering where it launched its new website and social media, and hosted an event marking International Human Rights Day. As well, we trained justice navigators from the Awo Taan Healing Lodge and the Institute for the Advancement of Aboriginal Women to increase understanding of the *Act* and the Commission's programs and services, allowing them to better support clients with human rights issues.

The Alberta Human Rights Commission's [Indigenous Advisory Circle](#), comprised of Indigenous individuals from all regions of the province and diverse cultural backgrounds, will assist us in implementing the Indigenous Human Rights Strategy by providing insight and advice from an Indigenous perspective.

Supported organizations to complete projects funded by the former Human Rights Education and Multiculturalism Fund

The Commission continues to work with Alberta organizations to finalize their human rights projects funded through the [Human Rights and Multiculturalism Grants program](#). As per the Government of Alberta's Budget 2019, released on October 24, 2019, the Alberta Lottery Fund was transferred to Alberta Treasury Board and Finance on behalf of the General Revenue Fund and, subsequently, the Fund was dissolved. Therefore, the Commission no longer offers funding through the [Human Rights Education and Multiculturalism Fund](#) (the Fund).

Two of the many notable projects completed in 2021-2022 include:

- [Harassment in the Workplace Toolkit for HR professionals in Alberta](#). The Chartered Professionals in Human Resources of Alberta (CPHR Alberta) engaged human rights professionals to create a best practice toolkit to guide preventing and investigating workplace harassment and bullying. The [toolkit](#), for managers in both unionized and non-unionized workplace settings, includes guides on how to create a respectful workplace policy, components and costs of building a respectful program, and conducting investigations. CPHR Alberta also created posters promoting respectful workplace messages that can be customized with the organization's name and contact information.

- [Identifying Equity and Inclusion Needs in Medicine Hat](#). The City of Medicine Hat increased its capacity to engage community, municipal staff, and elected officials on topics such as ethno-culturalism, 2SLGBTQ+ pride, truth and reconciliation, and Asian racism that was identified during the COVID-19 pandemic. The City reached audiences through awareness-building activities: workshops, social media campaigns, art exhibits, and films. When COVID-19 restrictions were employed, the project pivoted to fully promote its "Connecting Community Campaign" on Facebook, city website pages, and other social media postings developed by collaborating organizations. This project resulted in city council initiating the development of a multi-year strategic plan that will include diversity, equity, and inclusion activities.



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

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

- The **Coalitions Creating Equity** (CCE) initiative, created in partnership with community organizations and supported by the Fund, was launched in 2017 to help advance human rights and address local human rights issues and priorities. This year, CCE expanded its community of practice to include 15 more municipalities and regions. Additionally, in 2021-22, the City of Red Deer achieved its outcome to strengthen the Red Deer Welcoming and Inclusive Communities (WIC) Network's capacity. Through comprehensive training, the City of Red Deer reformed their governance of the WIC Network so that it has impactful outcomes and is

inclusive of the Indigenous community. The Red Deer WIC Network has since seen an increase in membership commitment and participation from approximately 16 new or returning members to the network.

- The **Alberta Hate Crimes Committee** (AHCC) was established in 2001 as a response to the increase in hate incidents in Alberta. In 2021-22, the AHCC completed its commitments under a multi-year grant and developed a strategic plan to advance its work in the areas of organizational capacity, community support, training and education, research and data collection, building regional networks, and creating systemic change.

Throughout 2021-22, 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:

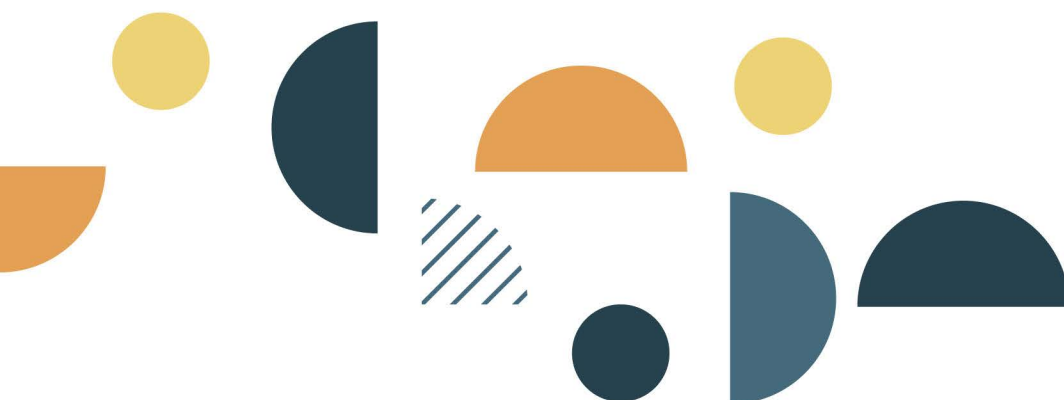


The Commission advised Alberta Justice and Solicitor General (JSG) on the establishment of its Hate Crimes Coordination Unit. We also supported JSG's roundtable sessions on hate crimes in Calgary and Edmonton, and provided advice to new staff in JSG's Hate Crimes Coordination Unit on the current issues and trends related to hate in the province.



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 2021 awards. The Doctoral research will explore how student participation in Gay-Straight Alliance (GSA) clubs is related to parental support and acceptance. The findings from this research could inform schools, families, and policy-makers in creating safe and inclusive communities. The Master's research will examine incidents of racism and discrimination faced by Muslim nurses in Alberta. Learning more about the frequency and impact of these workplace occurrences could help inform improved human rights policies and processes within the healthcare system.



Inquiry and Complaint Resolution Services

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

In 2021-22, we introduced a revised complaint process to consolidate the effective strategies and processes used over the past three years, such as the Case Inventory Resolution Project (CIRP), to resolve complaints of discrimination in a timelier manner. These changes came as we responded to a record number of public inquiries and complaints this fiscal year.

Responded to public inquiries and potential complaints, including many related to COVID-19

The Commission received inquiries from individuals who believed they may have a complaint, as well as from employers, service providers, and others interested in learning more about their rights and responsibilities under the *Act*. Through our inquiry service, we offered Albertans comprehensive information about the *Act*, the human rights



complaint process, human rights concepts, and how to apply human rights principles to proactively resolve issues. We also referred Albertans to other resources and supports.

- Human Rights Officers answered **9,016** public inquiries in 2021-22

Since the start of the pandemic in 2020, the Commission has received a large number of inquiries and complaints related to COVID-19. The issues raised primarily focused on masking and mandatory vaccination policies.

In 2021-22:

- We experienced a 13% increase in phone and email inquiries from the previous fiscal year. There was a significant increase in inquiries in the fall of 2021, coinciding with Alberta's vaccination mandate
- We received 2,028 potential complaints, a 27% increase from 2020-21
- Of the 1,040 accepted complaints, 329 were related to COVID-19

As in previous years, discrimination in employment on the grounds of physical disability and mental disability were the most commonly cited in complaints opened at the Commission in 2021-22. Notably, the percentage of complaints made on the ground of religious belief increased 11% from the previous fiscal year, as the majority of vaccine related complaints were made on that ground.



Revised the complaint process to serve Albertans more effectively

In our ongoing efforts to serve Albertans more effectively and efficiently, the Commission made revisions to the complaint management process. The changes went into effect on January 1, 2022.

The revised complaint 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 our Complaint Inventory Resolution Project. These include specialized teams, triaging complaints, more emphasis on conciliation, and a team that drafts decisions for the Director of the Commission's review.

- The number of complaints accepted increased by 15% (from 903 in 2020-21 to 1,040 in 2021-22)

For the third consecutive year, the number of complaints closed (1,118) exceeded the number of complaints accepted (1,040). The total number of open complaints decreased by 5% from 2020-21.

The average length of time from acceptance of a complaint until resolution, dismissal, or referral to Tribunal decreased by 36% in 2021-22 (from 844 days to 538 days).

Resolved most complaints through virtual conciliations

As part of the changes to the complaint process, the Commission moved from shuttle conciliations to virtual conciliation meetings where parties come together at a joint session to attempt to resolve the complaint.

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 perspective, and reach a resolution on the complaint

In 2021-22, 420 complaints (38% of complaints closed) were resolved through conciliation



Length of Time in Days



↓ 36%

Number of Complaints Accepted



↑ 15%

Office of the Chief of the Commission and Tribunals

The Office of the Chief of the Commission and Tribunals oversees the Commission's operations as a whole and includes the Tribunal. The Tribunal is the Alberta Human Rights Commission's adjudicative arm. The [Tribunal process](#) is independent and distinct from the work of the Director of the Commission and her staff in receiving and resolving complaints. Human rights tribunals are quasi-judicial and, in Alberta, are composed of part-time Members of the Commission appointed by the Lieutenant Governor in Council (see Appendix E for Members of the Commission biographies).

Advanced access to justice

In 2021-22, the Tribunal was committed to helping parties access justice in a fair and timely way. To make our processes clearer, we made significant changes to our website to provide detailed descriptions of each step of the process. We also developed new, and updated old, practice directions to help parties understand how the Tribunal addresses certain issues.

[Practice Directions and Procedures](#)



The Commission focused on training Members of the Commission so they are better equipped to conduct hearings that are fair and accessible to all parties, and to deliver timely and sound decisions that are easy for parties to understand.

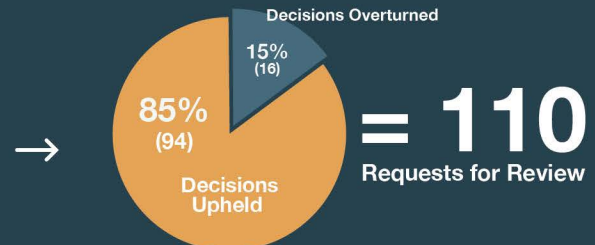
Looking to the year ahead, the Tribunal is committed to reviewing and refining our process so complaints are dealt with in a fair and timely way, and to providing accessible information so parties are better equipped to participate fully.

Requests for Review

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

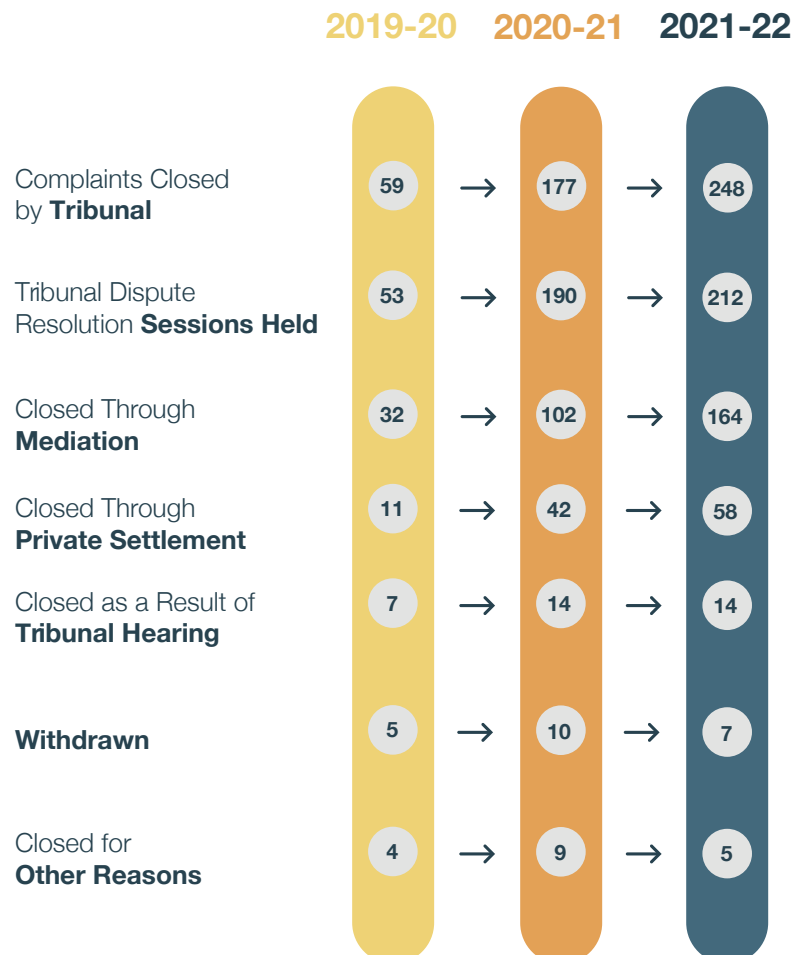
- If the Chief agrees with (upholds) the Director's dismissal, the file is closed.
- If the Chief disagrees with (overturns) the Director's dismissal, the complaint will proceed to the Tribunal.

The Request for Review process gives the parties an opportunity to have the Chief review the Director's decision without appealing to the Court of Queen's Bench. It is a documentary review of the complaint file and is faster than going to Court. It can save the parties costs associated with retaining a lawyer to represent them in Court.



Numbers at a glance

With the substantial changes made to the human rights complaint process, coupled with the work of the Case Inventory Resolution Project (CIRP) to process the older inventory of complaints, the Tribunal saw an unprecedented increase in case load. In 2021-22, we closed four times more files than in the 2019-20 fiscal year and almost one and a half times more files than in the 2020-21 fiscal year.



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. The TDR process is much faster than going to a hearing and can save the parties costs associated with legal fees. Instead of giving the Tribunal the power to decide the case, the parties agree on the settlement.

In 2021-22, all TDRs were held through video conference, which allowed parties to more quickly schedule and access the TDR.

More TDRs conducted

In 2021-22, the Tribunal conducted **212 TDRs**, an increase from the 190 conducted in 2020-2021 and the 53 conducted in 2019-2020.

TDRs



Tribunal Hearings



Despite an increase in complaint files at the Tribunal and restrictions associated with the ongoing COVID-19 pandemic, we reduced wait times for TDRs. On average, TDRs were held within 143 days from when the Tribunal received the complaint.

The Tribunal settled 77% of the complaints that went to TDR. This is more than the 54% settled in 2020-21 and the 64% settled in 2019-2020.

Held a record number of tribunal hearings

As restrictions related to the COVID-19 pandemic continued, we shifted all tribunal hearings from in-person to video conference. This meant that parties had their matter heard at a virtual hearing faster than they would have for an in-person hearing (which in many cases, would not have been held until after the COVID-19 restrictions had been lifted in 2022).

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 is organized into three separate and distinct areas:

1. **Communication, Education and Engagement**, which develops public policy, implements programs and initiatives, engages stakeholders, raises awareness, and provides education on human rights.
2. **Inquiry and Complaint Resolution Services**, which answers public inquiries and receives, reviews, and resolves complaints of discrimination through conciliation and Director's decisions.
3. **Office of the Chief of the Commission and Tribunals**, which mediates human rights complaints through a Tribunal Dispute Resolution program, conducts hearings, and renders decisions.

The Commission has a two-fold mandate: to foster equality and to reduce discrimination. It fulfills this mandate through public education and community engagement initiatives, and the resolution of complaints through settlement and adjudication.

The Chief of the Commission and Tribunals and Members of the Commission are appointed by the Government of Alberta through Order in Council. As head of the Commission, the Chief of the Commission and Tribunals is responsible for the overall management of the Commission and provides direction and guidance to the three distinct areas of activity undertaken by the Commission: communication, education and engagement; inquiry and complaint resolution services; and tribunal adjudication. The Chief of the Commission and Tribunals is also responsible for keeping the Minister of Justice and Solicitor General informed about human rights issues, where requested, providing advice on the appointment of Members of the Commission to serve on human rights tribunals, and reviewing decisions made by the Director of the Commission to dismiss or discontinue complaints under section 26 of the *Act*. The Chief of the Commission and Tribunals also undertakes activities related to community engagement. The Minister of Justice and Solicitor General may appoint a Member of the Commission who serves as Acting Chief in the absence of the Chief of the Commission and Tribunals.

The Director of the Commission and employees handle the administrative responsibilities related to resolving and settling complaints made under the *Act*. This work is separate and distinct from the work of the Chief of the Commission and Tribunals in reviewing the Director's decision to dismiss or discontinue a complaint and the work of the Members of the Commission in adjudicating human rights complaints.

The Director of Communication, Education and Engagement leads the Commission's proactive work to eliminate discrimination and barriers to full participation in society. This includes efforts to increase awareness and understanding of rights and responsibilities under the *Act* among targeted audiences; support Albertans in their work to promote human rights and prevent discrimination; and encourage and contribute to meaningful collaborative efforts to reduce discrimination, eliminate barriers, and advance human rights.

The Human Rights Education and Multiculturalism Fund, which was administered by the Commission on behalf of the Minister of Justice and Solicitor General, provided financial support for the Commission's education and community initiatives. Through its grant program, the fund also provided financial support to community organizations for projects that fostered equality and reduced discrimination. The Commission will oversee the closure of final projects, ensuring adherence to funding requirements.

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* and administered by the Alberta Human Rights Commission on behalf of the Minister of Justice and Solicitor General. This Fund was established to provide support for educational programs and services that promote an environment where all Albertans can participate in and contribute to the cultural, social, economic, and political life of the province.

The Fund financially supported the 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 the Human Rights Education and Multiculturalism Fund was dissolved. The Commission will oversee the completion of final projects, ensuring adherence to funding requirements.

Appendix C:

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

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

Complaints by ground and independent areas* (2021-22)**

Protected Ground	Times cited	Percent of total
Physical disability	745	25%
Mental disability	552	19%
Religious beliefs	378	13%
Gender	352	12%
Race/Colour	258	9%
Ancestry/Origin	157	5%
Age	149	5%
Family status	126	4%
Gender expression	54	2%
Gender identity	44	1%
Sexual orientation	41	1%
Source of income	25	<1%
Marital status	25	<1%
Equal pay*	14	<1%
Retaliation*	12	<1%
Malicious/Vexatious*	1	<1%
Total	2933	

*Sections 6 and 10 of the *Alberta Human Rights 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 1040 new complaint files opened. Each complaint may cite more than one ground and area. Percentages have been rounded.

Complaint grounds cited by area of the Alberta Human Rights Act (2021-22)*

Section of Act	Percent of total
Employment practices (Section 7)	70%
Goods, services, accommodation, or facilities (Section 4)	25%
Tenancy (Section 5)	3%
Equal Pay (Section 6)	<1%
Applications and advertisements re: employment (Section 8)	<1%
Retaliation (Section 10.1)	<1%
Membership in trade union, etc. (Section 9)	<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 1040 new complaint files opened. Each complaint may cite more than one ground and area. Percentages have been rounded.

Disposition of complaints closed by complaint resolution services (2021-22)

Disposition	Number closed	Percent of total
Resolved through conciliation	420	38%
Resolved through investigation	13	1%
Dismissed	261	23%
Discontinued	0	0%
Abandoned or withdrawn	176	16%
Total	870	78%*

*Note: Percentages are of the total 1118 complaints closed, including through all complaint resolution processes.

Appendix D:

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

Complaint grounds cited in complaints closed in 2021-22

Protected Ground	Times Cited*
Physical Disability	112
Mental Disability	68
Gender	69
Race/Colour	41
Ancestry/Origin	35
Family Status	19
Religious Beliefs	13
Age	12
Marital Status	5
Sexual Orientation	5
Total	379

*Some complaints cite more than one ground. Grounds are not counted when the Tribunal is considering the validity of a severance agreement.

Complaint grounds cited by area of the Alberta Human Rights Act 2021-22

Section of Act	Times Cited*
Employment Practices (section 7)	208
Goods, Services, Accommodation (section 4)	28
Applications and advertisements re: employment (section 8)	15
Retaliation (section 10)	6
Equal pay (section 6)	5
Membership in a trade union, etc. (section 9)	2
Tenancy (section 5)	2
Total	266

*Some complaints cite more than one area. Areas are not counted when the Tribunal is considering the validity of a severance agreement.

Appendix E: Biographies of the Members of the Commission

The following are summaries of the biographies of Members of the Commission in 2021-22. The complete biographies of active members are available on the [Commission's website](#).

Chief of the Commission and Tribunals

Michael Gottheil

Michael Gottheil was appointed Chief of the Commission and Tribunals of the Alberta Human Rights Commission and began his term in August 2018. He retired from his role in January 2022.

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

Kathryn Oviatt

Kathryn Oviatt was appointed Chief of the Commission and Tribunals of the Alberta Human Rights Commission effective January 2022.

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

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 at the University of Lagos, his Barrister-at-Law at Nigerian Law School, and a Master of Laws at 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.

Doris Bonora, Q.C.

Doris Bonora was appointed for a term ending August 14, 2022. 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 of Indigenous Canadians, the elderly, and women. She has a Bachelor of Laws from the University of Alberta

Cynthia Dickins

Cynthia Dickins was appointed for a term ending October 8, 2022. She attended the University of Alberta for her undergraduate Bachelor of Arts degree and her Bachelor of Laws degree. Ms. Dickins is General Counsel at the Department of Justice Canada where she leads teams in a broad range of litigation areas, including Constitutional, Aboriginal, and Administrative Law matters. She has extensive experience appearing before several Tribunals. 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.

David Findlay, Q.C.

David Findlay was appointed for a term ending September 24, 2022. He resigned from his position in May 2022. Mr. Findlay is a Partner at Findlay McQuaid Law Firm and is an active community member. He has extensive experience in family law, child protection, wills and estates, as well as in Aboriginal and Elder law. Mr. Findlay has a Bachelor of Science from the University of Alberta and a Bachelor of Laws from the University of Calgary. He also has a Certificate in Human Resource Management.

Teresa Haykowsky

Teresa Haykowsky was appointed for a term ending August 14, 2022. 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.

Sharon V. Lindgren

Sharon Lindgren was appointed for a term ending August 20, 2021. Ms. Lindgren's professional career includes previous roles as a practicing lawyer, staff lawyer to the British Columbia Labour Relations Board, legal counsel to unions, mediator, in-house counsel to Talisman Energy, and Director of Faculty and Employee Relations at the University of Calgary. She has extensive conflict mediation experience, as well as broad experience appearing before a variety of administrative tribunals.

Duncan Marsden

Duncan Marsden was appointed for a term ending August 20, 2021. Mr. Marsden has over 20 years of experience in the human rights field. He was a solicitor and senior associate in employment law in the United Kingdom. Mr. Marsden is currently a partner with Borden Ladner Gervais LLP. He has a Bachelor of Laws (Law with French) from Leicester University and a legal practice course from the College of Law.

Collin May

Collin May was appointed for a term ending August 14, 2022. Mr. May is a private wealth and corporate services lawyer. He has a Bachelor of Arts degree from the University of Alberta, a Bachelor of Laws from Dalhousie Law School, and a Master's degree in Theological Studies from Harvard.

D. Jean Munn, Q.C.

Jean Munn was appointed for a term ending August 20, 2021. She has over 30 years of experience as a practicing lawyer, specializing in employment and immigration law. She has significant experience dealing with administrative law and human rights issues. Ms. Munn has a Bachelor of Arts and a Bachelor of Laws. She was a sessional instructor at the University of Calgary Faculty of Law for seven years and has served on a number of community and professional boards.

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 as well as 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, 2022. She is located in Calgary and is senior legal counsel, specializing in labour and employment law at InHaus Legal. Dr. Ringseis has a Juris Doctorate degree in addition to her undergraduate degree from the University of Calgary, and a Master's of Science degree and a Ph.D. in Industrial-Organizational Psychology, both from the Pennsylvania State University

Karen Scott

Karen Scott was appointed for a term ending August 20, 2021. She is a partner with Seveny Scott Lawyers, practicing in the field of labour and employment law, as well as human rights law. She has a Bachelor of Arts and a Bachelor of Laws (with distinction) from the University of Alberta and holds certificates from the Alberta Arbitration and Mediation Society. She is also a sessional lecturer at the University of Alberta Law School.

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.

Patrizia C. Valle

Patrizia Valle was appointed for a term ending September 24, 2022. She is Principal of Patrizia C. Valle Professional Corporation, where she acts as external general counsel to corporations, government entities, and charities on a variety of matters. Ms. Vallee has extensive corporate governance experience and has volunteered on several boards. She is trilingual, has completed continuing education training, and has received numerous honours, as well as various scholarships and awards. She received her Bachelor of Arts degree and Juris Doctor from the University of Alberta.

Nathalie Whyte

Nathalie Whyte was appointed for a term ending October 6, 2022. Ms. Whyte has a Bachelor of Social Work (Honours) from Carleton University and a Juris Doctorate degree 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. 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.

Moin Yahya

Dr. Moin Yahya was appointed for a term ending August 14, 2022. He is a Professor in the Faculty of Law at the University of Alberta. Dr. Yahya has a Bachelor and Master of Arts in economics from the University of Alberta, a Ph.D. in economics from the University of Toronto, and a Juris Doctorate degree from Antonin Scalia Law School (George Mason University).

