Complaint resolution

Guiding principles for the complaint process:

- strive to close as many complaints as we receive in a year
- resolve complaints in a timely, effective, and fair manner
- address public interest issues, including systemic discrimination

Complaint not accepted The potential complainant will receive a letter of explanation and can request a reconsideration.

Intake

Complaint forms are available at albertahumanrights.ab.ca/forms. A specialized Intake Team will assess submitted forms. Anyone submitting a form may be asked to provide additional information within 30 days.

Review

If accepted, the complaint is sent to the respondent. The complainant gets a copy of their response. The Intake Team may ask for additional information. The complaint is

STREAM B

3b

 learn from past projects and processes to streamline steps, emphasize conciliation, maintain firm deadlines, and use specialized teams.

then assigned to one of two streams.

Conciliation

3a

Most complaints will go to the conciliation stream. Conciliation is a non-adversarial way to resolve complaints. The complainant and respondent will be assigned a date to participate in a private video conference, led by a human rights officer. The officer will explain human rights law and the issues in the complaint to help the parties reach a resolution.

STREAM A

Director decision

A Decision Team will request further information, if necessary. Based on the Alberta Human Rights Act, a decision will be made on whether complaints should be referred to the tribunal or be dismissed.

ResolvedNot reComplaint is closedSent f

Not resolved Sent for a **Director decision (3b)**

Dismiss Complainant can request

the decision be reviewed.

Alberta Human Rights Commission

Tribunal

4

The Tribunal is the independent adjudicative area of the Alberta Human Rights Commission. Tribunals conduct dispute resolutions and hearings.

Tribunal

The Tribunal:

- delivers a quasi-judicial adjudication process under the Alberta Human Rights Act
- is committed to a process that is fair, timely, and accessible to all parties
- is comprised of Members of the Commission, who are neutral decision-makers with knowledge and training in

Director decision

3b

A complaint must first go through the complaint resolution process (steps 1-3) before it goes to the Tribunal.

Once a complaint is at the Tribunal, the Tribunal Registrar will contact the parties.

Director decision

If the Director of the Commission dismisses a complaint, the complainant can request to have the decision reviewed by the Chief of the Commission and Tribunals (this is an appeal).

Director referral

The Director may refer a complaint to the Tribunal.

human rights law and issues.

No request for review Complaint is closed

Request for review

The complainant submits a request for review of the Director's decision to the Tribunal Office for the Chief of the Commission and Tribunals (the Chief). The respondent gets a chance to respond to the request for review. The Chief reviews the information that the Director considered and the parties submitted for the request. The parties receive the written decision on whether the Chief agreed with the Director's decision. The written decision is published on CanLII.





Tribunal continued

Tribunal Dispute Resolution (TDR)

TDR is a confidential and voluntary mediation process. The complainant and respondent have decision-making power in this step. The parties meet through video conference with a Member of the Commission who helps them try to resolve the issues in the complaint.



Pre-hearing

The parties meet with the Tribunal Registrar or a Member of the Commission through teleconference or videoconference to set dates for the hearing and deadlines for hearing submissions.

Before the hearing, parties may also raise other issues specific to the hearing. Parties file hearing submissions and exchange them with each other before the hearing.

Tribunal hearing

A Tribunal hearing is adjudicated by one (and in some cases three) Members of the Commission. During a hearing, the complainant and respondent make opening statements, present their cases by asking witnesses questions, and make closing statements. All Tribunal hearings are open to the public.

Tribunal decision

After the hearing, the parties receive the Tribunal's written decision and it is published on CanLII

