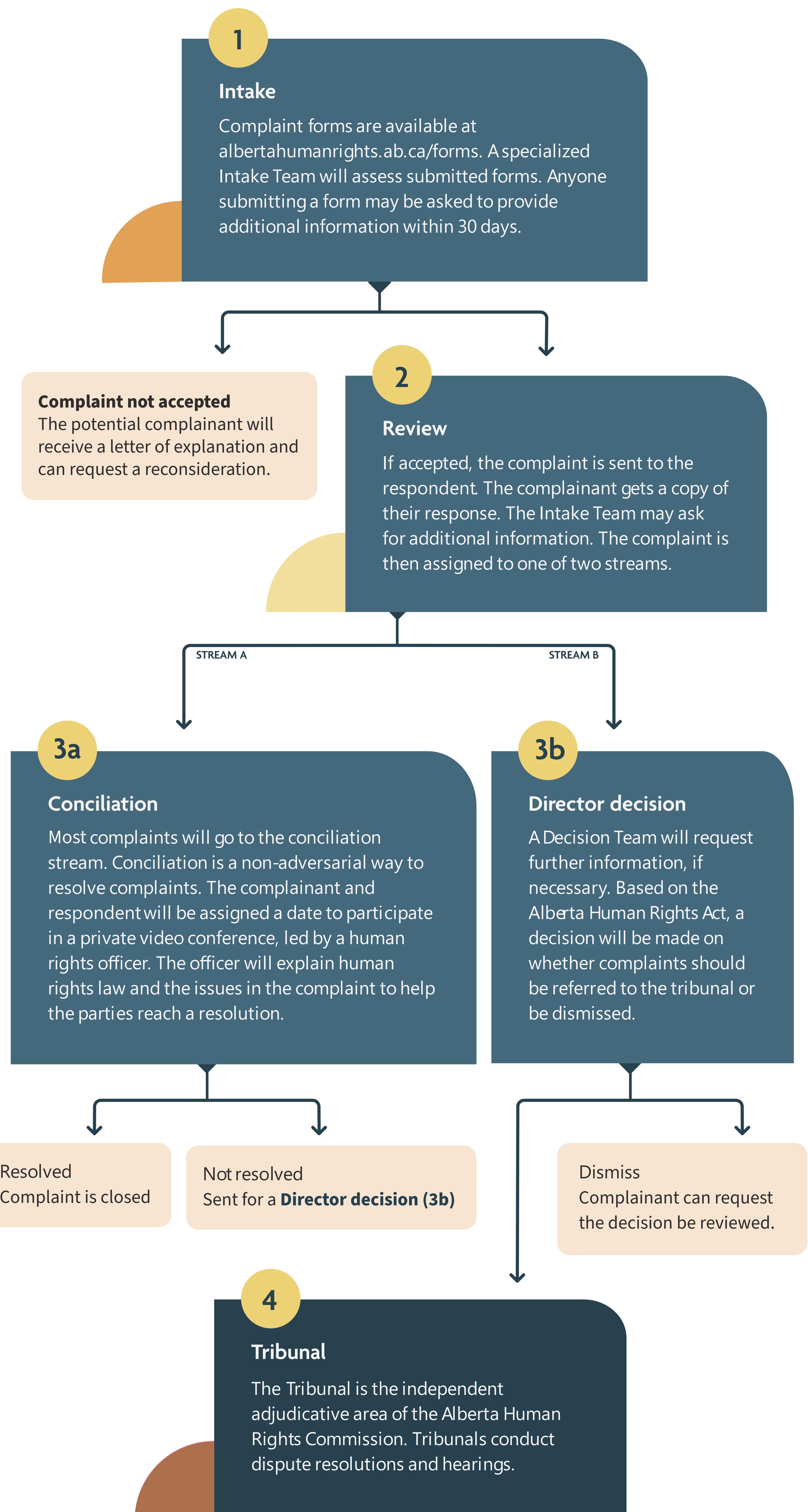


Complaint process

Director's stage

Guiding principles at the Director's stage:

- use specialized teams
- streamline steps, emphasize conciliation, and maintain firm deadlines
- resolve complaints in a timely, effective, and fair manner
- strive to close as many complaints as we receive in a year



3b

Director decision

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.

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.

Chief agreed
Complaint is closed

Chief disagreed
Complaint goes to the Tribunal

4

Tribunal Dispute Resolution (TDR)

Tribunal stage

The Tribunal is:

- the independent, adjudicative (decision-making) arm
- an administrative tribunal with powers and procedures similar to a court of law, but is less formal (known as "quasi-judicial")
- comprised of Members of the Commission, who are neutral decision-makers with knowledge and training in human rights law and issues
- committed to a fair, timely, and accessible process



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Tribunal stage continued

4

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.

Resolved
Complaint is closed

Not resolved
Complaint goes to a pre-hearing

5

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.

6

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