

## Information about the Request for Review process

### Introduction

Under section 26 of the [Alberta Human Rights Act](#) (the *Act*), a complainant may ask the Chief of the Commission and Tribunals (Chief) to review a decision made by the Director of the Commission. This is called a Request for Review or an appeal.

The *Act* sets out strictly enforced timelines and procedures that everyone must follow. Information about a Request for Review can be found in the *Act* and the [Alberta Human Rights Commission Bylaws](#).

### 1. When may a complainant submit a Request for Review?

A complainant may submit a Request for Review when they argue that the Director should not have dismissed their complaint.

### 2. What will be accepted as a Request for Review?

The Request for Review must be in writing (preferably typewritten), and include reasons why the Chief should review the Director's decision.

The Request for Review may also include additional information that the complainant believes is relevant to the complaint, but may not include new allegations. It should not exceed 30 single-sided pages including attachments.

### 3. What is the time limit for the complainant to submit a Request for Review?

- The Chief must receive a Request for Review from the complainant, and any additional information relevant to the complaint, within 30 calendar days of the complainant receiving the Director's Notice of Dismissal. See section 26(1) of the *Act*.
- The Notice of Dismissal from the Director will be sent by email or registered mail. The 30-day time limit to appeal starts from the date that the Notice of Dismissal is received.
- The complainant should deliver the Request for Review to the Office of the Chief addressed to the Tribunal Registrar, by email, registered mail, or in-person.
- The Tribunal Registrar will send the respondent a copy of the complainant's Request for Review including any attachments.

### 4. What is the time limit for the respondent to respond to the Request for Review?

The respondent, if they choose to respond, has 30 days after receiving a copy of the Request for Review to submit a response to the Tribunal Registrar (Bylaw 22.2, *Alberta Human Rights Commission Bylaws*).

### 5. What should the respondent submit in the response to the Request for Review?

- The respondent may submit any written information that is relevant to the complaint.

- The response should not exceed 30 single-sided pages including attachments.
- The Tribunal Registrar will send the complainant a copy of the respondent's response, if one has been received.

## **6. What information will be reviewed?**

The Request for Review will be determined (or decided) based on the written record. This includes submission from the complainant and respondent.

The Director will provide the complaint file to the Chief Commissioner, including:

- The Complaint, the Response and any attachments;
- The Investigation Report or Investigation Memo, if one was written;
- Any attachments to the Investigation Report or Investigation Memo;
- The Notice of Dismissal; and
- All relevant correspondence and documents between the Director and the parties.

The complainant and respondent are responsible for sending the Tribunal Registrar any other documents, not listed above, that are relevant to the complaint.

## **7. What happens after the Tribunal reviews the Request for Review?**

The Tribunal may uphold or overturn the Director's decision. The decision is final and binding on the parties, subject only to judicial review.

In support of an open and transparent tribunal process decisions are published on CanLII. Only exceptional circumstances will warrant an application to the Tribunal to anonymize a decision.

Where the Chief overturns the Director's decision, the complaint will go through the Tribunal process and the complainant will be responsible for presenting their complaint to a Human Rights Tribunal. Where the Chief upholds the Director's decision, the complaint file will be closed.

## **8. Where should the Request for Review and response be sent?**

Email is preferred: [AHRCTribunal@gov.ab.ca](mailto:AHRCTribunal@gov.ab.ca)

Office address: Tribunal Office  
Alberta Human Rights Commission  
7<sup>th</sup> Floor, Commerce Place, 10155-102 Street  
Edmonton, Alberta T5J 4L4

### **Important: Please keep your contact information updated with the Tribunal**

For more information, call 780-638-4635.

To call toll-free within Alberta, dial 310-0000 and then enter the area code and phone number.