

The Yukon Human Rights Commission supports human rights in the Yukon Territory and looks into complaints of unfair treatment under the *Human Rights Act*. It is separate from government and works to settle complaints in a way that makes human rights better for all Yukoners.



Yukon Human Rights Commission

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Large print version available

"Going to Potlatch" courtesy Jim Logan

Plain language version 09/03

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the complaints process



Yukon Human Rights Commission

Human Rights are everyone's rights!

what happens when someone complains?

1. inquiry

The person with the complaint talks about the problem with our staff. He or she may then decide not to continue or to go to a different place for help.

2. dismissal

The Director may decide not to accept the complaint if it doesn't meet the legal guidelines under the Act. If this happens, it is possible to ask us at the Human Rights Commission to look at it again and decide if we think the decision needs to be changed.

3. informal solution

We do what we can to help those who have a complaint work the problems out together at any time while the complaint is being looked into.

4. investigation

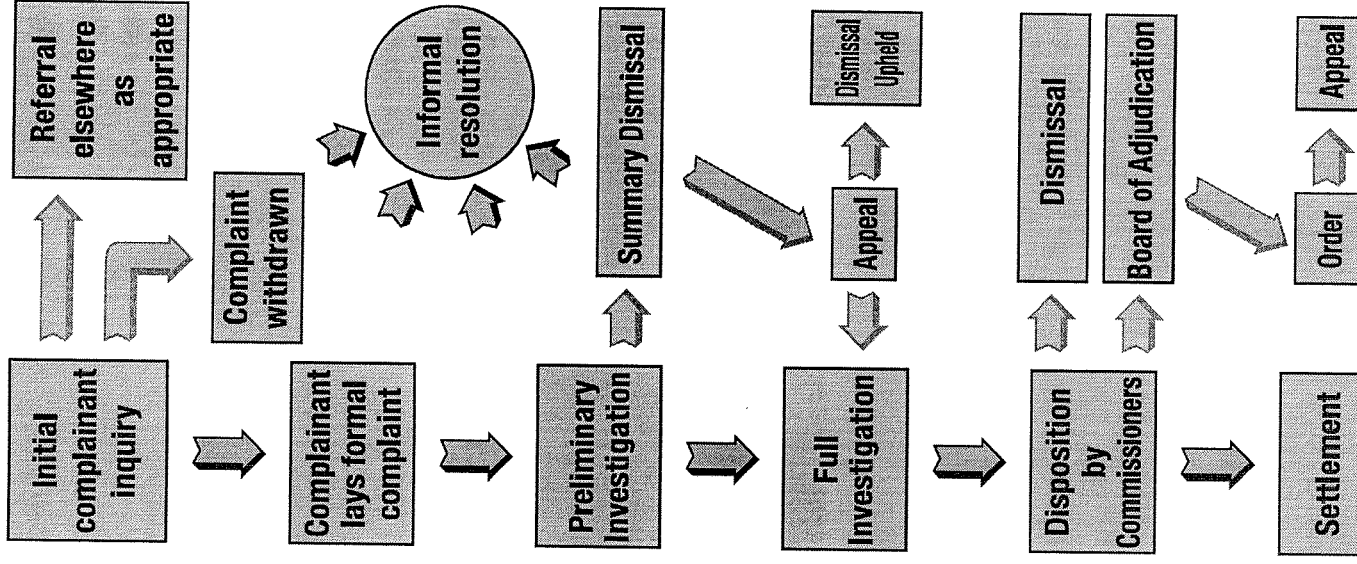
Our staff will look into the complaint and write a report for the Commissioners.

5. commission decision

If a group of Commissioners thinks there is enough proof that someone has been treated unfairly, they will ask our staff to settle it. If they think there is not enough proof they will cancel it.

6. settlement

Sometimes the person who complained and those they complained about will agree to correct the problems that happened because of unfair treatment. This may mean the boss has to apologize or hire the person who complained or the boss may have to pay this person some money or make certain services available to them.



the complaints process

Who can complain?

Anyone who feels they have been treated unfairly under the Yukon Human Rights Act can complain.

What might happen if I complain?

People who prove that they have been treated unfairly may get money for lost wages, for loss of honour, or they may have services or work made available to them.

Can a complaint be cancelled after it has been started?

The person who complains can stop it at any time.

Do I have to pay?

Everything we do is free.

How long does it take?

Some complaints are settled quickly. Others may take between a year and eighteen months.



Inquiry

Anyone who feels they have been treated unfairly under the Yukon Human Rights Act may talk to us about it in confidence. If we think the problem is not one that is covered by our laws, we may be able to find someone who can help. We will also do what we can to help those who have the problem work it out together. Complaints must be made within six months of when the unfair treatment happened.

First Investigation

If we think the problem is covered by our laws and the person making the complaint wants to continue, we will begin to look into it. The Director will first decide if the complaint meets the legal guidelines under the Act and if not, it will be stopped. It is possible to ask the Commission to look at the Director's decision to stop the complaint. It may be changed and then the complaint continues.

Informal Solution

The Commission does everything it can to help people settle complaints in a way that pleases everyone and puts an end to any unfair treatment. A complaint can be settled at any time while it is being looked into and may mean that some money is paid for lost wages or because someone was made to feel bad about themselves. It could mean that one person must apologize to another, give them a job or give them certain services.

Investigation

If the complaint is to continue, it will be looked into. Our staff do not take sides and we are separate from everyone who is a part of the complaint. Our staff will talk to the person making the complaint some more, the person they are complaining about and anyone else who saw or heard what happened. A full report will be given to the Commissioners. The person who made the complaint and the person who the complaint is about will both get a copy.

Decision

When we have finished looking into the complaint, a group of Commissioners will then decide what to do with it. They may ask those who are a part of the complaint to settle it, or they may cancel it if there is not enough proof.

Settlement

Our staff will help the people named in the complaint to agree to a solution. Our job is to try to make sure the person who complained is treated fairly, not to punish the person who was wrong. The solution may include an apology, payment for lost wages or some training. If a solution cannot be agreed to, the complaint will be sent to a hearing.

The Hearing

If it is not possible to settle the complaint in a way that pleases everyone, it will go to a special group called a Board of Adjudication to make a decision. This board may order someone to correct the unfair treatment. Once a complaint goes to this board it is no longer private so anyone can ask for information about it.

Review and Appeal

The person who made the complaint and the person or group who the complaint is about can ask for a judge to look again at any decision made by the Commission. It is also possible to ask the Yukon Supreme Court to look at the decisions of the Board of Adjudication and perhaps change them.