



The Complaints Process

The Yukon Human Rights Commission promotes human rights in the Yukon Territory and investigates cases of discrimination under the Human Rights Act. It is independent of government and works to resolve complaints in a way that improves human rights for all Yukoners.

Yukon Human Rights Commission



Human Rights are everyone's rights!

Yukon Human Rights Commission

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Large-print version available

"Going to Potlatch" courtesy Jim Logan

How a complaint proceeds

Inquiry and intake...

The person with a possible complaint discusses the situation with Commission staff. He or she may decide not to proceed, or we may suggest referral to another agency.

Dismissal...

The Director may decide to dismiss the complaint if it appears invalid. A dismissal may be appealed to the Commission.

Informal Resolution...

We encourage and will support informal resolution of complaints at any stage.

Investigation...

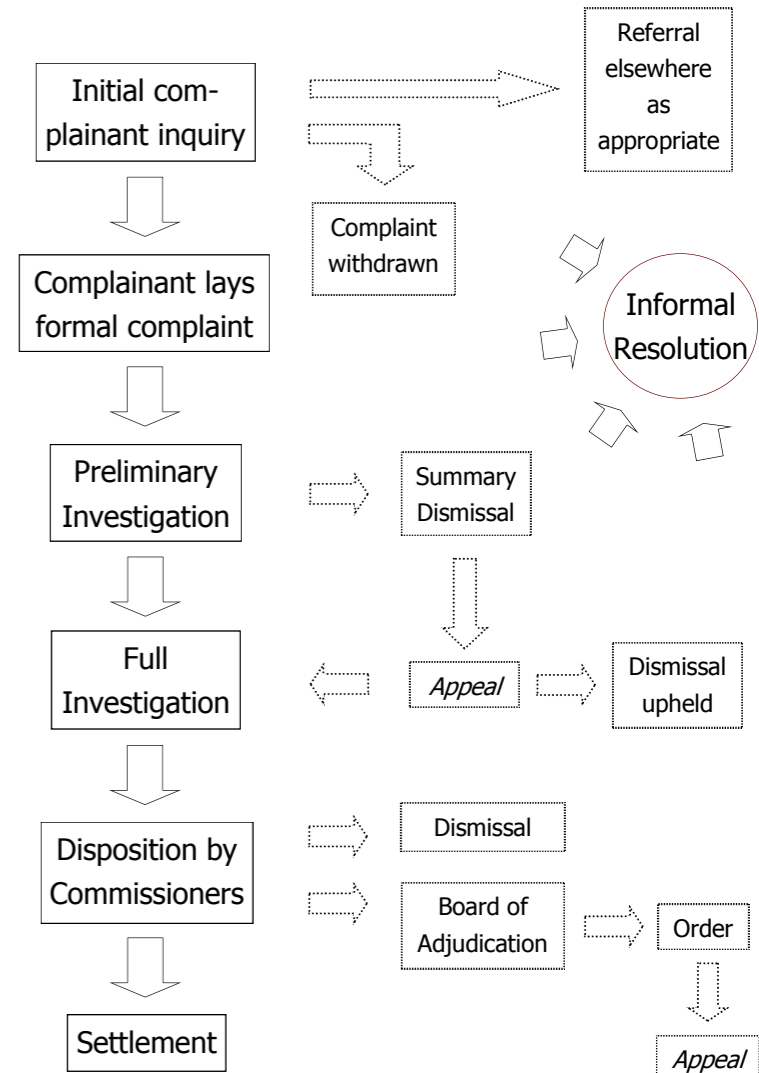
Commission staff will thoroughly investigate the complaint and prepare a report for the Commissioners and the parties.

Disposition by Commission...

If a panel of Commissioners determines there is sufficient evidence of discrimination, it will refer the complaint back to staff for settlement. If not, it will dismiss the complaint.

Settlement...

Settlement is a voluntary agreement between the parties to resolve the situation of discrimination. It may include providing services or employment, an apology, or payment of some limited compensation.



The Human Rights Complaint Process



Who can file a complaint?

A person who believes that they have experienced discrimination under the Yukon *Human Rights Act* may file a complaint.

What can a complaint accomplish?

Individuals whose claims are proven may receive compensation for lost wages or injury to dignity, or may have services or employment made available to them.

Can a complaint be withdrawn?

The person making the complaint may withdraw it at any time.

How much does it cost?

There is no charge for any service provided by the Commission in processing a claim.

How long does it take?

Some complaints are resolved more quickly. For others, the process may take a year to eighteen months.

Inquiry

Anyone who feels they've been subject to discrimination as covered by the Yukon *Human Rights Act* is welcome to discuss the matter confidentially with Commission staff. If the matter is outside the Commission's jurisdiction, we may be able to refer the inquirer to another appropriate body. We will also do what we can to support informal resolution of the problem. Note that complaints must be made within six months from when the discrimination occurred.

Preliminary Investigation

If the complaint is within our jurisdiction, and the person making the complaint — called the *complainant* — wishes to proceed, the formal complaint process will be launched. The Director will carry out a brief preliminary investigation to see if the complaint has merit; if not, the complaint will be dismissed. Note that such a dismissal may be appealed to the Commission.

Investigation

If the complaint is not dismissed, it will be fully investigated. At this stage, the Commission is neutral and independent of both parties. Commission staff will further in-

terview the complainant, the respondent, and any other appropriate witnesses. A full report will be prepared for the Commissioners; the parties will also receive a copy of the investigation report.

Decision

When the investigation is complete, a panel of Commissioners will consider the complaint. The Commission may refer the complaint back to the parties for settlement, or dismiss the complaint if it is found to lack sufficient evidence.

Informal Resolution

The Commission encourages parties to settle complaints agreeably in a way that eliminates the discrimination involved. Settlements can take place at any stage of the process, and may include compensation for lost wages and injury to dignity. They may also include an apology to the claimant or the provision of services or employment.



The Hearing

If the complaint can't be settled with the agreement of the parties, it will be heard by an independent Board of Adjudication. The Board may make orders to resolve situations of discrimination. Once a complaint comes before the Board, it becomes a matter of public record. Decisions of the Board may be appealed by either party to the Yukon Supreme Court.

Review & Appeal

Parties may ask for judicial review of any decision of the Commission. Decisions of the Board of Adjudication may be appealed to the Yukon Supreme Court.

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