



Canadian
human rights
commission

Commission
canadienne des
droits de la personne

The Rights of Persons with Disabilities to Equality and Non-Discrimination

Monitoring the Implementation of the UN
*Convention of the Rights of Persons with
Disabilities* in Canada

In collaboration with the Canadian Association
of Statutory Human Rights Agencies



Table of Contents

Executive Summary	1
Introduction	1
The rights of persons with disabilities in Canada	1
Monitoring the UNCRPD and National Human Rights Institutions: Article 33	2
Methodology.....	4
Data limitations.....	5
Method of analysis	5
Overview of disability-related complaints from 2009-2013	6
Disability-related complaints by jurisdiction	8
Canadian Human Rights Commission	8
Newfoundland and Labrador Human Rights Commission	10
Prince Edward Island Human Rights Commission.....	12
Nova Scotia Human Rights Commission	14
New Brunswick Human Rights Commission	15
Commission des droits de la personne et des droits de la jeunesse du Québec	17
Human Rights Tribunal of Ontario.....	19
Saskatchewan Human Rights Commission	20
Alberta Human Rights Commission	22
Northwest Territories Human Rights Commission	24
Yukon Human Rights Commission	25
Conclusion	27
Annex: Additional information on human rights commissions across Canada	29
Canadian Human Rights Commission	29
Newfoundland and Labrador Human Rights Commission	30
Prince Edward Island Human Rights Commission.....	31
Nova Scotia Human Rights Commission	32
New Brunswick Human Rights Commission	33
Commission des droits de la personne et des droits de la jeunesse du Québec	34
Human Rights Tribunal of Ontario.....	35
Ontario Human Rights Commission.....	36
Saskatchewan Human Rights Commission	37
Alberta Human Rights Commission	38
Northwest Territories Human Rights Commission	39
Yukon Human Rights Commission	40
Bibliography	41

Executive Summary

Nearly half of all discrimination complaints in Canada are about disability. This report reveals that Canadians with disabilities filed 20,615 discrimination complaints to various human rights commissions and tribunals across Canada between 2009 and 2013. This means that of the 41,728 total discrimination complaints, 49% are disability-related.

These findings, even when accounting for peaks and trends, are consistent across all provincial, territorial and federal jurisdictions that participated in this study.¹ Across the board, Canadians with disabilities face disproportionately high levels of discrimination in employment and when receiving services.

The consistently high proportion of complaints related to disability over a five-year period across Canada, and the possibility that many persons with disabilities are unable to file complaints, may point to possible systemic discrimination.

Introduction

The United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) was adopted by the UN General Assembly on December 13, 2006, and came into force on May 3, 2008. The purpose of the Convention is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities. It also promotes respect for their inherent dignity. States that ratify the Convention have an obligation to report regularly to the Committee on the Rights of Persons with Disabilities (Committee) on the implementation of the UNCRPD.² The Committee reviews each state report; develops a list of issues and asks for additional information as needed; and makes observations and recommendations.

In addition, the Committee invites National Human Rights Institutions (NHRIs) and organizations representing civil society—those representing persons with disabilities—to respond to the reports of state parties. Canada, which ratified the UNCRPD in 2010, submitted its first report to the Committee in 2014. Canada's report outlines specific measures adopted by federal, provincial and territorial governments aimed at providing support to persons with disabilities and their families as well as promoting their inclusion and full participation in Canadian society.³ The Committee has not established a period for its review of Canada's report, but it is anticipated to occur in 2017.

The rights of persons with disabilities in Canada

Canadian laws, such as the *Canadian Charter of Rights and Freedoms* and federal, provincial and territorial human rights codes, protect the rights of persons with disabilities.

¹ Data from British Columbia, Manitoba and Nunavut were not included.

² Ratifying countries of the UNCRPD, referred to as state parties in the Convention, are required to report within the first two years of the Convention's implementation and then every four years afterward.

³ Canada (2014). *Convention on the rights of Persons with Disabilities: First Report of Canada*. Ottawa.

In Canada, the UNCRPD is implemented through constitutional and statutory protections, as well as legislative, administrative and other measures, including:

- *Canadian Charter of Rights and Freedoms*, which applies to all government actions and guarantees all individuals fundamental freedoms and rights, including an explicit equality rights guarantee for persons with disabilities; and
- Federal, territorial and provincial human rights laws, which apply to the public and private sectors and prohibit discrimination on grounds such as disability in regard to employment, the provision of goods, services and facilities customarily available to the public and accommodation.⁴

Persons with disabilities can bring a claim before federal, territorial and provincial independent administrative tribunals, human rights commissions and tribunals or courts to enforce their rights.

The Canadian Association of Statutory Human Rights Agencies (CASHRA) is an umbrella organization for the federal, provincial and territorial human rights commissions. Its goals are to foster collaboration among its members and to serve as a national voice on human rights issues of common concern. One of these issues is the implementation of the rights of persons with disabilities in Canada. CASHRA has established a UNCRPD working group to coordinate related activities.⁵

Monitoring the UNCRPD and National Human Rights

Institutions: Article 33

As outlined above, states that ratify the UNCRPD are required to report to the UN on its implementation. Article 33 of the UNCRPD is unique. According to the UN Office of the High Commissioner for Human Rights, “it is arguably the most complete provision on national level implementation and monitoring ever in an international human rights treaty.”⁶ For this reason, there is little experience in implementing the provision to draw from.⁷

Article 33.1 of the Convention states that one or more focal points within government shall be designated for matters relating to the implementation of the Convention. In addition, Article 33.2 of the Convention requires ratifying states to have an internal framework that includes one or more independent mechanisms, such as a NHRI, in order to promote, protect and monitor the implementation of the Convention. Article 33.3 provides for the full participation of civil society, particularly for persons with disabilities and their representative organizations.

⁴ Adapted from: Canadian Association of Statutory Human Rights Agencies and Ontario Human Rights Commission (2011). *Canada and the UN Convention on the Rights of Persons with Disabilities*.

⁵ The CASHRA UNCRPD working group consists of representatives from the following human rights commissions across Canada: Canadian Human Rights Commission, Newfoundland and Labrador Human Rights Commission, Prince Edward Island Human Rights Commission, Nova Scotia Human Rights Commission, New Brunswick Human Rights Commission, Commission des droits de la personne et des droits de la jeunesse du Québec, Ontario Human Rights Commission, Saskatchewan Human Rights Commission, Alberta Human Rights Commission, Northwest Territories Human Rights Commission and the Yukon Human Rights Commission.

⁶ United Nations Human Rights Office of the High Commissioner (2014). *Study on the implementation of Article 33 of the UN Convention on the Rights of Persons with Disabilities in Europe*. Europe Regional Office.

⁷ *Ibid.*

States have varied in their approach to implementing Article 33. Some have designated their NHRI as the independent mechanism. For example, Australia designated its Human Rights Commission. Other states, such as New Zealand, have designated an independent mechanism that includes their NHRI and other organizations: the New Zealand Human Rights Commission, the Office of the Ombudsman, and the Disability Convention Coalition have joint responsibilities as the state's independent mechanism.

The Government of Canada has not officially designated a national independent mechanism to monitor implementation. Instead, existing mechanisms are viewed to provide this function. When Canada ratified the Convention, it declared that Article 33.2 should be interpreted as accommodating the "situation of federal states where the implementation of the Convention will occur at more than one level of government and through a variety of mechanisms, including existing ones."⁸

The Canadian Human Rights Commission (CHRC), acting as Canada's NHRI, has offered to take on the monitoring role as Canada's independent mechanism. CASHRA, which represents federal, provincial and territorial human rights commissions, supports the CHRC taking on this role. Organizations representing persons with disabilities in Canada⁹ have urged the federal government to formally designate the CHRC with such a role and to provide appropriate funding for the CHRC to fulfill this obligation.

Although the role of independent mechanism has not yet been formally designated, the CHRC is dedicated to promoting and monitoring the implementation of the UNCRPD. In collaboration with CASHRA and organizations representing persons with disabilities, the CHRC is developing a series of interim reports on Canada's implementation of the UNCRPD, specifically, the rights provided for in Article 5, Equality and Non-discrimination.¹⁰ ARCH Disability Law Centre, the Canadian Association for Community Living (CACL), the Council of Canadians with Disabilities (CCD) and the DisAbled Women's Network Canada (DAWN) have collaborated in the project's development. It is important to note, however, that the views expressed in this report are those of CASHRA and do not necessarily reflect the positions of the various organizations that were consulted.

While the focus of these reports is on equality and non-discrimination, the reports will also touch on other rights provided for in other articles of the Convention, such as Article 24 on Education and Article 27 on Work and Employment. These reports will also

⁸ United Nations (2006). *Convention on the Rights of Persons with Disabilities*. Treaty Series. Vol. 2515. P. 3.

⁹ For example, these organizations include the Council of Canadians with Disabilities and the Canadian Association for Community Living.

¹⁰ Article 5 of the UNCRPD states that:

1. "State Parties recognize that all persons are equal before and under the law and are entitled without any discrimination to the equal protection and equal benefit of the law.
2. "State Parties shall prohibit all discrimination on the basis of disability and guarantee to persons with disabilities equal and effective legal protection against discrimination on all grounds.
3. "In order to promote equality and eliminate discrimination, State Parties shall take all appropriate steps to ensure that reasonable accommodation is provided.
4. "Specific measures which are necessary to accelerate or achieve de facto equality of persons with disabilities shall not be considered discrimination under the terms of the present Convention."

be used as benchmarks to monitor the implementation of the Convention over time, an approach that the UNCRPD Secretariat notes is particularly effective in monitoring implementation.¹¹

The objective of this first report is to better understand the experiences of discrimination by persons with disabilities across Canada. This is done by bringing together data on disability-related complaints received from 2009 to 2013 by the federal, provincial and territorial human rights commissions and/or tribunals. The report also looks at the trends over the five-year period in disability-related complaints received from Canadian jurisdictions under the areas of employment and services. Future reports will outline data from surveys of persons with disabilities, including self-reported experiences of discrimination as well as other indicators, such as employment, income levels and educational attainment of persons with disabilities.

Methodology

Data on disability-related complaints were gathered from each jurisdiction. A first survey, which was sent to each jurisdiction, asked various questions about their respective complaint processes and collected data on disability-related complaints. More precisely, each jurisdiction was asked questions related to:

- their mandate,
- for which sector/industry their respective human rights act or code provides protections for persons with disabilities,
- the types of complaints data gathered that involve discrimination on the ground of disability and whether the data were available by year; and
- Whether the data were available by allegation/area, such as employment or services.

Based on the responses received, two templates were sent to each jurisdiction. The first template asked about the number of disability and non-disability related complaints received over the five-year period from 2009 to 2013. The second template asked for the number of disability and non-disability related complaints from 2009 to 2013, broken down into two categories: employment and services.

This report was reviewed by each jurisdiction to assure the accuracy of the data and its interpretation. The report was also sent to various organizations representing persons with disabilities.¹² They were invited to review the complaints data presented in this report and to provide any additional information that may not be reflected in the data gathered.

¹¹ United Nations (2014). *Convention on the Rights of Persons with Disabilities: National implementation and monitoring*. CRPD/CSP/2014/3. Conference of State Parties to the Convention on the Rights of Persons with Disabilities. Seventh Edition. New York. June 2014. Paragraphs 38-39.

¹² ARCH Disability Law Centre, the Canadian Association for Community Living (CACL), the Council of Canadians with Disabilities (CCD) and the DisAbled Women's Network Canada (DAWN) received the report.

Data limitations

There are limitations associated with using disability-related complaints data from various jurisdictions. First, there are no consistent methods of gathering complaints data across jurisdictions. For example, each jurisdiction has its own definition of disability and uses different keywords to count their disability-related complaints. In addition, complaints are not gathered using the same time frame. For example, some jurisdictions use the fiscal year (from April 1 or March 31), while others use the calendar year (from January 1 to December 31). These differences make it difficult to make comparisons across jurisdictions.

Some jurisdictions deal with a small number of complaints and an even smaller number of disability-related complaints each year, making it difficult to analyze the evolution of these complaints over a specific period of years. In addition, some fluctuations might seem high due to the fact that some jurisdictions deal with a small number of complaints.

Method of analysis

Disability-related complaints data provided by each jurisdiction were presented in terms of proportions and were accompanied by a short descriptive analysis. The proportion of disability-related complaints was calculated in the following manner: the number of disability-related complaints received in a specific year was divided by the total number of complaints received during that same year. For example, a total of 100 complaints in the area of employment was received in 2010. From that total, 50 complaints were related to disability. The proportion of disability-related complaints in the area of employment for 2010 would therefore be: $50/100 = 50\%$. As mentioned above, due to the nature of the data and the different methodologies used by the jurisdictions to gather their data, no direct comparisons can be made across jurisdictions.

In some cases, detailed information on the number of disability-related complaints for a jurisdiction is presented in the analysis. In other cases, the number of disability-related complaints was so low that we opted not to present this information in order to protect the identity of the complainant.

Overview of disability-related complaints from 2009 to 2013

This section provides an overview of the total proportion and number of disability-related complaints received by jurisdictions across Canada.

Table 1: Proportion and number of complaints received from 2009 to 2013 by jurisdiction and disability status

Jurisdiction	Proportion and number of disability-related complaints	Proportion and number of non-disability related complaints
Canadian Human Rights Commission	50.3% (3,810)	49.7% (3,772)
Newfoundland and Labrador Human Rights Commission	57.3% (161)	42.7% (120)
Prince Edward Island Human Rights Commission	45.2% (142)	54.8% (172)
Nova Scotia Human Rights Commission	60.9% (851)	39.1% (546)
New Brunswick Human Rights Commission	48.6% (649)	51.4% (686)
Commission des droits de la personne et des droits de la jeunesse du Québec	31.5% (1,410)	68.5% (3,065)
Human Rights Tribunal of Ontario	54.0% (8,390)	46.0% (7,147)
Saskatchewan Human Rights Commission	49.0% (556)	51.0% (579)
Alberta Human Rights Commission	48.1% (4,549)	51.9% (4,916)
Northwest Territories Human Rights Commission	50.5% (51)	49.5% (50)
Yukon Human Rights Commission	43.4% (46)	56.6% (60)

Complaints are compiled either by calendar year or by fiscal year.
All percentages are rounded to one decimal point.

As shown in Table 1, disability-related complaints represent a large number of discrimination complaints received by human rights commissions and tribunals across Canada. Specifically, with the exception of Quebec, disability-related complaints received from 2009 to 2013 represent more than 40% of the total complaints in each jurisdiction.

Table 2: Proportion of disability-related complaints received in employment from 2009- 2013 by jurisdiction

Jurisdiction	Disability-related complaints in employment
Canadian Human Rights Commission	84.3%
Newfoundland and Labrador Human Rights Commission	85.7%
Prince Edward Island Human Rights Commission	67.6%
Nova Scotia Human Rights Commission	82.4%
New Brunswick Human Rights Commission	75.3%
Commission des droits de la personne et des droits de la jeunesse du Québec	52.1%
Human Rights Tribunal of Ontario**	N/A
Saskatchewan Human Rights Commission	46.5%
Alberta Human Rights Commission	97.5%
Northwest Territories Human Rights Commission**	N/A
Yukon Human Rights Commission	100.0%

Complaints are compiled either by calendar year or by fiscal year.

All percentages are rounded to one decimal point.

** No data were provided by area of employment or services.

Table 2 shows that for most jurisdictions, a substantially large proportion of disability-related complaints received during the five-year period are in the area of employment. With the exception of Saskatchewan, the proportion of disability-related complaints received in employment from 2009 to 2013 is more than 50% in each jurisdiction. This proportion reached over 80% at the Canadian Human Rights Commission (CHRC), the Newfoundland and Labrador Human Rights Commission and the Nova Scotia Human Rights Commission. In Alberta, the proportion was more than 90%. All disability-related complaints received in the Yukon were in the area of employment.

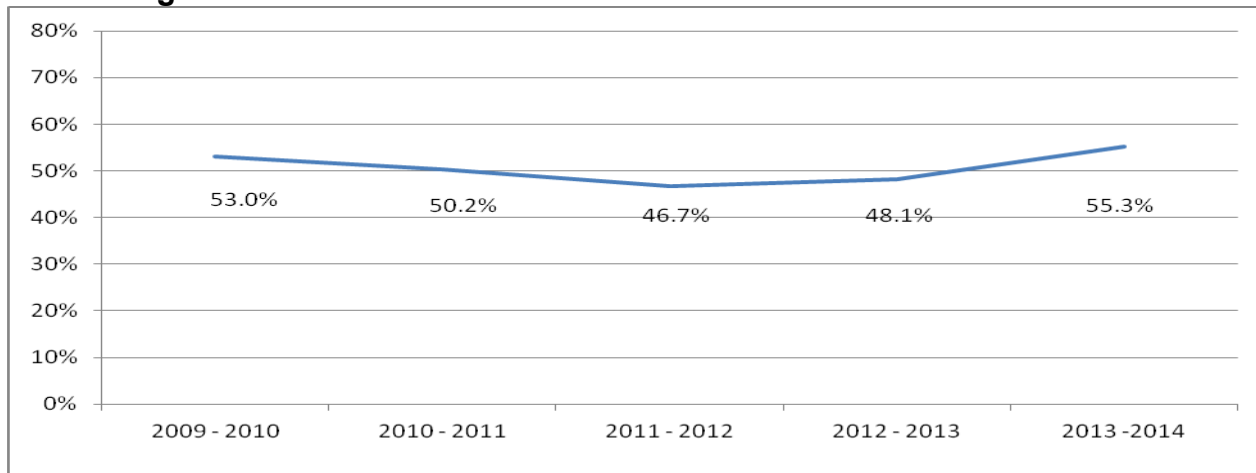
Disability-related complaints by jurisdiction

Data were presented for the federal, provincial and territorial human rights commissions that participated in the CASHRA UNCRPD Working Group. The source of federal data was the CHRC. The sources of provincial and territorial data were the commissions of Newfoundland and Labrador, Prince Edward Island, Nova Scotia, New Brunswick, Quebec, Ontario, Saskatchewan, Alberta, the Yukon and the Northwest Territories. Data for Ontario came from the Human Rights Tribunal of Ontario. No data were presented for Manitoba, British Columbia or Nunavut because these jurisdictions did not participate in the CASHRA UNCRPD working group.

Canadian Human Rights Commission

The CHRC received a total of 3,810 disability-related complaints out of 7,582 total complaints from the fiscal years between 2009–2010 and 2013–2014. The proportion of disability-related complaints received made up between 45% and 55% of total complaints each year. The largest proportion of disability-related complaints was 55.3% in 2013–2014.

Chart 1: Five-year trend of disability-related complaints received at the Canadian Human Rights Commission



Complaints are compiled by fiscal year.
All percentages are rounded to one decimal point.

Table 3: Proportion of disability-related complaints received at the Canadian Human Rights Commission by fiscal year and area of discrimination

Area of discrimination	Employment		Services	
	Disability-related complaints	Non-disability-related complaints	Disability-related complaints	Non-disability-related complaints
Fiscal year				
2009–2010	54.7%	45.3%	40.0%	60.0%
2010–2011	52.1%	47.9%	34.7%	65.3%
2011–2012	49.2%	50.8%	34.5%	65.5%
2012–2013	49.8%	50.2%	38.3%	61.7%
2013–2014	57.9%	42.1%	42.7%	57.3%

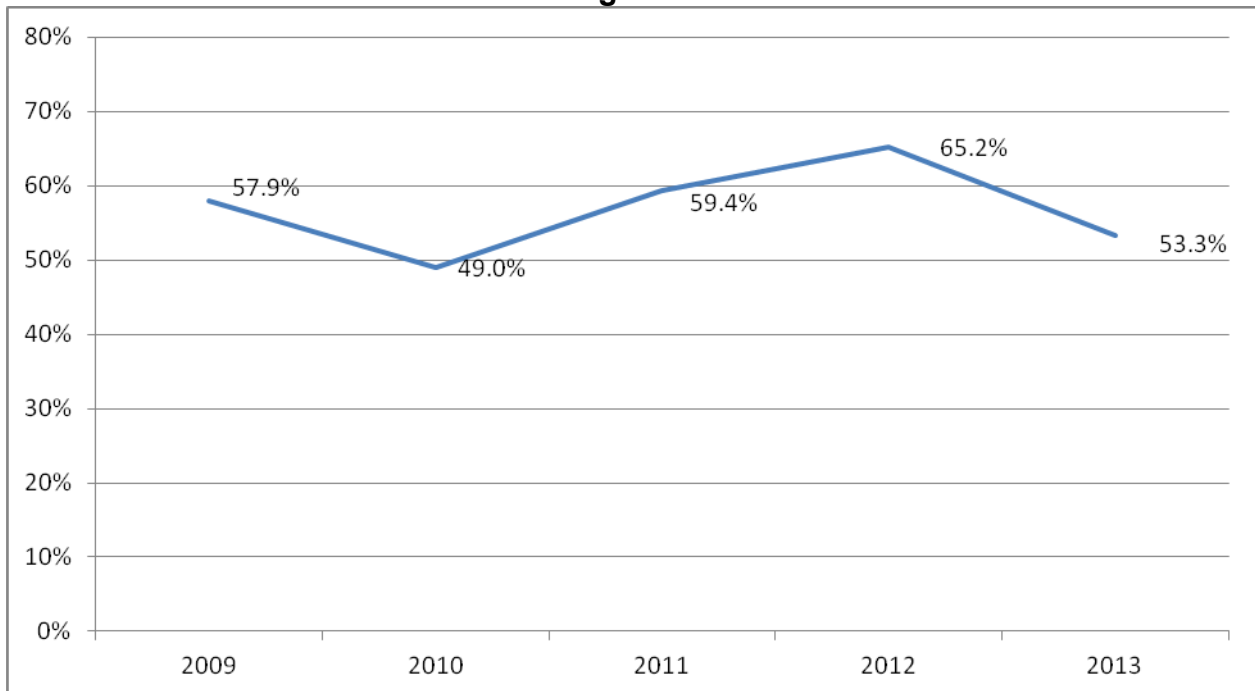
Complaints are compiled by fiscal year.
All percentages are rounded to one decimal point.

Between the fiscal years of 2009–2010 to 2013–2014, the CHRC received a total of 3,234 disability-related complaints in the area of employment and 556 in the area of services. More than half of the complaints received each year in the area of employment from 2009–2010 to 2013–2014 were related to disability. This proportion peaked at 58% in 2013–2014. The proportion of disability-related complaints received in the area of services varied from 34% to 43% from 2009–2010 to 2013–2014.

Newfoundland and Labrador Human Rights Commission

From 2009 to 2013, the Newfoundland and Labrador Human Rights Commission received 161 complaints related to disability out of 281 total complaints. Disability-related complaints made up more than 50% of the total complaints each year. From 2009 to 2010, the proportion of disability-related complaints decreased from 57.9% to 49%. It increased to 59.4% in 2011 and to 65.2% in 2012. These fluctuations might be explained by the relatively small number of disability and non-disability complaints received each year at the Newfoundland and Labrador Human Rights Commission.

Chart 2: Five-year trend of disability-related complaints received at the Newfoundland and Labrador Human Rights Commission



Complaints are compiled by calendar year.
All percentages are rounded to one decimal point.

Table 4: Proportion of disability-related complaints received at the Newfoundland and Labrador Human Rights Commission by calendar year and area of discrimination

Area of discrimination	Employment		Services	
	Disability-related complaints	Non-disability-related complaints	Disability-related complaints	Non-disability-related complaints
2009	61.8%	38.2%	25.0%	75.0%
2010	45.0%	55.0%	33.3%	66.7%
2011	65.9%	34.1%	50.0%	50.0%
2012	71.1%	28.9%	100.0%	0.0%
2013	47.4%	52.6%	75.0%	25.0%

Complaints are compiled by calendar year.
All percentages are rounded to one decimal point.

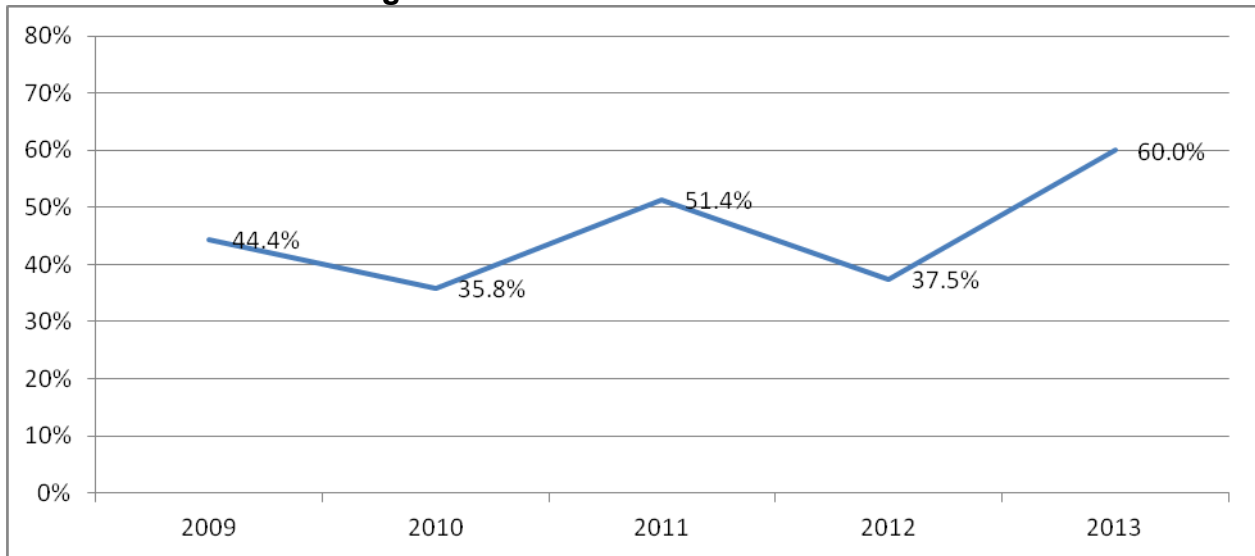
From 2009 to 2013, the Newfoundland and Labrador Human Rights Commission received a total of 138 disability-related complaints in the area of employment compared to only 17 disability-related complaints in the area of services. The proportion of disability-related complaints received fluctuated in both areas (employment and services) over the five-year period. However, there were several notable peaks in the area of employment: in both 2009 and 2011, the proportion was higher than 60%, and in 2011, it went up to more than 70%.

When looking at the services area, the proportion of disability-related complaints was especially high in 2012 and 2013. In fact, all complaints received in the area of services were related to disability in 2012. As mentioned above, these fluctuations might be explained by the relatively small number of disability and non-disability complaints received each year in employment and services.

Prince Edward Island Human Rights Commission

Between the 2009 and 2013, the Prince Edward Island Human Rights Commission received a total of 142 disability-related complaints out of 314 total complaints. The proportion of disability-related complaints fluctuated to reach 60% in 2013. These fluctuations might be explained by the relatively small number of disability and non-disability complaints received each year at the Prince Edward Island Human Rights Commission.

Chart 3: Five-year trend of disability-related complaints received at the Prince Edward Island Human Rights Commission



Complaints are compiled by calendar year.

If a complaint claimed multiple grounds including disability, it was counted as a disability-related complaint.

Table 5: Proportion of disability-related complaints received at the Prince Edward Island Human Rights Commission by calendar year and area of discrimination

Area of discrimination	Employment		Services	
	Disability-related complaints	Non-disability-related complaints	Disability-related complaints	Non-disability-related complaints
2009	51.7%	48.3%	20.0%	80.0%
2010	36.6%	63.4%	50.0%	50.0%
2011	45.0%	5.0%	62.5%	37.5%
2012	32.9%	67.1%	56.3%	43.8%
2013	59.0%	41.0%	62.5%	37.5%

Complaints are compiled by calendar year.

All percentages are rounded to one decimal point.

If a complaint claimed multiple grounds including disability, it was counted as a disability-related complaint.

If a complaint claimed multiple areas including employment, it was counted as a disability-related complaint in the employment category.

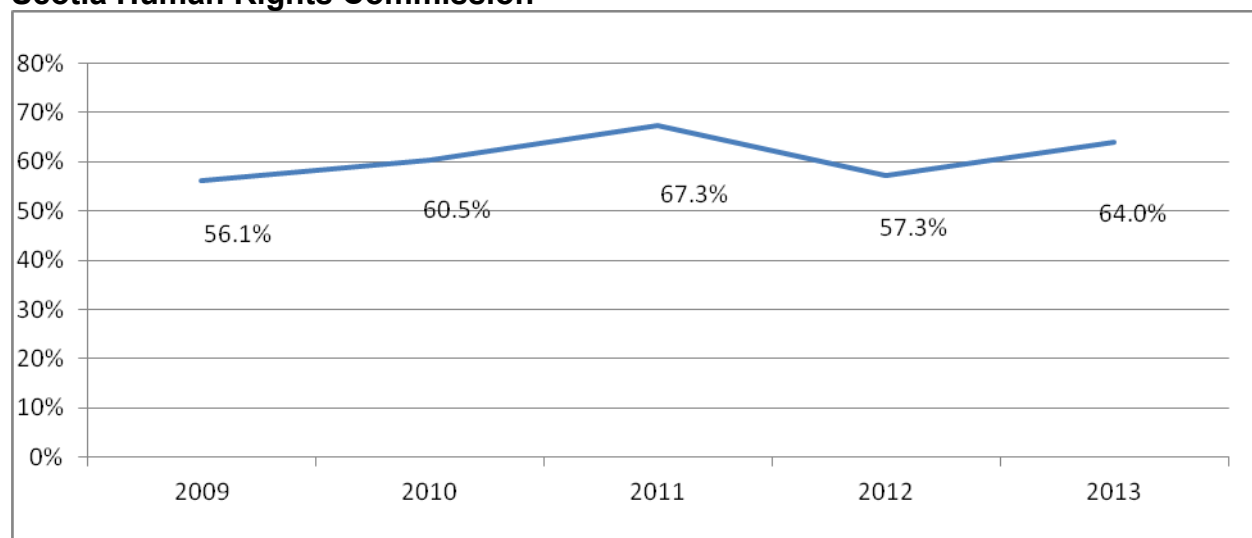
From 2009 to 2013, the Prince Edward Island Human Rights Commission received a total of 96 disability-related complaints in the area of employment and 43 in the area of services. A similar fluctuation is apparent in disability-related complaints in employment and services. Of the total complaints received in the area of employment, more than 50% in 2009 and in 2013 were disability-related.

There was a substantial increase in complaints from 2012 to 2013 in both employment and services. Disability-related complaints accounted for more than 50% of the total complaints received under the services area from 2010 to 2013, and peaked at 62.5% in 2013. As mentioned above, these fluctuations might be explained by the relatively small number of disability and non-disability complaints received each year in employment and services.

Nova Scotia Human Rights Commission

The Nova Scotia Human Rights Commission received a total of 851 disability-related complaints out of 1,397 total complaints from 2009 to 2013. The proportion of disability-related complaints received was greater than 50%. The proportion reached 67.3% in 2011.

Chart 4: Five-year trends of disability-related complaints received at the Nova Scotia Human Rights Commission



Complaints are compiled by calendar year.
All percentages are rounded to one decimal point.

Table 6: Proportion of disability-related complaints received at the Nova Scotia Human Rights Commission by calendar year and area of discrimination

Area of discrimination	Employment		Services	
	Disability-related complaints	Non-disability-related complaints	Disability-related complaints	Non-disability-related complaints
Fiscal Year				
2009	55.0%	45.0%	57.4%	42.6%
2010	60.6%	39.4%	60.0%	40.0%
2011	67.9%	32.1%	62.5%	37.5%
2012	57.9%	42.1%	53.8%	46.2%
2013	61.1%	38.9%	76.1%	23.9%

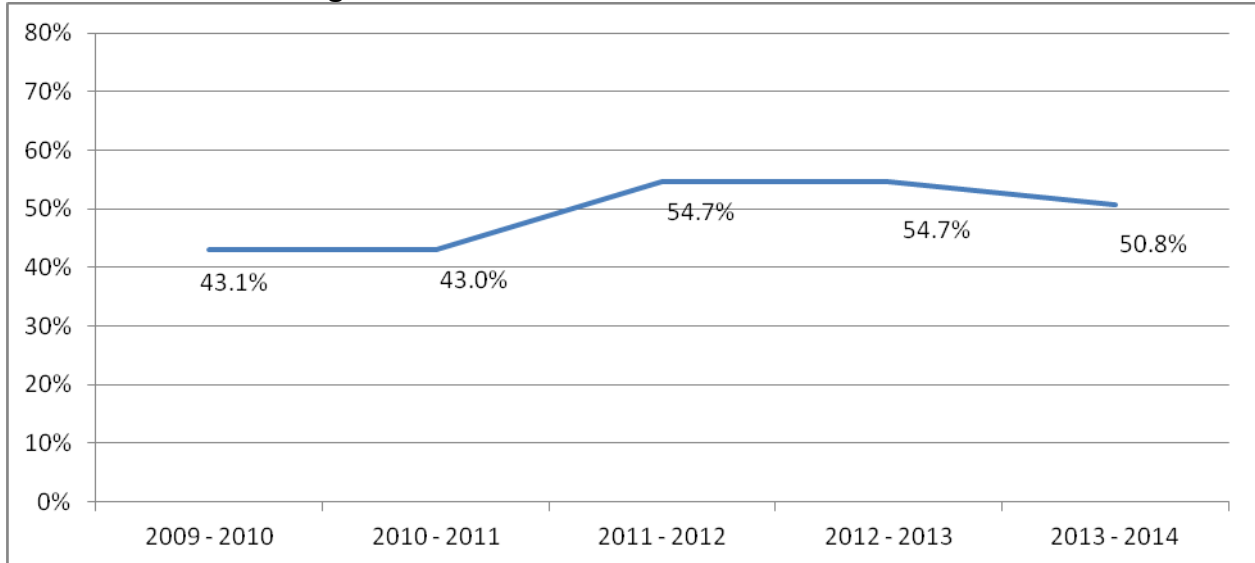
Complaints are compiled by calendar year.
All percentages are rounded to one decimal point.

From 2009 to 2013, the Nova Scotia Human Rights Commission received a total of 700 disability-related complaints in the area of employment and 129 in the area of services. The proportion of disability-related complaints received, both in the areas of employment and services, reached over 60% in 2010, 2011 and 2013. In addition, more than three-quarters of the total complaints received in services in 2013 were related to disability.

New Brunswick Human Rights Commission

The New Brunswick Human Rights Commission received a total of 649 disability-related complaints from April 2009 to March 2014 out of a total of 1,335 complaints. Between 40% and 55% of complaints received from fiscal year 2009–2010 to 2013–2014 were disability-related. There was a big increase from fiscal year 2010–2011 to 2011–2012, from 43.0% to 54.7%.

Chart 5: Five-year trends of disability-related complaints received at the New Brunswick Human Rights Commission



Complaints are compiled by fiscal year.
All percentages are rounded to one decimal point.

Table 7: Proportion of disability-related complaints received at the New Brunswick Human Rights Commission by fiscal year and area of discrimination

Area of discrimination	Employment		Services	
	Disability-related complaints	Non-disability-related complaints	Disability-related complaints	Non-disability-related complaints
2009 - 2010	53.6%	46.4%	27.6%	72.4%
2010 - 2011	53.0%	47.0%	33.3%	66.7%
2011 - 2012	53.8%	46.2%	64.4%	35.6%
2012 - 2013	60.4%	39.6%	46.9%	53.1%
2013 - 2014	58.1%	41.9%	34.3%	65.7%

Complaints are compiled by fiscal year.

All percentages are rounded to one decimal point.

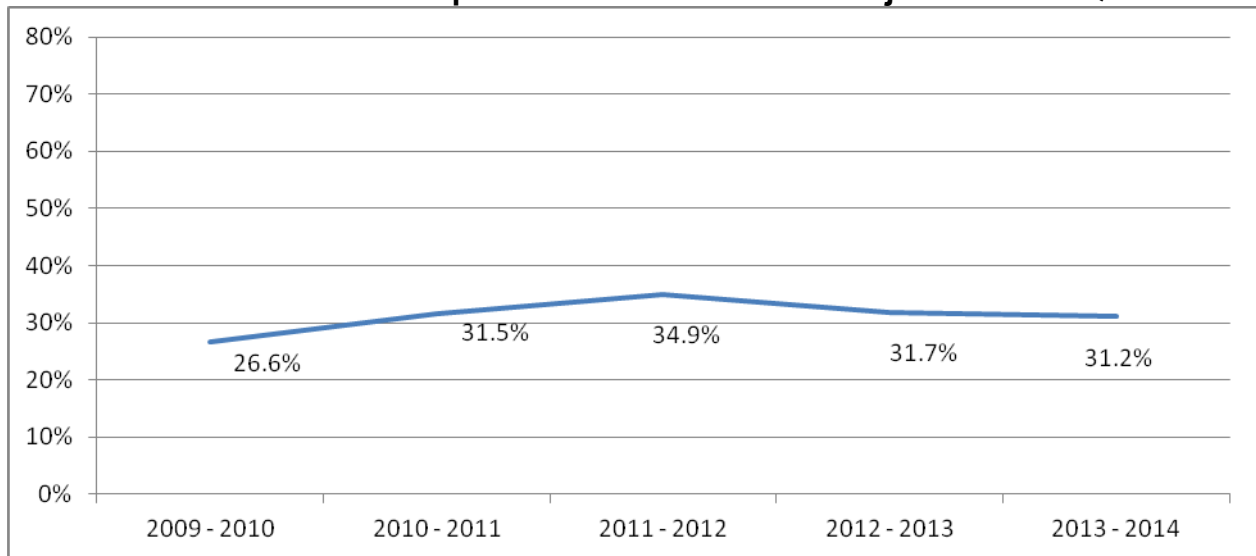
From fiscal year 2009–2010 to 2013–2014, the New Brunswick Human Rights Commission received a total of 489 disability-related complaints in the area of employment and 131 in the area of services. Each year, more than 50% of the disability-related complaints received were in the area of employment.

Results show fluctuations in disability-related complaints received in the area of services, particularly during the fiscal years of 2010–2011, 2011–2012 and 2012–2013. Disability-related complaints accounted for more than 60% of the total complaints received in services in 2011–2012. These fluctuations might be explained by the relatively small number of disability and non-disability complaints received each year in services.

Commission des droits de la personne et des droits de la jeunesse du Québec

The Commission des droits de la personne et des droits de la jeunesse du Québec received a total of 1,410 disability-related complaints between the fiscal years of 2009–2010 to 2013–2014 out of a total of 4,475 complaints. Disability-related complaints represented between 25% to 35% of the total complaints for each fiscal year.

Chart 6: Five-year trends of disability-related complaints received at the Commission des droits de la personne et des droits de la jeunesse du Québec



Complaints are compiled by fiscal year.

All percentages are rounded to one decimal point.

Includes complaints on the ground of disability and the exploitation of persons with disabilities.

Table 8: Proportion of disability-related complaints received at the Commission des droits de la personne et des droits de la jeunesse du Québec by fiscal year and area of discrimination

Area of discrimination	Employment		Services	
	Disability-related complaints	Non-disability-related complaints	Disability-related complaints	Non-disability-related complaints
2009 - 2010	33.1%	66.9%	26.4%	73.6%
2010 - 2011	36.0%	64.0%	34.1%	65.9%
2011 - 2012	36.4%	63.6%	47.3%	52.7%
2012 - 2013	37.5%	62.5%	31.2%	68.8%
2013 - 2014	35.1%	64.9%	40.0%	60.0%

Complaints are compiled by fiscal year.

All percentages are rounded to one decimal point.

Includes complaints on the ground of disability and the exploitation of persons with disabilities.

From fiscal year 2009–2010 to 2013–2014, the Commission des droits de la personne et des droits de la jeunesse du Québec received a total of 735 disability-related complaints in the area of employment and 302 in the area of services. Disability-related complaints accounted for more than 30% of the total complaints received in the area of employment during the five-year period, with a steady increase from fiscal years 2009–2010 to 2012–2013. The proportion slightly decreased in 2013–2014.

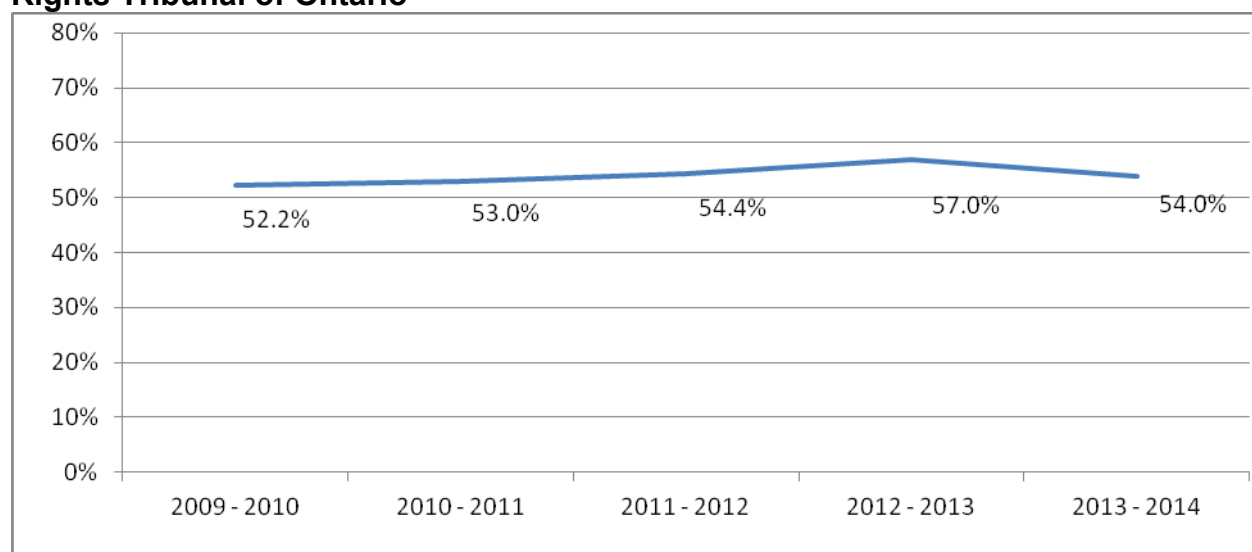
A similar observation can be made in the area of services, where the proportion of disability-related complaints steadily increased from 2009–2010 to 2011–2012. The proportion reached 40% and above during fiscal years 2011–2012 and 2013–2014.

Human Rights Tribunal of Ontario

The Human Rights Tribunal of Ontario (HRTO) is where human rights complaints are filed and decided in Ontario. Data from the HRTO comes from their website. No data on disability complaints in the areas of employment or services were published on the HRTO website, and the HRTO was not able to provide any additional unpublished data at the time of this report.

From fiscal years 2009–2010 to 2013–2014, the Human Rights Tribunal of Ontario received 8,390 disability-related complaints from a complaints total of 15,537. More than 50% of the complaints received each year were disability-related. There was a steady increase from 2009–2013 to 2012–2013. The proportion slightly decreased in 2013–2014.

Chart 7: Five-year trend of disability-related complaints received at the Human Rights Tribunal of Ontario



Source: Human Rights Tribunal of Ontario "HRTO Statistics," available online at <http://www.hrto.ca/hrto/?q=en/node/128>.

Complaints are counted by fiscal year.

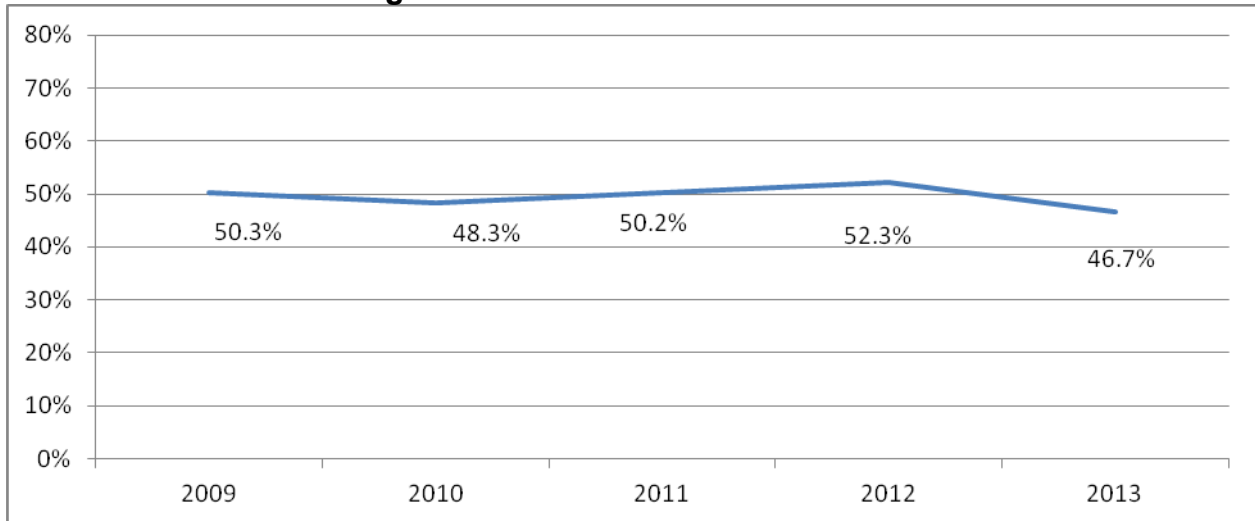
All percentages are rounded to one decimal point.

No data were provided by area of employment or services.

Saskatchewan Human Rights Commission

The Saskatchewan Human Rights Commission received a total of 556 disability-related complaints from 2009 to 2013 out of 1,135 total complaints. The proportion of disability-related complaints received was slightly higher than 50% in 2009, 2011 and 2012. The proportion declined to 46.7% in 2013.

Chart 8: Five-year trends of disability-related complaints received at the Saskatchewan Human Rights Commission



Complaints are compiled by calendar year.

All percentages are rounded to one decimal point.

Includes all complaints that were filed with the Commission. Complaints that were not formalized after review were found to have no reasonable grounds or no jurisdiction, or were not pursued for other reasons.

Table 9: Proportion of disability-related complaints received at the Saskatchewan Human Rights Commission by calendar year and area of discrimination

Area of discrimination	Employment		Services	
Calendar year	Disability-related complaints	Non-disability-related complaints	Disability-related complaints	Non-disability-related complaints
2009	52.2%	47.8%	42.9%	57.1%
2010	48.2%	51.8%	60.0%	40.0%
2011	52.0%	48.0%	50.0%	50.0%
2012	53.0%	47.0%	50.0%	50.0%
2013	52.3%	47.7%	35.2%	64.8%

Complaints are compiled by calendar year.

All percentages are rounded to one decimal point.

Includes all complaints that were filed with the Commission. Complaints that were not formalized after review were found to have no reasonable grounds or no jurisdiction, or were not pursued for other reasons.

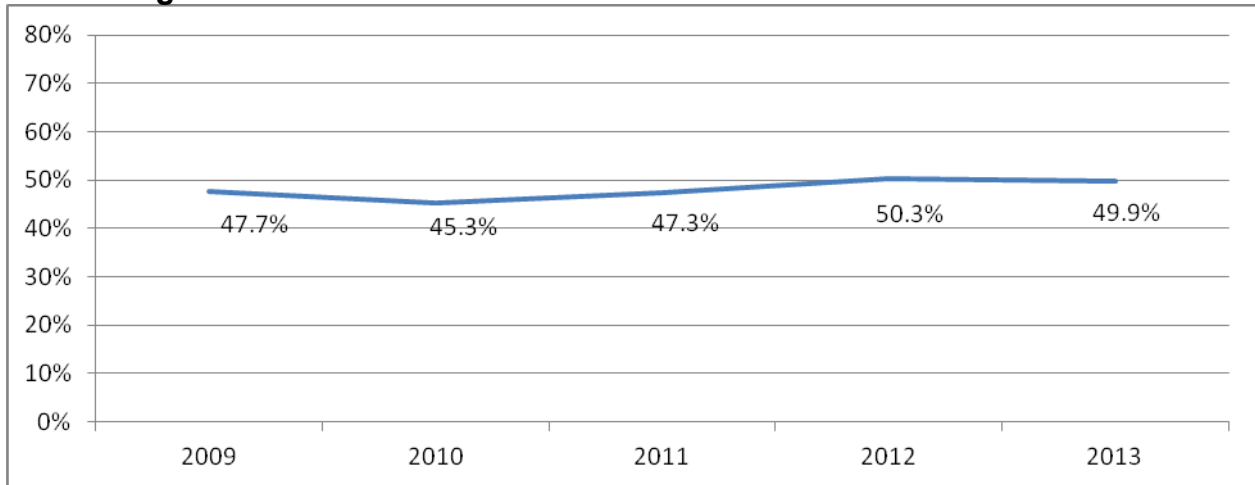
From 2009 to 2013, the Saskatchewan Human Rights Commission received a total of 432 disability-related complaints in the area of employment and 72 in the area of services. Over the five-year period, the proportion of disability-related complaints in employment was over 50%, with the exception of 2010.

The proportion of disability-related complaints received in area of services reached 60% in 2010–2011 and decreased to 35% in 2013–2014. These fluctuations might be explained by the relatively small number of disability and non-disability complaints received each year in services.

Alberta Human Rights Commission

From 2009 to 2013, the Alberta Human Rights Commission received a total of 4,549 complaints citing the ground of disability out of 9,464 total complaints. The proportion of complaints citing the ground of disability has steadily remained between 45% and 51% from 2009 to 2013.

Chart 9: Five-year trend of disability-related complaints received at the Alberta Human Rights Commission



Complaints are compiled by calendar year.

All percentages are rounded to one decimal point.

The numbers reflect grounds cited under different sections of the *Alberta Human Rights Act* rather than the number of complaint files opened. One complaint may cite several grounds and sections. Percentages show the amount of disability grounds cited out of all grounds cited.

"Disability" includes both grounds of physical disability and mental disability.

"Employment-related" includes employment practices (Section 7) and applications and advertisements regarding employment (Section 8).

Table 10: Proportion of disability-related complaints received at the Alberta Human Rights Commission by calendar year and area of discrimination

Area of discrimination	Employment		Services	
	Disability-related complaints	Non-disability-related complaints	Disability-related complaints	Non-disability-related complaints
2009	50.2%	49.8%	32.4%	67.6%
2010	47.0%	53.0%	43.3%	56.7%
2011	47.9%	52.1%	44.4%	55.6%
2012	51.6%	48.4%	46.1%	53.9%
2013	50.9%	49.1%	46.8%	53.2%

Complaints are compiled by calendar year.

All percentages are rounded to one decimal point.

The numbers reflect grounds cited under different sections of the *Alberta Human Rights Act* rather than the number of complaint files opened. One complaint may cite several grounds and sections.

"Disability" includes both grounds of physical disability and mental disability.

"Employment-related" includes employment practices (Section 7) and applications and advertisements regarding employment (Section 8).

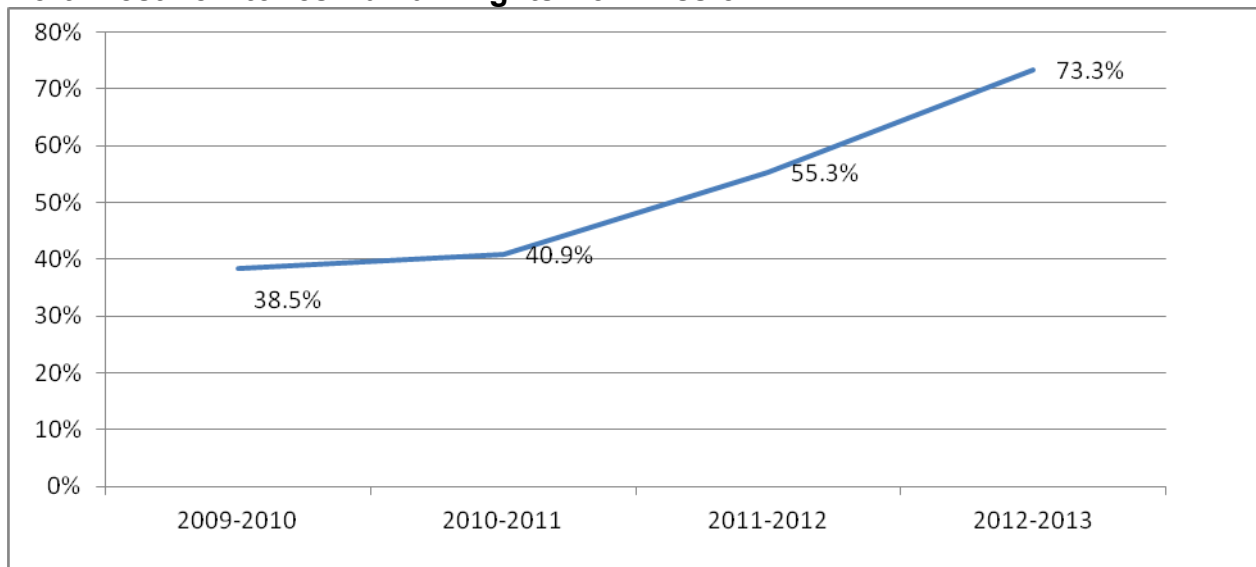
From 2009 to 2013, the Alberta Human Rights Commission received a total of 4,015 employment-related complaints citing disability and 446 in the area of services. The proportion of employment-related complaints citing the ground of disability varied from 47% to 52% between the years of 2009 to 2013.

The proportion of disability-related complaints in services experienced a large increase between 2009 and 2010 and continued to increase slightly from 2010 to 2013.

Northwest Territories Human Rights Commission

From 2009 to 2013, the Northwest Territories Human Rights Commission¹³ received a total of 51 complaints citing the ground of disability out of 101 total complaints. The proportion of complaints citing the ground of disability substantially increased between 2011–2012 and 2012–2013, reaching 73.3%. This fluctuation might be explained by the relatively small number of disability and non-disability complaints received each year at the Northwest Territories Human Rights Commission.

Chart 10: Five-year trend of disability-related complaints received at the Northwest Territories Human Rights Commission



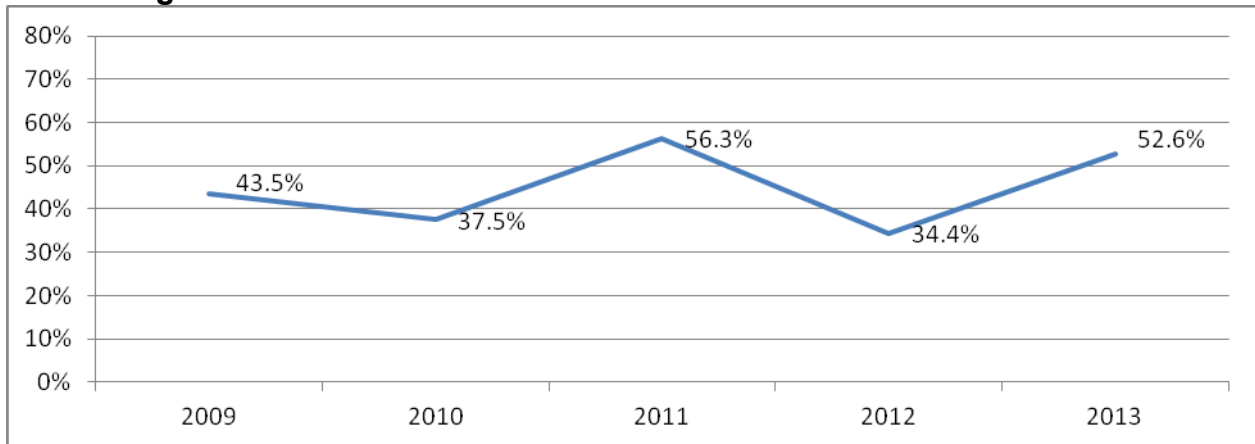
Complaints are compiled by fiscal year.
All percentages are rounded to one decimal point.
No data were provided by area of employment or services.

¹³ Data by area of discrimination were not available from the Northwest Territories Human Rights Commission.

Yukon Human Rights Commission

From 2009 to 2013, the Yukon Human Rights Commission received a total of 46 disability-related complaints out of 106 total complaints. Over the five-year period, there were large fluctuations in the disability-related complaints received. The proportion was greater than 50% in 2011 and 2013. These fluctuations might be explained by the relatively small number of disability and non-disability complaints received each year at the Yukon Human Rights Commission.

Chart 11: Five-year trends of disability-related complaints received at the Yukon Human Rights Commission



Complaints are compiled by calendar year.
All percentages are rounded to one decimal point.

Table 11: Proportion of disability-related complaints received at the Yukon Human Rights Commission

Area of discrimination	Employment		Services	
Fiscal year	Disability-related complaints	Non-disability-related complaints	Disability-related complaints	Non-disability-related complaints
2009	33.3%	66.7%	80.0%	20.0%
2010	40.0%	60.0%	40.0%	60.0%
2011	61.5%	38.5%	33.3%	66.7%
2012	33.3%	66.7%	37.5%	62.5%
2013	38.5%	61.5%	83.3%	16.7%

Complaints are compiled by calendar year.
All percentages are rounded to one decimal point.

From 2009 to 2013, the Yukon Human Rights Commission received a total of 31 disability-related complaints in the area of employment and 15 in the area of services. The proportion of disability-related complaints received fluctuated in both areas (employment and services) over the five-year period. However, the proportion of disability-related complaints received in employment did not generally exceed 40%, with the exception of 2011 when this percentage hit 61.5%.

More than 80% of all services complaints received in 2009 and 2013 were related to disability. As mentioned above, these fluctuations might be explained by the relatively small number of disability and non-disability complaints received each year in employment and services.

Conclusion

Canadians with disabilities continue to experience high levels of discrimination in employment and when receiving services. Of the 41,728 total discrimination complaints received over the five-year period by federal, provincial and territorial human rights commissions and tribunals compiled in this report, 49% (or 20,615) were disability-related.

In any given year between 2009 and 2013, disability-related complaints made up at least 30% of the total complaints received. In most jurisdictions, disability-related complaints accounted for 40% to 50% of all complaints received, with this percentage hitting even higher in Newfoundland and Labrador, Prince Edward Island Nova Scotia, and Northwest Territories, where disability-related complaints made up 60% of all complaints received in some years.

More than 40% of disability-related complaints were in the area of employment in most jurisdictions, with the exception of Prince Edward Island, Quebec and the Yukon. The proportion surpassed 60% in some jurisdictions.

Although the number and proportion of disability-related complaints in employment are high in most jurisdictions, these data may not represent a complete picture. Persons with disabilities may not report all experiences of discrimination for various reasons. For example, persons with disabilities may decide not to file a complaint against his or her employer in fear of retaliation or of being further stigmatized. In addition, many potential complaints are usually dealt with through various grievance processes and labour relations boards, or are resolved through workplace conflict resolution mechanisms or other accommodation processes.

Barriers to accessing human rights justice may result in persons with disabilities underreporting their experiences of discrimination. This was a concern raised by stakeholders during consultations. For example, ARCH Disability Law Centre (a community legal clinic that specializes in defending and advancing the equality rights of persons with disabilities in Ontario in both the provincial and federal jurisdictions) identified several barriers that persons with disabilities face in accessing human rights justice. Such barriers include the complexity of complaint processes; a lack of face-to-face assistance from human rights agency staffs; the affordability of counsel, especially in those jurisdictions that do not provide for free legal assistance in human rights complaints (though affordability of counsel is not limited to these instances only); respondents' greater resources to undertake litigation; and delays in reaching resolution.

These preliminary findings suggest that additional research needs to be done in order to better understand the experiences and impacts of discrimination on the lives of persons with disabilities. First, we recognize that the experiences of discrimination may vary by the type and severity of disability, especially for persons with mental health problems and illnesses. It would therefore be interesting to undertake a similar exercise looking at the experiences of discrimination by persons with mental health problems and illnesses.

Second, we need to better understand the impacts of discrimination on the lives of persons with disabilities. For example, are persons with disabilities who experience workplace discrimination more likely to become unemployed or to leave the labour force? Does discrimination have an impact on the underemployment of persons with disabilities? What are some of the factors that may prevent discrimination against persons with disabilities?

More information is also needed in order to better understand the experiences of persons with disabilities once they have filed a complaint with a human rights commission. For example, were they satisfied with the remedy they received? Did they find it difficult to understand and manage the process of filing a complaint?

These findings raise important questions related to the need for improved government legislation, programs and policy, as well as action on the part of employers and service providers to address possible systemic discrimination.

Finally, we would like to emphasize that stakeholders felt strongly that all Canadian jurisdictions should undertake robust implementation of the UNCRPD in accordance with Article 33. Stakeholders also felt strongly that this implementation should be done in close collaboration with persons with disabilities and their representative organizations.

Annex: Additional information on human rights commissions across Canada

Canadian Human Rights Commission

The Canadian Human Rights Commission was established by Parliament through the *Canadian Human Rights Act* (CHRA) in 1977.¹⁴ It has a broad mandate to promote and protect human rights. The Constitution of Canada divides jurisdiction for human rights matters between the federal and provincial or territorial governments. The CHRC has jurisdiction pursuant to the CHRA over federal government departments and agencies, Crown corporations, First Nations governments and federally-regulated private sector organizations. Provincial and territorial governments have their own human rights codes and are responsible for provincially/territorially-regulated sectors.

The CHRA prohibits discrimination on the basis of race, national or ethnic origin, colour, religion, age, sex (including pregnancy or child-birth), sexual orientation, marital status, family status, disability and conviction for an offence for which a pardon has been granted or in respect of which a record suspension has been ordered.

The CHRC also conducts compliance audits under the *Employment Equity Act* (EEA).¹⁵ The purpose of the EEA is to achieve equality in the workplace so that no person is denied employment opportunities or benefits for reasons unrelated to ability, and to correct the historic employment disadvantages experienced by four designated groups: women; Indigenous peoples; persons with disabilities; and members of visible minorities.

The CHRC has taken action to promote and protect the human rights of vulnerable groups by investigating complaints, issuing public statements, tabling special reports in Parliament, and representing the public interest in the mediation and litigation of complaints. It is committed to working with the Government of Canada to ensure continued progress in the protection of human rights, including Canada's implementation of the rights and obligations enshrined in the *International Covenant on Civil and Political Rights* (CCPR).

¹⁴ Available at laws-lois.justice.gc.ca/PDF/H-6.pdf. Although Canada's human rights laws are not part of the Constitution, they are considered "quasi-constitutional" in nature, meaning that all other laws must be interpreted in a manner consistent with human rights law.

¹⁵ Available at laws-lois.justice.gc.ca/PDF/E-5.401.pdf.

Newfoundland and Labrador Human Rights Commission

The *Newfoundland and Labrador Human Rights Act*¹⁶ prohibits discrimination on the basis of race, color, nationality, ethnic origin, social origin, religious creed, religion, age, disability, disfigurement, sex, gender identity, sexual orientation, gender expression, marital status, family status, source of income and political opinion.

With certain exceptions, the Act prohibit discrimination in the areas of provision of goods, services, accommodations or facilities, occupancy of commercial or dwelling units, employment, publications and contracts.

In accordance with the Newfoundland and Labrador Human Rights Commission's mandate, it undertakes the following activities:

- receiving, recording and investigating individuals' written complaints that allege violation of the *Human Rights Act*;
- promotion of the *Human Rights Act*;
- education and research designed to eliminate discriminatory conduct;
- and advising and helping individuals, groups, organizations and governments on matters related to human rights.

¹⁶ The Act can be found at: <http://assembly.nl.ca/Legislation/sr/statutes/h13-1.htm>.

Prince Edward Island Human Rights Commission

The Prince Edward Island Human Rights Commission is an independent body that administers and enforces the *Prince Edward Island Human Rights Act*.¹⁷ The following areas are protected under that Act:

- accommodations: such as staying at a hotel, motel or inn, or renting a campsite or an apartment;
- employment: such as applying for a job, working on the job, being paid, being dismissed from a job or attending work-related social activities;
- lease or sale of property: such as renting land or buying a home;
- membership in professional, business or trade associations and employee organizations: such as participating in any group listed above, including unions;
- publications, broadcasts, public displays, and advertisements: such as posting hate symbols in public places or printing discriminatory advertisements;
- services and facilities available to the public such as using public transportation, dining at a restaurant, attending school or accessing a provincial government service; and
- volunteer work: such as applying to volunteer, volunteering, or being asked to step down from a volunteer position.

Within each of these areas, the following grounds of discrimination are prohibited under the *Prince Edward Island Human Rights Act*: age, association,¹⁸ colour, creed, disability,¹⁹ ethnic or national origin, family status, gender expression, gender identity, marital status, political belief, race, religion, sex,²⁰ sexual orientation, or source of income of any individual or class of individuals. The Act also protects those who have filed a complaint or given evidence or assistance under the *Human Rights Act*. In relation to employment only, the Act also protects those who have a criminal record.

¹⁷ The Act can be found at www.gov.pe.ca/law/statutes/pdf/h-12.pdf.

¹⁸ With an individual or group of individuals who is protected under the Act.

¹⁹ Including addiction and alcohol/drug testing.

²⁰ Including sexual harassment.

Nova Scotia Human Rights Commission

The Nova Scotia Human Rights Commission is actively engaging and working with all its residents to address issues of discrimination by advancing equity and dignity, fostering positive and respectful relationships and protecting human rights.

The Commission enforces the *Nova Scotia Human Rights Act*.²¹ The following areas are protected under that Act: employment, housing or accommodation, services and facilities (such as stores, restaurants or provincially funded programs), purchase or sale property, volunteer public service, publication, broadcasting or advertisement and membership in a professional, business or trade association, or employers' or employees' organization.

In addition, the following grounds of discrimination are protected under the *Nova Scotia Human Rights Act*: age, race, colour, religion, creed, ethnic, national or aboriginal origin, sex (including pregnancy and pay equity), sexual orientation, physical disability, mental disability, family status, marital status, source of income, irrational fear of contracting an illness or disease, association with protected groups or individuals political belief, affiliation or activity, and gender identity/gender expression.

Finally, the Act also prohibits harassment based on any of these characteristics, and prohibits sexual harassment in all areas of public life.

²¹ The Act can be found at <http://nslegislature.ca/lego/statutes/human%20rights.pdf>.

New Brunswick Human Rights Commission

The New Brunswick Human Rights Commission is the government agency that administers and enforces the New Brunswick *Human Rights Act*.²² The Act is the provincial legislation that sets out the rights and obligations of individuals in a variety of areas including employment, services, publications, professional or trade associations, and housing based on 15 prohibited grounds such as age, sex, physical disability and mental disability.

The legal mandate of the Commission is outlined in the Act and includes investigating and conciliating complaints of discrimination and educating the citizens of New Brunswick—including employees, employers, service providers, etc.—of their rights and obligations in the accommodation process.

The Commission has a quasi-judicial function. It makes decisions on complaints alleging discrimination and it can recommend that the Minister responsible for the Commission appoint a public board of inquiry to hear cases that cannot be otherwise settled. The Commission can appeal decisions of a board of inquiry by applying for a judicial review and has the status of carriage of complaints.

The Commission also provides advice to the Government on issues related to human rights. In addition to complaint investigation and resolution, the Commission also has an education mandate. The Commission's staff prepares and presents educational seminars to various audiences with regard to the Act. The Commission also works closely with other stakeholders to ensure that New Brunswickers are aware of their obligations and rights under the Act.

²² The Act can be found at <http://laws.gnb.ca/en/ShowPdf/cs/2011-c.171.pdf>.

Commission des droits de la personne et des droits de la jeunesse du Québec

The Commission des droits de la personne et des droits de la jeunesse du Québec was constituted under the *Charter of Human Rights and Freedoms* in 1976. The Commission is independent from the government and fulfills its mission for the sole benefit of citizens and in the public interest.

The Commission's mission is to promote and uphold the principles stated in the *Charter of Human Rights and Freedoms*,²³ the *Youth Protection Act*²⁴ and the *Youth Criminal Justice Act*.²⁵ The Commission also ensures the enforcement of the *Act respecting equal access to employment in public bodies*.²⁶

In accordance with the Commission's mandate, it undertakes the following activities:

- inform the public about rights;
- carry out investigations;
- make recommendations to the Quebec government regarding conformity of laws with the Charter and regarding any issue related to rights and freedoms and youth protection;
- undertake and promote research and publications on fundamental rights and freedoms and on children rights;
- offer an advisory service on reasonable accommodation to employers and decision-makers;
- monitor the application of equal access to employment programs, and
- cooperate with any organization, dedicated to the promotion of human rights and freedoms, in or outside Quebec.

The grounds of prohibited discrimination are age, civil status, disability (or the use of any means to palliate a disability), ethnic or national origin, language, political convictions pregnancy, race/colour, religion, sex, sexual orientation, social condition and previous convictions (in employment only).

Discrimination and harassment are prohibited with respect to employment (including hiring, application forms, interviews, salary, wages, probation period, professional training, promotion or transfer, lay-off, suspension or dismissal), membership in a union, or professional association, publication of notice, symbol or sign, public services, public transport, public places, housing, and juridical acts (including contracts, insurance policies and pension contracts).

The Charter also prohibits harassment on any of these grounds and reprisals. It also prohibits any form of exploitation of the elderly or disabled persons.

²³ More information can be found at:

www2.publicationsduquebec.gouv.qc.ca/dynamicSearch/telecharge.php?type=2&file=/C_12/C12_A.html.

²⁴ The Act can be found at:

www2.publicationsduquebec.gouv.qc.ca/dynamicSearch/telecharge.php?type=2&file=/P_34_1/P34_1_A.HTM.

²⁵ The Act can be found at: <http://laws-lois.justice.gc.ca/PDF/Y-1.5.pdf>.

²⁶ The Act can be found at:

www2.publicationsduquebec.gouv.qc.ca/dynamicSearch/telecharge.php?type=2&file=/A_2_01/A2_01_A.html.

Human Rights Tribunal of Ontario

The Human Rights Tribunal of Ontario (HRTO)²⁷ resolves claims of discrimination and harassment brought under the *Human Rights Code*²⁸ in a fair, just and timely way. It first offers parties the opportunity to settle the dispute through mediation. If the parties do not agree to mediation, or mediation does not resolve the application, the Tribunal holds a hearing.

The HRTO is one of seven tribunals which form Social Justice Tribunals Ontario (SJTO).²⁹ The HRTO does its work in keeping with the following core values of the SJTO:

- Accessibility
- Fairness and independence
- Timeliness
- Transparency
- Professionalism and public service

²⁷ Visit the following link for more information: www.sjto.gov.on.ca/hrto/what-we-do/.

²⁸ The Code can be found at: www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90h19_e.htm.

²⁹ For more information on the Social Justice Tribunals Ontario, visit: <http://www.sjto.gov.on.ca/en/>.

Ontario Human Rights Commission

The Ontario Human Rights Commission³⁰ is one part of Ontario's system for human rights, alongside the Human Rights Tribunal of Ontario³¹ and the Human Rights Legal Support Centre.³² The Commission was established in 1961 to administer the Ontario *Human Rights Code*. The Commission is an arm's-length agency of government accountable to the people of Ontario through the legislature.

The grounds of prohibited discrimination are disability, age, ancestry, colour, race, citizenship, ethnic origin, place of origin, creed, family status, marital status (including single status), gender identity, gender expression, receipt of public assistance (in housing only), record of offences (in employment only), sex (including pregnancy and breastfeeding) and sexual orientation.

The protected social areas are accommodation (housing), contracts, employment, goods, services and facilities and membership in unions, trade or professional associations.

In accordance with the Commission's mandate, it undertakes the following activities:

- develops public policy on human rights;
- actively promotes a culture of human rights in the province;
- conducts public inquiries;
- intervenes in proceedings at the Human Rights Tribunal of Ontario or other tribunals and courts;
- initiates applications (formerly called 'complaints');
- engages in proactive measures to prevent discrimination using public education, policy development, research and analysis, and
- brings people and communities together to help resolve issues of "tension and conflict."

In addition, the Commission has the power to monitor and report on anything related to the state of human rights in the Province of Ontario. This includes reviewing legislation and policies for consistency with the intent of the Code.

The Human Rights Tribunal of Ontario may refer matters in the public interest to the Commission and may ask the Commission to conduct an inquiry. The Commission may also apply to the Human Rights Tribunal of Ontario to state a case to the Divisional Court where it feels the Human Rights Tribunal of Ontario decision is not consistent with Commission policies.

³⁰ Visit the following link for more information: www.ohrc.on.ca/en/about-commission.

³¹ Visit the following link for more information: www.hrto.ca/hrto/.

³² Visit the following link for more information: www.hrisc.on.ca/en/welcome.

Saskatchewan Human Rights Commission

The Saskatchewan Human Rights Commission promotes and protects the individual dignity, fundamental freedoms and equal rights of Saskatchewan citizens. The Commission's work is guided by the Saskatchewan *Human Rights Code*.³³

The Commission undertakes the following activities:

- discourage and eliminate discrimination;
- investigate and resolve discrimination complaints quickly and effectively;
- support and seek remedies for individuals and groups who suffer discrimination;
- promote, approve and monitor equity programs;
- promote research and education strategies to advance the principles of equality and diversity, and to encourage understanding of human rights issues;
- promote leadership on human rights related public policy development and implementation, and
- promote advances in human rights legislation and protection.

The grounds of prohibited discrimination are sexual orientation, ancestry/colour/race or perceived race, nationality, place of origin, receipt of public assistance, disability (mental and physical), age (18 years or older), religion or religious creed, family status (parent-child relationship), marital status and sex (including pregnancy).

³³ The Code can be found at: www.qp.gov.sk.ca/documents/English/Statutes/Statutes/S24-1.pdf.

Alberta Human Rights Commission

In Alberta, the *Alberta Human Rights Act*³⁴ protects Albertans from discrimination in certain areas based on specified grounds. The Act prohibits discrimination in the following areas:

- statements, publications, notices, signs, symbols, emblems or other representations that are published, issued or displayed before the public;
- goods, services, accommodation or facilities customarily available to the public;
- tenancy;
- employment practices;
- applications or advertisements; and
- membership in trade unions, employers' organizations or occupational associations.

The Act provides protection from discrimination on following grounds: race, religious beliefs, colour, gender, physical disability, mental disability, ancestry, age, place of original, source of income and sexual orientation.

The *Alberta Human Rights Act* establishes the Alberta Human Rights Commission to carry out functions under the act. The Commission is an independent commission created by the Government of Alberta. The Minister of Justice and Solicitor General is responsible for the Commission.

The Commission has a two-fold mandate: to foster equality and to reduce discrimination. It fulfills this mandate through public education and community initiatives, through the resolution and settlement of complaints of discrimination, and through human rights tribunal and court hearings.

³⁴ The Act can be found at: www.qp.alberta.ca/1266.cfm?page=A25P5.cfm&leg_type=Acts&isbncln=9780779744060.

Northwest Territories Human Rights Commission

The Northwest Territories Human Rights Commission accepts complaints of discrimination and harassment based on the areas and grounds listed in the *Northwest Territories Human Rights Act*.³⁵

The Act provides protection from discrimination on the following grounds: race, colour, ancestry, place of origin, ethnic origin and nationality, religion or creed, age, disability, sex, sexual orientation, gender identity, marital status, family status, political beliefs and/or political association, and pardoned criminal conviction or record suspension.

The Act protects against discrimination in the following areas:

- Employment, including looking for work.
- Membership in a professional organization, workers' association or trade union.
- Access to public services, such as health care and education, and to facilities, such as stores and restaurants.
- Tenancy, which is renting a home or apartment or leasing a business space.
- Published material, such as newspapers, magazines, signs or advertising.

³⁵ The Act can be found at: <https://www.justice.gov.nt.ca/en/files/legislation/human-rights/human-rights.a.pdf>.

Yukon Human Rights Commission

The Yukon Human Rights Commission is an independent commission that was established in 1987 to administer the *Yukon Human Rights Act*.³⁶ The Commission's mandate is to promote equality and diversity through research, education and enforcement of the *Yukon Human Rights Act*.

The Act protects against discrimination in the following areas:

- providing goods, services and facilities to the public;
- employment or application for employment;
- membership in trade unions or other work-related associations;
- tenancy or sale of property offered to the public. And
- public contracts.

The Act provides protection from discrimination on following grounds: ancestry, including colour or race, national origin, ethnic or linguistic background/origin, religion or creed, age, sex (including pregnancy), sexual orientation, physical or mental disability, criminal charges or criminal record, political belief, association, or activity, marital or family status, source of income and actual or presumed association with any of the grounds listed.

³⁶ The Act can be found at:
http://www.yhrc.yk.ca/sites/default/files/Yukon%20Human%20Rights%20Act%20as%20of%20March%202014_2.pdf.

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