



Disability complaint settled during hearing

Neff v. City of Moose Jaw

Consent Order, Saskatchewan Human Rights Tribunal, 7 May 2008

The Saskatchewan Human Rights Tribunal is an independent, decision-making body which is completely separate from the Saskatchewan Human Rights Commission. After receiving a complaint of discrimination, the Commission may investigate, mediate, dismiss or settle it, or refer it to the Tribunal for a formal hearing and binding decision.

On May 7, 2008, the Saskatchewan Human Rights Tribunal issued a consent order settling the complaint of the late Robert Neff against the City of Moose Jaw. The terms of settlement were agreed to by the parties, but took the form of an order because the settlement was reached after the Tribunal began a hearing into the complaint.

The hearing was held under a section of *The Saskatchewan Human Rights Code* which enables persons whose complaints have been dismissed by the Commission to approach the Tribunal directly and request a formal hearing of their complaint. This procedural safeguard was added to the Code on the recommendation of the Commission, in order to expand the access of complainants to human rights hearings.

Mr. Neff, who worked for the City of Moose Jaw as a bus driver, alleged that the City discriminated against him by failing to accommodate his disability. Following his death, the complaint was pursued by Corinne Neff, Mr. Neff's widow and the personal representative of his estate. The Tribunal granted Mr. Neff's estate a hearing of the complaint after it was dismissed by the Commission.

Mid-way through the hearing, it was adjourned so that the parties could work out the content of a settlement which would take the form of a consent order. Under the consent order, the City of Moose Jaw agreed to pay to Mr. Neff's estate \$15,000 for lost wages and benefits and \$5,000 for injury to feelings and dignity. The City also agreed to arrange, in consultation with the Human Rights Commission, a one-day seminar on *The Saskatchewan Human Rights Code* for all of its out-of-scope managers and supervisors. Because the complaint was settled during the hearing, the Tribunal did not make a decision on the case or summarize its facts.

For more information, contact:

Fiji Robinson

Communications Coordinator

933-5952