



SASKATCHEWAN
HUMAN RIGHTS
COMMISSION

Media Backgrounder on the Complaints Process

WHO WE ARE

The Saskatchewan Human Rights Commission is the independent provincial commission responsible for receiving complaints of discrimination under *The Saskatchewan Human Rights Code*. The *Code* authorizes the Commission to receive and attempt to resolve complaints of discrimination. The Commission does not have the statutory authority to order remedies to a human rights complaint or to penalize a person who has violated the *Code*.

THE COMPLAINT PROCESS

A complainant can bring a complaint to the Commission within one year of becoming aware of an incident or incidents of discrimination. Intake staff assess the complaint to determine if there are reasonable grounds to believe the *Code* has been violated, and if the disputed matter falls within the Commission's jurisdiction. If a complaint meets these requirements, a formal complaint is drafted and served on the party who is allegedly in violation, the Respondent. A complaint can be withdrawn at any time.

Once the Commission receives a signed complaint, the respondent is contacted to present their side of the story. The parties are then offered the services of the Commission to mediate a resolution to the dispute. Parties may resolve complaints through mediation or settlement at any stage of the process. In many cases, these negotiations provide a faster, more co-operative method of resolving complaints. If the matter cannot be settled, the Commission will investigate the matter.

In an investigation, an impartial investigator talks to witnesses to find out what happened. Investigators have the authority to interview people who have information about a complaint. They can also examine relevant records and documents, including employee records. The investigator then refers the case to the Chief Commissioner who decides whether the case should be mediated, dismissed, sent to a hearing, or dealt with in another way.

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The Chief Commissioner can dismiss complaints on the basis of reasons set out in the *Code*. For example, a complaint may be dismissed if it is found to be without merit. The Chief Commissioner can also defer action on a complaint if an alternative process, such as a union grievance, would be a more appropriate process for resolving the matter.

OUR MEDIA POLICY

The official spokesperson for the Commission is the Chief Commissioner. Please contact the Public Relations and Media Specialist to arrange an interview.

In most cases, and because of privacy concerns, it is not possible for the Commission to discuss current complaints.

More information about the work of the Commission and the full text of *The Saskatchewan Human Rights Code* can be found at the Commission's web site: www.saskatchewanhumanrights.ca

For more information, please contact:

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