

6 STEPS TO THE CANADIAN HUMAN RIGHTS COMMISSION'S (CHRC) COMPLAINT PROCESS.

The Canadian Human Rights Act protects against discriminatory practices if they are based on prohibited grounds of discrimination.

The Canadian Human Rights Commission (CHRC)

Reviews complaints to decide if they should go to the Canadian Human Rights Tribunal

Canadian Human Rights Tribunal

Determines if discrimination occurred

STEP 1

File a complaint



If you have been discriminated against:

- You have the right to file a complaint with the CHRC

STEP 2

Complaint evaluated by CHRC



CHRC ensures complaint meets human rights complaint criteria:

- If your complaint is accepted, the CHRC will notify you and your employer
- If your complaint is not accepted, the CHRC will provide you with an explanation

STEP 3

Complaint is processed



Possible outcomes of accepted complaints:

- The file is closed, and/or a suggestion is made to pursue other avenues (e.g., the workplace complaints process) before proceeding with the CHRC
- The complaint continues. The CHRC will request further information from you and the employer to guide next steps

STEP 4

Mediation/ conciliation



Mediation and/or conciliation services are free:

- The objective is to resolve the complaint
- Mediation is voluntary and confidential
- Conciliation is like mediation, but is mandatory and may be ordered at any stage
- If a settlement is not reached, the CHRC will determine next steps

STEP 5

Review and assessment



Human Rights Officer will:

- Review all documents related to the complaint
- Request clarification and interview witnesses
- Prepare a report for decision

STEP 6

A decision is made



The CHRC makes a decision

- All decisions are final
- The CHRC may request more information, close the complaint, send it to conciliation, approve a settlement, or refer it to the Canadian Human Rights Tribunal
- If referred to the Tribunal, it will make an independent decision to determine whether discrimination occurred

This resource provides an overview of the process and is not comprehensive. It is not intended as legal advice.