



How To File a Human Rights Complaint: Alberta



Alberta Human Rights Commission:

<https://albertahumanrights.ab.ca/>

Empowering Community and Removal of Barriers (ECRoB) Project

Navigating the intricacies of the Alberta Human Rights Commission's complaint process can seem daunting, especially if you feel your rights have been violated. This guide offers an overview of how to file a Human Rights claim in Alberta, detailing the steps of the process from determining eligibility to the possibility of a judicial review. Whether you're looking to educate yourself or actively seeking justice, the information provided here can serve as a valuable roadmap in your pursuit of equity and justice in Alberta.

Please note: *This guide is for informational purposes only and does not constitute legal advice or representation. Always consult with a legal professional regarding your specific situation.*

Eligibility Criteria:

- The incident must occur in Alberta or involve an Alberta employer to fall under the Commission's jurisdiction.
- File your complaint within one year of the alleged discrimination incident. This year begins the day after the incident.
- The negative treatment you experienced happened in one of the protected areas and under one of the protected grounds in the Act.

Understanding the Complaint Process

Making a Complaint

- [Start with a self-assessment](#) to check if your incident is under the Alberta Human Rights Act.
- [Access the complaint form here.](#)
- Their specialized Intake Team reviews each form. They may ask for further details within 30 days.
- If not accepted, you'll receive a detailed explanation. You can then request a reconsideration.

Representation Options

- While the Commission can assist with form completion, they can't offer legal advice.
- You may be represented by:
 - **Authorized Representative:** A non-lawyer individual you permit to liaise with the Commission.
 - **Lawyer:** If you opt for a lawyer, bear in mind that you'll bear their charges.
 - **Litigation Representative:** Represents minors or individuals without the legal capacity to engage in the complaint process.



Providing Incident Details

- Offer specifics about the alleged discrimination.
- Identify the alleged discriminator – termed the “respondent.”
- Describe the actions or words of the respondent.
- Specify the date and time.

Resolving Your Complaint

- Propose resolution methods, both financial and non-financial.
- The aim is to restore your position to what it would have been without the discrimination.

Review Process

- If accepted, your complaint goes to the respondent, and you receive their feedback.
- If rejected, you’ll be informed in writing with an explanation. Reconsideration requests are possible.

Conciliation

- Most complaints enter conciliation – a cooperative solution-seeking process.
- Both parties participate in a confidential video meeting, moderated by a human rights officer, focusing on resolving the dispute.
- If settled, the complaint ends here. If unresolved, it proceeds to a Director’s decision.

Director’s Decision

- If necessary, a Decision Team might require more details.
- The team assesses if the complaint should proceed to the tribunal or be dismissed. Dismissed complaints can be reviewed upon the complainant’s request.

Tribunal Overview

- The Tribunal is an independent adjudicative segment of the Alberta Human Rights Commission, separate from the Commission’s regular duties.
- It manages dispute resolutions and organizes hearings.
- Tribunal members are private citizens appointed by the Lieutenant Governor in Council and operate independently from Commission or Government of Alberta staff.

Alberta Human Rights Commission’s Purpose:

The Alberta Human Rights Commission stands independently under the Government of Alberta. They are devoted to promoting equality and diminishing discrimination. They educate the public, provide information, and assist Albertans in resolving human rights grievances.