



How To File a Human Rights Complaint: Newfoundland and Labrador

Newfoundland and Labrador Human Rights Commission:

<https://thinkhumanrights.ca/>



Empowering Community and Removal of Barriers (ECRoB) Project

Navigating the intricacies of the Newfoundland and Labrador 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 Newfoundland and Labrador, 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 Newfoundland and Labrador.

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.

Before You File a Complaint:

- Must have happened in the last 12 months.
- Must have occurred in Newfoundland and Labrador.
- Ascertain if your complaint matches the definition of discrimination under the Human Rights Act.
- Ensure the unfair treatment occurred in a protected area, like workplaces or public places, and was based on a protected personal characteristic.

Definition of Disability:

- Physical or mental impairment
- Learning disability or dysfunction in symbol or language processing
- Mental disorder
- Perceived Disability: This encompasses past disabilities, beliefs of past or current disabilities, or predisposition to developing a disability.

Filing a complaint:

1. Fill out the official [Human Rights Complaint Form](#).
2. The Newfoundland and Labrador Human Rights Commission will review your complaint in relation to the Human Rights Act.
3. The Commission aims to resolve complaints via voluntary mediation. If unsuccessful, a comprehensive investigation will commence.
4. Post-investigation, the Commission decides if there's enough evidence for a hearing.
5. An Adjudicator will ultimately decide if discrimination took place, considering provincial standards and definitions.

Complaint Process:

1. A Human Rights Specialist (HRS) reaches out to involved parties to discuss the claim.



2. Complainants must submit relevant documents within 14 days.
3. The complaint is then assessed for potential deferral or early resolution.
4. Respondents reply with their documents and witness statements within 60 days.
5. Complainants have 60 days to rebut.
6. The complaint enters the investigation queue.
7. The HRS examines the complaint, might ask questions, gather further information, or interview witnesses.
8. A summary report is sent to involved parties, who then have 14 days to comment.

Contact the Commission:

Phone: 709-729-2709

Toll-Free: 1-800-563-5808

Fax: 709-729-0790

E-mail: humanrights@gov.nl.ca

Location: St. John's, NL

The Commission's Structure:

The Office Staff: Located in St. John's, the office oversees the daily functioning of the Commission. The Executive Director leads, and currently, eight permanent employees, along with two contract positions, ensure smooth operations.

The Commissioners: Appointed by the Lieutenant-Governor for 5-year terms, these individuals are experienced in human rights matters. They don't decide on harassment or discrimination but determine if a complaint has « sufficient evidence » for a hearing.

Human Rights Panel of Adjudicators: Appointed for 3-year terms by the Lieutenant-Governor, Adjudicators possess expertise in human rights law. They oversee hearings to determine if the Human Rights Act has been violated, independent of the Human Rights Commission's office. The process is designed to be comprehensive, ensuring that all human rights complaints in Newfoundland and Labrador are handled with utmost diligence and respect.