

New Brunswick
Human Rights
Commission

2000-2001
Annual Report

Annual Report 2000-2001
Human Rights Commission

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Fredericton, N.B.
The Honourable Marilyn Trenholme Counsell
Lieutenant Governor
Province of New Brunswick

Your Honour:

I have the honour to submit to you the Annual Report of the New Brunswick Human Rights Commission for the fiscal year ending March 31, 2001. The Commission is responsible to the Minister of Training and Employment Development, Province of New Brunswick.

I am, your Honour, your obedient servant,

Norman McFarlane
Minister of Training and Employment Development
Minister Responsible for the Human Rights
Commission

Norman McFarlane
Minister of Training and Employment Development
Minister Responsible for the Human Rights
Commission
Province of New Brunswick

Dear Minister:

It is with a combined sense of pleasure and pride that I submit to you the Annual Report of the New Brunswick Human Rights Commission, for the fiscal year ending March 31, 2001, for onward submission to Her Majesty's Representative, the Lieutenant-Governor of New Brunswick.

Yours very truly,

Patrick Malcolmson
Chairman

Table of Contents

Vision, Mission and Aims of the Commission	1
Profiles of the Members	3
Overview of the <i>Human Rights Act</i>	5
Remarks from the Chairman	7
Remarks from the Director	9
Compliance Branch	
Objectives.....	11
Complaint Process.....	11
Informal Complaints.....	11
Formal Complaints.....	12
Referrals.....	14
Boards of Inquiry.....	14
Cases before the Courts.....	14
Exemptions.....	16
Education and Development Branch	
Objectives.....	17
National and International Initiatives.....	17
Workplace Initiatives.....	17
Educational Initiatives.....	18
School Initiatives.....	18
Initiatives Involving Young People.....	19
Human Rights Award.....	19
Publications.....	20
Website.....	20
Workshops and Seminars.....	20
Community Development.....	20
Special Programmes.....	21
Other Accomplishments.....	21

Appendices

A. Organisational Chart 23

B. Complaint Process Flow Chart..... 24

C. 2000-01 Complaint Statistics 25

D. Publications..... 28

E. How to Contact the Commission..... 30

Building for the Twenty-first Century

The Vision, Mission and Aims of the New Brunswick Human Rights Commission

Vision

To be a leader in the promotion and protection of human rights.

Mission

The New Brunswick Human Rights Commission was created in 1967 to administer the *Human Rights Act*. The Commission promotes the principles of equality, seeks to eliminate discriminatory practices and contributes to more equitable, productive and inclusive environments in which to work, learn and live, by enforcing the *Act* and educating about human rights and responsibilities.

Aims

The Commission will continue to serve the people of New Brunswick into the twenty-first century by:

- exercising leadership and vision on human rights issues of national and provincial importance;
- promoting a greater understanding of the *Human Rights Act*;
- providing for the effective, efficient and speedy disposition of individual complaints of discrimination;
- initiating partnerships with government departments, private sector institutions, community and volunteer organisations and the media to promote a human rights culture that will eradicate prejudice and discrimination;
- enhancing its proactive role in human rights education to foster environments of inclusion, fairness, equality and dignity for all New Brunswickers;
- utilising advanced information technologies, multimedia as well as print publications and speakers to project our mission and mandate to the widest public audience;
- continuing as a recognised resource for the private and public sectors, including educational and community institutions, that seek to create internal human rights policies and procedures;
- being responsive to the human resource development needs of Commission members and staff;
- contributing in a positive and constructive manner to the process of province building and nation building.

Profiles of the Members of the Commission

(as of March 31, 2001)

Dr. Patrick N. Malcolmson **Chair**

Patrick Malcolmson received his B.Ed. and MA from the University of Alberta. He pursued doctoral studies at the University of Toronto, where he was awarded an Ontario Graduate Scholarship, as well as a Social Sciences and Humanities Research Council of Canada Doctoral Fellowship. He obtained his PhD in Political Science in 1992.

Dr. Malcolmson worked in the Legislative Research Service of the Ontario legislature from 1985 to 1987, and taught Political Science at the University of Alberta from 1987 to 1990. He then joined the Faculty of St. Thomas University in Fredericton, where he is Associate Professor and Chair of the Department of Political Science. He has also served as Assistant Vice-President (Academic) and Director of the Human Rights Programme. He is currently a member of the St. Thomas University Board of Governors.

Dr. Malcolmson is the author of scholarly articles and reviews on Canadian politics, legal and political theory, natural law and rights. He and Dr. Richard Myers are co-authors of the book *The Canadian Regime*. Dr. Malcolmson was appointed as the Chair of the New Brunswick Human Rights Commission in 2000.

Dorothy Dearborn

A resident of Hampton, N.B., Dorothy Dearborn studied literature and sociology at the University of New Brunswick and at St. Thomas University in Fredericton.

Mrs. Dearborn has had an extensive career as a journalist and author. She was at various times a reporter, a television show moderator, the City Editor of the *Evening Times Globe* daily in Saint John, and the editor of the *Kings County Record* and the *Citizen* weekly newspapers. She is currently a free lance journalist and the publisher of the *We're Home* quarterly magazine. She has written 12 non-fiction books dealing with New Brunswick history and personalities, as well as two young adult mysteries and numerous short stories.

In the fifties, Mrs. Dearborn helped to set up the Day Training School in Saint John, N.B. The precursor of the Dr. W. F. Roberts School, it was Eastern Canada's first training centre for mentally challenged adults. She also helped found the New Brunswick Branch of the Canadian Mental Health Association. More recently, she was instrumental in establishing a computer access and two adult literacy programmes in Hampton. She is also a charter member and the Chair of the Legal Aid Advisory Committee for southern New Brunswick. Mrs. Dearborn became a member of the Human Rights Commission in 1999.

Judy Hawkins

Judy Hawkins, M.Ed., who has been an educator for 30 years, is the department head of Guidance at Fredericton High School. She has served on executive boards in various capacities, including President of the Muriel McQueen Fergusson Foundation, Co-chair of Provincial Caring Partnerships, Chair of the New Brunswick Teachers' Association's Public Relations Committee, member of the Board of Directors of Fredericton Group Home, and President of International Training in Communication for the Atlantic Provinces and the State of Maine. She is a certified Communication Instructor.

Ms. Hawkins' particular interests include networking with women's groups, chairing symposia in various provincial centres, and participating in public policy research. She was appointed to the New Brunswick Human Rights Commission in 1996.

André LeBlanc

André LeBlanc studied Public Sector Administration at the Université de Moncton and the University of New Brunswick, and furthered his professional development through numerous Public Relations and Marketing courses.

From 1942 to 1950, he was employed in the fisheries sector in various capacities. He then began a lengthy career at the New Brunswick Electric Power Commission, where he held several supervisory positions in Moncton and Grand Falls. He retired from NB Power in 1988 and now lives in Moncton.

Mr. LeBlanc was a director of the credit union and the Co-op in Cap Pelé, N.B., and has been on the Board of Directors of Moncton's Beauséjour Curling Club for the last several years. He is currently a director of the Club d'âge d'or Christ-Roi, where he devotes many hours to recruitment and other activities. He is also involved in the development of the Moncton regional council of the Federation of New Brunswick Senior Citizens. He was appointed to the Human Rights Commission in 1999.

Mary Jane Ward

Mary Jane Ward has earned numerous certificates in a wide variety of fields. She obtained a Business Administration Certificate in 1985 from the New Brunswick Community College, a B.Ed. degree from the University of New Brunswick in 1995, a Principal's Certificate in 2000 and a M.Ed. in 2001.

In 1986, Mrs. Ward became a Headstart Child Care Worker at Red Bank First Nations, where she lives, and she was the Headstart Co-ordinator there from 1987 to 1995. Since then, she has been the Principal and a Teacher of the Metepenagiag School in Red Bank First Nations.

She is a former member of the New Brunswick Micmac/Maliseet Child Care Council, the New Brunswick Early Childhood Coalition and the School Parent Advisory Committee of the North/South Esk High School in Sunny Corner, N.B.

Mrs. Ward is very much involved in extracurricular, religious and other community activities, especially those involving youth, parenting skills, drugs and alcohol, and Native culture. In 1995, she was chosen National Native Role Model for the Atlantic provinces by Health and Welfare Canada and Kahnawake Social Services. She joined the Human Rights Commission in 1999.

Overview of the Human Rights Act

The *Human Rights Act* of New Brunswick, which is also called the *Human Rights Code*, is a provincial law that prohibits discrimination and harassment based on twelve personal characteristics in certain activities that fall under provincial jurisdiction. The *Act* applies to public services, accommodations and facilities; the leasing of premises; the sale of property; labour unions and professional, business or trade associations; notices and signs; and all aspects of employment.

The *Act* prohibits discrimination by private sector businesses and organisations as well as by the provincial and municipal governments. Employers are responsible for the acts of their employees if such acts were committed in the course of employment, that is, if they were in some way related or associated with employment.

However, the *Human Rights Act* does not apply to federally regulated activities, such as broadcasting, telecommunications, banking, railways, ships, airlines, extra-provincial transportation, Native reserves and the federal government. Federally regulated activities in general are subject to the *Canadian Human Rights Act*, which is enforced by the Canadian Human Rights Commission.

The *Human Rights Act* of New Brunswick currently protects against discrimination and harassment based on twelve grounds: age, marital status, religion, physical disability, mental disability, race, colour, ancestry, place of origin, national origin, sexual orientation and sex, including pregnancy. The *Act* also expressly prohibits sexual harassment in employment, housing and public services.

Discrimination can be defined in everyday terms as a practice or standard which is not reasonably necessary and which has the effect, whether intentional or not, of putting certain persons or groups at a disadvantage because of their personal characteristics, such as race, sex or religion.

Historically, Canadian courts have recognised two types of illegal discrimination. "Direct discrimination" involves a difference in treatment, usually motivated by bigotry, prejudice or stereotypes. On the other hand, "systemic" or "adverse effects" discrimination occurs when a uniform practice has a disproportionately adverse effect on a disadvantaged group and the needs of the group are not reasonably accommodated.

Employers, service providers and others who are required not to discriminate must go beyond treating everyone the same without regard to race, sex and the other personal characteristics protected in human rights laws. They must, in addition, accommodate as much as reasonably possible the protected characteristics of those to whom such uniform treatment would have a discriminatory effect. That is, they must avoid standards that have a discriminatory effect where this can be done without sacrificing their own legitimate objectives or incurring undue hardship, whether that hardship takes the form of impossibility, serious risk or excessive cost.

As a result of the Supreme Court of Canada's decisions in the *Meiorin* and *Grismer* cases in 1999, the "bona fide qualification" and "bona fide occupational qualification" exceptions provided by the *Human Rights Act* now apply in the same way to direct discrimination and to adverse effects discrimination. For both types of discrimination, a discriminatory standard adopted by an employer, landlord, owner or service provider is justified only if it satisfies three requirements that may be summarised as follows: (1) the standard was adopted for a purpose or goal that is rationally connected to the function being performed, (2) it was adopted in good faith and in the belief that it is necessary to fulfil that purpose or goal, and (3) it is in fact reasonably necessary to accomplish that purpose or goal, in the sense that the employer, landlord, owner or service provider cannot accommodate affected individuals without incurring undue hardship.

The courts have stated that it is not possible to avoid human rights laws through contracts or collective agreements, and that human rights laws prevail over any other law that conflicts with them unless it expressly says otherwise. However, the New Brunswick *Human Rights Act* itself contains a number of exceptions. For example, mandatory retirement is allowed when it is provided for by a pension plan. Also, preferences or restrictions that would otherwise be illegal are allowed if they are made pursuant to an exemption or affirmative action programme approved by the Commission.

The *Human Rights Act* is administered by the New Brunswick Human Rights Commission (not to be confused with the Ombudsman), which reports to the Minister of Training and Employment Development. The Commission investigates and conciliates formal complaints of discrimination filed under the *Act* and advances equality of opportunity through public education programmes and community development activities. The Commission also conciliates informal complaints, approves affirmative action plans and may grant exemptions. It may also prepare reports required under various international human rights instruments.

A person claiming to be aggrieved by discrimination contrary to the *Human Rights Act* may file a complaint on a special form available from the Commission; such complaints are called "formal complaints." There is no cost associated with the complaint process, and it is illegal to retaliate against a person for filing a complaint. However, the incident in question must have occurred within the previous year, unless the Commission grants a time extension.

An employee of the Commission investigates the complaint and submits a report on the evidence to both parties. They are given two weeks to respond in writing, should they consider that the report is incorrect or incomplete. The investigator's report and the responses of the parties are considered by the Commission at its next meeting. If the evidence does not support the complaint, the Commission dismisses it. If the evidence supports the complaint, the Commission directs the officer to attempt to negotiate a settlement satisfactory to both parties.

If a settlement cannot be negotiated, the Commission may recommend that a tribunal examine the complaint. In that case, the Minister of Training and Employment Development may refer the matter to the Labour and Employment Board, which is a permanent tribunal that deals with a variety of employment disputes, or to a human rights Board of Inquiry appointed to hear that specific case.

The Board hears the evidence and argument of both sides at a public hearing. If it finds that the *Act* was not violated, it dismisses the complaint. If it concludes that there was a violation, it may order, for example, that the discrimination stop, that a dismissed employee be rehired with back pay, that an apartment be offered to a person who had been denied an apartment or that the victim be compensated financially for expenses and emotional suffering. It is the Board of Inquiry, not the Commission, that holds a hearing and issues an order. Such boards are separate and independent from the Commission.

In order to more quickly reach a resolution, complainants often prefer to file an "informal complaint" instead of a formal complaint. Informal complaints can be processed more quickly since they do not require an investigation; the Officer moves directly to the conciliation stage. Unlike formal complaints, informal complaints cannot proceed to a Board of Inquiry hearing. If an informal complaint cannot be resolved, a formal complaint may be filed, provided the time limit has not expired.

The *Human Rights Act* should not be confused with the *Canadian Charter of Rights and Freedoms*, which has been part of Canada's Constitution since 1982. The *Charter* requires that all governments in Canada respect certain fundamental freedoms, democratic rights, mobility rights, legal rights, aboriginal rights, linguistic rights and equality rights. The *Charter* is enforced through lawsuits in the courts, not by any government agency. Private sector businesses and organisations are not subject to the *Charter*.

No regulations have been issued pursuant to the *Human Rights Act*. However, the Commission has adopted certain guidelines (see appendices for list of publications).

Remarks from the Chairman

Dr. Patrick Malcolmson

I am pleased to report on the work of the New Brunswick Human Rights Commission for the fiscal year 2000-2001.

The Commission is charged with the responsibility of promoting a society in which all persons are treated as “equal in dignity and human rights.” The Commission continues to work diligently to fulfil its mandate as set out in the *Human Rights Code*.

While the resources of the Commission have remained unchanged for many years, the field of human rights has grown immensely in size, complexity, and consequence in people’s lives. Judicial interpretation, statutory change in many jurisdictions, the growing importance of international human rights law, and Canada’s evolving demographics are all major factors in this development. The work of the Commission thus continues to expand and become more complex.

The Commission is concerned to ensure that these changes be properly reflected in both the legal and social fabric of the province. Keeping pace with the evolving judicial interpretation of human rights is therefore one of the major challenges for the Commission. A second challenge is keeping pace with legislative change. In many jurisdictions across Canada, human rights legislation has been revised and updated in recent years. Finally, Canada is signatory to nearly all international human rights instruments. These instruments play a significant and growing role in the judicial interpretation of human rights.

While the preponderance of human rights complaints are successfully resolved by way of conciliation or mediation, some cases prove intractable and a Board of Inquiry hearing is left as the final recourse in resolving a complaint. Over the past year, the Commission found it necessary to pursue complaints through this process in eight cases. Recent Board of Inquiry decisions have thus further elaborated human rights jurisprudence in New Brunswick. The Commission will continue vigorously to seek legal remedies before Board of Inquiry tribunals where necessary as a means to resolving human rights complaints.

I am pleased to draw attention to the section of this Annual Report regarding the final legal resolution of the complaint made by Malcolm Ross to the United Nations Human Rights Committee (UNHRC). The UNHRC rejected Mr. Ross’ complaint, thus supporting both the New Brunswick Human Rights Commission and the Supreme Court of Canada.

Over the past few years, the percentage of cases in the area of physical and mental disability has continued to increase. This increase reflects a trend across jurisdictions in Canada. Scientific knowledge of the medical and psychological aspects of the nature of disability continues to expand. At the same time, the courts have clarified and strengthened the law pertaining to the duty to accommodate and have revised the definitions of disability. The duties imposed on employers and service providers have thus been substantially affected. As a result, public education in the area of human rights with respect to disability continues to be a major challenge for the Commission.

The Commission has been involved in the preparation of important new educational publications designed especially for use in the public school system. In the past year, the Commission published *Learning Together about Rights and Responsibilities*. This book is a resource manual for teachers, and we expect that it will provide a new impetus to teaching human rights in public schools.

One of the most rewarding activities of the Commission is the public recognition of an outstanding achievement via the presentation of the New Brunswick Human Rights Award. It was a special honour to present the award to the Hampton Elementary School for its musical play *Peace Cranes 2000*. Focussing on the life and times of John Peters Humphrey, the play underscores the special place of New Brunswick in providing leadership to Canada in the field of human rights.

Finally, I would like to publicly recognise and express appreciation for the work of the members of the Commission, and for the dedicated effort and expertise of the Commission’s professional staff. Of special note was the anniversary of our Director, Janet Cullinan, who was honoured for her 35 years of public service to the Province of New Brunswick. It is by way of such expert work and professionalism that the Commission is able to continue to protect and promote human rights in New Brunswick.

Remarks from the Director

Janet E. Cullinan, Director

During the 2000-2001 fiscal year, approximately 3396 public contacts were made (apart from website visits). They included:

- 49 workshops
- 64 community development activities
- 84 employer contacts — providing general information and appropriate referrals
- 847 requests for general information and education materials
- 313 informal complaints
- 115 formal complaints
- 1350 referrals
- 4 special programmes examined
- 514 requests for publications
- 45 copies of our videos were distributed
- 11 news releases, articles or media interviews
- 135,000 website page requests

Out of the 3385 requests the Commission received, 2040 fell within the scope of the *Act*. More than 60% of this number were about the individual's right to make a complaint under the *Act*, and possible options and solutions respecting their concerns.

The Commission fully or partially investigated 428 complaints under the *Act*, 313 of which led to early resolution prior to the filing of a complaint form. The Commission processed 115 formal complaints. Although fewer in number, formal complaints tend to be more complex and time-consuming.

During the fiscal year under review, there were some staffing changes made. Karen Taylor, Associate Director Responsible for Education, was offered a secondment to St. Thomas University as Director of International Programming, and Christian Whalen was seconded to the Human Rights Commission to take on the responsibility of Assistant Legal Counsel. We welcome Chris to the Commission staff and wish them both an enjoyable new experience.

Human rights issues continue to evolve and become increasingly more challenging and take more time and resources to resolve. Both the Staff and the Commission continue to seek new and better approaches in these challenging times to ensure we are providing the best possible service to our clients in a timely fashion.

As always, the volume of work that was completed by the Commission could never have been accomplished without the hard work and dedication of both the Compliance Branch and Education Branch staff, to whom I express my continuing sincere appreciation for their co-operation and support.

Compliance Branch

Objectives

The objectives of the Compliance Branch are to ensure that all New Brunswickers are equal in dignity and human rights as set out in the New Brunswick *Human Rights Act*, through the following means:

- investigation and conciliation as provided for under Subsection 18(1) of the New Brunswick *Human Rights Act*;
- where necessary, the full enforcement procedures of a Board of Inquiry as provided for under Section 20 of the *Act*; and
- legal advice and services provided to Commission members and staff.

Complaint Process

Any individual who believes they have been discriminated against on the basis of race, colour, religion, national origin, ancestry, place of origin, age, physical disability, mental disability, marital status, sexual orientation or sex, has the right to file a complaint of discrimination under Section 17 of the New Brunswick *Human Rights Act*. All complaints filed with the Commission are considered confidential and are discussed only with the parties involved.

It should be noted that the Commission is sensitive to the fact that every complaint brought before it involves two parties, the Complainant and the Respondent. The Commission is committed to providing fair and impartial investigations to ensure equal treatment of all parties involved in a complaint.

Please see Appendix "B" for a flow chart of the complaint process.

Informal Complaints

Over the last few years, the Commission has tended to use what we call "informal complaints" as an early complaint resolution process and has found it to be a very efficient practice. It has been used by the staff as an attempt to settle complaints prior to a formal complaint being filed. In the fiscal year under review, the staff processed 313 informal complaints, in addition to their formal complaint case load.

The majority of these informal complaints deal with employment issues, as do the majority of all contacts with the Commission. The following is a sample of some of the types of cases that were processed through the informal approach.

1. Religion / Employment

The Complainant alleged that she had been discriminated against because she was denied time off on Saturdays to practice her faith. The Respondent argued that her religion did not exist. The Officer provided her some evidence that in fact it did exist. Subsequently, the Complainant was granted time off to practice her religion. File closed.

2. Physical disability / Employment

The Complainant alleged that she was harassed as to when she was going to return to work while being off work due to breast cancer. Through meetings and numerous telephone calls, a settlement to the satisfaction of both parties was reached. The Complainant received \$5000 and a letter of reference. File closed.

3. Physical disability and age / Service

Parents of a five year old boy contacted the Commission because they believed their son was being discriminated against because of his age and physical disability by the local school district, which would not allow the school bus to drive down his road to pick him up for school.

The student lived on a gravel road and had to walk 400 feet to the paved road for the bus stop. The parents maintained that the road is dangerous and the mother must walk the boy out to the bus stop every day. As well, there was a younger child at home, whom the mother had to dress and bring with her. The parents also stated the child has a problem with his legs and was being seen by a physical therapist. Both parents had tried to speak with the individual responsible for school buses in the district, but had been unable to reach her.

Arrangements were made through a social worker to assess the needs of the child. If special needs were deemed necessary, action would be taken.

4. Physical disability / Employment

Complaints were received from a couple of employees who were working in a fish packing plant that had been recently purchased. Their employment had been continued with the new owners. The previous owners had made reasonable accommodation for both employees, who had severe allergies to particular shellfish, by employing them in the boxing department. Medical certificates attesting to their disability (severe allergy) had been in their employee files, but were misplaced. The new owners wanted both complainants to work on the processing floor.

Based on new medical certificates, arrangements were made to have the complainants attempt to work in the processing department to determine if in fact they were allergic. After the test proved that they were, the new employers, in accordance with the reasonable accommodation guidelines provided by the Human Rights Officer, placed both employees back in the boxing department. The complaints were settled to the satisfaction of all parties, and the files were closed.

Formal Complaints

A formal complaint is a complaint made in writing to the Commission on a complaint form, according to Section 17 of the *Human Rights Act*.

Please see Appendix C for a statistical table and charts showing more detailed information about the formal complaints processed in 2000-2001. Here are some highlights:

- The Commission processed 115 formal complaints this year, while 119 complaints had been processed the previous year.
- Overall, the most common variables were physical disability (26), mental disability (14), race and sex (13 each).
- As in previous years, the largest number of complaints were employment-related, which accounted for 90 complaints this year.
- Of the 90 employment cases, 33 (36%) dealt with discrimination based on physical or mental disability, up from 28 last year. It was the largest group of complaints.
- The next largest areas of concern were sex discrimination, with 12 complaints, and sexual harassment, with 9 complaints. Thus, 21 cases dealt with some form of sex discrimination in employment, down from 32 last year. The remainder of the employment discrimination cases were spread throughout the other variables.
- The Commission's Moncton and Fredericton offices each processed 35 formal complaints, while the Campbellton and Saint John offices processed 22 and 23 complaints respectively.

- About 100 formal complaint files were open at the end of the fiscal year, including cases referred to Boards of Inquiry.
- A settlement agreement was signed every 11 to 12 working days on average.

The following is a sample of the types of formal complaints that the Commission dealt with during the period under review.

1. Sexual harassment / Employment

The Complainant alleged she had been sexually harassed and later terminated from her employment. She stated that, a couple months prior to her dismissal, her supervisor had made unwanted remarks of a sexual nature to her. She reported it to the Company management, but alleged no action was taken and her employment was terminated for bringing the situation to their attention. Further, she alleged that the individual who harassed her tried to interfere with her obtaining employment with another local employer.

The individual Respondent denied he made sexually harassing comments to the Complainant; and the Respondent employer alleged the Complainant had been fired because of poor job performance.

Based on the information obtained during the investigation of this complaint, the Human Rights Commission instructed the Human Rights Officer to proceed to conciliation. The Officer negotiated a settlement which included a sexual harassment awareness seminar provided to the employer's staff and the sum of \$2000 paid to the Complainant.

2. Marital status / Employment

The Complainant alleged that her employer had discriminated against her on the basis of her marital status when she was forced to resign. She had become romantically involved with the local manager, and this had developed into a common-law relationship. The employer had a policy which prohibited the supervision of a subordinate employee by an employee in a position of authority, if the employees in question cohabit or are blood relatives.

The employer denied that they discriminated against the Complainant as they had left the decision as to who would resign to the Complainant and the Manager. The Respondent contended that the Complainant left her job voluntarily to protect her spouse.

According to the Respondent, the personal relationship between the Complainant and the Manager exposed the employer to a potential lawsuit. Because of his position of authority, the Manager had the power to force the Complainant to compromise herself either in their personal relationship or in their professional relationship. If the potential actions of the Manager could be construed as non-consensual, and if at some time the relationship broke down, the Complainant might sue both the Manager and the employer. Further, the employer maintained that their policy constituted a "bona fide occupational qualification."

The officer was able to effect a settlement to the satisfaction of all parties concerned. File closed.

3. Age and sex / Employment

The Complainant alleged that her employer, a security company, discriminated against her because of her age and sex when a new manager took over. Her hours of work were reduced and she got fewer and fewer jobs until she finally got none. She said she checked a number of job sites and found that only men were employed there.

The employer stated that they must ensure that specific security services requested of them are met to their clients' satisfaction. This is often the determining factor as to which staff is used to fill a specific position. The employer further contended that, in each employee pool, there are always those who impress with their ability to be prepared with very little notice, display a desire to work any shift, prove an ability to perform their required duties with tact and diplomacy and complete their tasks to the satisfaction of the client. The Complainant was lacking in those areas.

After reviewing all the evidence gathered during the course of the investigation, the Commission determined there was insufficient evidence to support the complaint of age and sex discrimination. Case dismissed.

Referrals

The Commission received 1350 inquiries during the year under review that do not fall within the jurisdiction of the *Human Rights Act*. However, as the callers often do not know which is the most appropriate agency to provide them the information or assistance they require, the Commission staff will act as a referral agent by referring the caller to the appropriate agency. The following is an example of the types of calls that the Commission receives that are forwarded on to the most appropriate agency:

1. A woman passing through the check-out at a department store was refused service by the cashier, due to a personal dispute. One of the Supervisors was called to intervene, sided with the cashier and dismissed the customer. The entire incident was very embarrassing to the customer. She later spoke to the store Manager, who also refused to look into the matter. The Human Rights Officer suggested the customer contact the head office of the department store. The results of this action were favourable to the customer.
2. A woman called concerning the care her mother was receiving in a nursing home. Other members of her family do not want her visiting her mother, and she had signed off her power of attorney over her mother to her sisters. She was advised that she should seek the services of a lawyer.
3. A woman called alleging that she was wrongfully accused of impaired driving and was treated badly by the local police. She was referred to the New Brunswick Police Commission.
4. A woman called alleging she was being sexually harassed at work and the fellow was stalking her at home. She was put in touch with the RCMP, who resolved the matter.

Boards of Inquiry

If a formal complaint cannot be settled, the Commission may recommend that a tribunal examine the complaint. In that case, the Minister of Training and Employment Development may refer the matter to the Labour and Employment Board, which is a permanent tribunal that deals with a variety of employment disputes, or to a human rights Board of Inquiry appointed to hear that specific case. Such boards should not be confused with the Commission; they are separate and independent from the Commission.

The Board hears the evidence and argument of both sides at a public hearing. If it finds that the *Human Rights Act* was not violated, it dismisses the complaint. If it concludes that there was a violation, it may order, for example, that the discrimination stop, that a dismissed employee be rehired with back pay, that an apartment be offered to a person who had been denied an apartment or that the victim be compensated financially for expenses and emotional suffering.

Two Boards of Inquiry were pending at the beginning of the 2000-2001 fiscal year, and another six Boards of Inquiry were recommended by the Commission to the Minister of Training and Employment Development during the year. Two of the cases (including *Elgaard Thorpe*, which is discussed below) were satisfactorily concluded without a hearing after being referred to the Labour and Employment Board acting as a Board of Inquiry. No Board of Inquiry hearings were held this year, and no decisions were issued (except in the cases that were settled after referral to a Board of Inquiry, in which case *pro forma* decisions were issued closing the cases without making a finding on the complaint allegations). Six Boards of Inquiry were pending on March 31, 2001, but some were expected to be settled.

Cases before the Courts

Elgaard Thorpe v. Mount Allison University and Newbould

Ms Elin Elgaard Thorpe filed a complaint of marital status discrimination in employment against Mount Allison University in January 1995. The complaint was investigated, and conciliation was attempted. As the complaint could not be settled, the Human Rights Commission recommended the appointment of a Board of Inquiry in 1998. The university sought to prohibit this appointment on a number of procedural and technical grounds, including delay, but the Court of Queen's Bench dismissed

the university's application on August 31, 1998. The university appealed this decision to the Court of Appeal, but the court dismissed the appeal on April 27, 2000. A Board of Inquiry hearing was scheduled, but was not held, as the dispute was satisfactorily concluded in September 2000.

David Attis v. Board of School Trustees of District 15 and Malcolm Ross

Malcolm Ross, a former teacher, filed a communication with the United Nations Human Rights Committee in May 1996 alleging that his transfer to a non-teaching position as a result of a human rights complaint violated his freedom of thought, conscience and religion and his freedom of expression, contrary to the *International Covenant on Civil and Political Rights*. The Committee issued its decision on October 18, 2000. The 15 members who participated all rejected Ross' claim.

This brings to a conclusion the most lengthy, expensive and controversial case in the Commission's history. Here is a history of the case.

In 1988, David Attis, a Jewish parent whose children were students in Moncton's English-language school district, filed a complaint of discrimination against the school board and teacher Malcolm Ross. Attis alleged that the school board had discriminated against Jewish students in the provision of a public service by failing to take appropriate action against Ross, whose anti-Jewish views had been published in four books, in letters to the editor and in media interviews and were widely known in the Moncton area.

Law professor Brian Bruce was appointed as a one-person Board of Inquiry in 1988, but the hearing did not start until 1990 due to several legal challenges and appeals.

The Board of Inquiry issued its decision in 1991 after 22 days of hearings. While it did not find that Ross had spread his views in the classroom, it found in part that his off-duty writings had denigrated the Jewish faith, had called upon true Christians to hold Jews in contempt, had claimed that Christians were under attack by an international conspiracy in which Jewish leaders were prominent, and had questioned the number of Jews killed in the Holocaust so as to buttress the view that there was a Jewish conspiracy to take over the world. Over the years, this had created a poisoned environment within the school district that greatly interfered with the educational service provided to Attis' children, but the school board had failed to address this in any meaningful way prior to 1988.

The Board of Inquiry's order included a requirement that the school board place Ross on a leave of absence without pay and offer him a non-teaching position if one became available. He could work in such a position provided he stopped publishing his anti-Jewish views. As a result, Ross was transferred to a non-classroom teaching job a week later. He was laid off when the school system was reorganised province-wide in 1996.

Ross challenged the Board of Inquiry's order in the Court of Queen's Bench in 1991, but the court upheld most of the order. Ross then appealed to New Brunswick's Court of Appeal, which allowed his appeal in 1993 and ordered him reinstated to his teaching position. The Human Rights Commission and Attis appealed this decision to the Supreme Court of Canada, which heard the case in 1995.

In its April 1996 decision, the Supreme Court of Canada agreed that Ross' continued employment as a teacher had impaired the educational environment generally in creating a "poisoned" environment characterised by a lack of equality and tolerance. It said that the off-duty conduct of a teacher was relevant where a poisoned environment could be traced to off-duty conduct that is likely to produce a loss of confidence in the teacher and the system as a whole. The Court upheld the Board's of Inquiry's order to transfer Ross to a non-teaching position, but agreed with the lower courts that the order to terminate his non-teaching employment if he continued to publish his views should be quashed.

In May 1996, Ross filed a communication to the United Nations Human Rights Committee alleging that his transfer to a non-teaching position violated his freedom of thought, conscience and religion and his freedom of expression, contrary to articles 18 and 19 of the *International Covenant on Civil and Political Rights*. Canada is a signatory of the *Optional Protocol*, a treaty that allows individuals who have exhausted domestic remedies to file complaints with the Human Right Committee about alleged violations of that international covenant.

The Committee issued its decision on October 18, 2000. It found that the limit to Ross' freedom of religion was permitted because it was prescribed by law and necessary to protect the fundamental rights and freedoms of others. Similarly, all but

one of the committee members found that the limit to Ross' freedom of expression was allowed since it was provided by law and necessary to respect the rights and reputations of others. The other committee member went even further against Ross, finding that Ross' freedom of expression had not been restricted. This is because freedom of expression entailed duties and responsibilities, and article 20 of the *International Covenant* prohibited advocacy of religious hatred that constitutes incitement to discrimination, hostility and violence.

Exemptions

Subsections 3(5), 3(7), 4(4), 5(2) and 6(3) of the *Human Rights Act* authorise the Human Rights Commission to grant an exemption from specific sections of the *Act*, if it determines that an otherwise discriminatory practice is justified because it is based on a "bona fide qualification" (B.F.Q.) or a "bona fide occupational qualification" (B.F.O.Q.).

In previous years, the Commission considered applications from employers, owners or service providers who sought to avoid complaints against themselves by obtaining an exemption in advance concerning a specified practice. In 1997, the Commission reviewed this policy and developed guidelines on exemptions. Henceforth, it would normally consider exemption requests only when a B.F.Q. or B.F.O.Q. was raised by a Respondent as a defence to a specific complaint.

On November 9, 2000, the Commission adopted a revised "Guideline for B.F.O.Q.'s and B.F.Q.'s and the Duty to Accommodate" that takes into account new criteria set down by the Supreme Court of Canada in the *Grismer* and *Meiorin* cases in 1999.

All the remaining persons who had received an exemption from the Commission in the past were advised that the exemption had been revoked, but that they might nevertheless raise a B.F.O.Q. or B.F.Q. defence in accordance with the criteria set down by the Supreme Court of Canada and explained in the Commission's revised guideline.

Education and Development Branch

Objectives

The educational focus of the Human Rights Commission is to develop quality programmes and products which promote equality and compliance with the *Human Rights Act*. These objectives are met using a variety of proactive promotional and educational approaches.

National and International Initiatives

- On September 23 and 24, 2000, the Chair and the Director attended a two-day regional consultation sponsored by the federal government in preparation for the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance to be held in Durban, South Africa in August and September 2001. The conference was slated to be the highlight of the International Year of Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance, in 2001. The Director also attended a follow-up national consultation in Ottawa on February 23 and 24, 2001.
- The Commission is a member of the Public Education Network, which is made up of representatives of the educational staff of human rights commissions from across Canada. In 2000-2001, the network produced a full-colour poster entitled *Human Rights are Everyone's Business*, which is available from the Commission. Through the network, the Commission was also able to access useful research produced by other human rights commissions.
- The Commission co-ordinated the consultation and approval process that led to New Brunswick being the first province to approve the *Optional Protocol to the UN Convention on the Elimination of all Forms of Discrimination Against Women*, as well as an optional protocol to the *UN Convention on the Rights of the Child*.
- The Commission was similarly involved with respect to New Brunswick's approval of the draft protocol to the *UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*.
- Work was completed on New Brunswick's fourth report under the *UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*. Work was also begun on New Brunswick's fourth report under the *International Covenant on Economic, Social and Cultural Rights*.
- Finally, the Commission co-ordinated the consultation process and drafted New Brunswick's response to the Organization of American States (OAS) *Inter-American Convention on the Elimination of all Forms of Discrimination Against Persons with Disabilities*, as well as the OAS *American Convention on Human Rights*.
- The Chairman and the Legal Counsel attended the 2000 annual meeting of the Canadian Association of Statutory Human Rights Agencies (CASHRA). CASHRA is the national organisation that represents all Canada's human rights commissions.
- A delegation of judges and lawyers from Wales met with the Commission's senior staff on September 21, 2000. They discussed local human rights issues and the Commission's bilingual operation.

Workplace Initiatives

The Education and Development Branch continues to focus on the promotion of respectful workplaces. Here are a few of the initiatives taken in the 2000-2001 year:

- In March 2001, the Commission delivered seven presentations on human rights in the workplace to employers. They were part of day-long information sessions organised by the Employment Standards Branch of the Department of Training and Employment Development on various employment topics. The information sessions were held in cities throughout the province and were well attended. A similar human rights presentation was also delivered by the Commission to employers and supervisors in the forestry industry in Miramichi.
- During the 2000-2001 year, the Commission's staff responded to 84 inquiries from employers seeking information and assistance with policy development and the application of the *Human Rights Act*. These inquiries most often concerned sexual and personal harassment issues and policies, the employer's duty to accommodate, employment equity programmes, pre-employment medical exams, employee dress and grooming codes, job application forms and drug testing.
- On October 12, 2000, the Commission also delivered a workshop on hiring for 30 small business owners who are members of the Business Round Table in Moncton.

Educational Initiatives

- As the Atlantic Provinces Education Foundation has established a new framework for essential graduation learnings for schools in the Atlantic provinces, the Human Rights Commission has been in contact with Department of Education and school officials in order to advocate an increased emphasis on human rights in the implementation of the framework.
- In August 2000, the Commission's Chair and Associate Director gave lectures on the *Human Rights Act* and on hate in the community to 35 teachers enrolled in the Atlantic Human Rights Centre's Human Rights Institute in Fredericton. This is a summer institute designed to acquaint teachers with human rights and how to inculcate them into schools.
- The Commission's legal staff taught the human rights section of the New Brunswick Law Society Bar Admission Course in February 2001. Charles Ferris also co-chaired a one-day Administrative/ Labour Law Subsection Program focusing on human rights during the mid-winter meeting of the New Brunswick Branch of the Canadian Bar Association. On February 27, he also taught a Labour and Employment Law class at the University of New Brunswick Law School.
- The Commission is active on the resource committee of the Projet d'éducation à la citoyenneté dans une perspective planétaire (PÉCPPA), a project of the G.R.E.P.M. (Groupe de recherche en éducation pour une perspective mondiale), which is based at the Université de Moncton. PÉCPPA's main purpose is to analyse the needs of teachers and schools in the French school districts in the Atlantic provinces to ensure and facilitate global rights education. So far, the group has assembled a resource centre, published a teaching guide (*L'Éducation aux droits de la personne*), compiled a speakers list and conducted a needs survey among francophone teachers in Atlantic Canada. The survey shows that francophone teachers consider human rights education as one of the top priorities. The Commission's bilingual resources have been well received by francophone educators from the Atlantic provinces.

School Initiatives

The *Human Rights are Everyone's Business* poster jointly developed by Canada's human rights commissions was sent to all schools in New Brunswick.

Plans are underway to send the Commission's latest publication, *Learning Together About Rights and Responsibilities, A Teacher's Activity Guide for Grades Four to Eight*, to all middle schools.

In a pilot project, the Moncton and Mathieu Martin high schools were contacted to identify the common human rights issues and educational needs of the high schools in the Greater Moncton area. The meetings were useful as it gave the Commission the chance to provide its materials to the schools and to access other opportunities to increase awareness of human rights issues.

For example, the Commission was invited by Mathieu Martin high school to sit on a committee developing a drug awareness protocol, to attend a workshop on the underlying causes of substance abuse and teen suicide and to set up an information kiosk on Drug Awareness Day at that school. Accordingly, the Commission was able to be a resource with respect to reasonable accommodation of minority students (including those with addictions) as well as to harassment and bullying, which may impact on substance abuse and suicide.

As a result of the needs identified during meetings with Moncton area high schools, the Commission conducted workshops for a total of 132 teachers of Moncton High School and Harrison Trimble High School in August 2000. The Commission also arranged with the New Brunswick Teachers Association for the Commission to present professional development workshops (i.e. subject councils) for teachers from across the province in May 2001.

Initiatives Involving Young People

Commission staff participated in several initiatives designed to promote an understanding of human rights among young people:

- Twenty workshops on various human rights topics were presented to school, college and university students. Additional presentations were made to youth training or apprenticeship programmes.
- The Human Rights Commission was a member of the organising committee of the Youth Forum held at the Memramcook Institute in November 2000. The tenth annual Youth Forum brought together 75 young people from across the province under the theme "Celebrating our Diversity." The participants left the forum with individual action plans to celebrate diversity and break down barriers. The forum was sponsored by Dialogue New Brunswick in partnership with the N.B. Youth Council, the Human Rights Commission and the Fédération des jeunes francophones du Nouveau-Brunswick.
- The Commission gave a presentation on human rights and youth to 22 students and leaders involved in the Canada World Youth Jamaica-Canada Exchange in the host community of Sussex on October 24, 2000.
- The Commission also gave a presentation on human rights to the directors of all the Boys and Girls Clubs of New Brunswick.
- A Commission representative is a member of the board of the Safe Spaces project in Moncton, N.B.. This project is designed to support Moncton area youth aged 14 to 25 years who are gay, lesbian or bisexual. The services provided by this project include outreach, individual support and referral, support groups, training for professional service providers, and print, Internet and video resources.

Human Rights Award

Each year, the Commission presents the New Brunswick Human Rights Award as a means of celebrating Human Rights Day, December 10. This award was established by the Commission in 1988 to recognise outstanding effort, achievement or leadership in enhancing human rights in New Brunswick. About 450 kits were mailed out seeking nominations for the 2000 award.

The recipient of the 2000 Human Rights Award was the Hampton Elementary School, for its production of the play *Peace Cranes 2000*. The play is an original full-length children's musical with the theme of peace and human rights. It was produced by teachers Anne Scott and Donna Veniot and about 180 students of Hampton Elementary School, with the help of several parents and staff members. The musical focuses on the life and times of Dr. John Peters Humphrey, the former Hampton resident who wrote the draft of the *Universal Declaration of Human Rights*. It uses scenarios that elementary school students encounter regularly, such as bullying, taunting and shunning, to teach the connection between peace and respect for human rights.

The Human Rights Award was presented to the school by Senator Noël Kinsella at a ceremony held at the Hampton Community Theatre on December 10, 2000. About 300 people attended the ceremony, which was followed by a musical presentation featuring excerpts from the play and a reception. The Award was mentioned in the Speech from the Throne on November 14, 2000; the two teachers and two of the students were in attendance at the opening of the Legislative Assembly.

Publications

- In 2000-2001, the Commission published *Learning Together about Rights and Responsibilities*, a 157 page teacher's activity guide for grades four to eight. The guide consists of 27 activities designed to help students learn about human rights, cultural diversity, stereotypes, prejudice and discrimination. It includes various handouts and the full text of a few of the major human rights documents. The Commission is planning to distribute the guide to every middle school in the province.
- Work is continuing on Unit 1 of the Human Rights Tool Kit Series, entitled *A Guide to Understanding Human Rights: Getting Back to Basics*. The unit has been tested and reviewed by several teachers.
- Work is also underway on another unit entitled *Human Rights at Work in New Brunswick: A Guide to the N.B. Human Rights Act and the Relevant Case Law*. It is aimed at human resource practitioners.

Website

The Commission's website received 135,000 page requests, including search engine spidering, during the 2000-2001 fiscal year. That averages to 370 page requests per day.

The website was relocated to: www.gnb.ca/hrc-cdp/e As a result, it was necessary to resubmit it to several search engines and directories. The site was updated and revised as needed, in particular the "Equality Rights Glossary," the list of publications and the "Opportunities to Promote Equality" pages.

A number of organisations sought and received permission to use materials from the Commission's site, including the Equal Opportunities Commission of Hong Kong, GraduateResumes.com (an online recruitment company), the *Women in Action* magazine and Career Circuit Carrière (a website for people who work with youth in Canada).

Workshops and seminars

Forty-nine workshops were presented to groups throughout the province in the public, private and not-for-profit sectors, such as schools, colleges, universities, youth training classes, employers and business associations.

The presentations covered such areas as: disability and the *Human Rights Act*; human rights in employment; building respectful workplaces; human rights and information technology; human rights and human resources; sexual and personal harassment in the workplace; the *Human Rights Act*; managing diversity; human rights law; hate in the community; human rights and education; human rights and youth.

Community Development

On February 15 & 16, 2001, the Director and a staff member attended a conference aimed at developing an action plan for improving the health environment of gays, lesbian and bisexual New Brunswickers, understood in its broadest sense. The conference was entitled "Healthy Environments for Gay, Lesbian and Bisexual New Brunswickers." Bill Ryan, a McGill University Social Work Professor, and Grace Ghetty, a UNB Nursing Professor, were the main speakers. Several committees were established to follow up on needs that were identified at the conference.

Special Programmes

Section 13 of the *Human Rights Act* provides that "on the application of any person, or on its own initiative, the Commission may approve a programme to be undertaken by any person designed to promote the welfare of any class of persons."

In 2000-2001, the Commission undertook a general review of its practices and policies with respect to special programmes. This project will continue into 2001-2002.

In addition, the following individual programmes were approved, renewed or reviewed by the Human Rights Commission in 2000-2001:

1. City of Fredericton

Employment / Sex

Extended one year on May 18, 2000

Women to constitute at least half of fire-fighters hired

2. Université de Moncton

Employment / Sex, ancestry, race, colour, physical or mental disability

Reviewed May 18, 2000

Preference for disabled persons, visible minorities, women (and men, where under represented) and Aboriginal people, where no other clearly superior candidate.

3. University of New Brunswick

Employment / Ancestry, race, colour, sex, physical or mental disability

Renewed on June 26, 2000

Reviewed on November 9, 2000

Hiring preference for disabled persons, visible minorities, women (and men, where under-represented) and Aboriginal people, where no other clearly superior candidate.

4. New Brunswick Department of Finance & Department of Training and Employment Development

Employment / Sex

Renewed on February 1, 2001

Reserve 51 summer mentorship positions each year for female students.

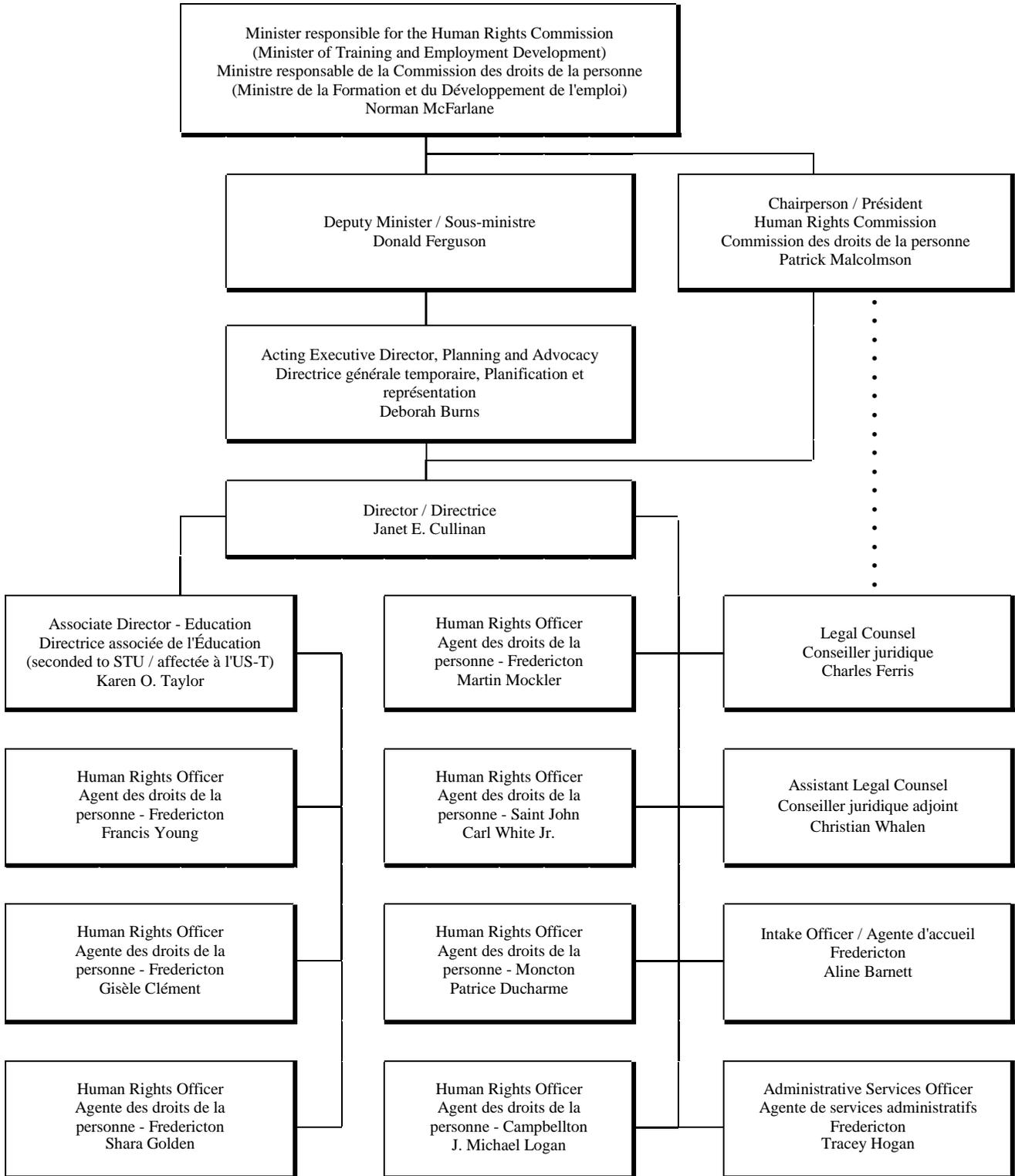
Other Accomplishments:

- As part of its education programme, the Commission provides referrals to appropriate agencies where it does not have jurisdiction. This service was provided to 1350 persons.
- 847 persons were provided with general information or educational materials.
- 514 persons were provided with publications.
- 45 copies of the Commission's audio visual materials were provided.
- 64 community development activities were under-taken.
- Several information booths and displays were set up around the province.
- 11 news releases, articles or media interviews

Appendix A

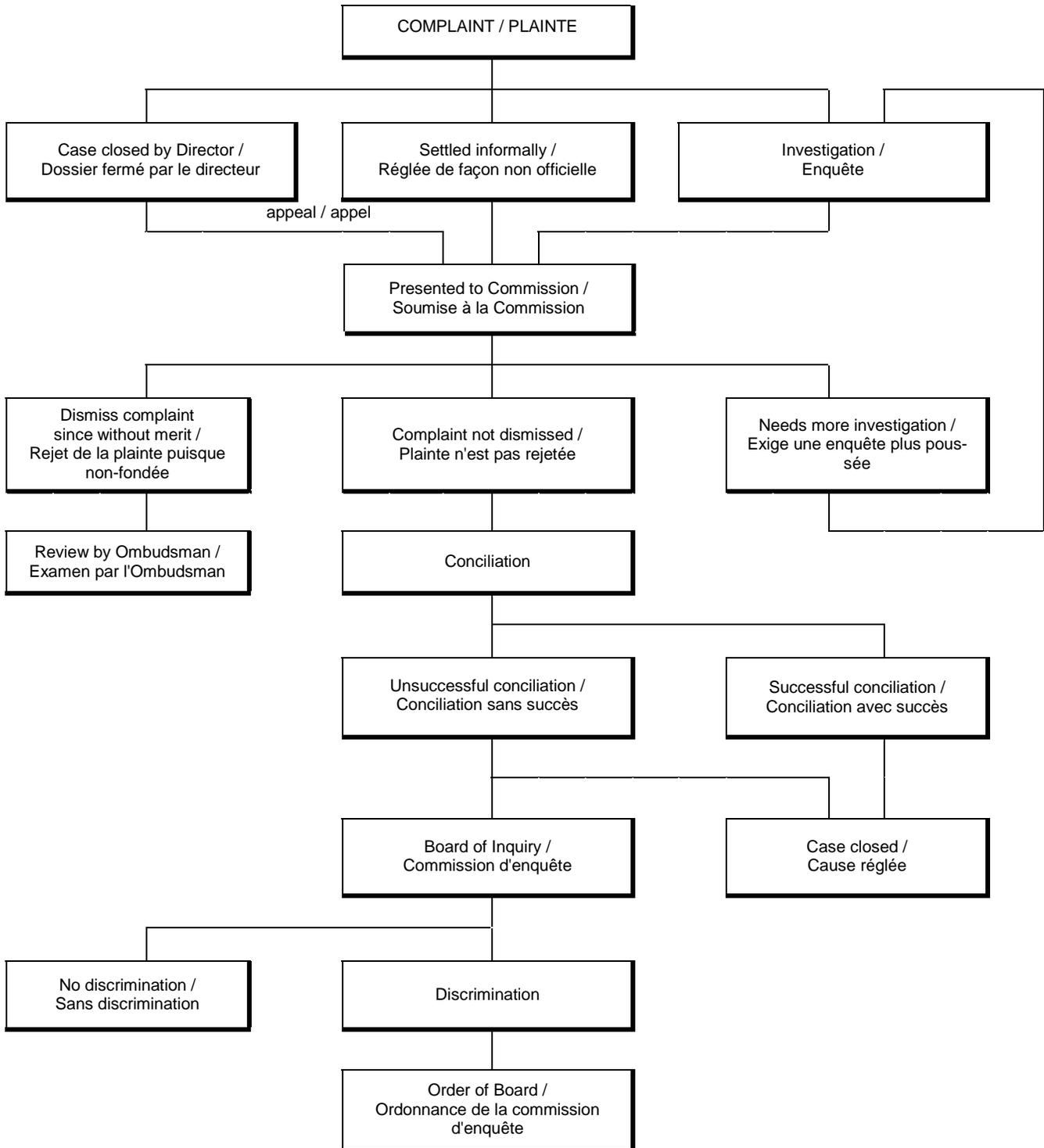
Organisational Chart

March 31, 2001



Appendix B

Complaint Process

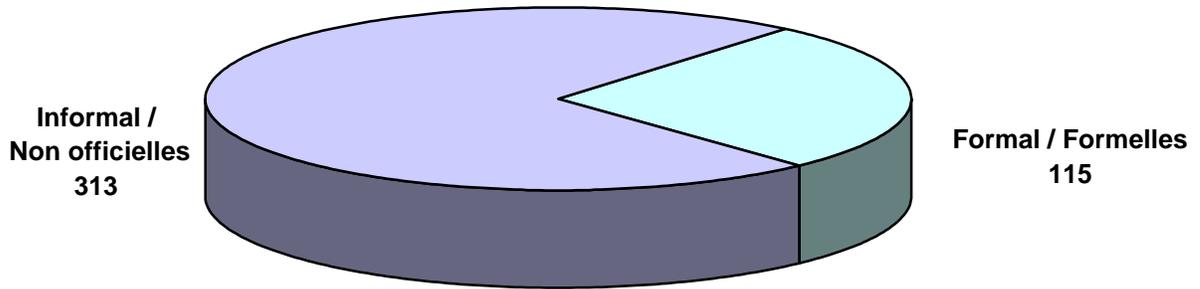


Appendix C

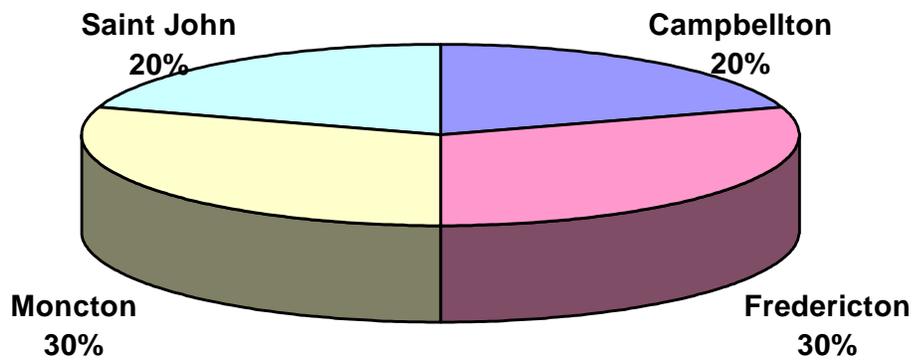
Formal Human Rights Complaint Statistics April 1, 2000 to March 31, 2001

	Employment Emploi	Housing Habitation	Services Services	Publicity Publicité	Associations Adhésion	Total Total	
Race / Race	7	0	6	0	0	13	(11%)
Sex / Sexe	12	0	1	0	0	13	(11%)
Religion / Croyance	3	0	0	0	0	3	(2%)
Place of Origin / Lieu d'origine	1	0	1	0	0	2	(1%)
Marital Status / État matrimonial	5	0	0	0	0	5	(4%)
Mental Disability / Incapacité mentale	10	1	3	0	0	14	(12%)
Colour / Couleur	1	0	1	0	0	2	(1%)
Age / Âge	7	0	2	0	0	9	(7%)
Ancestry / Ascendance	3	0	7	0	0	10	(8%)
National Origin / Origine nationale	2	0	0	0	0	2	(1%)
Physical Disability / Incapacité physique	23	1	2	0	0	26	(22%)
Sexual Harassment / Harcèlement sexuel	9	0	0	0	0	9	(7%)
Sexual Orientation / Orientation sexuelle	5	0	0	0	0	5	(4%)
Reprisal / Représailles	2	0	0	0	0	2	(1%)
Total	90	2	23	0	0	115	
	(78%)	(1%)	(20%)	(0%)	(0%)	(100%)	

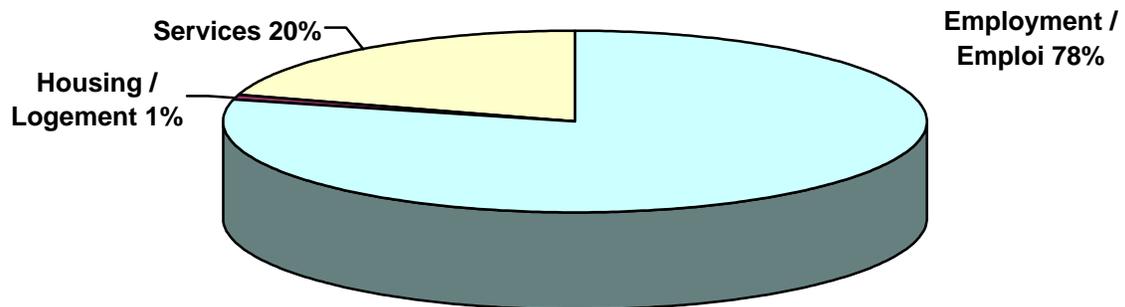
**Types of Complaints
2000-2001
Genres de plaintes**



**Formal complaints by location
2000-2001
Plaintes officielles par localité**

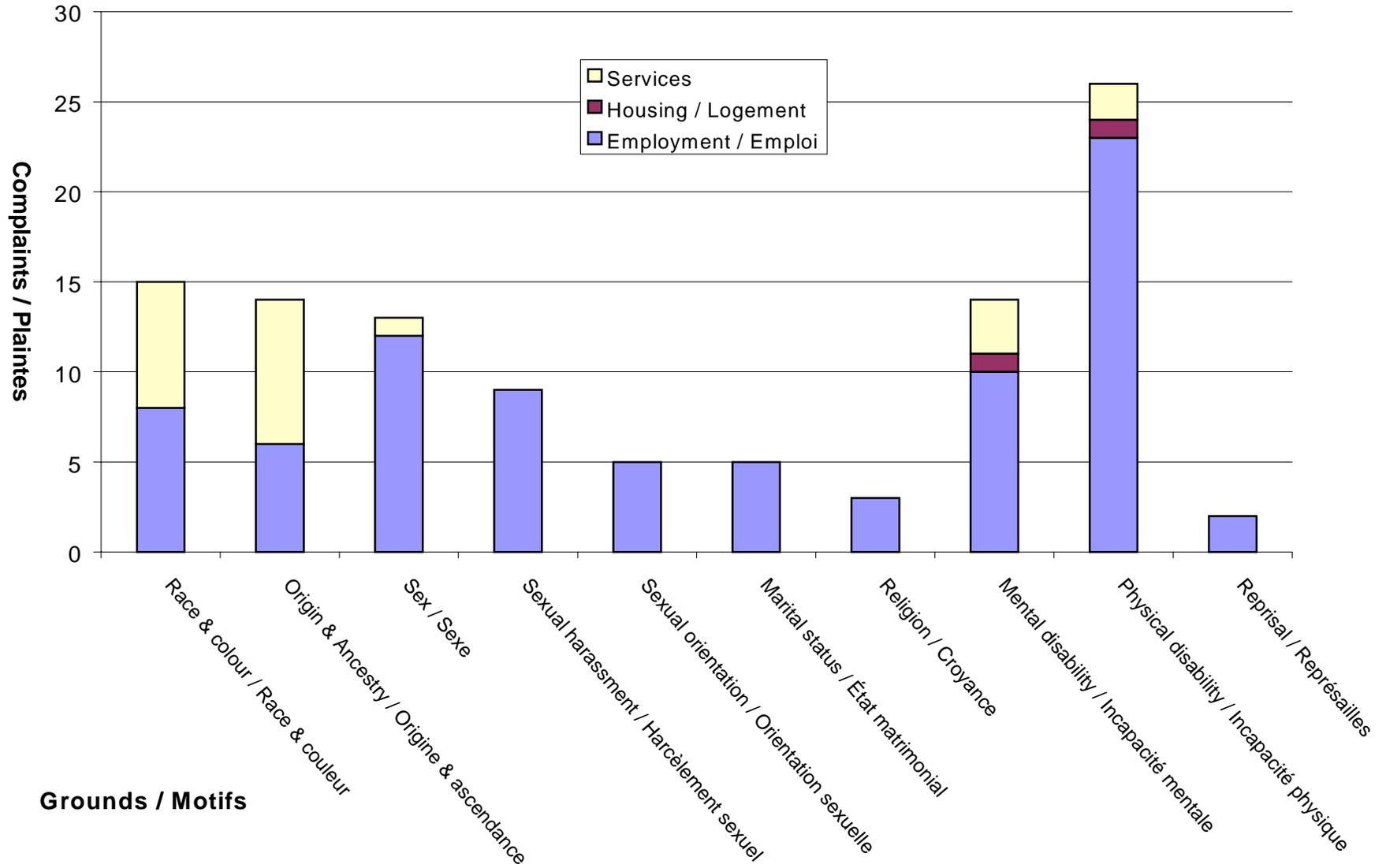


**Formal complaints by activity
2000-2001
Plaintes officielles par localité**



Formal complaints by grounds and activity 2000-2001

Plaintes officielles par motif et activité



Appendix D

Publications of the New Brunswick Human Rights Commission

Note: *The following publications are available free of charge, but quantities are limited. To find out where you can order our publications, see Appendix E. Please note that a few publications not listed below are available only on our website at: www.gnb.ca/hrc-cdp/e/*

Pamphlets

also available on our website

- Employment Application Forms and Pre-Employment Inquiries
- The Human Rights Award
- Our Service Guarantee

Fact sheets

also available by e-mail from hrc.cdp@gnOMITTHISb.ca

- 1-The New Brunswick Human Rights Act
- 2-The New Brunswick Human Rights Commission
- 3-Public Services
- 4-Employment Conditions and Practices
- 5-Employment Agencies
- 6-Job Advertisements
- 7-Pre-employment Process
- 8-Workplace Accessibility
- 9-Sexual Harassment
- 10-Housing

Videos and Major Publications

- Learning Together about Rights and Responsibilities, A teacher's activity guide for grades four to eight (157 pages)
- Equality in Action - The New Brunswick Human Rights Commission: 30 years in Review 1967-1997 (109 pages)
- Annual Report
- Rights and Responsibilities: the 4th and 5th R's of Education. A Common Sense Guide to Human Rights Education for Adults (104 pages)
- Foundations for Fairness video series and study guide
- Vision for Equality video series and study guide
- Human Rights Film and Video Guide (116 pages)

Posters

- Universal Declaration of Human Rights
(full text, on 17" x 22" poster)
- Human Rights are Everyone's Business
(11" x 17" full-colour poster with URL & phone of NBHRC)

Guidelines adopted by the Commission

- Guideline on Privilege and the Human Rights Commission
Adopted December 11, 1995 (3 pages)
- Guideline on Time Limit Extension for Com-plaint Initiation
Adopted April 15, 1996 (1 page)
- Guideline on Delegation of Compliance Functions
Adopted March 10, 1997 (4 pages)
- General Criteria for the Investigation of Complaints of HIV/AIDS Discrimination
Adopted March 10, 1997 (3 pages)
- Guideline on B.F.O.Q.'s and B.F.Q.'s and the Duty to Accommodate
Adopted November 9, 2000 (10 pages)

Appendix E

How to contact the New Brunswick Human Rights Commission

Website: www.gnb.ca/hrc-cdp/e/

Head Office: Fredericton

Human Rights Commission
751 Brunswick Street
P.O. Box 6000
Fredericton, NB
E3B 5H1 Canada
Telephone: (506) 453-2301
Fax: (506) 453-2653
TTY: (506) 453-2911
E-mail: hrc.cdp@gnOMITTHISb.ca

Campbellton

Human Rights Commission
157 Water Street, 3rd Floor
City Centre, Room 310
P.O. Box 5001
Campbellton, NB
E3N 3H5 Canada
Telephone: (506) 789-2338
Fax: (506) 789-2415

Moncton

Human Rights Commission
770 Main Street
Assumption Place, 4th floor
P.O. Box 5001
Moncton, NB E1C 8R3 Canada
Telephone: (506) 856-2422
Fax: (506) 869-6608

Saint John

Human Rights Commission
8 Castle Street
P.O. Box 5001
Saint John, NB
E2L 4Y9 Canada
Telephone: (506) 658-2414
Fax: (506) 658-3075