

Ontario Commission
Human Rights ontarienne des
Commission droits de la personne



ANNUAL REPORT

1999–2000

Ontario Human Rights Commission
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TABLE OF CONTENTS

Message from the Chief Commissioner	6
Policy and Education Branch	7
Policy Development	7
Pregnancy and Breastfeeding	7
Sexual Orientation	8
Gender Identity	9
Disability	9
Public Transit Accessibility Survey	11
Discussion Paper on Age Discrimination	11
Discussion Paper on Insurance	11
Policy Dialogue	12
Public Education	13
An Aboriginal Human Rights Program	16
National and International Initiatives	17
Legal Services Branch	18
Appeals	18
Divisional Court	20
Board of Inquiry Hearings	23
Mediation and Investigation Branch	25
Inquiries and Intake	25
Mediation	25
Investigation	25
The Caseload	26
Restructuring	27
Accountability Framework	28
Appendices	32
List of Commissioners	32
Organizational Chart	36
Branch Descriptions	36
List of Publications	38
List of Public Education Activities	39
Tables	41
Board of Inquiry Decisions and Settlements	45
Financial Statement	48

Ontario
Human Rights
Commission

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Chief Commissioner

Commissaire en chef

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June, 2000

Honourable Helen Johns
Minister of Citizenship, Culture and Recreation
6th Floor, 400 University Avenue
Toronto, Ontario
M7A 2R9

Dear Minister:

Pursuant to Section 31(1) of the Ontario *Human Rights Code*, it is my pleasure to provide to you the Annual Report of the Ontario Human Rights Commission for the fiscal year 1999–2000, for submission to the Legislative Assembly of Ontario.

This report reflects the activities of the Commission to March 31, 2000.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'K. Norton'.

Keith C. Norton, Q.C., B.A., LL.B.
Chief Commissioner

MESSAGE FROM THE CHIEF COMMISSIONER



I am pleased once again to report to the Honourable Minister of Citizenship, Culture and Recreation, the Legislative Assembly and the people of Ontario on the work of the Ontario Human Rights Commission. This fiscal year, 1999-2000, is the fourth consecutive year in which the Commission has made major strides forward in improving its level and quality of service to the people of our province.

The staff of the Commission deserve a great deal of credit for what they have accomplished over the past four years in transforming the Commission into a much more effective agency of the people of Ontario in advancing public policy as set out by the Legislature in the Ontario *Human Rights Code*. Not only has the Commission managed the largest human rights caseload in Canada with ever increasing effectiveness, it has also continued to expand its public education mandate to reach directly over 8,000 people this year and has developed new policies and guidelines to assist people in interpreting and applying the *Code*. Employers, employees and any member of the public can now count on getting expert advice on human rights issues from staff who are at the forefront in human rights policy development in Canada.

While I want to emphasize this is not just a matter of numbers, the Commission has had an historic problem of delays in coping with a very heavy caseload. In the past three years with the development of a new state-of-the-art case management system, the introduction of voluntary mediation and the extensive new training for all staff we are now very close to a current caseload. Almost all of the older cases have now been processed and we have fewer cases in the system than we would normally deal with in one year.

It is, therefore, with considerable optimism that I present this report and say that your Commission is now serving the people of Ontario and assisting Ontario and Canada to maintain their international human rights commitments more effectively than at any time in recent memory.

A handwritten signature in black ink, appearing to read "K. Norton". The signature is fluid and cursive, with a long horizontal stroke at the end.

Keith C. Norton, Q.C., B.A., LL.B

Chief Commissioner

ABOUT THE COMMISSION

The Ontario Human Rights Commission (the "Commission") is an arm's length agency of government accountable to the Legislature of Ontario through the Minister of Citizenship, Culture and Recreation. The Commission's principal functions are set out in the Human Rights Code (the "Code") and include the investigation and settlement of human rights complaints. Under the Code, the Commission's work also includes promoting human rights and public awareness.

POLICY AND EDUCATION BRANCH PROMOTION AND AWARENESS OF HUMAN RIGHTS

POLICY DEVELOPMENT

In keeping with the Commission's mandate to promote understanding of human rights and encourage research to eliminate discriminatory practices, the Commission undertook a number of policy development initiatives in 1999-2000. Several consultations took place and discussion papers were released to the public on emerging policy areas. Several policies were updated and new ones were introduced. The purpose of these policies and guidelines is to help Commission staff, members of the public and those involved in human rights to understand and interpret how the *Code* applies. Highlights of the past year are outlined below.

Pregnancy and Breastfeeding

Under Section 10 (2) of the *Code*, the "right to equal treatment without discrimination because of sex includes the right to equal treatment without discrimination because a woman is or may become pregnant". Birth and breastfeeding are natural parts of child rearing and are integrally related to the ground of sex. Refusing or denying a service to a woman who is pregnant or is breastfeeding violates the *Code* on the ground of sex.

In February 1999, the Commission settled a complaint related to an incident involving a woman who was breastfeeding her child in a restaurant and was asked by restaurant management to stop breastfeeding, to move to the restaurant's washroom or to leave the restaurant. A key element of the settlement included a request by both the complainant and the respondents that the

Commission develop an explicit policy regarding the rights of women to breast-feed in public, if they so choose. This includes the right not to be disturbed or denied access to services. Breastfeeding mothers have the same right to avail themselves of services, without discrimination, as all other people in Ontario.

As a result of the settlement, the Commission clarified and expanded its interpretation of the right of women to breastfeed and revised its *Policy on Pregnancy* to reflect the protection of breastfeeding in public areas. The Commission also developed a plain language version of its *Policy on Pregnancy* as well as a flyer entitled, *Your Rights as a Nursing Mother*. Both were distributed to public health units and midwives' associations across the province during National Breastfeeding Week in October 1999. The right to be accommodated at work is also part of the *Policy on Pregnancy*.

Sexual Orientation

On May 20, 1999, the Supreme Court of Canada decided in *M. v. H.*, that the opposite-sex definition of "spouse" in Part III of Ontario's *Family Law Reform Act* was unconstitutional. As a result, the Ontario Government introduced Bill 5, *An Act to amend certain statutes because of the Supreme Court of Canada decision in M. v. H.* to include the ground of same-sex partnership status. The Act amends 67 Ontario statutes, including the *Code*. The Commission's public policy statement on sexual orientation was released this year entitled, *Policy on Discrimination and Harassment because of Sexual Orientation*. It incorporates the changes made by Bill 5 and provides clear directions on the equality of persons in Ontario regardless of sexual orientation.

Released in February 2000, the Policy sets out how the *Code* protects against discrimination and harassment because of sexual orientation. It is designed to improve understanding of issues related to sexual orientation. In particular, the Policy can be used by employers and providers of services and accommodation to better understand their responsibilities under the *Code* and the need to provide equal treatment to all Ontarians.

The Chief Commissioner has written to the Attorney General with respect to some of the statutes amended by Bill 5 and other Ontario laws of potential relevance to same-sex partners. The Chief Commissioner has raised several issues in relation to these laws such as substantive equality, the dignity of individuals in same-sex relationships and compliance with the *Code*.

Gender Identity

Misunderstanding and lack of awareness of the issues faced by transgendered people occur throughout society. Two years ago, in March 1998 at a conference held by the International Foundation for Gender Equality, the Chief Commissioner made a commitment that the Commission would undertake policy development in consultation with the transgendered community. Research, consultations and meetings were then conducted with the transgendered community, selected officials and health professionals.

Following these consultations, the Commission developed a discussion paper entitled *Toward a Commission Policy on Gender Identity*. This paper was released in October 1999 to members of the transgendered community and stakeholders associated with this issue.

Based on feedback received, the Commission approved a formal policy statement based on the discussion paper, *Policy on Gender Identity*. The Policy is based on the work done to date which includes research, community consultations and interviews with selected officials and health care professionals and a review of significant case law in this area. The document outlines the major barriers and issues that face transgendered persons.

Although the number of complaints in this area is relatively small, the discrimination, harassment and social stigma experienced by transgendered individuals is significant. In developing this Policy, the Commission aims to promote awareness of gender identity, to dispel stereotypes and myths, and to prevent discrimination and harassment against individuals because of their gender identity.

Disability

Guidelines for Assessing Accommodation Requirements for Persons with Disabilities

The Commission introduced its *Guidelines for Assessing Accommodation Requirements for Persons with Disabilities* in 1989. Since that time, the *Guidelines* have not undergone any revisions despite several key legal developments and emerging issues.

As a result, the Commission conducted extensive consultations with approximately 150 stakeholders to evaluate the need for revisions and to seek views on proposed revisions to the *Guidelines*. Consultees included disability

consumers and organizations, employer communities, educational institutions, law firms, labour, provincial and municipal government agencies, business and trade associations and service providers.

The Commission also sought views on two specific policy issues. The first issue was the interpretation of the “undue hardship standard” in light of the reasonableness standard set out in the 1997 *Eldridge v. British Columbia (Attorney General)* decision, and second, the “voluntary assumption of risk”. This second issue arises when a person with a disability voluntarily assumes a health and safety risk (after accommodation) to himself or herself alone.

Viewpoints were varied. Members of the disability community supported the current standard of undue hardship and accommodation standards as set out in the *Code*. Representatives of the business and employer communities, however, felt that the cost standard was too onerous. They preferred to support a standard based on “reasonableness” as well as a revision of the measurement of cost. Educational service providers, while supportive of the undue hardship standard, felt that factors other than cost should determine undue hardship. Members of the deaf community indicated that governments, which are often the only sources of funding for accommodation, have a duty to accommodate and should not qualify for an undue hardship exemption.

Stakeholders also raised a number of other issues. These included the definition of “essential duties”, accommodation in pre-injury work or other work, the interaction of other legislation with the *Code* dealing with employee rights and general health and safety issues, the lack of integration of arbitration decisions in the labour context into human rights analysis, and the vulnerability of workers with disabilities in non-unionized workplaces.

The overwhelming response to the Commission’s consultations shows that stakeholders rely upon the *Guidelines* for directions in fulfilling the obligation to accommodate in a variety of situations. The Commission intends to release a revised version of the *Guidelines* next year. The revised version will assess the implications of decisions made by courts and boards of inquiry over the last decade and take into account their impact on the standards set out in the *Guidelines*. The *Guidelines* will also provide employers with more specific guidance on the accommodation process.

Public Transit Accessibility Survey

As part of its ongoing commitment to disability issues, in 1999-2000, the Commission undertook a survey of the current efforts and future plans of major transit commissions in Ontario municipalities to make their systems accessible to persons with disabilities. Findings from the assessment will enable the Commission to determine current and future policy developments in the area of disability accommodation, with particular focus on transportation services.

In light of a 1997 Supreme Court of Canada decision, the Commission promotes an integrated approach to public transit as a basic social requirement. In practical terms, this means that municipalities should try to make their standard transit systems as accessible as possible, and in situations where some users still cannot access these facilities, even after accommodation, to provide other para-transit options, such as Wheel Trans. In both cases, the standard is accommodation to the point of undue hardship. The Commission will be releasing a survey on the accessibility of public transit systems in Ontario next fiscal year.

Discussion Paper on Age Discrimination

The Commission prepared a discussion paper on age discrimination in 1999-2000, following the designation of the United Nations' International Year of Older Persons in 1999. The paper, which was developed as part of the Commission's mandate to develop policy on the major grounds in the *Code*, explores human rights issues facing older persons in Ontario in the areas of employment, housing and services and facilities. It reviews demographic trends, broader social and economic issues related to age discrimination, case law and the types of cases coming to the Commission through complaints. The paper will form the basis for public consultation prior to developing a formal public policy on this issue over the next two years.

Discussion Paper on Insurance

As part of its mandate under the *Code* to promote awareness and understanding of human rights, the Commission initiated a research project to examine human rights issues in the insurance industry.

In 1992, the Supreme Court of Canada in *Bates v. Zurich Insurance* encouraged the insurance industry to look more closely at non-discriminatory alternatives in rate setting in the auto industry. It ruled that the insurance industry could continue to use discriminatory criteria, such as age and marital

status as a *bona fide* means of assessing risk, but that the industry might not be able to do so indefinitely.

In light of these comments and the relative scarcity of human rights analysis on the insurance industry in Ontario, the Commission developed a Discussion Paper, released in October 1999, to initiate dialogue on protecting human rights in insurance and to examine alternatives to current practices through consultation with industry representatives, regulators and consumers. This paper reviews insurance-related legislative authority, provisions of the *Code* and discusses issues of discrimination in insurance.

As part of the consultation, the Commission received a number of submissions and met with several representatives from the life, disability and auto insurance sectors. The Commission will release the Consultation Report this coming year and correspond with key stakeholders on issues raised during the consultation. One of the key directions of the Report is that the Commission recommend that industry, government and consumer sectors jointly establish a mechanism to further promote dialogue on human rights issues in insurance.

Policy Dialogue

In February 2000, the Commission, in partnership with the Canadian Human Rights Foundation, held a first-ever one-day Policy Dialogue entitled *Human Rights Commissions: Future Directions*. The session's goal was to bring together a diverse range of Canadian and international stakeholders to analyze the way in which human rights institutions, civil society and government work together to identify issues, developments and challenges in the field of human rights and to generate strategies for the future.

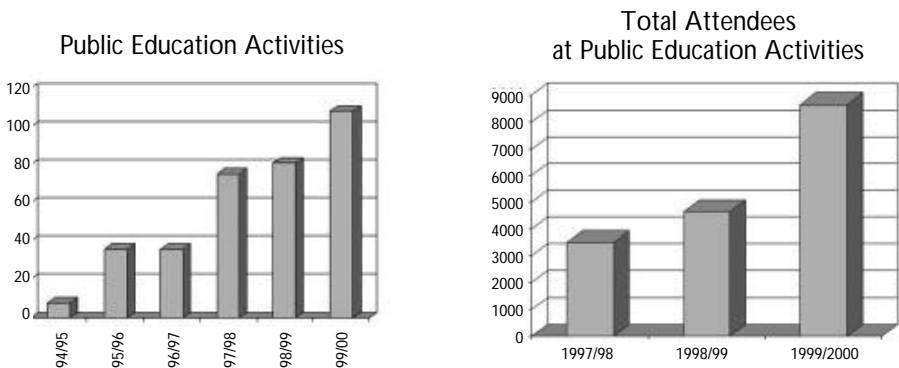
Representatives from the Ontario Human Rights Commission, other Canadian human rights commissions, the Ontario government, and human rights non-governmental agencies (NGOs) took part in the event. As well, we were privileged to have in attendance the Special Advisor on National Institutions from the Office of the High Commissioner for Human Rights in Geneva, a member from the *Canadian Human Rights Act* Review Panel, a member of the UN Human Rights Committee, a Canadian Senator and several distinguished human rights experts and academics.

The session provided participants with an opportunity to discuss social trends and international developments and to examine the impact of these trends and developments on the role of human rights commissions. Some of the emerging issues that were identified included economic and social rights,

alternative dispute resolution and the complaints-based model as a means for addressing systemic discrimination. Also discussed was the role of human rights commissions in ensuring Canada fulfills its international human rights obligations, as contained in the international conventions, treaties and protocols it has ratified. Such information-sharing will help Canadian human rights commissions to respond better to societal changes in Canada, and to develop strategies that will enable commissions to play a greater role in the protection and promotion of human rights in the future.

PUBLIC EDUCATION

Promoting human rights is an equally important part of the Commission's mandate. Section 29 of the *Code* outlines the wide-ranging functions of the Ontario Human Rights Commission, and includes its responsibilities with regard to public education. In particular, Section 29(d) requires the Commission to "*develop and conduct programs of public information and education and undertake, direct and encourage research designed to eliminate discriminatory practices that infringe rights under this Act*".



Last year, Commission staff participated in 108 public education events and delivered education and training to over 8,600 people, almost double and triple the numbers from the past two years (4,500 and 3,000, respectively), making 1999-2000 one of the most active years in the area of public education.

Key activities included:

- ❖ keynote addresses at conferences of the Association of Municipalities in Ontario, Ontario Hydro, Citizenship and Immigration Canada, the Human Resources Professionals Association, and colleges and high schools;

- ❖ taking part in a youth anti-racism conference in Sioux Lookout that brought together Aboriginal and non-Aboriginal youth from across northwestern Ontario to discuss strategies relating to the elimination of racism in their communities;
- ❖ presentations to disability groups in Sudbury and Kirkland Lake, small business owners in Kirkland Lake and Timmins, municipal employees in Windsor and the Ontario Association of the Deaf in Toronto;
- ❖ participation in information fairs for job seekers with disabilities in Toronto and Brampton, for human resource practitioners in Toronto, Durham and Ottawa, and for the general public at multicultural fairs in Milton and Ajax, as well as attendance at the 1999 Lesbian, Gay, Bisexual, Transsexual and Transgender Pride Week; and
- ❖ training of call centre staff at the Ministry of Labour.

In 1999-2000, the Commission also developed a second three-year public education strategy to build on the first one, which came to an end as of March 31, 2000. The new strategy entitled, *Getting the Message Out*, sets out the course for the Commission's public education activities for the next three-year period from April 1, 2000 to March 31, 2003. In particular, the new strategy focuses on increased public education activity in the education and employment sectors, greater use of thematic campaigns, and involving more staff and key stakeholders in the delivery of public education.

Partnerships have proven to be successful as a means of enhancing the Commission's public education efforts. The Commission's first public awareness campaign on sexual harassment was held in 1998. Last year, the Commission conducted a second province-wide campaign on sexual harassment on public transit vehicles throughout Ontario and expanded the campaign to liquor control board outlets. Both campaigns were conducted with private, not for profit and public sector partnerships.

The Commission also partnered with a francophone women's non-governmental organization, the *Réseau des femmes du sud de l'Ontario*, to raise awareness of the practice of female genital mutilation (FGM). This practice has been recognized not only as a health hazard and a form of violence against women and girls, but also as a human rights issue under international law. Many women living in Ontario come from areas or countries where FGM is practiced. Working with the *Réseau*, the Commission developed a brochure addressing this important women's issue based on its existing "Know Your

Rights” series. The brochure was published in English, French, Arabic, Somalian, Swahili and Amharic and was distributed to women’s groups throughout the province.

During the past year, the Commission also partnered with the Council of Agencies Serving South Asians to develop a seminar on access to professions and trades for foreign trained professionals. Policy work in this area is under way as is the development of a multilingual plain language version of the Commission’s *Complainant’s Guide* in six South Asian languages: Hindi, Tamil, Punjabi, Gujarati, Urdu and Bengali.

The Commission also participated again as a major partner in the second Toronto Human Rights Film and Video Festival, ‘Rights on Reel’, held in December 1999.

In 1999-2000, the Commission also worked on the development of a teaching resource on ‘Human Rights and Disabilities’. This section is part of the updated disability awareness resource teacher’s manual entitled, *Discover Together*, and makes use of some of the resources already developed in the Commission’s *Teaching Human Rights in Ontario*. The manual is designed to help teachers introduce non-disabled students to a variety of disability issues and to increase their awareness of the abilities of people with disabilities. The package has been recently re-released by the Equity Department of the Toronto District School Board and is being distributed to all elementary schools in the Toronto District School Board.

In the area of publications, the Commission also launched a new series of colourful plain language guides on several major policy areas. Key among these was *Human Rights at Work*, a publication that addresses workplace issues such as: accommodating persons with disabilities, anti-discrimination and harassment policies, rights for pregnant employees and benefits for same-sex partners. The guide is easy to understand and provides employers with practical information, including a list of prohibited interview questions and a sample job application form. Others in the series include, *Protecting Religious Rights*, *Guide to the Human Rights Code*, *Hiring? A Human Rights Guide* and *Pregnancy: Before, During and After: Know Your Rights*, and a ready reference to the most recent version of the *Code*.

The Commission also released a second edition of *Human Rights Policy in Ontario*, an up-to-date compilation of all the Commission’s existing and new policy work, and produced *Human Rights at Work*, a first-ever manual for employers on human rights in the workplace.

AN ABORIGINAL HUMAN RIGHTS PROGRAM

Under Sections 29 and 14 of the *Code*, the Commission has a statutory duty to promote and advance awareness of human rights and to allow for special programs that promote equality of opportunity. Aboriginal peoples' human rights have been identified repeatedly as a priority at the provincial, national and international levels as areas of concern. Since Ontario is home to approximately 20% of Canada's Aboriginal population, there is a need to address the human rights issues that Aboriginal persons face as a result of the cumulative and aggravated effects of economic, social and historical disadvantage and discrimination.

The Commission has put into place a special program as part of its outreach efforts to the Aboriginal community. Given that Aboriginal persons in Ontario file relatively few human rights complaints, many Aboriginal communities have little experience with the provincial human rights process, and are either unaware of the Commission's services or its ability to serve Aboriginal interests. Others view the human rights process to be unresponsive or irrelevant to the needs of Aboriginal persons. Since the Commission has no sustained or corporate presence in Ontario's Aboriginal communities, the Commission developed a Request for Proposals to develop a special program for Aboriginal persons.

The program's goals include enhancing awareness among Aboriginal persons of the protections contained in the *Code*, developing appropriate and culturally-sensitive mechanisms for accessing the Commission's services and developing a sustained corporate Commission presence within Aboriginal communities and organizations.

First steps of the proposed 18-month program will involve researching best practices for public education and awareness in Aboriginal communities, conducting a needs assessment and establishing formal partnership(s) with selected organizations that are representative of Aboriginal communities.

NATIONAL AND INTERNATIONAL INITIATIVES

Ontario Submissions

The Commission provides input to Ontario's submissions to reports prepared by Canada in accordance with Canada's obligations under international conventions. The Commission's comments highlight relevant legislative, judicial and administrative policies, programs and activities during the given reporting period as they relate to particular articles in the respective conventions. In September 1999, the Commission prepared comments for consideration on three reports:

- ❖ *Canada's 13th & 14th Report on the International Convention on the Elimination of All Forms of Racial Discrimination;*
- ❖ *Canada's Second Report on the Convention on the Rights of the Child;* and
- ❖ *Canada's Fifth Report on the Convention on the Elimination of All Forms of Discrimination Against Women.*

Canadian Association of Statutory Human Rights Agencies (CASHRA)

CASHRA's membership includes all the human rights commissions and fair practices offices in each of the 10 provinces, 3 territories and the federal government. During the 1999-2000 fiscal year, the Commission led a joint effort of representatives of CASHRA member agencies to develop an educational initiative that highlights every person's responsibility to ensure that human rights are respected in the workplace. This poster will be launched at the CASHRA 2000 Conference in May 2000.

International Delegations and Visitors

As part of its responsibility to promote human rights, in 1999-2000, the Commission hosted a number of delegations and visitors from around the world including Sri Lanka, India, Japan, Chile, South Africa and Nigeria. Several of these visits related to the establishment or strengthening of human rights commissions, information-sharing and technical co-operation.

LEGAL SERVICES BRANCH

In the 1999-2000 fiscal year, the Legal Services Branch handled some 147 boards of inquiry, 21 judicial reviews, and 11 appeals, including two at the Supreme Court of Canada.

The following are highlights of some of the significant decisions and cases over the past year that are noteworthy to all those with an interest in human rights advancement.

APPEALS

M. v. H.

Supreme Court of Canada (intervention)

The Commission intervened at the Supreme Court of Canada in a case known as *M. v. H.*¹. The applicant “M” went to court to obtain an order of support against “H”, her former same-sex partner, after their twelve-year relationship had ended. At the outset of her support motion, “M” argued that the opposite-sex definition of “spouse” in Section 29 of Ontario’s *Family Law Act*² (*FLA*), which precluded her from making an application for support in the context of a lesbian common law relationship, constituted a denial of the equality rights in Section 15 of the *Charter*.

Result at Supreme Court: On May 20, 1999, the Supreme Court of Canada found that the opposite-sex definition of “spouse” in Part III of Ontario’s *FLA* was unconstitutional. The Court found that the exclusion of same-sex couples from Section 29 of the *FLA* constitutes an infringement of equality rights that cannot be justified as a reasonable limit on constitutional rights under Section 1 of the *Charter*. The Court declared Section 29 of the *FLA* to be of no force and effect but suspended the application of its declaration for a period of six months in order to give the Ontario government an opportunity to make the appropriate changes to the law.

Current Status: In response to the Supreme Court’s decision, the provincial government introduced Bill 5 in the Ontario Legislature on October 25, 1999. It received Royal Assent on October 28, 1999 and came into force on March 1, 2000. The Bill amended the *FLA*, on November 20, 1999, so that its provisions governing support obligations now apply to same-sex partners. The *FLA*’s provi-

1. *Attorney General of Ontario v. M. and H.*, [1999] 2 S.C.R. 3.

2. *Family Law Act*, R.S.O. 1990, c. F. 3..

sions relating to domestic contracts and dependants' claims for damages have also been extended to same-sex partners. Bill 5 also amends a number of other statutes (including the *Code*) so that they now apply to same-sex partners.

***B.C. Human Rights Commission et al. v. Blencoe*
Supreme Court of Canada (intervention)**

In the summer of 1995, two human rights complaints were filed alleging that Robin Blencoe, a former provincial Cabinet Minister, had sexually harassed them. In late November 1997, Blencoe filed an application for judicial review of the Commission's referral of the complaints to the British Columbia Human Rights Tribunal. He alleged that inordinate delay in the processing of the complaints had caused him prejudice, amounting to a denial of natural justice.

In February 1998, the chambers judge dismissed Blencoe's application for judicial review which was subsequently appealed to the British Columbia Court of Appeal.

Result at Court of Appeal: The Court of Appeal held that:

- a) the complaints were "relatively simple ones", involving no complex issues;
- b) any delay in the proceedings of the complaints must necessarily have prejudiced Blencoe;
- c) if Blencoe had been charged in the criminal courts with this type of "sexual assault", the charge would very likely have been dismissed on grounds of delay;
- d) the exacerbation of an existing state of affairs may trigger Section 7 of the *Charter* right to security of the person;
- e) if complainants in sexual assault cases are protected by Section 7 of the *Charter* when facing disclosure of confidential materials, then respondents in sexual harassment hearings, facing protracted intrusion into the intimate details of their lives based on as of yet unproven charges, must also be extended the same protection;

- f) the emerging, preferred view in the Supreme Court of Canada is that Section 7 of the *Charter*, under the rubric of liberty and security of the person, operates to protect both the privacy and dignity of citizens against the stigma of undue, prolonged humiliation and public degradation of the kind suffered by Blencoe in connection with the complaints against him; and
- g) the delay in this case was so excessive when weighed against the seriousness of the “charge” and the simplicity of the issues that it could never be viewed as reasonable under any test, and was not in accordance with fundamental justice.

Current Status: The appeal of this case was heard in the Supreme Court of Canada on January 24, 2000. The Court’s decision is pending.

The consequences of an unsuccessful appeal in this case would be quite far-reaching for the Ontario Human Rights Commission, and indeed for the Commissions in other jurisdictions. In all likelihood, it would open the door for respondents to raise Section 7 arguments in cases where the allegation was not that of sexual harassment.

DIVISIONAL COURT

*OHRC and Mike Naraine v.
Ford Motor Company of Canada Ltd., et al.*
Superior Court of Justice, Divisional Court, June 23, 1999

The complainant worked for nine years for Ford as an electrician. During that period of time he experienced continuous racial harassment. The Board of Inquiry held that this harassment poisoned the complainant’s work environment and was responsible, in part, for the discipline he received at Ford. The Board held that Mr. Naraine’s ultimate dismissal was improper because Ford had failed to consider the effect the poisoned environment was having on the complainant.

Ford appealed the Board decision to the Divisional Court.

Result on Appeal: In a unanimous decision the Divisional Court dismissed the appeal. In part, the Court held the following:

Delay

- The Court noted that the Board was in an “excellent position” to determine whether there would be prejudice to Ford, having heard all the evidence, and therefore its decision on this matter ought to be given deference.

Res Judicata/Issue Estoppel

- The Court agreed with the Board’s determination that it was appropriate to re-visit the issues addressed by the labour arbitrator – particularly the issue of the final alleged assault between Mr. Naraine and a co-worker – in order to make a determination on the human rights issues.

“Exclusion” of Evidence

- The Court held that the Board was entitled to exclude as irrelevant evidence of events subsequent to Mr. Naraine’s termination from Ford. In any event, the Court noted that the Board did not exclude this evidence, but rather admitted it and then, as it was entitled to do, gave it no weight.

Employer Liability

- The Court upheld the Board’s decision that Ford could be held liable for the racial harassment on the basis that it failed to do anything – indeed was indifferent to – the racial slurs and graffiti at its Windsor operations.

Current Status: Appeal pending in the Court of Appeal.

***McKenzie Forest Products Inc. v. Adam Tilberg et al.*
Divisional Court Decision, Judicial Review: May 31, 1999**

McKenzie Forest Products Inc. sought judicial review of an interim decision of the Board of Inquiry made in the course of a hearing into the complaint of Adam Tilberg. In his complaint, Tilberg alleges that McKenzie refused him employment because he was born without thumbs.

The Commission referred Tilberg’s complaint to the Board. Subsequently, the Commission advised the Board and the parties that it had reached a settlement of the public interest issues between it and McKenzie Forest Products would “no longer participate” in the hearing. Tilberg was aware of his right to proceed on his own. The Commission requested, “as a condition of its withdrawing from the proceedings,” a letter of assurance from McKenzie which McKenzie provided.

The hearing into Tilberg’s complaint resumed in the absence of the Commission. McKenzie then brought a motion before the Board for an order dismissing Tilberg’s complaint on the basis that “the Commission’s decision to withdraw and relinquish carriage of the proceedings had left the Board without jurisdiction to continue.” The Commission was put on notice and opposed McKenzie’s motion.

Result at Board: The Board ruled that it had jurisdiction to continue with the hearing of Tilberg’s complaint, notwithstanding the steps taken by the Commission to abandon active carriage of the complaint before the Board. McKenzie then brought an application for judicial review of the Board’s interim ruling.

Result of Judicial Review: The majority of the Divisional Court granted McKenzie’s application for judicial review. The Court held that the Commission has a statutory duty, pursuant to Section 39(2) of the *Code*, to “have the carriage of the complaint” and that where the Commission had taken steps to surrender active carriage of the complaint, the Board no longer had jurisdiction to hear the complaint. The Court held that, in the absence of the Commission’s involvement in the proceedings, no other party has the statutory authority to have carriage of the complaint. The Court also held that the public interest represented by the Commission prevails, in the event of conflict, over the private interests and rights of individual complainants.

Current Status: Appeal pending in the Court of Appeal.

BOARD OF INQUIRY HEARINGS

Brillinger and the Canadian Lesbian and Gay Archives v. Imaging Excellence Inc. and Scott Brockie
Board of Inquiry Decision: September 29, 1999

The complainant, Ray Brillinger, sought printing services – envelopes, letterhead and business cards – from the respondent Imaging Excellence Inc. for the Canadian Lesbian and Gay Archives (the “Archives”). The president of Imaging Excellence, Scott Brockie, denied the service on the basis of his religious beliefs. Scott Brockie believed that homosexuality is contrary to the teachings of the Christian Bible. Mr. Brockie argued that his right to freedom of religion under Section 2(a) of the *Canadian Charter of Rights and Freedoms* (the “Charter”) acts as a defence to the denial of services.

The hearing proceeded in two stages: the first stage dealt with an infringement of the *Code* and the second stage addressed the Section 2(a) *Charter* defence.

Result at Board (First Stage): The Board held that the Canadian Lesbian and Gay Archives is protected under the sexual orientation ground of the *Code*. She held that organizations like the Archives are “so imbued with the identity or character of their membership, or so clearly representative of a group that is identified by a prohibited ground under the *Code*, that they cannot be separated from their membership and the organization itself takes on the protected characteristic”.

The Board held further that both Ray Brillinger and the Archives were denied printing services contrary to Section 1 of the *Code*. She held that Ray Brillinger was discriminated against indirectly as a member of the Archives, as was its then president, because of his association with the Archives. The Board held that the Archives was discriminated against directly and by way of association.

Current Status: Argument on the *Charter* proceeded on November 1, 1999. The Board reserved her decision.

***Nicole Curling v. The Victoria Tea Company Ltd.,
A. Torimiro and The Torimiro Corporation***
Board of Inquiry Decision: December 22, 1999

The complainant, Nicole Curling, filed a complaint against her employer, Alexander Torimiro and The Victoria Tea Company on April 15, 1994, alleging sexual harassment and sexual solicitation contrary to Section 7(2) and 7(3)(a) of the *Code*. In 1998, the complaint was amended to include discrimination in employment because of sex contrary to Section 5(1) and 9.

During the course of the hearing in September 1999, an allegation of Section 8 reprisal was added to the complaint as a result of a defamation law suit launched by the personal respondent and his new corporate entity, The Torimiro Corporation, which was also added as a respondent.

Result at Board: The Board found that Nicole Curling was subjected to a poisoned work environment due to the sexualized workplace climate. The Board found the personal respondent’s behaviour towards the complainant, such as unwanted touching, kissing and comments about her body, constituted sexual harassment.

The Board held that the personal respondent's persistent pursuit of a relationship with the complainant constituted sexual solicitation. Expert evidence was led that sexual harassment should also be understood in the terms "relational advances". The typical traits of this latter type of harassment being where the respondent harasser pressures the target to form an intimate relationship, usually starting with gifts, special attention and invitations for dates. The Board noted that "relational advances" are often not seen as harassment and are treated lightly by co-workers and employers because the conduct has the semblance of a courtship and infatuation.

With respect to the previous finding of sexual harassment by the personal respondent, expert evidence was led that clearly revealed the respondent to be a "repeat offender, who did not recognize his responsibility and who engaged in a pattern of escalating behaviour".

The respondents launched a civil action against the complainant seeking \$1.5 million for damage to reputation arising out of the human rights complaint process. The Board found that reprisal was clearly a factor in the respondents' lawsuit. The Board held that in making threats against the complainant, her family, the Commission and its witnesses, the respondents' conduct was a form of retaliation.

Current Status: A decision with respect to remedies is pending.

MEDIATION AND INVESTIGATION BRANCH

INQUIRIES AND INTAKE

The Inquiry and Intake Service Unit is the first point of contact for members of the public who need information on filing a human rights complaint. Callers receive basic information on how to contact the Commission, how to file a complaint and other information about the human rights process. During 1999-2000, the Unit received a total of 153,306 telephone calls. Staff responded to 52,030 calls or 85% of the 60,977 callers who opted to speak to an inquiry service representative. On average, calls were responded to within 2 minutes. Staff sent out 4,246 intake questionnaires, and received 2,409 completed intake packages in return. Of these, 1,861 or 77% became human rights complaints.

MEDIATION

Mediation is a formal and voluntary opportunity for parties involved in a complaint to meet and resolve their issues at the outset of the complaint process. In 1999-2000, more than half of the total number of cases, 1,270 were resolved at the mediation stage. The settlement rate at mediation is 74%. During the past year, the Commission also published a survey of participants who used its mediation process. Findings show that some 75% of complainants and respondents who are eligible for mediation services choose this method of dealing with their situations. The survey also reflected a high degree of success, with 70% of the complainants mentioning that they felt their issue was properly addressed, and 78% of the respondents indicating that they felt that the process was fair. Over 87% of those participating in the survey indicated that they would use mediation again if they had another human rights complaint.

INVESTIGATION

The success of the voluntary mediation program has in turn meant that the number of complaints under investigation has been steadily dropping from 1,780 in March 1998 to 1,140 in March 1999 to 718 in March 2000. It has also enabled the Commission to focus its investigation resources on older cases, particularly those that are two years of age or older. Last year, the Commission

committed to resolve 1,100 cases through the investigative process and achieved 94% of this target. It also committed to resolve 80% of cases that were two years of age or older as of March 31, 1999. This year, it resolved 555 cases which represents 106% of last year's target of 520 cases. This reduction in the older cases has had a remarkable impact in the reduction of the average age of the caseload, which is 13 months.

The Commission has also made significant strides in improving the timeliness in handling complaints. The average time required to process a complaint from opening to decision is currently 18 months down from 22 months last year, and the median age of complaints in the system is now 9 months.

The Commission also met its public performance measures set out in the Ministry's 1999-2000 business plan. Last year, it committed to achieve a 65% settlement rate at the mediation stage. This year, it accomplished a rate of 74%.

THE CASELOAD

During the 1999-2000 fiscal year, the Commission made significant strides in a number of areas including caseload management, timeliness of handling complaints and public education. Expectations for this year have been either met or exceeded in all areas.

For a fourth year in a row, the Commission has resolved more cases than it opened. In 1999-2000, it opened 1,861 and resolved 2,305 cases, making 1999-2000 one of the most productive years in the Commission's history. As at March 31, 2000, the Commission's active caseload was 1,952 compared to 2,386 on March 31, 1999 and 2,745 on March 31, 1998. Three years ago, the Commission made a commitment to the Ontario public to achieve a current caseload. Given this year's statistics, which show that the caseload roughly matches the number of complaints it receives each year, and the average age of a complaint in the system is 13 months, the Commission is very close to achieving this goal. The Commission also sent 92 complaints to the Board of Inquiry (Human Rights).

RESTRUCTURING

In 1999-2000, the Commission restructured its corporate services, including the planning and delivery of human resources, information technology and financial and administrative services. The corporate planning function now resides with the Office of the Executive Director. Responsibilities include monitoring and reporting on organizational performance, the implementation of organizational improvement initiatives such as the development of new technology applications in case management and the training of staff. Other functions such as Web site management, distribution and publications have been transferred to the Policy and Education Branch.

During the year, the Commission also faced the challenge of having to find additional savings as part of government-wide budget restrictions. The best solution turned out to be the implementation of new working arrangements for Commission staff in the regions through teleworking. As a result, some staff will share office space with other government ministries and others will be working from home. This has helped to keep both jobs and a presence in the regions outside of Toronto.

Commission staff also worked on developing a new Quality Assurance Program and each Branch established its own standards and identified means for managing and maintaining them. These service standards will be put into practice in the coming year.

ACCOUNTABILITY FRAMEWORK

The Commission has presented an accountability framework in the last two annual reports (1997-1998, 1998-1999). The framework is designed to establish targets for the organization's performance in the coming year as well as report on achievements against previously established targets.

The following is a summary of achievements against targets in the 1999-2000 fiscal year.

SERVICE AREA	1999-2000 COMMITMENTS	1999-2000 ACHIEVEMENTS
Promotion and Awareness of Human Rights	<ul style="list-style-type: none"> • Conduct second public awareness campaign on sexual harassment. • Increase liaison activities with Aboriginal communities. • Maintain international and national liaison. • Maintain distribution levels of Commission publications (10,000 per year). • Maintain 1998-1999 levels of public education activities (80 events, reached approximately 4,600 persons). • Increase the number of hits on the Web site by 10%. 	<p>Campaign ran twice, once on public transit vehicles and once in LCBO outlets across the province.</p> <p>Developed Request for Proposals (RFP) for <i>Aboriginal Human Rights Program</i> to sustain OHRC presence in off-reserve Aboriginal communities and to enhance equality for Aboriginal persons in Ontario.</p> <p>Provided comments on Canada's reports under various international instruments.</p> <p>Hosted several international delegations from: Sri Lanka, India, Japan, Chile, South Africa and Nigeria.</p> <p>Worked with member commissions of CASHRA to develop poster on Human Rights in the Workplace.</p> <p>Approximately 30,000 copies of publications distributed.</p> <p>Staff participated in 108 events and reached 8,636 persons.</p> <p>Achieved a 20% increase over last year.</p>

SERVICE AREA	1999-2000 COMMITMENTS	1999-2000 ACHIEVEMENTS
Policy	<ul style="list-style-type: none"> • Develop a policy position on sexual orientation. • Initiate policy work on age discrimination. 	<p>Released <i>Policy on Discrimination and Harassment because of Sexual Orientation</i>.</p> <p>Developed discussion paper on Age Discrimination.</p> <p>Other policy work</p> <p>Developed policy paper on gender identity.</p> <p>Developed discussion paper on Insurance.</p> <p>Conducted consultations on revisions to <i>Guidelines for Assessing Accommodation Requirements for Persons with Disabilities</i> and developed consultation report.</p> <p>Conducted survey on accessibility for persons with disabilities to mass transit vehicles in Ontario municipalities.</p> <p>Launched first-ever Policy Dialogue on developments in human rights.</p>
	<ul style="list-style-type: none"> • Review legislation and bills tabled before the legislature for compliance with the <i>Code</i>. 	<p>Reviewed Bill 5 and incorporated changes to sexual orientation policy, <i>Mental Health Act</i>, Drug Testing for Welfare Recipients.</p>
Inquiry Services	<ul style="list-style-type: none"> • Average response time on calls handled by an Inquiry Service Representative will be under 60 seconds. 	<p>A 30% increase in callers actually speaking with a staff person resulted in an average response time of within 2 minutes.</p>
Intake Services	<ul style="list-style-type: none"> • Maintain 15-day processing time for drafting of complaints. 	<p>Complaints are drafted within 30 days of receiving an intake package.</p>
Mediation Services	<ul style="list-style-type: none"> • Achieve at least a 65% settlement rate in cases in which mediation has been attempted. • Resolve 1,100 cases through mediation services. 	<p>Achieved a settlement rate of 74% in cases in which mediation was attempted.</p> <p>1,270 cases resolved through mediation services.</p>

SERVICE AREA	1999-2000 COMMITMENTS	1999-2000 ACHIEVEMENTS
Investigation Services	<ul style="list-style-type: none"> • Resolve 80% of cases over 2 years of age as at March 31, 1999. • Resolve 1,100 cases through investigation services. • Reduce the median age of the caseload to under 10 months. • Decrease the average age of the caseload to 14 months. 	<p>Resolved 555 cases which represents 106% of last year's target of 520 cases.</p> <p>1,035 cases resolved through investigation services.</p> <p>Median age of the caseload as at March 31, 2000 is 9 months.</p> <p>Average age of the caseload is 13 months.</p>
Corporate Initiatives	<ul style="list-style-type: none"> • Quality Service Standards introduced in September 1999. • Training programs to be provided on public education, mediation, sexual harassment cases and quality service. • Initiate Accessibility Review of Commission services and employment practices for persons with disabilities. 	<p>Quality Service Standards have been developed for each Branch.</p> <p>Training provided to new intake/inquiry and investigative staff.</p> <p>Training programs also delivered on writing case analyses and reasons, conducting conciliations as well as on the telework process for affected staff and for the Mediation and Investigation Branch staff development session.</p> <p>RFP for Accessibility Review completed.</p>

The following are the Commission's public commitments for the 2000–2001 fiscal year.

SERVICE AREA	2000-2001 COMMITMENTS
Promotion and Awareness of Human Rights	<ul style="list-style-type: none"> • Conduct one new public awareness campaign. • Implement Aboriginal program. • Ensure international obligations are integrated into all new policy work. • Launch policy initiative for CASHRA 2001. • Enhance accessibility of publications through new series of 'one-pager' information sheets on all major areas of the <i>Code</i>. • Achieve a satisfaction rate of 80% among participants for all public education activities. • Launch new Web site that improves access, is easier to use and more client-focused.
Policy	<ul style="list-style-type: none"> • Release paper on Age Discrimination. • Conduct consultations and develop public policy document on Age Discrimination. • Release <i>Policy Paper on Gender Identity</i>. • Release consultation report on human rights issues in Insurance. • Release revised <i>Guidelines for Assessing Accommodation Requirements for Persons with Disabilities</i>. • Release report on survey of accessibility to transit vehicles. • Conduct second policy dialogue.
Inquiry Services	<ul style="list-style-type: none"> • The average response time on calls handled directly by inquiry staff will be within 2 minutes.
Intake Services	<ul style="list-style-type: none"> • Draft complaints within 15-20 days from receipt of intake questionnaire.
Mediation Services	<ul style="list-style-type: none"> • Achieve at least a 65% settlement rate in cases in which mediation is attempted. • Resolve a minimum of 1,300 cases through mediation services.
Investigation Services	<ul style="list-style-type: none"> • Resolve 80% of cases over 1 year old as at April 1, 2000. • Resolve a minimum of 850 cases through investigation services. • Reduce the median age of the caseload to below 9 months. • Decrease average age of the caseload to 12 months.
Corporate Initiatives	<ul style="list-style-type: none"> • Implement Quality Service Standards. • Develop training program on public education techniques. • Launch Accessibility Review.

APPENDICES

LIST OF COMMISSIONERS



KEITH C. NORTON, Q.C., B.A., LL.B.

Chief Commissioner

Keith Norton was appointed Chief Commissioner of the Ontario Human Rights Commission on July 18, 1996. He is an educator and a lawyer by training, having studied law at Queen's University in Kingston, as well as having received a diploma in education from the Ontario College of Education. He practiced criminal and family law in Kingston, Ontario, and taught at the secondary and post-secondary levels.

Mr. Norton is a former Minister of Community and Social Services and served as Parliamentary Assistant to the Treasurer of Ontario and Minister of Economics and Intergovernmental Affairs. He has also served as Minister of Health, Minister of Education and Minister of Colleges and Universities.

As Minister of the Environment between 1981 and 1983, Mr. Norton became the first Canadian cabinet minister to testify before a Committee of the United States Senate. Throughout his career, Mr. Norton has championed issues related to persons with disabilities, senior citizens and the disadvantaged. He has also been involved in a number of business ventures.

Mr. Norton is a former President of the Canadian Human Rights Tribunal.



CHERYL BLONDELL

Cheryl Blondell was appointed to the Commission in February 1997. She is an Assistant Crown Attorney in the Ministry of the Attorney General. She formerly served as Criminal Duty Counsel with the Ontario Legal Aid Plan, where she advised and represented accused persons. Ms. Blondell worked for the Commission in the summer of 1989 as part of the team that created the Systemic Investigations Unit.



The Revd Fr. WILLIAM G. CLIFF

Fr. Cliff was appointed to the Commission in February 1997. He is the Rector of St. John the Evangelist Church in Strathroy in the Diocese of Huron. He is a former member of the University of Western Ontario Senate, a Padre with the Royal Canadian Legion and a member of the Anglican Roman Relations Committee of the Diocese of Huron. A former Chaplain Intern at St. Joseph's Health Centre, London, he was trained at King's College and Huron College at the University of Western Ontario and has served congregations in London, Simcoe, Hanover and Durham, Ontario.



RICHARD MILES

Before his appointment to the Commission in July 1992, Richard Miles held senior administrative positions with the Ministry of Community and Social Services, the Federal Secretariat for Disabled Persons Office, and the Handicapped Action Group Incorporated in Thunder Bay. Mr. Miles was appointed by the Minister of Citizenship, Culture & Recreation to the task force, which conducted a procedural review of the Ontario Human Rights Commission.



MARNIE PAIKIN, CM

Marnie Paikin was appointed to the Commission in September 1996. She is a past President of the Canadian Council of Christians and Jews, and a recipient of the Province of Ontario's "Outstanding Woman Award" and of the Human Relations Award of the Canadian Council of Christians and Jews. She has been inducted into the Hamilton Gallery of Distinction and has been appointed a Member of the Order of Canada. Ms. Paikin is currently a Director of Atomic Energy of Canada Ltd. and of Westcoast Energy Inc.



PETER LI

Peter Li is the General Manager of Sing Tao Daily News, Eastern Edition. Mr. Li was appointed to the Commission in September 1997. He is a member of the Chinese Canadian Development Committee of the Hospital for Sick Children Foundation and sits on the Asian Business Committee of Metro Toronto and York Region's Junior Achievement. Mr. Li was a member of Canada Trust's Asian Advisory Council. He has also served as a Director of the Chinese Information and Community Services and was a past Vice-President of the Chinese Canadian Advertising, Media and Marketing Association. Mr. Li is a former General Manager of Hotel Victoria and Project Administrator of the Chinatown Centre.



NALIN KANUCK

Nalin Kanuck was appointed to the Commission in September 1997. He is a Management and Financial Consultant. He is also an advisor on Race Relations to the York Region Board of Education. Mr. Kanuck is a former Justice of the Peace in Sri Lanka, a position that required him, among other judicial functions, to investigate human rights violations. He was also Chairman and Managing Director of the Regional Development Board in the Ministry of Regional Development in Sri Lanka. He also functioned as a Director of the National Youth Service Council in Sri Lanka's Prime Minister's Office. Mr. Kanuck has a Bachelor of Arts Degree from the University of Ceylon and an Executive Diploma in Public Administration from the University of Colombo, Sri Lanka. The City University of California also awarded him an Honourary Doctorate Degree in Public Administration. He is a graduate of the Canadian Institute of Certified Administrative Managers and a Fellow of the British Institute of Management, England.



MICHEL LALONDE

Michel Lalonde is Reeve of the East Hawkesbury municipal council, having served over the last 20 years as Councillor and as Deputy Reeve. He was appointed to the Commission in December 1997. In 1993, Mr. Lalonde served as Warden of the Council for the United Counties of Prescott and Russell. He was subsequently elected to the Council's executive, planning and public works committees. He received the Award of Merit for the County of Prescott for the year 1985 and also served as President of the Prescott Mutual Insurance Board and of the Hawkesbury and District General Hospital Board. A farmer by occupation, Mr. Lalonde is an active participant in the local farming community. He served from 1989 to 1996 on the board of directors of the Glengarry, Prescott and Russell Local Agricultural Employment Board and as President of the Prescott Peer Review Committee for Environmental Farm Plan from 1993 to 1997.



CLAUDETTE ROBINSON

Claudette Robinson was appointed to the Commission in March 1998. She studied at the University of Ottawa and McMaster University. Ms. Robinson is the French Coordinator at Sheridan College and a language consultant for corporate clients. She has co-authored a series of French readers for elementary and secondary schools. She was the author and co-author of three national French television series for TVO educational programs one of which she hosted. She has been consultant for the Halton Board of Education, has taught at the University of Ottawa summer school and has been Principal of the Teaching French as a Second Language course for the Ministry of Education.



ABDUL HAI PATEL

Abdul Hai Patel was appointed to the Commission in April 1999. Mr. Patel received his primary education in India, secondary education in Barbados and post-secondary education at York University. He is currently employed with Ontario Hydro as a Systems Technical Specialist.

Mr. Patel is a recipient of the Canada 125 commemorative medal from the Governor General for Community Service. He is a recipient of the Volunteer Service Award from the Ministry of Citizenship, Culture and Recreation, a member of the South & West Asian consultative committee of the Toronto Police, and a coordinator of the Islamic Coordinating Council of Imams-Canada. Mr. Patel is also the Vice-Chair of the Association of Employees for Employment Equity in Ontario Hydro and serves as a member of the Provincial Committee of Power Workers Union on Employment Equity and Diversity.



CHRISTIANE RABIER

Christiane Rabier was appointed to the Commission in April 1999. Ms. Rabier received her PhD from the University of Nice-Sophia-Antipolis; she received her masters from the University of Montreal and studied public law at the University of Montpellier in France. She is currently Chair of the Department of Political Science and Vice-Dean of Social Sciences and Humanities at Laurentian University in Sudbury.

Ms. Rabier is active within the francophone community in Sudbury and has worked on a program for francophone women to attend post secondary studies, as well as served as a consultant with TV Ontario on Continuing Education. She also served as a volunteer with Canada's Special Olympics in 1998 and Operation Red Nose in 1999.



JUDITH-ANN MANNING

Judith-Ann Manning was appointed to the Commission in February 2000. Ms. Manning is an Accessible Services Planner/Barrier-Free Consultant. She majored in Criminology and Law at the University of Toronto. She currently is the Co-ordinator of the University of Toronto's Wheelchair Access Committee and has held the position of Chair of the North York Advisory Committee For Persons With Disabilities, co-Chair of the Board of Directors

of the Centre for Equality Rights in Accommodation, and vice-Chair of the Toronto Transit Commission's Advisory Committee on Accessible Transportation. Ms. Manning also volunteers at the Sunnybrook Health Science Centre in the annual Run for Research.

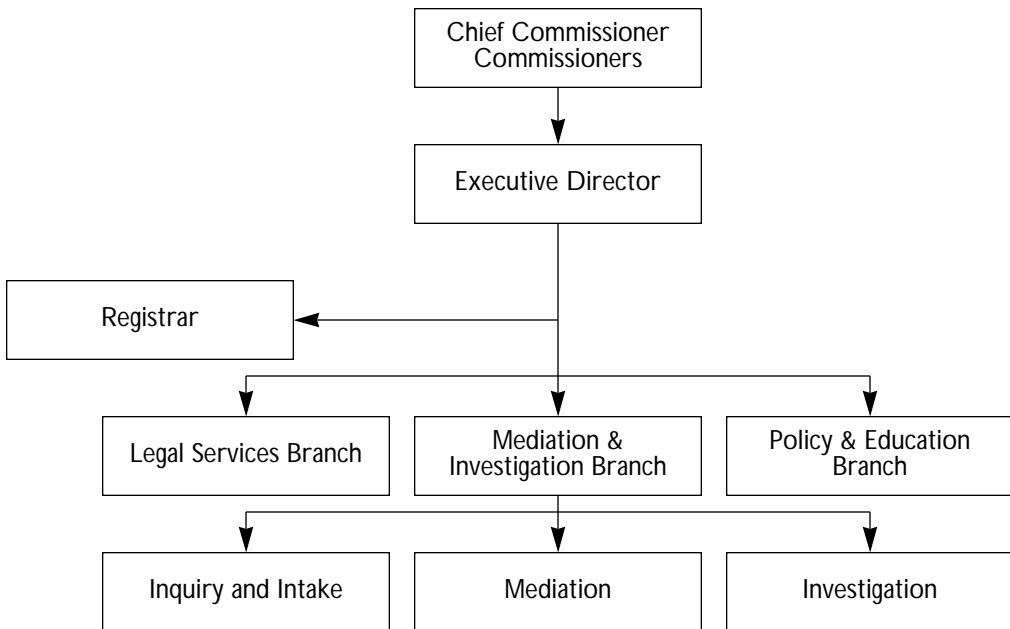


MAE RADFORD

Mae Radford was appointed to the Commission in April 1999. Ms. Radford received a diploma in nursing from the Toronto Western Hospital and a Bachelor of Arts in health administration from York University. She is currently the manager of volunteer services, overseeing operations of a team of 1,700 volunteers who deliver friendly visiting, palliative care volunteer visiting, transportation, and Meals on Wheels for the VON Hamilton-Wentworth.

Ms. Radford is a member of the Coalition of Community Health and Support Services, which advocates for community-based health care. She is a member of the Ontario Community Support Association and the Chair of District B. Ms. Radford is the vice-chair of the Citizen Committee for Violence Against Women for the City of Burlington.

ORGANIZATIONAL CHART



BRANCH DESCRIPTIONS

Office of the Chief Commissioner

The **Office of the Chief Commissioner** provides leadership and guides the Commission in carrying out its statutory functions in a way that ensures that, at both the government and community levels, human rights are protected in the province. The Chief Commissioner and Commissioners set policy direction and make decisions about complaints relating to the *Code*.

Office of the Executive Director

The **Office of the Executive Director** provides leadership and direction to senior management staff of the Commission in carrying out its statutory mandate; directs the development and implementation of corporate and operational plans; and leads the planning and implementation of ongoing organizational improvement initiatives within the Commission. The Registrar’s Office, attached to the Office of the Executive Director, is responsible for processing Reconsideration requests, co-ordinating all functions related to Commission and Panel Meetings, and Freedom of Information and Ombudsman issues.

Mediation and Investigation Branch

The **Mediation and Investigation Branch** handles all the enforcement functions of the Ontario Human Rights Commission through a network of offices across the province.

The public's first contact with the Commission is through the centralized Inquiry and Intake Unit. This office handles all inquiries and drafts complaints from across the province. The Mediation Office provides mediation services as well as processing Section 34 requests which gives the Commission discretion not to deal with a complaint, if it could have been resolved elsewhere, is filed in bad faith, is out of time or is outside the Commission's legal authority. The Investigation Office undertakes investigation and conciliation of complaints.

The Branch also develops multi-year strategies to effectively manage the Commission's caseload and procedures for the mediation and investigation of complaints. In addition, the Branch assists in carrying out the Commission's public education mandate.

Policy and Education Branch

The **Policy and Education Branch** provides leadership and direction for the promotion and advancement of human rights and supports the enforcement of the *Code*.

The Branch ensures the promotion of human rights through compliance with the *Code* and with international human rights obligations. This includes the development of public policy statements, formal guidelines and research on a broad range of human rights and social justice issues. The Branch is responsible for national and international liaison, issues management, media and stakeholder relations, the Web site and publications. It also conducts public consultations and focus groups and represents the Commission on intergovernmental task forces and delegations.

The Branch is responsible for the strategic planning function for public education and communications at a corporate level and for implementing a wide range of educational programs and partnership initiatives, such as public awareness campaigns, presentations, workshops and conferences. The Branch also provides communications and policy support to the Offices of the Chief Commissioner and the Executive Director.

Legal Services Branch

The **Legal Services Branch** assists the Commission in fulfilling all aspects of its mandate, including compliance, public education and litigation. Its activities include providing legal advice to senior management, Mediation and Investigation managers and officers concerning investigation and conciliation of cases, providing legal opinions requested by the Commission, and serving as legal counsel to the Commission before the Board of Inquiry and the courts (on matters of judicial review and appeals).

LIST OF PUBLICATIONS

Plain Language Documents

- Accommodation for Persons With Disabilities 1/95
- AIDS and AIDS-Related Illness and the *Code*: Know Your Rights 6/90
- Breastfeeding Flyer 9/99
- Female Genital Mutilation: Questions and Answers (available in English/French, Arabic/Somali, Swahili/Amharic) 8/99
- Guide to the *Human Rights Code* 10/99
- Guide to Mediation Services 5/97
- Hiring? A Human Rights Guide 10/99
- Human Rights at Work 2/00
- If You Receive a Human Rights Complaint – A Respondent’s Guide 7/97
- If You Have a Human Rights Complaint – A Complainant’s Guide 6/96
- Pregnancy—Before, During and After: Know Your Rights 9/99
- Protecting Religious Rights 1/00
- Racial Slurs and Harassment and Racial Jokes 3/97
- Sexual Harassment and Other Comments or Actions About a Person’s Sex 11/96
- Sexual Orientation and the *Code*: Know Your Rights 6/90

Policies and Guidelines

- Guidelines on the Application of Section 34 of the Ontario *Human Rights Code* 9/96
- Guidelines for Assessing Accommodation Requirements for Persons with Disabilities 8/89
- Guidelines on Special Programs 11/97
- Human Rights Policy in Ontario (All Policies – *Contact Publications Ontario*) 12/99

Policies and Guidelines

- Policy on Creed and The Accommodation of Religious Observances 10/96
- Policy on Discrimination and Language 6/96
- Policy on Discrimination Because of Pregnancy 5/99
- Policy on Discrimination and Harassment Because of Sexual Orientation 1/00
- Policy on Drug & Alcohol Testing 11/96
- Policy on Employment-Related Medical Information 6/96
- Policy on Female Genital Mutilation (FGM) 4/96
- Policy on Height and Weight Requirements 6/96
- Policy on HIV/AIDS Related Discrimination 11/96
- Policy on Racial Slurs & Harassment & Racial Jokes 6/96
- Policy on Requiring a Driver’s Licence as a Condition of Employment 6/96
- Policy on Scholarships and Awards 8/97
- Policy On Sexual Harassment & Inappropriate Gender-Related Comment and Conduct 10/96

Other Publications

- Annual Report (*Available from Publications Ontario*)
- Developing Procedures to Resolve Human Rights Complaints Within Your Organization 6/96
- Human Rights Code* Poster/Card (Can Be Framed) 5/00
- Mediation Services Participant Satisfaction Report 9/99

LIST OF PUBLIC EDUCATION ACTIVITIES

Business/Legal

African Canadian Legal Clinic
 AGF Management Limited
 Arts, Hospitality and Entertainment Group
 Axis Logistics
 Canadian Bar Association
 Canadian Bar Association of Ontario –
 Continuing Legal Education
 Canadian Lawyers Association for
 International Human Rights
 Canadian Ski Instructors' Alliance Ontario
 Coalition of Ottawa Region Providers of
 Brain Injury Rehabilitation
 Commerce Management Group
 Community and Legal Aid Services
 Gardiner Training and Consulting
 Grand Valley Human Resources Professionals
 Association of Ontario
 Hicks Morley Law Firm
 Human Resources Professionals Association
 of Durham
 Human Resources Professionals Association
 of Ontario 2000 Conference
 Human Resources Solutions Show
 Insight Information Inc.
 International Quality and Productivity Centre
 Investigations Summit Conference
 King's Health Centre
 National Congress of Italian Canadians
 Regroupement des dirigeant(e)s et
 intervenant(e)s francophones de Hamilton
 Torkin Manes Cohen & Arbus

Community

AIDS Committee of Windsor
 Ajax Multicultural Festival
 Canadian Citizenship Court –
 Toronto Police Service Training Academy
 Canadian Hearing Society and Cambrian
 College
 Community Development Network
 Community Dialogue on Racism
 Council of Agencies Serving South Asians
 Deer Park United Church Group
 Dufferin-Peel Employment Co-op Centre
 Elimination of Racial Discrimination Day
 – Pickering
 Hands Across the World
 Intercede for the Rights of Caregivers,
 Domestic Workers and Newcomers
 International Women's Day Fair, Windsor
 Islamic Centre of Southwest Ontario
 JobsMarket for Persons with Disabilities
 League for Human Rights of B'nai Brith
 Canada
 Meal-Trans
 Native Women's Resource Centre
 Ontario Association of the Deaf
 Ontario Human Rights Commission
 Fall Open House
 People First
 PRIDE Toronto '99
 Réseau des femmes du Sud de l'Ontario
 Sioux Lookout Anti-Racism Committee
 Conference
 South Asian Family Support Services
 The Career Foundation
 Toronto Employment Equity Practitioner's
 Association
 Toronto Human Rights Film and
 Video Festival
 Whitby Citizenship Court

Education

Bowmanville High School
 Collège des Grands Lacs
 Don Bosco Catholic High School
 Fanshawe Collge, Disability Services
 George Brown College
 Glendon College
 Harbord Collegiate
 McGill University Faculty of Law
 – Alternative Careers Fair
 Niagara College Law Clerk Program
 Northern College of Applied Arts
 & Technology
 Ontario Business Educators' Association
 Ontario University Employment and
 Educational Equity Network
 Osgoode Hall Law School-Lesbian, Gay,
 Bisexual and Transgender Caucus
 Riverdale Collegiate
 Ryerson Polytechnic University
 – School of Social Work
 Seneca College, School of Legal and Public
 Administration
 Skills for Change (ESL)
 St. Denis Elementary School
 Toronto District School Board
 – Ellesmere LINC
 Toronto District School Board
 – Yorkminster LINC
 University of Toronto, Faculty of Law
 Summer Mentorship Program
 University of Windsor, Faculty of Law
 York Catholic District School Board
 Yorkhill Elementary School, Thornhill

Public Sector

Association of Employees for Employment
 Equity in Ontario Hydro
 Association of Municipalities of Ontario
 Cabinet Office, Centre for Leadership
 Canadian Association of Statutory
 Human Rights Agencies
 City of Toronto, Access and Equity Unit
 City of Windsor
 Conference of Ontario Boards and Agencies
 Department of Immigration and Citizenship,
 Middle Management Conference
 Immigration and Citizenship Canada
 Ministry of Community and Social Services,
 Ontario Works
 Ministry of Labour, Employment Standards
 Call Centre
 Ministry of Labour, Office of the Worker
 Advisor
 Ministry of the Attorney General,
 Office of Dispute Resolution
 Niagara Region Police Association
 Office of the Information and Privacy
 Commissioner
 Ontario Municipal Board
 Region of Peel – Ontario Works

International

Commission on Gender Equality,
 Government of South Africa
 Daito-Bunka University, Tokyo, Japan
 Diego Portales Law School/Corporación
 de Salud y Políticas Sociales (Chile)
 Nigerian Human Rights Commission
 Policy Delegation from India
 Sri Lankan Delegation
 United Nations High Commission for
 Human Rights

Table 1: Grounds Cited in Complaints Filed by Region of Registration
Total Number of Complaints Filed = 1,861

Eastern	45	24	6	52	18	3	10	5	9	90	1		3	5	271	188	10%
Greater Toronto	526	285	46	324	99	37	162	43	62	454	15	2	4	80	2139	1292	69%
Northern	42	31	3	12	5	2	1	2	6	23		1		1	129	64	3%
Southwestern	74	48	6	102	33	9	24	8	17	135	3		1	19	479	317	17%
Total	687	388	61	490	155	51	197	58	94	702	19	3	8	105	3018	1861	100%
Percentage	23%	13%	2%	16%	5%	2%	7%	2%	3%	23%	1%	0%	0%	3%	100%		
	Race & Colour	Ethnic Origin	Creed	Sex & Pregnancy	Sexual Harassment	Sexual Orientation	Age	Marital Status	Family Status	Handicap	Public Assistance	Record of Offence	Breach of Settlement	Reprisal	Sum of Categories	Total for all Complaints	Percentage of all Complaints

Note: Because complaints can involve multiple grounds, the sum by grounds exceeds the total for all complaints filed.

Table 2: Social Area and Grounds Cited in Complaints Filed
Total Number of Complaints Filed = 1,861

Accommodation	33	22	2	8	2	1	10	11	22	38	18			1	168	103	6%
Services	145	83	15	39	6	9	53	8	20	152	1		6	7	544	352	19%
Contracts	8		2	3		1		1						1	16	8	0%
Employment	495	279	40	437	147	39	131	38	51	493		3	2	93	2248	1367	73%
Vocational Association	6	4	2	3		1	3		1	19				3	42	31	2%
Total	687	388	61	490	155	51	197	58	94	702	19	3	8	105	3018	1861	100%
Percentage	23%	13%	2%	16%	5%	2%	7%	2%	3%	23%	1%	0%	0%	3%	100%		
	Race & Colour	Ethnic Origin	Creed	Sex & Pregnancy	Sexual Harassment	Sexual Orientation	Age	Marital Status	Family Status	Handicap	Public Assistance	Record of Offence	Breach of Settlement	Reprisal	Sum of Categories	Total for all Complaints	Percentage of all Complaints

Note: Because complaints can involve multiple grounds, the sum by grounds exceeds the total for all complaints filed.

Table 3: Settlements Effected by Ground in Cases Mediated in 1999/00

Race & Colour	\$ 1,214,099.36	135	\$ 8,993.33
Ethnic Origin	\$ 616,095.94	80	\$ 7,701.20
Creed	\$ 45,585.00	14	\$ 3,256.07
Sex & Pregnancy	\$ 639,502.06	120	\$ 5,329.18
Sexual Harassment	\$ 235,728.00	38	\$ 6,203.37
Sexual Orientation	\$ 347,400.00	16	\$ 21,712.50
Age	\$ 225,844.39	21	\$ 10,754.49
Marital Status	\$ 73,539.81	8	\$ 9,192.48
Family Status	\$ 19,440.00	10	\$ 1,944.00
Handicap	\$ 1,041,473.65	162	\$ 6,428.85
Public Assistance	\$ 4,500.00	5	\$ 900.00
Reprisal	\$ 356,253.00	46	\$ 7,744.63
Not Classified	\$ 145,407.18	26	\$ 5,592.58
Total for all complaints	\$ 4,964,868.39	681	\$ 7,290.56
Note: Because complaints can involve multiple grounds, the sum of monetary damages by ground exceeds the sum of monetary damages by complaints.	Monetary Damages	Number Receiving Damages	Average

Settlements Effected by Ground in Cases Investigated in 1999/00

Race & Colour	\$ 32,500.00	8	\$ 4,062.50
Ethnic Origin	\$ 3,500.00	1	\$ 3,500.00
Creed	\$ -		
Sex & Pregnancy	\$ 88,150.00	11	\$ 8,013.64
Sexual Harassment	\$ 7,500.00	3	\$ 2,500.00
Sexual Orientation	\$ 4,000.00	1	\$ 4,000.00
Age	\$ 2,750.00	2	\$ 1,375.00
Marital Status	\$ 3,750.00	2	\$ 1,875.00
Family Status	\$ 3,000.00	1	\$ 3,000.00
Handicap	\$ 70,650.00	15	\$ 4,710.00
Public Assistance	\$ -		
Reprisal	\$ 6,750.00	2	\$ 3,375.00
Not Classified	\$ 1,280.00	1	\$ 1,280.00
Total for all complaints	\$ 223,830.00	47	\$ 4,762.34
Note: Because complaints can involve multiple grounds, the sum of monetary damages by ground exceeds the sum of monetary damages by complaints.	Monetary Damages	Number Receiving Damages	Average

Table 4: Complaints Closed by Disposition and Ground
Total Number of Complaints Closed = 2,305

Dismissed	307	162	18	75	15	16	115	12	18	115	9			25	887	462	20%
Not Dealt With (Sect. 34)	141	83	27	44	10	13	30	7	8	132	3	2		20	520	281	12%
Referred to Board of Inquiry	49	15	1	22	5	4	5	1	3	33	2	1	1	4	146	92	4%
Settled	320	174	35	260	85	29	62	26	31	360	10	2	1	52	1447	897	39%
Withdrawn	209	128	17	170	48	24	47	19	21	194	6	1		37	921	573	25%
Total	1026	562	98	571	163	86	259	65	81	834	30	6	2	138	3921	2305	100%
Percentage	26%	14%	2%	15%	4%	2%	7%	2%	2%	21%	1%	0%	0%	4%	100%		
	Race & Colour	Ethnic Origin	Creed	Sex & Pregnancy	Sexual Harassment	Sexual Orientation	Age	Marital Status	Family Status	Handicap	Public Assistance	Record of Offence	Breach of Settlement	Reprisal	Sum of Categories	Total for all Complaints	Percentage of all Complaints

Note: Because complaints can involve multiple grounds, the sum by grounds exceeds the total for all complaints closed.

Table 5: Complaints Closed by Disposition and Social Area
Total Number of Complaints Closed = 2,305

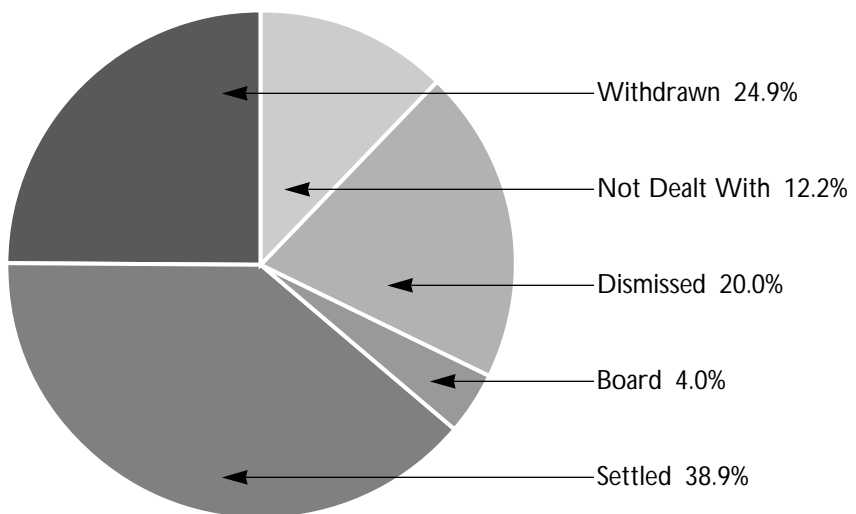
Dismissed	69	224	3	584	3	4	887	462	20%
Not Dealt With (Section 34)	21	178	4	291	26		520	281	12%
Referred to Board of Inquiry	10	18	1	116		1	146	92	4%
Settled	61	159		1225	2		1447	897	39%
Withdrawn	57	124		717	17	6	921	573	25%
Total	218	703	8	2933	48	11	3921	2305	100%
Percentage	6%	18%	0%	75%	1%	0%	100%		
	Accommodation	Services	Contract	Employment	Vocational Association	None	Sum of Categories	Total for all Complaints	Percentage of all Complaints

Note: Because complaints can involve multiple grounds, the sum by grounds exceeds the total for all complaints closed.

Table 6: Complaints Closed by Year and Disposition

	Not Dealt With	Dismissed	Board	Settled	Withdrawn
1994-95	336	260	46	293	305
1995-96	331	335	37	359	312
1996-97	343	299	28	314	376
1997-98	304	297	30	379	450
1998-99	180	403	92	867	676
1999-2000	281	462	92	897	573

Table 7: OHRC Disposition of Closings
Closing Dispositions - 1999/00 = 2,305



BOARD OF INQUIRY DECISIONS AND SETTLEMENTS

Decisions

Breach of Settlement

Brad Bergman v. 474134 Ontario Limited, c.o.b. as Westwind Inn, Kristi Jensen

Ethnic Origin

Quereshi v. The Board of Education for the City of Toronto

Alfred Abouchar v. Metropolitan Toronto School Board et al.

Handicap

Bob Brown v. Famous Players Inc. and Capital Square Theatre

Race

Michael McKinnon v. Her Majesty the Queen in Right of Ontario, Ministry of Correctional Services et al.

Sexual Harassment

Nicole Curling v. Alexander Torimiro

Sexual Orientation

James Moffatt v. Kinark Child & Family Services et al.

Ray Brillinger v. the Canadian Lesbian and Gay Archives and Scott Brockie and Imaging Excellence Inc.

Sexual Solicitation

Christian Bryan v. PMI Food Equipment et al.

Settlements

Age

Ephraim Stephenson v. Select Commercial Cleaning Inc.

Creed

Luise Wood, Anne McMahon, Ailene George, Teresa Bushby, Una Clennon, Joanne Van Halteren, Janice Newman and Marion Hurlburt v. Markham Stouffville Hospital, Marilyn Bruner, Ann Kennie, Joanne MacLean Hilton Hadaway v. Belmont Properties Inc.

Ethnic Origin

Mark Harris v. Silkwood Products

Family Status

Susan Ruddick v. Seventy-Five Scarborough Road Limited

Leah Khan, Ahmed Ali Khan v. Satya Nagpal Maureen Callaghan and Bruce Porter v. Echo Valley Resorts Ltd.

Emma Ribic v. Three R Management Ltd.

Handicap

William C. Taylor v. McFadden's Hardwood and Hardware Ltd. and Elmer DeMerchant

Nicholas Meloche by his Litigation Guardian Theresa Kales v. Greater Essex County District School Board

Donat Dagenais v. Farmboy Market Limited, John Strano, Dave Gozzard and Andrew Burdett and OHRC

George Widomski v. Dofasco Inc.

Art Levesque v. INCO Limited, Ontario Division

David Pritchard v. Factory Mutual System

Dimetrios Vargianitis v. Pepi's Drive In Restaurant and Spyros Sventzouris

Settlements

Delano Brown v. Scarborough Board of Education and John Crichton

Anthony Gardiner v. Turning Point Inc. and Board of Directors for Turning Point Inc. and James R. Pettit

Eddy Rusling v. Windsor Board of Education and Greater Essex County District School Board

Terry Lynn Wannamaker v. Town Line Processing Ltd.

Estate of Doug Shaver v. Toronto East General and Orthopaedic Hospital, Inc.

David Rajotte v. The Canadian Surety Company

Terry Thompson v. Lear Seating Company and Tim Tracey

Marital Status

Janet Lynn Miller v. David Felton, Paul Beneteau, and 1138859 Ontario Inc., operating as Stonewalls Steakhouse & Bar

Race

Neville Grant v. 700219 Ontario Inc. c.o.b. The Little Pie Shoppe, Herbert Neumann; Joseph Shkedy; Norman Wagner

Thomas Darill Jean-Pierre v. Concord Elevators Inc., John Stephens, and Jim Stephens

Lulu Hamilton-Awuah v. Municipal Bankers Corporation, Municipal Financial Leasing Corporation, Sandra Watzl, Gloria Jackson and Jeff Brown

Chan Veeren v. Metropolitan Toronto Housing Authority and Mr. Robert Ballantyne

Nicolas Calliste v. Peniche Carpentry Construction and Joaquim Martin

Alvin Jackson v. Mount Pleasant Cemetery

Jahangir Mirza v. Quebecor Litho Plus, a division of Quebecor Printing Inc., formerly Litho Plus Inc., Robert Corke, Jim Francis and Derrick Robson

Jules Greenberg v. Bobcaygeon and District Lions Club

Natalie Morgan v. Swiss Chalet

Receipt of Public Assistance

Tammy Harling, Aline Duquette, Colleen Delage v. New Era Homes Ltd.

James Cameron v. Apollco Properties Ltd.

Sex

Cheryl Todorowski v. Craig Hamill

Nancy Suchard v. Rick Wood and Canadian Owned Operated Taxi Ltd.

Neelima Goel v. Hardev Singh

Nancy Suchard v. Merv Reynard

Garth Caron v. ServPlus Inc., c.o.b. The Housesitters Canada, David Ballet and Cameron Dalsto

Cindy Rock v. Hound and Heather Restaurant

Sexual Harassment

Maria Da Penha Correia v. Januario Barros and Casa Abril Em Portugal

Mary Sobrocchi v. Piscelli & Faieta and Nichola Enzo Faieta

Melanie Camacho, Brenda Jane Brendia, Ashley LeRoux, and Rachel Luther v. Fairdinkum Aussie Outfitters and Henry Allon

Patricia Musty v. Meridian Magnesium Products Limited

Sexual Orientation

H. A. (Toni) Vanderwiel v. 1025091 Ontario Limited, c.o.b. as Godfather's Pizza/Tri Group Management, Allan N. MacDonald and Sharon Baker

Divisional Court (Judicial Review)

Age

Dennis Kennedy v. OHRC

Handicap

McKenzie Forest Products Inc. v. OHRC and Adam Tilberg, Board of Inquiry (Human Rights) and Attorney General of Ontario.

Jette Steward v. OHRC, 3M Canada Inc., CAW, Local 27 and Ministry of the Attorney General

Race

Alicia Payne v. OHRC and Otsuka Pharmaceutical Co. Ltd. and Mr. Okada and Metro Toronto Convention Centre, XXVIIth International Congress of Ophthalmology, Canadian Ophthalmological Society, Intertask Group of Companies, Paul Akehurst (Sr.) and Leanne Akehurst

Mike Naraine v. OHRC and Ford Motor Company of Canada Ltd., Gord Batstone, George Goyton, Andy Barr, Dobson, Bob Darogan and Mike Teigh

Anthony Weekes v. OHRC and Attorney General of Ontario

Guillaume Kibale v. OHRC

Wanxia Liao v. OHRC and University of Toronto and David Waterhouse

Sex

Colleen Pritchard v. OHRC and Sears Canada Inc.

Divisional Court (Appeal)

Race

Khaletun Khalil v. OHRC and Ontario College of Art, Jan Van Kampen, Norman Hathaway

Wilfred Etienne v. Westinghouse of Canada Limited and OHRC

Receipt of Public Assistance

Dawn Kearney v. J. L. and Catarina Luis

Sex

Colleen Pritchard v. OHRC and Sears Canada Inc.

Court of Appeal

Creed

Nuri J. Jazairi v. OHRC, York University, Harry Arthurs, Senate Committee on Tenure and Promotion, Faculty Committee on Tenure and Promotion, Tom Traves, John C. Evans, Elie Appelbaum and Roger Lathan

Handicap

McKenzie Forest Products Inc. v. OHRC and Adam Tilberg, Board of Inquiry (Human Rights) and Attorney General of Ontario.

Race

Marcia Robertson v. OHRC and Maple Leaf Foods Inc.

Wanxia Liao v. OHRC and University of Toronto and David Waterhouse

Sex

Colleen Pritchard v. OHRC and Sears Canada Inc.

Supreme Court of Canada

Sexual Orientation

M. v. H.

FINANCIAL STATEMENT

1999-2000 Actual Year-End Financial Position (\$'000)

	1999-00 Printed Estimates	Year-End Budget Adjustments	Revised Budget Mar. 31, 2000	Actual Expenditure Mar. 31, 2000	1999-00 Interim Year-End	Variance % of Revised Budget
Salaries & Wages	7,656.1	152.4	7,808.5	6,979.3	829.2	7.1
Employee Benefits	1,418.6	342.8	1,761.4	1,650.3	111.1	1.0
Other Direct Operating Expenses (ODOE)	2,087.9		2,087.9	3,027.7	(939.8)	(8.1)
	11,162.6	495.2	11,657.8	11,657.3	0.5	0.0

Note: The OHRC 1999-00 budget, with Management Board approval, was increased by \$495.2 at year-end (for Labour Adjustment Costs [LAC]).