

MESSAGE FROM THE CHAIRPERSON

NORTHWEST TERRITORIES HUMAN RIGHTS COMMISSION

ANNUAL REPORT 2006-07



The third year of the Human Rights Commission has been an active one. The Commission members have maintained their efforts to promote an understanding of the NWT *Human Rights Act*, based on the principles of mutual respect and equality. The Commission has developed additional public information and education programs to help minimize discrimination in the Northwest Territories.

To further our education and promotion mandate, we made a range of community visits, which are detailed in the Education section of this report. We have also delivered specialized presentations for groups with particular interests, including school principals, youth, landlords and employers. In order to complement these specialized presentations, new information materials have been developed and are available on our website.

A further outreach program involved a series of audio conferences presented by Lancaster House. These are Canada-wide discussions led by experts in labour and human rights law, which provided participants with the opportunity to learn about current issues in human rights and labour law throughout Canada. GNWT senior administrators, human resource managers, health and education board representatives, lawyers, and union leaders from various communities attended the conferences.

An additional area of the Commission members' responsibility is to promote the public interest in human rights cases. This year has marked the first time that we have exercised this responsibility and become a party to a complaint before the Adjudication Panel.

Public inquiries have increased over the three years of the Commission's existence. In 2004-2005 there were 158 inquiries, in 2005-2006, 253 and in 2006-2007 there were 427 inquiry calls, representing an increase of 270% over this period. This indicates the Commission's success at making the people of the NWT aware of the services

of the Human Rights Commission. As human rights officers answer these public inquiries, it has been helpful that we have received a funding increase to provide a second human rights officer.

The Commission is playing an active role in the Canadian Association of Statutory Human Rights Agencies (CASHRA). I am honoured to serve as first vice president of the Association. Some Commission members and staff attended the 2006 annual conference in Fredericton, New Brunswick. In June of this year, our Commission is preparing to host the annual CASHRA Conference in Yellowknife. We hope that members of the Legislative Assembly will be able to participate in this informative national conference.

This year has also been one of transitions. Two of our Commission members, Lorne Gushue and Rose Marie Kirby, completed their term. We greatly appreciated their creative ideas and dedication during their two years with the Commission. At the same time, we welcome our two new members, Rita Mueller from Behchokò and Tammy Rogers from Inuvik. I would like to thank the staff along with all of the Commission members for their dedication, hard work and commitment to the human rights of the people of the Northwest Territories. It has been a privilege to work with both the new and continuing Commission members: Colin Baile, Joletta Larocque, Rita Mueller and Tammy Rogers.

Mary Pat Short

Mary Pat Short, Chairperson

ABOUT THE COMMISSION

WHAT TO EXPECT 07/08

2006-07 FINANCIAL SUMMARY

For the period ended March 31, 2007

The NWT Human Rights Commission is an independent agency with the mandate to:

Promote human rights and prevent discrimination through education and deal with complaints from people who feel their rights under the NWT *Human Rights Act* have been violated.

Human Rights Commission

The Commission consists of five members. They are appointed by and report to the Legislative Assembly. The Commission prevents discrimination through education, promotion, research, and advocacy.

- ▶ Mary Pat Short, Chairperson – Fort Smith
- ▶ Colin Baile, Vice-Chairperson – Yellowknife
- ▶ Joletta Larocque – Hay River
- ▶ Rita Mueller – Behchokò
- ▶ Tammy Rogers – Inuvik

Director and Deputy Director of Human Rights

The Director and Deputy Director are full-time appointments of the Legislative Assembly. They administer the complaints process.

- ▶ Thérèse Boullard, Director of Human Rights
- ▶ Deborah McLeod, Deputy Director

Human Rights Officers

- ▶ Isabel Gauthier
- ▶ Carolyn MacKay

Office Administrator

- ▶ Denise Jerome

For more information:

Northwest Territories Human Rights Commission

PO Box 1860, Yellowknife, NT X1A 2P4
Toll-Free: 1-888-669-5575

www.nwthumanrights.ca

COMMUNITY VISITS

The Commission will continue visiting communities outside of the regional centers. The Commission plans to visit the Delta (Tuktoyaktuk, Aklavik, Fort McPherson, Tsiigetichic), the South Slave (Providence, Enterprise, Kakisa), the Tłı̄chǫ (Behchokò, Whatì), the North Slave (Dettah), the Sahtu (Délı̄ne), and the Decho (Providence, Klatodechee First Nation).

EDUCATION

The Commission will host a national conference on behalf of the Canadian Association of Statutory Human Rights Agencies (CASHRA). This conference provides an opportunity for education on emerging human rights issues in Canada.

The Commission will extend the specialized information sessions offered to targeted audiences, such as the landlord and employer workshops offered in 2006-2007. The Commission will develop publications on specific issues, such as a guide to renting.

The Commission continues to provide free workshops on request.

HUMAN RIGHTS AND YOUTH

The Commission will develop a discussion guide on human rights for middle school students, similar to the guide that was created for high school students and that is posted on the Commission's website.

The Commission will also publish an anti-bullying resources guide for schools. The guide will be a resource for schools to address bullying among students. The guide will highlight programs that have worked in NWT schools.

RAISING AWARENESS

The Commission will publish regular advertisements to raise awareness about the importance of human rights in the Northwest Territories.

Statement of General Operations

Revenue – Government of the Northwest Territories

Operating grant	277,000.00
Reimbursement of expenses	28,365.00
Interest Revenue	1,204.00
	306,569.00

Expenses

Accounting	11,881.00
Advertising	5,244.00
Benefits and pension	21,833.00
Contracts - investigation	20,257.00
Contracts - mediation	9,160.00
Legal expenses	54,096.00
Meeting expenses	6,307.00
Office administration	24,736.00
Printing	13,057.00
Public Service Announcements	1,150.00
Staff training	4,470.00
Subscriptions	4,144.00
Telephone & toll-free	16,341.00
Translation & interpretation	4,989.00
Travel - Commission Members	38,881.00
Travel - Director and Deputy Director	11,330.00
Travel - other	1,152.00
Wages	137,289.00
Website	142.00

386,459.00

Excess expenses (\$79 890.00)

Statement of Cash Flows

Cash provided by (used in) operating activities

Excess revenue (expenses)	(\$79 890.00)
<i>Change in non-cash operating working capital</i>	
Short term investment	102,075.00
Accounts receivable	1,096.00
Prepaid expenses	(654.00)
Accounts payable and accrued liabilities	(29 055.00)
Change in unrestricted cash	(6 428.00)
Cash, opening	62,026.00
Cash, closing	55,598.00

To receive a copy of the complete audited financial statements, please contact the Commission.

EDUCATION & OUTREACH



Director navigates a wheelchair for Disability Awareness Week organized by the NWT Council of Persons with Disabilities.

- ▶ **Aurora College Office Administration Program (Yellowknife):** Students learned about human rights in the workplace.
- ▶ **Yellowknife Association for Community Living:** The Commission participated in an information session for parents wanting to learn about accommodating students with special needs in the public school system.
- ▶ **Landlords:** Over 15 landlords attended the Commission's information sessions in Yellowknife.
- ▶ **Employers:** Approximately 15 employers learned about human rights in the workplace and the duty to accommodate at the Commission's information session in Yellowknife.

In addition to public presentations, the Commission continued to provide educational audio conferences for the communities of Fort Smith, Hay River, Inuvik, and Yellowknife. These presentations consisted of a Canada-wide audio conference followed by a question and answer session with the NWT Director of Human Rights. The Commission hosted four audio conferences in the past year on themes such as accommodating family obligations and accommodating religious beliefs in the workplace.

Publications

The majority of complaints the Commission receives are about discrimination in the workplace. To address this need, the Commission developed the following publications:

- ▶ **Employer's Guide to Human Rights**
This gives an overview of how the *Act* applies in the workplace, including questions an employer can ask during hiring, and explains the duty to accommodate an employee's disability.



Human Rights Officer, Carolyn MacKay, provides information about the complaint process.

- ▶ **Duty to Accommodate: A Guide for Employers**
This provides detailed information about the duty to accommodate and includes a checklist to guide employers faced with a request for accommodation.
- ▶ **Drug and Alcohol Testing: A Guide for Employers**
This provides information about the human rights implications of drug and alcohol testing in the workplace. It outlines when it is acceptable and not acceptable to test employees.

The Commission also developed a Discussion Guide for High School. The Discussion Guide uses the Commission's public service announcements as a tool for stimulating discussion amongst high school students about the *Human Rights Act*, the duty to accommodate, discrimination, homophobia, and sexual harassment. The Discussion Guide was distributed to all schools in the NWT.

The Commission has continued its educational mandate with community visits, public presentations, and the development of new materials.

Community Visits

- ▶ **Fort Resolution:** The Commission hosted an elders' lunch and held a public information session.
- ▶ **Behchokò:** A presentation was delivered to the Behchokò Community Council about the *Human Rights Act* and the Commission.
- ▶ **Hay River:** Students at Aurora College learned about their human rights and responsibilities in the workplace.

Public Presentation Highlights

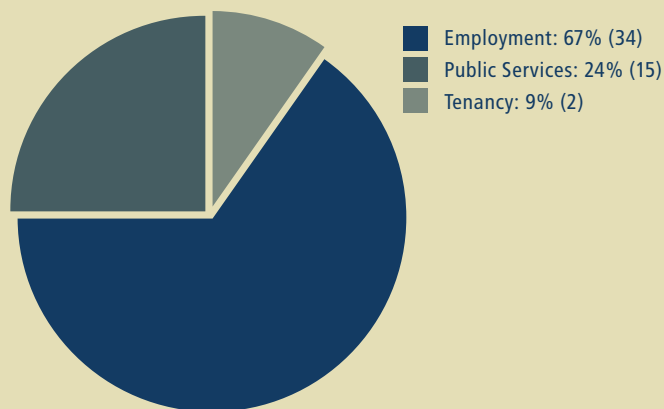
- ▶ **Peacemakers Conference:** Approximately 100 students at Weledeh School in Yellowknife learned about human rights and discrimination.
- ▶ **Public Service Alliance of Canada:** About 20 union representatives learned about the *Human Rights Act* and the complaint process.

COMPLAINT STATISTICS

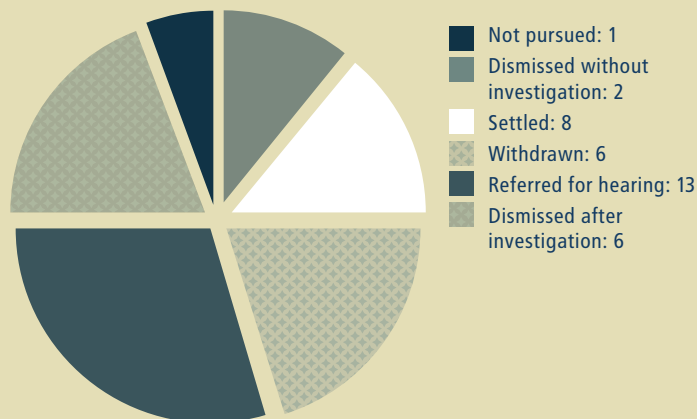
of complaints opened: 34 / # of public inquiries: 427

PUBLIC INTEREST

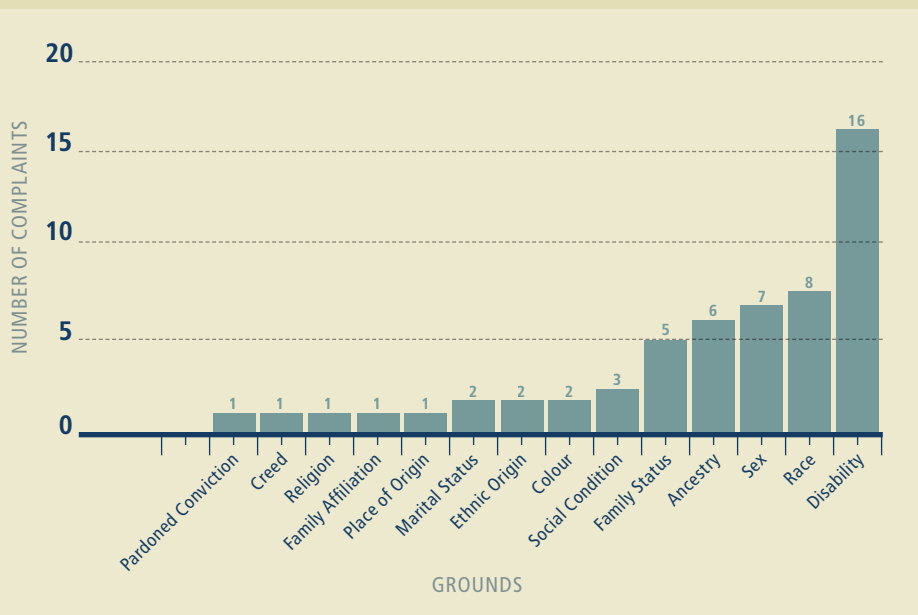
AREAS OF ALLEGED DISCRIMINATION



DISPOSITION OF COMPLAINTS



GROUNDS OF ALLEGED DISCRIMINATION



A person may file a complaint with the Commission when she or he believes a person or agency broke the law and discriminated against them. There is no cost involved in filing a complaint. A person must file a complaint within two years of the alleged discrimination.

Note: The areas and grounds of discrimination add up to more than the number of complaints because one complaint can include more than one area and ground.

The Commission's mandate includes promoting the public interest in human rights cases. This year, the Commission became a party to a complaint that was referred to the Human Rights Adjudication Panel for a hearing. The complaint was filed by a seasonal worker who was injured on the job while working in the NWT. The worker filed a complaint against the Workers' Compensation Board based on social condition.

The complaint is important because one of the issues in the complaint deals with clarifying the definition of "social condition" in the Act. The Commission argued that "social condition" could be defined broadly to include seasonal workers. This case could have an impact on workers in the NWT because many industries here are seasonal, including construction, tourism, ice road trucking and maintenance, operating ferries, and forest firefighting.

The Adjudication Panel hearing was held in January 2007. A decision has not been released in time for this report.



NWT Human Rights Commission members: Colin Baile, Mary Pat Short, Tammy Rogers, Jolletta Larocque (absent: Rita Mueller).