



***Northwest Territories
Human Rights Commission***

2009-2010 Annual Report





ᑭᑦᑲᑦᑲᑦ ᑲᑦᑲᑦ ᑲᑦᑲᑦ ᑲᑦᑲᑦ ᑲᑦᑲᑦ
ᑲᑦᑲᑦ ᑲᑦᑲᑦ ᑲᑦᑲᑦ ᑲᑦᑲᑦ ᑲᑦᑲᑦ.

Chipewyan

Kīspin ki nitawihtīn ē nīhiyawihk ōma ācimōwin, tipwāsinān.

Cree

Tłı̄chq̄ yati k'ę̄ę̄. di wegodi newq̄ dē, gots'o goneđe.

Tłı̄chq̄

Jii gwandak izhii ginjik vat'atr'ijahch'uu zhit
yinohtan jì', diits'àt ginohkhì.

Gwich'in

Hapkua titiqqat pijumagupkit Inuinnaqtun, uvaptinnut hivajarlutit.

Inuinnaqtun

UVANITTUAQ ILITCHURISUKUPKU INUVIALUKTUN, QUQUAQLUTA.

Inuvialuktun

ᑲᑦᑲᑦ ᑲᑦᑲᑦ ᑲᑦᑲᑦ ᑲᑦᑲᑦ ᑲᑦᑲᑦ
ᑲᑦᑲᑦ ᑲᑦᑲᑦ ᑲᑦᑲᑦ ᑲᑦᑲᑦ ᑲᑦᑲᑦ

Inuktitut

K'ÁHSHÓ GOT'INE XƏDƏ K'É HEDERI
ᑭᑦᑲᑦᑲᑦ ᑲᑦᑲᑦ ᑲᑦᑲᑦ ᑲᑦᑲᑦ.

North Slavey

EDI GONDI DEHGÁH GOT'IE ZHATIÉ K'ÉĘ
EDATŁ'ÉH ENAHDDHĘ NIDE.

South Slavey

If you would like this information in another language, call us.

English

Si vous voulez ces informations en français, contactez-nous.

French



CONTENTS

Message from the Chairperson.....	3
Education and Outreach	5
Complaints Report	7
Hearings and Decisions	9
Financial Summary.....	10
What to Expect 2010-2011	11
About the Commission.....	12
About the NWT <i>Human Rights Act</i>	13

VISION

We envision a North at peace with its diversity, where everyone is safe, confident and respected on their journey.



MESSAGE FROM THE CHAIRPERSON



Education is a significant part of the Commission's mandate and has continued to be a major focus for the NWT Human Rights Commission's outreach this year. Through public presentations in a variety of formats, we have informed the citizens of the Northwest Territories, from young people to adults, about the importance of human rights. Utilizing our updated website, publications, workshops and presentations, we have reached out to students, union members, non governmental agencies, employers, administrators, hamlet office employees, GNWT human resources managers and members of both large and small communities. Information is empowerment, and we strive to enable people to learn about and protect their human rights and understand their responsibilities for the rights of others.

As young people are the future of the NWT, and of human rights awareness in the NWT, the Commission has continued to support all schools with human rights related resources for students and teachers, as well as making presentations in seven schools and adult learning centres. To inform the people of the Northwest Territories about their rights and what to do when these rights are denied, we gave workshops and presentations in eight communities.

Support for employers was the focus of newly developed information and training workshops on the duty to accommodate. These sessions assisted employers with understanding and fulfilling their legal requirements to accommodate the needs of workers due to disability or any other personal characteristic protected by the *Human Rights Act*. These sessions were well attended by people from both the private and public sector and many thoughtful issues were raised.

In addition, three Lancaster Law national audio conferences, which focused on workplace issues that relate to human rights and labour law, were offered throughout the NWT. The Commission also participated in trade shows in the North and South Slave. We continued to offer information sessions upon request.

We are pleased that our newest publication "Know Your Rights" has been so well received. This is an attractive, illustrated booklet that uses brief stories to help people learn more about human rights in the NWT in easily accessible language.

An indication of public awareness of the Commission is the increase in the number of inquiries received this year. There have been 280 inquiries, an increase of eight percent over last year. Of these queries, 26 resulted in complaints. After review and investigation, 15 of these complaints were referred by the Director to the Adjudication Panel for a hearing.



On a national level, Commission members and the Director attended the Montreal conference of the Canadian Association of Statutory Human Rights Agencies (CASHRA). The conference, “Dare to Reach Higher! Human Rights and Freedom” focused upon the challenges involved in promoting and defending human rights in the current economic and social climate. As CASHRA President, I attended a reception and ceremonial gathering at the City Hall of Montreal where I met with the Mayor of Montreal and signed the City’s Golden Book on behalf of CASHRA. My role as President and our Director’s role as Treasurer have given the NWT Human Rights Commission a national presence. It is an indication that CASHRA’s leadership can come from smaller as well as larger jurisdictions and demonstrates the organization’s inclusive spirit.



Commission Chairperson Mary Pat Short (seated) at Montreal’s City Hall with representatives of human rights agencies from across Canada, and the Mayor of Montreal.

The year has ended with changes to the membership of the Commission as Tammy Rogers of Inuvik and Rita Mueller of Behchoko completed their terms. Rita was reappointed for a further two years. Two additional members are expected to join the Commission in the fall. As Commission Chair, I thank Tammy for her invaluable contribution to the Commission. I also appreciate the insights of the ongoing Commission Members, Yacub Adam and Rita Mueller and the expertise of the staff, Director and Deputy Director.

As human rights activist Shulamith Koenig once said, “Human Rights are the banks of the river within which life can flow in freedom and dignity.” By continuing to offer a flow of human rights related information to the public, we inform people of their rights and responsibilities so that justice and fairness can be strengthened for all the citizens of the Northwest Territories.

Mary Pat Short,
Chairperson



EDUCATION AND OUTREACH

COMMUNITIES VISITED

In addition to Yellowknife, the Commission visited the following communities for the purposes of education, outreach and building relationships with community organizations:

- Fort Smith
- Fort Providence
- Dettah
- Deline
- Tulita
- Ulukhaktok
- Hay River



Commission Chairperson Mary Pat Short delivers a presentation to students at Chief Albert Wright School in Tulita.

PUBLIC PRESENTATIONS

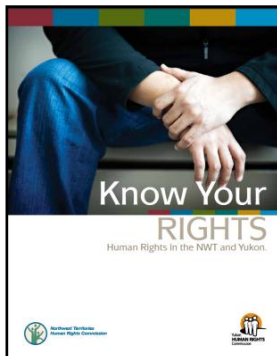
The Commission provides free presentations to interested organizations. In 2009-2010 presentations were delivered to the following organizations:

Aurora College Adult Learning Centres in Tulita, Deline, Fort Providence, and Yellowknife. Adult learners learned about their rights and responsibilities under NWT *Human Rights Act*.

GNWT Human Resource Managers. Human resource managers from across the GNWT gathered in Yellowknife for professional development. The Commission provided a half-day presentation on the duty to accommodate employees with disabilities.

Secondary school students in Fort Providence, Tulita, and Ulukhaktok. High school students learned about discrimination and about the importance of respect in their schools.

Hamlet Offices in Tulita and Ulukhaktok: Hamlet employees and administrators learned how the NWT *Human Rights Act* applied to their work.



KNOW YOUR RIGHTS

Know Your Rights was developed for publication in the spring of 2010. Know Your Rights is a plain language guide to the human rights laws of the NWT and Yukon. The publication uses stories and photos to illustrate the types of discrimination that are against human rights law.

Know Your Rights was produced in partnership with the Yukon Human Rights Commission.



OUTREACH TO EMPLOYERS

DUTY TO ACCOMMODATE WORKSHOPS

In November 2009 and February 2010, the Commission offered full-day training sessions for employers on the duty to accommodate. The workshops were offered on a pilot basis in Yellowknife.

Thirty-four (34) representatives from private, non-profit, government, and union organizations attended the workshops to learn about their legal obligations towards employees who require accommodations due to their disabilities, pregnancies, religious beliefs and other needs covered by the *Human Rights Act*. The workshop included tips on how to respond to a request for accommodation as well as practical strategies for accommodating employees with disabilities.

LANCASTER LABOUR LAW AUDIO CONFERENCES

The Commission again provided the opportunity for members of the public to attend Lancaster Labour Law Audio Conferences. Employer and union representatives in Yellowknife, Hay River, Fort Smith, Behchoko, and Inuvik attended the three audio conferences which dealt with the following topics:

- Cultures in Conflict: Dealing with Diversity at the Workplace
- Key Issues in Accommodation
- Leaves of Absence: Accommodating Emergencies, Bereavement, Parental and other Family Obligations

OUTREACH TO SCHOOLS

RESOURCES FOR SCHOOLS

The Commission supplied all NWT schools with *UNITED: A Human Rights Handbook*. The resource provides teachers with educational activities, videos, and lesson plans aimed at raising awareness about human rights among students in Grades 7 to 12.



TEACHERS' SURVEY AND DRAW

The Commission administered a survey among NWT educators to find out how educators were teaching human rights in their classrooms and schools. Over two-hundred (200) educators from twenty-eight (28) communities participated in the survey. The survey results will help the Commission develop strategies to raise awareness about human rights in schools.

After the survey was completed, the Commission held a draw for MacBook computers loaded with resources to support teaching human rights in K-12 classrooms. Laptops were awarded to seven teachers from different regions of the NWT.

PUBLIC SERVICE ANNOUNCEMENTS

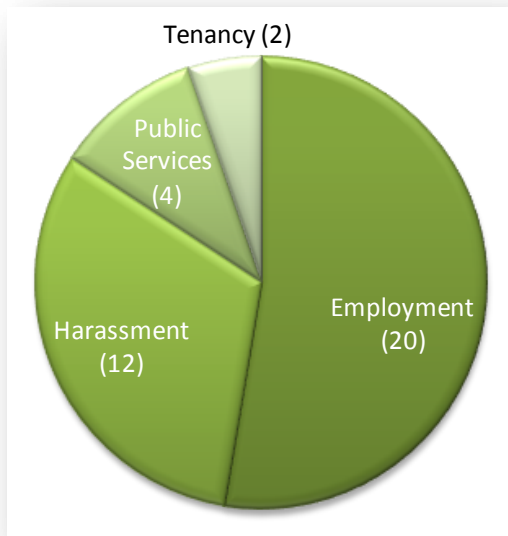
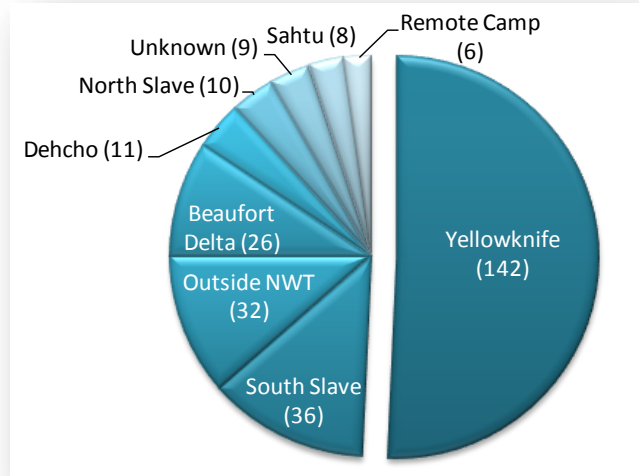
The Commission created television and radio public service announcements in 2005. The PSAs covered topics such as the NWT *Human Rights Act*, the duty to accommodate, sexual harassment, and homophobia in schools. This year, French versions of the PSAs were developed for re-broadcasting during 2010-2011.



COMPLAINTS

INQUIRIES

Commission staff responded to two-hundred and eighty (280) inquiries from members of the public who had concerns about their human rights. The inquiries originated from the following regions:

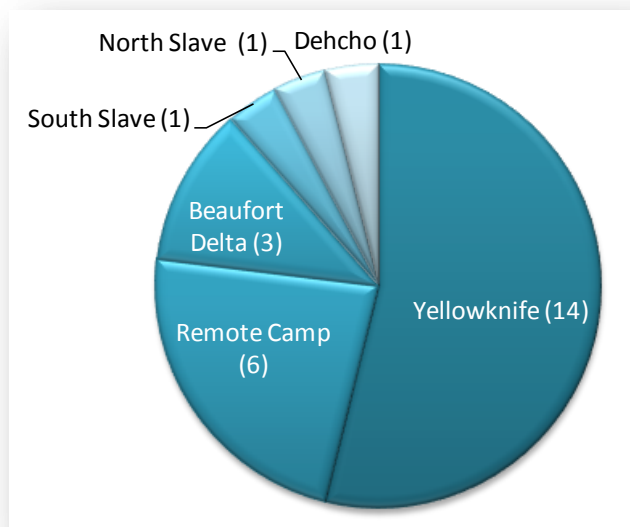


The twenty-six (26) new complaints alleged that discrimination occurred in the regions indicated on the chart:

COMPLAINTS

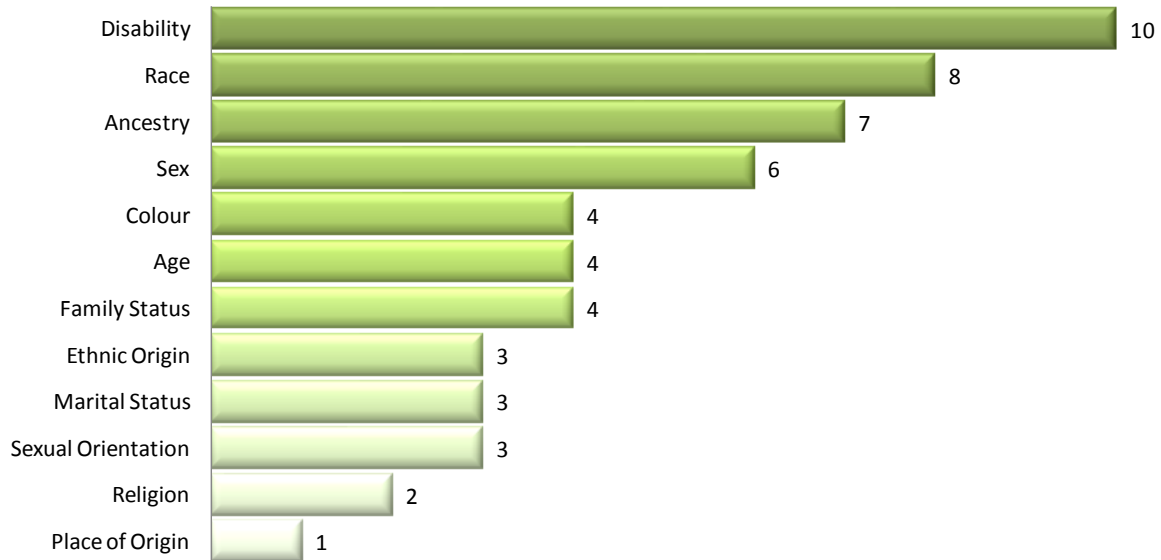
The Commission received twenty-six (26) complaints in 2009-2010. The complaints alleged discrimination in the areas shown on the green chart.

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



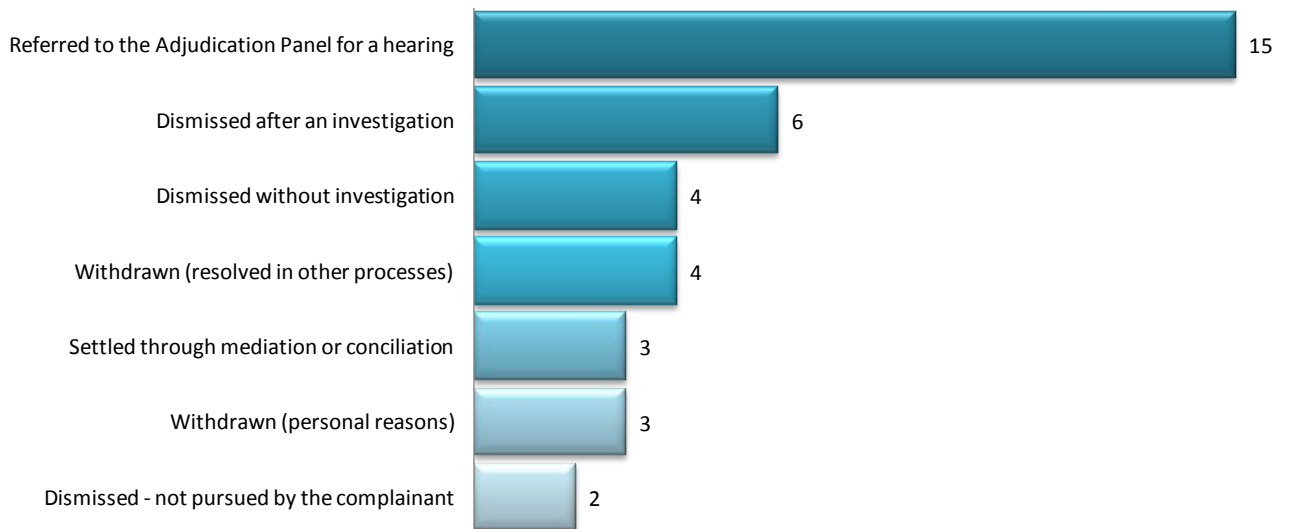


The twenty-six (26) new complaints alleged discrimination based on the following grounds:



COMPLAINT CLOSURES

Thirty-seven (37) complaints were closed in 2009-2010. The reasons for closure were:





HEARINGS AND DECISIONS

NWT HUMAN RIGHTS ADJUDICATION PANEL

The separate and independent NWT Human Rights Adjudication Panel (the “Panel”) hears complaints that are referred to it by the Director. The Panel also hears appeals of the Director’s decision to dismiss complaints. Decisions of the Panel are posted on the Panel’s website at <http://hrap.nt.ca>.

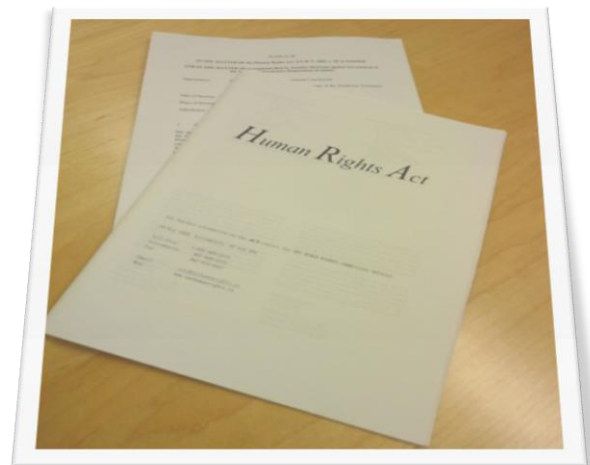
From April 1, 2009 to March 31, 2010, the Adjudication Panel processed eight (8) complaints. Six (6) of these cases were settled through mediation and decisions were issued on the remaining two (2) cases.

MCSWAIN V. GOVERNMENT OF THE NORTHWEST TERRITORIES

In its last annual report, the Commission reported that the Panel upheld Jennifer McSwain’s complaint that she was discriminated against because of her marital status by the GNWT’s Department of Justice.

The South Mackenzie Correctional Centre (SMCC) operates a snow removal service for persons with disabilities and the elderly in Hay River. SMCC inmates, under the supervision of corrections officers carry out the snow removal. Ms. McSwain was denied this service because her spouse is a corrections officer. The Panel concluded that the SMCC could accommodate Ms. McSwain without undue hardship and therefore discriminated against her on the basis of her marital status. The Panel deferred the decision on remedies.

In its decision on remedies dated June 15, 2009, the Panel ordered the GNWT to compensate Ms. McSwain \$4,000.00 for injury to dignity, feelings, and self-respect. The adjudicator also ordered the GNWT to cease the discrimination.



WEBER V. BUDGET RENT-A-CAR AND AVIS BUDGET RENTAL GROUP INC.

On July 8, 2009, the Panel dismissed Ms. Weber’s complaint because there was no longer a cause of action. Specifically, Ms. Weber failed to pursue the final steps in settling the complaint and the respondents had complied with the terms of settlement.



FINANCIAL SUMMARY

Statement of General Operations

For the year ended March 31,	2010	2009
Revenue		
Government of the Northwest Territories		
operating grant	200 000	420 000
reimbursement of expenses	-	7 227
Interest revenue	-	2 672
	200 000	429 899
Expenses		
Accounting	8 282	17 360
Advertising	6 756	-
Office Expenses	5 483	12 596
Capital assets purchase	5 000	-
Contracts - administration	15 546	28 481
Events	6 676	31 837
Honorarium - chairperson	53 800	-
Honorarium - commission members	36 887	-
Legal expenses	15 685	18 260
Meeting expenses	-	1 041
Membership fees	-	500
Printing	7 366	15 944
Staff training	750	3 459
Subscriptions (CHRR)	-	2 709
Telephone & toll free	841	13 168
Translation & interpretation	-	2 921
Travel - chair of commission	21 971	-
Travel - commission members	9 772	41 922
Travel - director and deputy director	-	7 655
Travel - mediators	-	2 124
Travel - staff	6 805	-
Wages and benefits	-	187 870
Website	25 542	630
	227 162	388 477
Excess revenue (expenses) before the following	(27 162)	41 422
Transfer to Investment in Capital Asset Fund	6 242	
Excess revenue (expenses)	(20 920)	41 422

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

Statement of Cash Flows

For the year ended March 31,	2010		2009	
	Investment in Capital Asset Fund	General Fund	Total	Total
Balance, beginning of year	27 312	64 035	91 347	49 925
Excess revenue (expenses)	-	(20 920)	(20 920)	41 422
Capital assets purchased	6 242	(6 242)	-	-
Balance, end of year	33 554	36 873	70 427	91 347



WHAT TO EXPECT 2010-2011

WEBSITE UPGRADE

The Commission will launch an expanded, user-friendly, and accessible website. The innovative website will include oral and written information in the NWT's eleven official languages. The Commission's online presence will include a French-language website at www.droitsdelapersonnetno.ca. The websites will include pages targeted to educators, employers, and landlords as well as information on how to file a complaint and how to respond to a complaint.

COMMUNITY VISITS

The Commission intends to visit the following communities: Hay River, Fort Smith, Inuvik, Deline, Fort Liard, Wrigley, Jean Marie River, and Fort Simpson.

SCHOOL OUTREACH

The Commission will develop a Social Studies Curriculum Guide to Human Rights. The Guide will assist NWT teachers in teaching human rights principles and ideas in their classrooms by linking human rights resources directly to the appropriate areas of the NWT K-12 Social Studies Curriculum.



Director Thérèse Boullard delivers a workshop in Inuvik.

KNOW YOUR RIGHTS – TEACHERS' NOTES AND ACTIVITIES

The Commission will publish "Teachers' Notes and Activities" to accompany Know Your Rights (see page 5 to read about Know Your Rights). The "Notes and Activities" will include exercises and games that will increase understanding of human rights and responsibilities.

EMPLOYER WORKSHOPS: DUTY TO ACCOMMODATE AND WORKPLACE HARASSMENT

The Commission will expand its specialized workshops targeted to employers. In response to inquiries from employers and employees about workplace harassment, the Commission will develop and pilot a workshop on workplace harassment that includes practical tools to enable managers to address workplace harassment. The Commission will also deliver its Duty to Accommodate workshop outside of Yellowknife.

LEGAL SUPPORT AT ADJUDICATION

The Commission wishes to support a balanced and fair adjudication process for all parties before the NWT Human Rights Adjudication Panel. To that end, the Commission will become a party to all complaints that are referred for adjudication in order to determine if the adjudication of a particular complaint could benefit from the Commission's participation. The Commission will do this on a pilot basis for the year 2010-2011.



ABOUT THE COMMISSION

The NWT Human Rights Commission is made up of up to five Members who are appointed by the Legislative Assembly. The Commission operates independently in implementing its mandate to promote human rights and prevent discrimination through education and promotion.

COMMISSION MEMBERS

The Commission is made up of up to five members. They are appointed by and report to the Legislative Assembly. The Commission seeks to prevent discrimination through education, promotion, research, and advocacy. The Commission Members are:

- Mary Pat Short, Chairperson (Fort Smith)
- Rita Mueller, Vice-Chairperson (Behchoko)
- Yacub Adam (Yellowknife)
- Tammy Rogers (Inuvik)



L-R : Rita Mueller, Tammy Rogers, Mary Pat Short, Yacub Adam



Clockwise from top left : Linda Noseworthy, Deborah McLeod, Carolyn MacKay, Thérèse Boullard, Isabel Gauthier

DIRECTOR'S OFFICE

The Director of Human Rights is responsible for the administration of the complaint process and the operations of the Commission's office. The Director also acts as secretary to the Commission and implements the Commission's education and promotion activities. The Director is a full-time appointment of the Legislative Assembly.

- Thérèse Boullard, Director of Human Rights
- Deborah McLeod, Deputy Director of Human Rights
- Isabel Gauthier, Human Rights Officer
- Carolyn MacKay, Human Rights Officer
- Linda Noseworthy, Administrative Officer
- Teresa Long, Administrative Officer (until August 2009)



ABOUT THE NWT *HUMAN RIGHTS ACT*

It is against the *Human Rights Act* to discriminate against or harass people because of:

- Race, colour, ancestry, place of origin, ethnic origin, and nationality
- Sex, sexual orientation, or gender identity
- Family or marital status, or family affiliation
- Social condition
- Religion or creed
- Political belief or association
- A pardoned criminal conviction
- Disability
- Age

The *Human Rights Act* prohibits discrimination against people in 5 areas:

- Work and looking for work
- Renting a home or a business space
- Membership in a trade union or professional group
- Public services such as health, education, or social services
- Published materials such as newspapers, pamphlets, magazines, or signs



Human Rights Officer Carolyn MacKay provides general information about the Human Rights Act.

To discriminate means to assume negative things about a person or group of people and treat them unfairly, harass them, or deny them opportunities to which they are entitled. Here are three examples of discrimination:

- A landlord won't rent to a family on income support because he believes the family will cause trouble and won't pay the rent.
- A business fires a woman because she gets pregnant.
- An employer refuses to accommodate an employee's disability.

A person can 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 2 years of the alleged discrimination.

PO Box 1860
Yellowknife, NT X1A 2P4

Toll Free: 1-888-669-5575
Yellowknife: 867-669-5575

E-mail: info@nwthumanrights.ca
Fax: 867-873-0357

www.nwthumanrights.ca



Northwest Territories Human Rights Commission

