



HOW TO FILE YOUR COMPLAINT

If you believe you have experienced discrimination by a federally regulated employer or service provider, you can file a complaint with the Canadian Human Rights Commission (the Commission).

Not all unfair situations can be processed as a human rights complaint.

A human rights complaint requires you to identify three things:

- the specific ground(s) of discrimination (race, sex, disability, religion, etc.)
- the discriminatory act or treatment
- the negative effect this act or treatment has had on you.

You should file a complaint within 12 months of the act or treatment that you are complaining about. However, there may be exceptions for certain circumstances.

You can file a complaint on behalf of others as long as you have their consent.

There is no fee to file a complaint. You don't need to hire a lawyer or get other legal assistance. If there is anything you do not understand, you can call the Commission and ask a human rights analyst for help. However, if you decide to hire legal help, you are responsible for paying the associated costs.

In order to file a human rights complaint, please use the Complaint Form. (Please advise the Commission if you need alternate formats to file your complaint.)

WHAT HAPPENS NEXT

Someone from the Commission will contact you within 14 days of having received your call or your documents.

If your complaint is accepted, you will be notified and the Commission will send a copy of your complaint to the organization that your complaint is against (the respondent). It is at that point that the respondent will find out about your complaint.

The Commission is impartial – it does not take your side or the respondent's.

If you want to have access to your complaint file or find out the stage of your complaint, you can contact the Commission at complaint@chrc-ccdp.gc.ca. If you prefer to use a more formal process, you can contact the ATIP Office at ATIP@chrc-ccdp.gc.ca.

PRIVACY NOTICE

At the end of the Complaint Form, you will be asked to authorize the Commission to collect your personal information. This is necessary in order for the Commission to be able to process your complaint. You may also choose to allow the Commission to use your complaint information for research and education purposes. The Privacy notice provides you the legal information on how your personal information will be protected, stored and used.

How will the Commission protect and store your personal information?

Under the *Canadian Human Rights Act*, the Commission is allowed to collect complaint information, such as the content of a person's Complaint Form, in order to process people's human rights complaints.

Some of your complaint information is personal information. The Commission will ensure this information is protected under the *Privacy Act* and will only use and disclose it:

- to process this human rights complaint (e.g. sharing it with the respondent for their comments);
- for a similar internal reasons (e.g. listing complaint information for a Commission meeting);
- if there is a legal reason (e.g. if there is a need to disclose the information under the rules of a court or tribunal); or
- if section 8(2) of the *Privacy Act* allows it (e.g. if it is in your best interests).

If you do not allow the Commission to collect your personal information, the Commission will not be able to process your complaint.

The Commission will store this personal complaint information in Personal Information Bank CHRC PPU 005 until it sends it to the Library and Archives of Canada or destroys it.

Who will see my personal information?

The Commission may let anyone who helps process the complaint (such as Commission staff or contractors) look at all of the personal complaint information it collects.

The Commission may also share all your personal information with the respondent so they will know what you said and can make comments. If the Commission refers your complaint to the Canadian Human Rights Tribunal (Tribunal), the Commission will share the complaint file with the respondent, including your personal information.

Finally, the Tribunal or a court may make your personal information public during a Tribunal hearing, in a Tribunal ruling, or if there is a judicial review of your complaint.

Consent to use your personal information for policy, research and public education

The Commission sometimes develops policies and guides, and prepares reports or other statistical information for policy, research and public education purposes in support of its mandate under section 27 of the *Canadian Human Rights Act*.

To help the Commission promote and protect human rights in Canada, you may choose to allow the use of your personal complaint information for this type of work. Commission reports will never include your personal information or information that would identify you. Also, the Commission will continue to protect all your information according to the requirements of the *Privacy Act*.