

Canadian Human
Rights Tribunal



Tribunal canadien
des droits de la
personne

Mediation form – questions to the parties

I. Case details:

Case name*:

Tribunal file(s) number(s)**:

*Complainant's name v. Respondent's name (e.g. Jamie Larose v. Company XYZ)

**Include this number when contacting the Tribunal about your case

Note: The Canadian Human Rights Commission (the "Commission") typically sends the Tribunal and the other parties a copy of the initial Complaint Form. The Tribunal will also ask the Commission to send a copy of the Report for Decision (previously known as the Investigation Report) and its Record of Decision. You do not need to send these to us again.

Please answer the following questions to help prepare for mediation. The questions we ask you are about possible remedies and options that could resolve the complaint. You can also tell us if anything has changed since the Commission completed its investigation. These forms are short to help make this process easier for all parties. Please know that you will have the chance to discuss the substance of the complaint in detail at mediation and to expand on what you have written in the forms.

You can use bullets or lists and write in point form. Do not attach case law or jurisprudence.

II. Question for the Complainant and the Respondent:

- 1. Is there any information missing from the complaint or the Report for Decision that you think is important for the mediator to know?**

If there are statements in the Report for Decision that are outdated, you may wish to update them.

Explanatory note regarding remedies

If your complaint was to go to hearing, the Tribunal could find that discrimination or harassment happened and could order three types of remedies:

a) Financial compensation: This means the Tribunal could order the Respondent to pay you money to compensate you for:

- Money you lost or were forced to spend because of the discrimination (for example, out of pocket expenses or lost wages, benefits or bonuses)
- Compensation of up to \$20,000 for pain and suffering (including physical, mental and emotional pain or suffering caused by the discrimination)
- Compensation of up to \$20,000 where the discriminatory act was committed willfully or recklessly.

Note: The Tribunal cannot make an award for legal costs in favour of any party.

b) Restoring lost rights, privileges and opportunities: The Tribunal can order the Respondent to do something to put you in the position you would have been in if the discrimination had not happened. For example, if you lost your job, you could ask for an order that you get your job back.

c) Corrective or preventive measures: The Tribunal can order the Respondent to do something to prevent similar discrimination from happening again, or to take actions to correct a discriminatory practice. For example, the Tribunal could order the Respondent to develop or change its policies, or have staff receive training on human rights and discrimination prevention. The Commission often makes these kinds of requests since it represents the public interest.

III. Question for the Complainant and the Commission:

1. What solutions or remedies are you asking for to resolve this complaint, and why?

Please provide any receipts and/or documents to support the solutions or remedies you are looking for.

In the case of financial compensation, please list the type of compensation you are asking for and explain how you arrived at those calculations. Also, please indicate if you tried to minimize your losses—for example, by looking for other work if you lost your job. If you did try to minimize your losses, explain what you did and how much you earned.

IV. Question for the Respondent:

1. What would your position be on any potential remedies?

Ask for help: If you have any trouble filling out this form, contact the Registry office by email at registry.office@chrt-tcdp.gc.ca or call 613-995-1707 (toll free: 1-844-899-3604).