

Completed Notifications can be faxed or e-mailed to the Tribunal Office. However, confidentiality of e-mails can not be guaranteed.

Fax: 1.888.220.1011

Email: nunavuthumanrights@gov.nu.ca

The original copy must be sent by registered mail to the following address:

Nunavut Human Rights Tribunal Office

PO Box 15

Coral Harbour, NU X0C 0C0

All information contained in your Notification is strictly confidential. There is no cost to file a Notification.

It is recommended that you review the Nunavut Human Right Act and the Nunavut Human Rights Tribunal Rules of Procedure for additional information. The two documents are enclosed with the form.

NEXT STEPS:

1. A letter will be sent to you acknowledging that the Tribunal has received your Notification.
2. A copy of Notification will be sent to the Respondents (the people or organization listed in Part 2 of the Notification).
3. The Respondents have 60 days after they received the Request to Reply to respond to allegations stated in your Notification.
4. The Reply to Notification will be forwarded to you.
5. The Notification and Reply are prepared for the Tribunal's Review.
6. The Tribunal will decide whether to proceed or not with the notification, using the criteria in Part 4 of the Act.
7. If a decision is made to continue the proceedings, the Tribunal will help the Applicant and Respondent to reach a settlement before proceeding to a hearing.
8. If no settlement is reached, the Tribunal will hold a formal, public hearing at which both the Applicant and Respondent will give evidence under oath and call witnesses.
9. After hearing evidence and the arguments of the Applicant and Respondent, the Tribunal will decide whether the Applicant has been discriminated against and, if so, what should be done to correct the situation.

PROHIBITED GROUNDS OR PERSONAL CHARACTERISTICS COVERED UNDER THE ACT

- Race
- Colour
- Ancestry
- Ethnic origin
- Citizenship
- Place of origin
 - Creed
 - Religion
 - Age
 - Disability
 - Sex
- Sexual orientation
 - Marital status
 - Family status
 - Pregnancy
- Lawful source of income
- Pardoned conviction

In the Areas of:

Working or looking for Work

Joining an Organization or Association

Seeking Goods, Services, Facilities or Contracts

Renting a Home, Apartment or Business Space

Publications such as Magazines, Newspapers, Signs or Pamphlets

And

Committed within the Last 2 years



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Nunavut Human Rights Tribunal
Nunavunmi Inungnut Pitqutigiyaayunut Ihuaghaiyit
Tribunal des droits de la personne du Nunavut

CONTACT US:

Nunavut Human Rights Tribunal
PO Box 15
Coral Harbour, NU X0C 0C0
1.866.413.6478 (Toll-Free)
1.888.220.1011 Fax

nunavuthumanrights@gov.nu.ca

A GUIDE TO Filing a Notification with the Nunavut Human Rights Tribunal

The *Nunavut Human Rights Act* (the "Act") is administered by the Nunavut Human Rights Tribunal (NHRT). The Act protects residents of Nunavut from 17 different types of discrimination.

Under section 21 of the Act, a person or group of people must complete a form called a *Notification* before the Tribunal can review the alleged act of discrimination.

Someone may file on behalf of a person with their consent (Section 22). An Applicant can request that their notification be verbally recorded. A Human Rights Officer will record and transcribe the oral Notification. The Notification will be sent to Applicant to verify the contents of it.

The Staff of the NHRT are available to assist you by phone or in person when completing the Notification, but you have to provide the information and the type of discrimination. The Notification may be filed in any of the 4 official languages. A Notification may be filed in writing or verbally.

Before completing the Notification, it is recommended that you read the Guide and the Rules of Procedure thoroughly.

The Notification Form



THE APPLICATION

The Notification form tells the Tribunal and the Respondent (the person who allegedly discriminated against you) what you are filing about. The Tribunal needs detailed information as to who you are; who the Respondents are; what happened to cause you to file; what are the grounds of discrimination; when the discrimination happened; where the alleged act took place; how the alleged act occurred; and how it affected you. The information that is provided will be used by the Tribunal to determine if you are eligible for a hearing.

All information and supporting documents that you provide will not be disclosed to the public by the Tribunal prior to any hearing. The Application will be sent to the Respondents.

It is very important to print or write clearly. Any completed forms that are unreadable will be returned. Provide the written information in the space provided or on the reverse side of the sheets provided.

COMMUNICATION

Check which language(s) you would like to use. This will assist the Tribunal in providing translation of materials and proceedings.

Part 1: Applicant Contact Information

- 1.1 Applicant - Mailing address and phone number are necessary information. Fax and email address can also be provided. You must notify the Tribunal if there is a change in your contact information (Rule 16.1).
- 1.2 A Co-applicant is a person who wishes to be part of the Notification with the Applicant listed in 1.1, and who is willing to complete the required documentation, Parts 2 to 4, and is willing to participate fully in all further proceedings.
- 1.3 A person may complete an application on behalf of someone else. The Applicant must be aware of this and give their consent to filing the application (1.4 Consent of Applicant). Contact information is needed for the person assisting the applicant.

Part 2: Respondent Contact Information

The name of the person or organization and a complete mailing address are required. Additional space is provided for any other respondents that may be listed.

Part 3: Grounds of Discrimination

- 3.1 Check off any grounds of discrimination that you believe apply. (NHR Act s. 7)
- 3.2 State where the alleged act occurred.
- 3.3 State when the discrimination occurred.
- 3.4 Complete section 3.4 if the alleged act occurred **more than 2 years** ago. You must provide details as why you did not file sooner.

Part 4: Details of the Event

This part is the most important section of the application. Start at the beginning and take time to provide as much detail as possible.

- 4.1 What happened?
List each time that you believe that you were discriminated against. Include details about when it happened, where did it happen, and who was involved. You may use point form. If you need more space use additional pages or write on the reverse side of the page.
- 4.2 Witnesses
Who else saw what happened or knows about the details provided in 4.1? List their names and what they did.
- 4.3 What did people say or do that was discriminatory?
Try to write exactly what people said or did. What did you say or do to respond? Use quotation marks to show words that the person said, for example: *Bill (the Respondent): "We do not give hotel rooms to people living in this community."* *Annie (the Applicant): "I have no place to go for the night and I am afraid to go home."*
Did you or anyone else try to help, or to solve this problem before you contacted the Human Rights Tribunal Office? The Tribunal does need to know if you have tried to resolve this matter or received a settlement through another process.
- 4.4 How were you affected?
Provide as much information about how you felt at the time the alleged act occurred. Give a statement of your feelings. An example might be if there was a loss of self esteem, dignity, self confidence and respect.
- 4.5 Employment Details and Other Action
If your application is about your job, details should be provided such as job title, employer, supervisor, etc. Was your job unionized (union dues were deducted from your pay)? Have you filed a grievance, if so, when and what stage is it at? Have you started any court proceedings against anyone listed as Respondents, if so, attach a copy of the Statement of Claim to the Application.

Part 5: Documents and Records

If you have anything in writing that supports what you said in Part 4, you may attach those documents to the completed application form. Examples of such records are letters, records of employment, memos, or notices. Provide a list of supporting documents that are being sent with the Application.

Note that the Tribunal will not accept more than 20 pages of supporting documents with a Notification (Rule 6.2). You may, however, describe and refer to these documents in completing the details of the Notification. Documentation sent with the Notification will not be returned to the applicant.

Part 6: Settlement

- 6.1 How do you want to settle this matter?
What should be done to make it right? Provide as much detailed information about your feelings, any loss of wages. This information will be needed by the Tribunal if it decides that your notification has merit.
Under section 34(3) the Tribunal has the authority to award damages to the applicant if it finds that your notification has merit. Some examples of settlement would be: that the organization adopts an anti-discrimination policy, Respondent attends an anti-discrimination training session, reimbursement of wages, compensation for loss of dignity or self esteem, or cost of retaining legal counsel; or a written apology.
- 6.2 Assistance
You may list people who could help you in settling this matter. You are advised to speak to legal counsel regarding the details of your notification.
- 6.3 Legal Counsel
If you are considering contacting legal counsel, please provide the name of your counsel and the Law Firm.

Part 7: Verification and Consent

Sign and date the Notification.

If the Notification was given orally, the recorder must sign the second box.

If your Notification was translated for you, the document must be signed by that person in the third box.

Unsigned applications will be returned.