

## NHRT FACTS:

- *The Tribunal receives on average one (1) Notification per month.*
- *For every 6 inquiries the Tribunal receives one Notification.*
- *The most common ground that has been declared in Notifications is race followed by disability and ancestry.*
- *The alleged act occurred mostly commonly while seeking employment or working.*
- *Notifications have come from all communities in Nunavut except from Whale Cove and Qikiqtarjuaq.*
- *Sexual harassment has to date been mostly declared by male applicants.*
- *To date all Notifications that have had merit have either been settled external to the Tribunal's process or by Mediation provided by the Tribunal.*
- *The NHRT is one of three human rights Tribunals. British Columbia and Ontario are the other two jurisdictions that have human rights Tribunals.*



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Nunavut Human Rights Tribunal  
Nunavunmi Inungnut Pitqutigiyayunut Ihuaqhaiyit  
Tribunal des droits de la personne du Nunavut

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# What is the Nunavut Human Rights Act?

The *Nunavut Human Rights Act* was declared in effect in November of 2004. The Tribunal was created to receive complaints regarding human rights violations.

The Tribunal is independent from the Government of Nunavut. It is a direct access agency, meaning that Nunavumiut have direct contact with the Tribunal. This decreases the amount of time to have your case heard.

As a unique aspect of the Nunavut legislation, Inuit Qaujjimajatuqangit ("IQ") is incorporated into the framework.

Due to the fact that the Tribunal does not have a Commission in these areas, the Tribunal cannot advocate, educate or investigate on behalf of their clients.



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# The Notification Process



1. A notification is a form or application that must be completed by the person – the “Applicant” – who says he or she has been discriminated against. A Human Rights Officer will provide assistance to Applicants who wish to complete a Notification.

Some questions found in a Notification form are:

Who did it?

What happened?

Is it still occurring?

Who else knows about it or saw it?

How were you affected?

What would make it right?

2. The Notification is then sent to the Director of the Nunavut Human Rights Tribunal (NHRT) who then sends it to the person (or organization) whom the Applicant says discriminated against him or her. The person (or organization) whom the Applicant names in the Notification is called the Respondent.
3. The Respondent may then complete a form called the Reply to Notification. A Human Rights Officer can provide assistance to the Respondent. The Reply when completed is sent to the Director and forwarded to the Applicant.
4. The Tribunal will then review the Notification and Reply. They will decide using the criteria set forth in Part 4 of the Act whether to proceed with the Notification.
5. If the decision is made to continue the proceedings, the Tribunal may try to help the Applicant and Respondent to reach a settlement without a hearing.
6. If no settlement is reached, the Tribunal will hold a formal, public hearing at which both the Applicant and Respondent may give evidence under oath and call witnesses.

7. 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.

A Notification can also be filed orally with a Human Rights Officer and in any one of the 4 official languages.

## 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

### Committed within the last 2 years.

## SOME EXAMPLES OF DISCRIMINATION COVERED UNDER THE ACT

1. A woman is not hired because she is pregnant.
2. A person who has all of the qualifications is not considered for an interview because of his or her race, colour, ancestry or ethnic origin.
3. A mother cannot rent an apartment because the landlord says she is a single parent and has too many kids.
4. A person is fired because his employer discovered that he had been convicted of a crime unrelated to his work.
5. A disabled person who uses a wheelchair is not able to enter the community hall in their community because the ramp is filled with snow.
6. An elder is unable to rent an apartment because the landlord says he is too old and he only rents to young people.