



Canadian
human rights
commission

Commission
canadienne des
droits de la personne

SETTLEMENT EXAMPLES

2006
2010

SETTLEMENT EXAMPLES

The settlement summaries are organized by year and under the [prohibited grounds of discrimination](#) in the [Canadian Human Rights Act](#). Each summary indicates whether the complaint deals with an employment situation or arose in the provision of service.

Years:

[2010](#)

[2009](#)

[2008](#)

[2007](#)

[2006](#)

SETTLEMENT EXAMPLES FOR 2010

Grounds of Discrimination

[Disability](#)

[Race, Colour, National or Ethnic Origin, Religion](#)

[Sex, Marital Status, Family Status](#)

[Age](#)

[Sexual Orientation](#)

[Pardoned Conviction](#)

Disability

Area: Provision of services

Employment

Ground: Disability

Area: Employment

Sector: Transportation

Allegation:

The complainant alleged that her employer discriminated against her by terminating her employment after she disclosed that she was suffering from alcohol addiction and depression.

Settlement:

Letter of reference.

Financial compensation for pain and suffering.

Ground: Disability

Area: Employment

Sector: Other

Allegation:

The complainant alleged that her employer discriminated against her by terminating her employment after she requested accommodation for her disability. The complainant provided medical certification which indicated that she required a specific type of living accommodation.

Settlement:

Financial compensation for general damages.

Grounds: Disability and national or ethnic origin

Area: Employment

Sector: Transportation

Allegation:

The complainant, Aboriginal, alleged that her employer discriminated against her on the grounds of national or ethnic origin and disability (perceived alcohol dependence and perceived cardiac condition) by treating her in an adverse differential manner and by failing to accommodate her.

Settlement:

Removal of references to alcohol or drug misuse from employee file.

Union to withdraw grievance.

Financial compensation for pain and suffering.

Counseling services.

Training tuition.

Reimbursement for employee funded short term disability plan.

Grounds: Disability and sex

Area: Employment

Sector: Communications

Allegation:

The complainant suffers from an illness that is anxiety/stress-related. She alleged that her employer failed to accommodate her and treated her in an adverse differential manner by denying and then terminating medical benefits during a labour dispute.

Settlement:

Financial compensation for pain and suffering.

Grounds: Disability and sex

Area: Employment

Sector: Transportation

Allegation:

The complainant was on disability leave for two years. When she returned to work, she was five months pregnant and was unable to perform some of the duties of her job. She alleged that she was denied accommodation due to pregnancy and disability. She also alleged that she was sexually harassed by an individual with whom she had a relationship in the past and when she complained to her employer, the matter was not investigated thoroughly.

Settlement:

Financial compensation for pain and suffering.

Financial compensation for lost wages.

Grounds: National or ethnic origin, race, colour and disability

Area: Employment

Sector: Transportation

Allegation:

The complainant, a man who is a member of a visible minority group, alleged that he was treated in an adverse differential manner by his employer. He alleged being singled out for disadvantageous decisions and treatment because of his race. As a first level manager, he did not have recourse to union protection. He further alleged that his lower performance appraisal was influenced by racial bias.

Settlement:

Revision of the performance appraisal in a favourable way.

Financial compensation for general damages.

Ground: Disability

Area: Employment

Sector: Federal Public Service

Allegation:

The complainant, who suffers from chronic back pain, alleged that he was refused a power-assist door for the washroom as an accommodation.

Settlement:

Financial compensation for general damages.
Withdrawal of application for judicial review related to this complaint.
Letter of employment.

Grounds: Age and disability

Area: Employment

Sector: Communications

Allegation:

The complainant, who was almost 65 and a diabetic, went on leave for medical reasons several times throughout his employment. Upon his return to work after extended medical leave, he was advised by his employer that the normal age of retirement was 65 and that his employment would end shortly. During another medical leave, he learned that his position had been eliminated.

Settlement:

Financial compensation for general damages.

Policy / systemic remedy:

Review of retirement policy to ensure compliance with the *Canadian Human Rights Act*.

Grounds: Religion and disability

Area: Employment

Sector: Banking

Allegation:

The complainant is Jewish and has a disability (anxiety and depression). She alleged that when a team leader found out that she was Jewish, the team leader began to criticize her work and treated her differently than other employees. According to the complainant, this treatment exacerbated the symptoms of her disability, affected her job performance and resulted in her taking sick leave. Later, she requested that some leniency be exercised with respect to the evaluation of her performance as a means of accommodating of her disability and it was denied.

Settlement:

Financial compensation for pain and suffering.

Review of how the accommodation needs information is processed.

Grounds: Disability and family status

Area: Employment

Sector: Other

Allegation:

The complainant, who is a mother of one and has lupus, alleged that the employer failed to take into consideration her family needs and her medical appointments. She alleged that

she had to work overtime contrary to the agreed hours of work. Her employment was eventually terminated.

Settlement:

Financial compensation for pain and suffering.

Letter of employment.

Verbal expression of regret.

Ground: Disability

Area: Employment

Sector: Transportation

Allegation:

The complainant filed a complaint on behalf of his son who has a learning disability. He alleged that the employer failed to accommodate his son by providing proper instructions and supervision. His son was also subjected to name calling by his colleagues and eventually his employment was terminated.

Settlement:

Letter of regret.

Amendment of record of employment to modify the reason for dismissal.

Policy / systemic remedy:

Training on duty to accommodate to managers.

Ground: Disability

Area: Employment

Sector: Communications

Allegation:

The complainant suffers from autism (Asperger Syndrome). She alleged that her prospective employer failed to accommodate her during interviews that were part of two competitive processes. She further alleged that she was failed following her second interview in retaliation to her initial complaint to the Commission.

Settlement:

Financial compensation for pain and suffering.

The complainant to be offered a position.

The complainant to receive two weeks of paid personalized training.

Policy / systemic remedy:

Awareness training to staff and supervisors on autism.

Grounds: Disability and family status

Area: Employment

Sector: Transportation

Allegation:

The complainant, who is Aboriginal, alleged that she was subjected to a poisoned work environment in that a few co-workers would often make racially derogatory statements and treated her differently because she was not related to them. She further alleged that when her employer attempted to deal with this matter, her co-workers began to retaliate against her. She eventually had to leave her employment.

Settlement:

Financial compensation for pain and suffering.

Policy / systemic remedy:

Commitment to continue to provide sensitivity training to new employees.

Reassessment of the need to provide sensitivity training more frequently.

Ground: Disability

Area: Employment

Sector: Banking

Allegation:

The complainant suffers from a depressive disorder. She alleged that her employer refused her request for accommodation and she eventually experienced severe depressive symptoms resulting in a leave of absence from work.

Settlement:

Financial compensation for pain and suffering.

Financial compensation for general expenses.

Ground: Disability

Area: Employment

Sector: Transportation

Allegation:

The complainant suffered an injury to his arm in a workplace accident and also suffered from a depressive disorder. He alleged that after his return to work he was assigned to the night shift and that his workload was increased to the point of affecting his health. His employment was eventually terminated.

Settlement:

Financial compensation for pain and suffering.

Ground: Disability

Area: Employment

Sector: Separate Federal Agency

Allegation:

The complainant, who has dyslexia, alleged that her employer failed to provide her with the

appropriate accommodation during two employment competition processes. The complainant failed both competitions and believed that it was due to the lack of appropriate accommodation during a simulation.

Settlement:

Complainant functional limitations to be assessed.

Policy / systemic remedy:

A resource person to be designated for employees in a competition process regarding accommodation matters.

Simulations are to be reviewed by an expert when needed following an accommodation request.

Grounds: Disability, age and national or ethnic origin

Area: Employment

Sector: Transportation

Allegation:

The complainant, who is East-Indian, underwent open-heart surgery. He alleged that his employer refused to allow him to work reduced hours. He further claimed that his employer had refused to pay him a salary similar to that of his colleagues in other cities because of his age and national or ethnic origin.

Settlement:

Complainant's salary to be increased retroactively.

Vacation leave to be credited.

Ground: Disability

Area: Employment

Sector: Transportation

Allegation:

The complainant returned to work after knee replacement surgery. She alleged that her employer advised her that it could not continue to accommodate her modified duties in her current position and offered to continue accommodating her in positions located in remote cities. The complainant felt that the offers were unrealistic.

Settlement:

Agreement to sever the employment relationship.

Financial compensation for general damages.

Financial compensation for legal fees.

Retiring allowance.

Grounds: Disability, race, national or ethnic origin, sex

Area: Employment

Sector: Transportation

Allegation:

The complainant, who has hyperthyroidism and is Caucasian, alleged that her supervisor harassed her and subjected her to close supervision because she is of a different ethnicity than the majority of employees in her department. She further alleged that the harassment became more apparent after she was treated for her illness and it became known that she was planning a second pregnancy. Her employment was eventually terminated.

Settlement:

Financial compensation for pain and suffering.

Letter of reference.

Ground: Disability

Area: Employment

Sector: Transportation

Allegation: The complainant, who suffered a knee injury, was unable to perform her regular duties. She indicated that her employer refused to accommodate her and then terminated her employment.

Settlement:

Financial compensation for pain and suffering.

Ground: Disability

Area: Employment

Sector: Federal Public Service

Allegation:

The complainant suffers from an inner ear disorder that affects her hearing and balance. The daily commute to and from work aggravated her condition and she requested to be transferred to a different work location which would ease her commuting problems. She alleged that her requests for accommodation were repeatedly refused. She was eventually forced to accept a lower paying position at a different location.

Settlement:

Financial compensation for sick leave and acting pay for specific periods.

Ground: Disability

Area: Employment

Sector: Transportation

Allegation:

The complainant injured his back in a work related incident. He alleged that his employer refused to accommodate his medical restrictions after he returned from rehabilitation treatment and that his employment was subsequently terminated.

Settlement:

Financial compensation for pain and suffering.

Ground: Disability

Area: Employment

Sector: Federal Public Service

Allegation:

The complainant injured his foot in a non-work related accident and was accommodated by his employer for a specified short duration. He alleged that he was subsequently laid off until he had fully recovered from his injury.

Settlement:

Financial compensation for pain and suffering.

Policy / systemic remedy:

Review of policy on accommodation of injured workers.

Ground: Disability

Area: Employment

Sector: Federal Public Service

Allegation:

The complainant had back surgery to correct a spinal condition. She was accommodated by the employer for a specified short duration. She alleged that she was subsequently laid off until she would be fully able to perform her regular duties.

Settlement:

Financial compensation for pain and suffering.

Policy / systemic remedy:

Review of policy on accommodation of injured workers.

Ground: Disability

Area: Employment

Sector: Federal Public Service

Allegation:

The complainant, a computer specialist, suffers from balance and communication issues due to a surgical intervention. He alleged that his employment was terminated without just cause after only one day of work.

Settlement:

Financial compensation for pain and suffering.

Grounds: Disability, race and national or ethnic origin

Area: Employment

Sector: Banking

Allegation:

The complainant worked the night shift and became ill due to sleep deprivation. She alleged that her employer refused to accommodate her request to change her schedule to the day shift as a means to alleviate the symptoms associated with her sleep disorder. The complainant further alleged that her manager made derogatory comments regarding her Filipino origin. She eventually resigned from her position.

Settlement:

Financial compensation for general damages.
Legal fees. Financial compensation for legal fees.
Retiring allowance.

Ground: Disability

Area: Employment

Sector: Transportation

Allegation:

The complainant was on disability leave due to a severe depression. She alleged that her employer terminated her employment after she attempted to return to work and was unsuccessful.

Settlement:

Financial compensation for general damages.
Letter of employment.

Ground: Disability

Area: Employment

Sector: Communication

Allegation:

The complainant had to take a leave of absence due to an undisclosed disability. He alleged that after his disability benefits ran out, his employer told him that it had no work for him and refused to accommodate him. He eventually tendered his resignation.

Settlement:

Financial compensation for general damages.

Ground: Disability

Area: Employment

Sector: Transportation

Allegation:

The complainant, who suffers from epilepsy, alleged that her employer failed to accommodate her disability after a re-organization which resulted in added stress for her.

She further alleged that as a result she has developed an anxiety disorder which aggravated her seizure disorder.

Settlement:

Financial compensation for general damages.

Letter of reference and revised record of employment.

Medical benefit coverage will continue up to a specified date.

Agreement to sever employment relationship.

Ground: Disability

Area: Employment

Sector: Transportation

Allegation:

The complainant injured his foot in a non-work related accident and was given modified duties by the employer for a specified duration and he was subsequently laid off until he was fully recovered from the injury.

Settlement:

Financial compensation for pain and suffering.

Policy / systemic remedy:

Review of the Security Certification Policy.

Grounds: Sex and disability

Area: Employment

Sector: Other

Allegation:

The complainant alleged that she was subjected to sexual harassment by her supervisor. The supervisor was removed, however the complainant was treated in an adverse differential manner by her new supervisor who was a close friend of the previous supervisor. Eventually the complainant's employment was terminated.

Settlement:

Financial compensation for general damages.

Financial compensation for pain and suffering.

Financial compensation for legal fees.

Counselling.

Letter of Reference.

Ground: Disability

Area: Employment

Sector: Banking

Allegation:

The complainant, who is visually impaired, alleged that he was denied promotional opportunities despite positive feedback on his performance. He further alleged that he was not accommodated with a Braille capable computer equipment as recommended by a rehabilitation specialist.

Settlement:

Financial compensation for general damages.

Financial compensation for lost wages.

Financial compensation for legal fees.

Promotion to an Officer level.

Provision of appropriate support, training and accommodations required by the complainant.

Policy / systemic remedy:

A review of the Accommodation Policy with the participation of the complainant.

Ground: Disability

Area: Employment

Sector: Transportation

Allegation:

The complainant suffered a work related injury to his knee that left him permanently disabled and in need of an accommodation, which his employer failed to meet. He further alleged that his supervisor made derogatory remarks about his disability and insisted that he perform duties contrary to his medical restrictions.

Settlement:

Financial compensation for pain and suffering.

Vacation pay and lost wages.

Sick leave credit.

Additional vacation credits.

Grounds: Disability, color, race and national or ethnic origin

Area: Employment

Sector: Transportation

Allegation:

The complainant, a black woman of Jamaican origin, alleges that she was treated differently than her Caucasian co-workers. Whenever she made an error she was punished more harshly and was eventually demoted resulting in salary reduction. She began to suffer from a stress related illness due to the treatment she received at work.

Settlement:

Financial compensation for general damages.

Letter of employment.

Agreement to sever employment relationship.

Ground: Disability

Area: Employment

Sector: Communications

Allegation:

The complainant, who suffers from depression, alleged that while he was on disability leave, his employer requested that he returns to his position or he could be terminated. He was not yet medically fit to return and his employment was eventually terminated.

Settlement:

Financial compensation for pain and suffering.

Letter of employment.

Ground: Disability

Area: Employment

Sector: Other government agencies

Allegation:

The complainant, who suffers from dyslexia, alleged that her employer treated her differently by refusing many employment and promotion opportunities. The employer did not provide proper training in her language of choice and she was not able to gain the experience required to obtain accreditation.

Settlement:

Offer of an appointment at a higher level for 2 years and to retire after this assignment.

Language training one day per week.

Ground: Disability

Area: Employment

Sector: Transportation

Allegation:

The Complainant is a non-smoker mechanic with chronic allergies. He alleged that his employer failed to accommodate him by failing to enforce its non-smoking policy.

Settlement:

Financial compensation for pain and suffering.

Policy / systemic remedy:

New measures and more strictly enforce its no-smoking by-laws and policies.

Ground: Disability

Area: Employment

Sector: Transportation

Allegation:

The complainant, a woman aged 60, alleged that she was denied a job and training opportunities due to her age. She alleged that her employer questioned the benefit of providing training to an older person. She claimed that her employer wanted to give her position to a younger employee. Consequently, the complainant went off work due to depression and anxiety.

Settlement:

Agreement to sever the employment relationship.

Financial compensation for pain and suffering.

Severance pay.

Financial compensation for legal fees.

Employer to provide letter of employment and Record of Employment stating dismissal without cause.

Employer to provide a retirement transportation privilege card.

Ground: National and or ethnic origin, race, color and disability

Area: Employment

Sector: Banking

Allegation:

The complainant, a black woman, suffers from a stress related disability. She alleged that she was subjected to harassment and differential treatment by her manager and that this treatment caused her to become ill.

Settlement:

Retiring allowance.

Ground: Disability

Area: Employment

Sector: Other

Allegation:

The complainant was injured and went on short term disability. Upon return to work, the complainant's duties were modified under doctor's instructions. However, the complainant advised her employer that further surgery was required. She alleged that pursuant to the employer's policy regarding permanent disability, the complainant was terminated.

Settlement:

Financial compensation for pain and suffering.

Financial compensation for legal fees.

Ground: Disability

Area: Employment

Sector: Transportation

Allegation:

The complainant who has diabetes alleged that he was denied employment by a prospective employer after he disclosed his disability during a pre-employment medical test.

Settlement:

Financial compensation for general damages.

Grounds: Race, colour, national or ethnic origin and disability

Area: Employment

Sector: Banking

Allegation:

The complainant is a black woman who was diagnosed with depression. She alleged that her Supervisor insisted on discussing the validity of her absences even though they were medically approved. This eventually led to a deterioration in her health and she had to leave work on a long term disability leave.

Settlement:

Financial compensation for general damages.

Financial compensation for retirement allowance.

Letter of employment.

Agreement to sever employment relationship.

Ground: Disability

Area: Employment

Sector: Banking

Allegation:

The complainant is deaf and has been working for the same employer for approximately 20 years. She alleged that she has been subjected to differential treatment in terms of pay increases and the way she was treated by co-workers and supervisors.

Settlement:

The parties have agreed to improve their ongoing relationship with the introduction of a number of changes in their day to day procedures.

Management will endeavour to be more sensitive to deaf employees' needs when communicating with them.

Grounds: Disability, age, national or ethnic origin and race

Area: Employment

Sector: Other

Allegation:

The complainant, an Asian man, was injured in a car accident. He alleged that a few weeks after he returned to work following a short term disability period, his employment was terminated. He claims the employer also terminated the employment of other Asian co-workers who had been absent from work due to a medical issue and that the same did not happen to Caucasians.

Settlement:

Financial compensation for pain and suffering.
Letter of reference.
Complainant to abandon a wrongful dismissal complaint.

Ground: Disability

Area: Employment

Sector: Communications

Allegation:

The complainant, who was diagnosed with cancer and later with Anxiety Disorder and Post Traumatic Stress Disorder, alleged that her employer failed to accommodate her return to work, leaving her no choice but early retirement.

Settlement:

Financial compensation for general damages.
Retirement allowance in lieu of salary.

Ground: Disability

Area: Employment

Sector: Federal Public Service

Allegation:

The complainant alleged denial of the right to compete for a promotion opportunity based on a physical disability following work related injury. He also alleged the failure of the employer to provide adequate and fair policy to ensure career opportunity for accommodated employees.

Settlement:

Financial compensation for pain and suffering.
Financial compensation for lost wages.

Policy / systemic remedy:

One-hour training session on the duty to accommodate to senior members who sit on promotion and hiring committees.
The employer to provide the Commission with the name and contact information of a person

in its policy centre to whom the Commission may send a letter outlining concerns with the application of the employer's promotions policy.

Ground: Disability

Area: Employment

Sector: Transportation

Allegation:

The complainant who has a depressive disorder alleged that a trucking company refused to hire him after he disclosed that he was taking a prescription drug for his condition.

Settlement:

Financial compensation for pain and suffering.

Ground: Disability

Area: Employment

Sector: Banking

Allegation:

The complainant who has a depressive disorder was experiencing personal problems and had a relapse of her depressive symptoms. She alleged that afterwards, she started to be harassed by her supervisors, who questioned her absences and began to criticize her work and make false accusations. Her employment was eventually terminated.

Settlement:

Financial compensation for pain and suffering.

Grounds: Disability and age

Area: Employment

Sector: Communications

Allegation:

The complainant developed a depressive disorder and had to be on disability leave for many months caused by situational stress within his work unit. He alleged that his employer forced him to return to work within the same unit and he had a relapse of his depression. His employer had agreed to accommodate him into another work unit in view of his return to work, but instead his position was abolished and his employment was terminated. He further alleged that younger employees replaced him after his employment was terminated.

Settlement:

Financial compensation for pain and suffering.

Financial compensation for general damages.

Financial compensation for legal fees.

Ground: Disability

Area: Employment

Sector: Transportation

Allegation:

The complainant experienced a brain injury in a motor vehicle accident which resulted in memory loss. He alleged that his employment was terminated after he self-identified as a person with a disability on an Employment Equity questionnaire.

Settlement:

Financial compensation for lost wages.

Financial compensation for general damages.

Ground: Disability

Area: Employment

Sector: Federal Public Service

Allegation:

The complainant, who has the use of only one hand, alleged that her employer failed to accommodate her by taking a very long time to provide her with the specialized equipment she needed to do her work.

Settlement:

Withdrawal of a letter and performance appraisal from the complainant's personal file.

A number of sick leave and annual leave to be credited.

Policy / systemic remedy:

Managers named in the complaint to receive Disability Awareness and Sensitivity Training.

Guidelines on the duty to accommodate to be distributed to all staff members.

Ground: Disability

Area: Employment

Sector: Communications

Allegation:

The complainant alleged that she was denied employment opportunities after she disclosed a disability.

Settlement:

The employer to offer the next available full time position to the complainant with the consent of the Union.

The employer to ensure that a full time position is made available by a specific date.

Ground: Disability

Area: Employment

Sector: Transportation

Allegation:

The complainant who suffered from a major depression, alleged that his employer had not accommodated his return to work by asking him to work night shifts in spite of his medical restrictions. His employment was subsequently terminated.

Settlement:

Financial compensation for pain and suffering.
Agreement to sever the employment relationship.
Letter of reference.
Financial compensation for legal fees.

Grounds: Disability and age

Area: Employment

Sector: Transportation

Allegation:

The complainant alleged that his employment was terminated while he was off on sick leave and in receipt of Work Security Insurance Benefits.

Settlement:

Financial compensation for legal fees.
Letter of confirmation of employment.

Provision of Services

Ground: Disability

Area: Service

Sector: Federal Government

Allegation:

The complainant uses a walker as a mobility aid. She alleged that a government office building that she needed to use was not accessible. She complained with a representative and it was not dealt with appropriately.

Settlement:

Financial compensation for general damages.

Policy / systemic remedy:

The building was verified for accessibility and a copy was given to the complainant. A revised Accessibility Complaint Process was put in place and a copy was given to the complainant.

Ground: Disability

Area: Service

Sector: Federal Public Service

Allegation:

The complainant who suffers from a mental disability alleged that he was denied access to his medication during his stay in a federal facility.

Settlement:

Financial compensation for general damages.

Withdrawal of previous grievances filed on this issue.

Independent Medical Examination of the complainant.

Policy / systemic remedy:

Revision of directives and guidelines regarding the management and distribution of medication for all similar facilities.

Implementation of workshops about ethical issues for staff at this facility.

Ground: Disability

Area: Provision of Services

Sector: Federal Public Service

Allegation:

The complainant who is in a wheelchair alleged that a Federal facility was not accessible and provided only limited access to a chair lift.

Settlement:

Financial compensation for pain and suffering and for expenses.

Policy / systemic remedy:

A reminder on the Duty to Accommodate to be sent to staff and managers.

Training on Human Rights to be provided to staff.

Race, Colour, National or Ethnic Origin, Religion

Area: Provision of services

Employment

Grounds: Race, national or ethnic origin, colour and sex

Area: Employment

Sector: Banking

Allegation:

The complainant, a black African woman, alleged that her manager made comments and racial slurs to her at work. She notified senior management of her concerns and felt that the harassment consequently intensified. Her employment was eventually terminated.

Settlement:

Financial compensation for general damages.

Financial compensation for legal fees.

Retiring allowance.

Letter of employment.

Grounds: Race, national or ethnic origin and colour

Area: Employment

Sector: Separate federal agency

Allegation:

The complainant, a black African man, alleged that his employer did not follow through on a promise to make him a permanent employee after his term as a student employee. He further alleged that his supervisor made racial comments towards him.

Settlement:

Financial compensation for pain and suffering.

Complainant to be hired in a permanent position.

Grounds: Race, colour, national or ethnic origin and sex

Area: Employment

Sector: Telecommunications

Allegation:

The complainant, a black woman of Caribbean descent, alleged that she suffered adverse differential treatment by being paid less than people in the same position. She also alleged that she was harassed in her employment because of her race, colour, national or ethnic origin or sex which eventually led to her resignation from the respondent.

Settlement:

Financial compensation for pain and suffering.

Special compensation.

Financial compensation for legal expenses.

Retiring allowance.

Grounds: Race, national or ethnic origin and colour

Area: Employment

Sector: Banking

Allegation:

The complainant, a Chinese woman, alleged that her employer harassed her by commenting

that she was ignorant and threatened to terminate her employment. Consequently, the complainant notified the human resources department and was re-assigned to another supervisor. However, the complainant alleged that the harassment persisted.

Settlement:

Complainant to remain on long term disability until deemed fit to return to work.

Complainant to end employment upon return and receive financial compensation. Options: (6 months salary or 5 months salary and career counselling).

Letter of reference.

Grounds: Family status and race

Area: Employment

Sector: Banking

Allegation:

The complainant, a black man and soon to be father, alleged that a Branch Manager did not honour a previous employment offer, after learning that he was about to take a paternity leave.

Settlement:

Financial compensation for pain and suffering.

Financial compensation for general damages.

Ground: Race, national or ethnic origin

Area: Employment

Sector: Communications

Allegation:

The complainant, an aboriginal woman, was employed as a Call Centre Operator. She alleged that her employer terminated her employment after she self-declared her native ancestry.

Settlement:

Financial compensation for general damages.

Grounds: National or ethnic origin, race, colour, and family status

Area: Employment

Sector: Other

Allegation:

The complainant, a métis woman, worked for an Aboriginal band council. She alleged she was harassed by her supervisor because she was not a band member or married to one. Her employment was eventually terminated.

Settlement:

Financial compensation for general damages.

Policy / systemic remedy:

Specific policy to be revised and reviewed.

Training on harassment and diversity to all staff and officers.

Grounds: Race, national or ethnic origin and religion

Area: Employment

Sector: Transportation

Allegation:

The complainant, a Hindu of East Indian origin, was employed as a trucking dispatcher for 5 years. He alleged that during his tenure, a few co-workers and a manager used racially demeaning comments in his presence which created a poisoned work environment. His employment was eventually terminated.

Settlement:

Financial compensation for general damages.

Letter of reference.

Ground: Religion

Area: Employment

Sector: Transportation

Allegation:

The complainant alleged that one of his co-worker had inappropriate behavior towards him because he is a Jehovah Witness. He alleged that after reporting the incidents to his manager, the employer did not take any measure to put a stop to the demeaning behavior.

Settlement:

Financial compensation for pain and suffering.

Financial compensation for Financial compensation for legal fees. and expenses.

Policy / systemic remedy:

Anti-harassment training to managers and staff.

Grounds : Race and colour

Area: Employment

Sector: Federal public service

Allegation:

The complainant alleged that his employer treated him in an adverse differential manner by pursuing a policy and/or practice which although neutral on its face, has had an adverse impact on the calculation of the complainant's severance pay.

Settlement:

Financial compensation for general damages.

Grounds: Disability and national or ethnic origin

Area: Employment

Sector: Transportation

Allegation:

The complainant, Aboriginal, alleged that her employer discriminated against her on the grounds of national or ethnic origin and disability (perceived alcohol dependance and perceived cardiac condition) by treating her in an adverse differential manner and by failing to accommodate her.

Settlement:

Removal of references to alcohol or drug misuse from employee file.

Union to withdraw grievance.

Financial compensation for pain and suffering.

Counseling services.

Training tuition.

Reimbursement for employee funded short term disability plan.

Grounds: National or ethnic origin, race, colour and disability

Area: Employment

Sector: Transportation

Allegation:

The complainant, a man who is a member of a visible minority group, alleged that he was treated in an adverse differential manner by his employer. He alleged being singled out for disadvantageous decisions and treatment because of his race. As a first level manager, he did not have recourse to union protection. He further alleged that his lower performance appraisal was influenced by racial bias.

Settlement:

Revision of the performance appraisal in a favourable way.

Financial compensation for general damages.

Grounds: Religion and disability

Area: Employment

Sector: Banking

Allegation:

The complainant is Jewish and has a disability (anxiety and depression). She alleged that when a team leader found out that she was Jewish, the team leader began to criticize her work and treated her differently than other employees. According to the complainant, this treatment exacerbated the symptoms of her disability, affected her job performance and resulted in her taking sick leave. Later, she requested that some leniency be exercised with

respect to the evaluation of her performance as a means of accommodating of her disability and it was denied.

Settlement:

Financial compensation for pain and suffering.

Review of how the accommodation needs information is processed.

Grounds: Disability, age and national or ethnic origin

Area: Employment

Sector: Transportation

Allegation:

The complainant, who is East-Indian, underwent open-heart surgery. He alleged that his employer refused to allow him to work reduced hours. He further claimed that his employer had refused to pay him a salary similar to that of his colleagues in other cities because of his age and national or ethnic origin.

Settlement:

Complainant's salary to be increased retroactively.

Vacation leave to be credited.

Grounds: Disability, race, national or ethnic origin, and sex

Area: Employment

Sector: Transportation

Allegation:

The complainant, who has hyperthyroidism and is Caucasian, alleged that her supervisor harassed her and subjected her to close supervision because she is of a different ethnicity than the majority of employees in her department. She further alleged that the harassment became more apparent after she was treated for her illness and it became known that she was planning a second pregnancy. Her employment was eventually terminated.

Settlement:

Financial compensation for pain and suffering.

Letter of reference.

Grounds: Disability, race and national or ethnic origin

Area: Employment

Sector: Banking

Allegation:

The complainant worked the night shift and became ill due to sleep deprivation. She alleged that her employer refused to accommodate her request to change her schedule to the day shift as a means to alleviate the symptoms associated with her sleep disorder. The complainant further alleged that her manager made derogatory comments regarding her

Filipino origin. She eventually resigned from her position.

Settlement:

Financial compensation for general damages.

Financial compensation for legal fees.

Retiring allowance.

Grounds: Disability, color, race and national or ethnic origin

Area: Employment

Sector: Transportation

Allegation:

The complainant, a black woman of Jamaican origin, alleges that she was treated differently than her Caucasian co-workers. Whenever she made an error she was punished more harshly and was eventually demoted resulting in salary reduction. She began to suffer from a stress related illness due to the treatment she received at work.

Settlement:

Financial compensation for general damages.

Letter of employment.

Agreement to sever employment relationship.

Ground: National and or ethnic origin, race, color and disability

Area: Employment

Sector: Banking

Allegation:

The complainant, a black woman, suffers from a stress related disability. She alleged that she was subjected to harassment and differential treatment by her manager and that this treatment caused her to become ill.

Settlement:

Retiring allowance.

Grounds: Race, colour, national or ethnic origin and disability

Area: Employment

Sector: Banking

Allegation:

The complainant is a black woman who was diagnosed with depression. She alleged that her Supervisor insisted on discussing the validity of her absences even though they were medically approved. This eventually led to a deterioration in her health and she had to leave work on a long term disability leave.

Settlement:

Financial compensation for general damages.

Financial compensation for retirement allowance.

Letter of employment.

Agreement to sever employment relationship.

Grounds: Disability, age, national or ethnic origin and race

Area: Employment

Sector: Other

Allegation:

The complainant, an Asian man, was injured in a car accident. He alleged that a few weeks after he returned to work following a short term disability period, his employment was terminated. He claims the employer also terminated the employment of other Asian co-workers who had been absent from work due to a medical issue and that the same did not happen to Caucasians.

Settlement:

Financial compensation for pain and suffering.

Letter of reference.

Complainant to abandon a wrongful dismissal complaint.

Provision of Services

No Cases

Sex, Marital Status, Family Status

Area: Provision of services

Employment

Ground: Sex

Area: Employment

Sector: Transportation

Allegation:

The complainant, the first woman employed in a non-traditional occupation, alleged that a supervisor harassed her by initiating unwelcome physical contact and making sexist comments. She also alleged that the supervisor made veiled threats when she complained about his behaviour. She complained that her employer failed to provide her with a

harassment-free work environment.

Settlement:

Employer has expressed regret for the circumstances that gave rise to the complaint

Workplace reintegration process.

Financial compensation for general damages .

Policy / systemic remedy:

Employer to work with union to establish policies and recourse mechanisms for dealing with harassment in the workplace.

Ground: Sex

Area: Employment

Sector: Other

Allegation:

The complainant alleged that she was harassed by an individual who served on a board of directors with her. She also alleged that her employer failed to provide her with a workplace free of harassment.

Settlement:

Financial compensation for pain and suffering.

Policy / systemic remedy:

Development of anti-harassment policy.

Training on anti-harassment policy for directors, staff and members.

Ground: Sex

Area: Employment

Sector: Transportation

Allegation:

The complainant alleged that her employer failed to act promptly when she reported a number of incidents of sexual harassment that were happening in her workplace. She alleged that her employer did not investigate thoroughly and chose not to deal with the matter.

Settlement:

Financial compensation for lost wages.

Financial compensation for pain and suffering.

Financial compensation for training.

Policy / systemic remedy:

Commitment that future practices will comply with the employer's harassment policy.

Workplace harassment training for staff and managers.

Ground: Sex

Area: Employment

Sector: Transportation

Allegation:

The complainant, was employed as a truck driver, alleged that another driver harassed her and that her employment was terminated after she complained to her supervisor. The employer indicated that it investigated the matter and disciplined the other driver. However, the complainant had also been disciplined during her employment for various reasons, which eventually led to her termination.

Settlement:

Financial compensation for pain and suffering.

Reimbursement of pension contributions.

Confirmation of employment.

Labour Canada complaint to be withdrawn.

Ground: Sex

Area: Employment

Sector: Transportation

Allegation:

The complainant alleged that she was sexually harassed by a coworker, that the employer failed to provide corrective action and terminated her employment.

Settlement:

Reference letter.

Financial compensation for pain and suffering.

Policy / systemic remedy:

Development of an Anti-harassment policy and training to all staff.

Ground: Sex

Area: Employment

Sector: Transportation

Allegation:

The complainant alleged that her employer denied her an employment opportunity when it filled an available position she had expressed an interest in and for which she was being groomed while she was on maternity leave.

Settlement :

Financial compensation for lost wages.

Letter of employment confirming employment data.

Agreement that complainant will not reapply for employment with respondent.

Ground: Sex

Area: Employment

Sector: Banking

Allegation:

The complaint alleged she was sexually harassed by the employer's representative and that the her employment contract was subsequently cancelled because she rejected his advances.

Settlement:

Financial compensation for general damages.

Financial compensation for lost wages.

Financial compensation for legal fees.

Grounds: Sex, marital status and family status.

Area: Employment

Sector: Transportation

Allegation:

The complainant alleged that she was asked questions about her marital and family status during a job interview and that once hired she learned that she was paid less than a male colleague for the same work. Her employment was terminated soon after she announced that she was pregnant.

Settlement:

Financial compensation for pain and suffering.

Letter of employment.

Ground: Family Status

Area: Employment

Sector: Federal Public Service

Allegation:

The complainant is the mother of a school aged child with disabilities. She alleged that although she had previously been accommodated to provide care for her child, the work arrangements were discontinued due to operational requirements. She renewed her request to be accommodated and it was denied.

Settlement:

Accommodation arrangements to be confirmed by the parties.

Policy / systemic remedy:

The employer reaffirmed commitment to existing policies and to provide a reminder to its

Managers.

Training on the Duty to Accommodate to be provided to Managers by the Commission.

Ground: Sex (pregnancy)

Area: Employment

Sector: Transportation

Allegation:

The complainant alleged that her employer terminated her employment because of her pregnancy

Settlement:

Financial compensation for general damages.

Ground: Sex

Area: Employment

Sector: Banking

Allegation:

The complainant started to have seizures at work and had to take sick leave on several occasions due to her disability. She alleged that because of her absences, her supervisor harassed her by yelling and swearing at her and he advised her he no longer wanted to accommodate her disability. Her employment was eventually terminated.

Settlement:

Financial compensation for lost wages.

Financial compensation for general damages.

Financial compensation for pain and suffering.

Financial compensation for legal fees.

Ground: Sex

Area: Employment

Sector: Banking

Allegation:

The complainant alleged that he was discriminated against on the basis of his gender. He alleged that the employer did not pay him the maximum amount for his bonus although he had reached his sales goal whereas women co-workers had received the maximum bonus in spite of not meeting their goals. He alleged that the same treatment was done to a male co-worker.

Settlement:

Financial compensation for pain and suffering.

Letter of confirmation of employment.

Grounds: Sex and age

Area: Employment

Sector: Transportation

Allegation:

The complainant, who is over 50, alleged she was sexually harassed by her supervisor. She complained about the harassment and her supervisor invited her to retire and she refused. Her employment was eventually terminated.

Settlement:

Financial compensation for general damages.

Ground: Sex

Area: Employment

Sector: Transportation

Allegation:

The complainant was employed for 4 years during which she took her first maternity leave. She alleged that when she became pregnant with a second child her Manager made comments about her availability for work. Her employment was eventually terminated.

Settlement:

Financial compensation for general damages.

Financial compensation for legal fees.

Grounds: Sex and family status

Area: Employment

Sector: Federal Public Service

Allegation:

The complainant alleges she was discriminated against when her substantive position was reclassified and she was not entitled to the retroactive lump sum payment. The complainant believes that this was linked to her maternity leave.

Settlement:

Financial compensation for lost wages.

Financial compensation for pain and suffering.

Grounds: Disability and sex

Area: Employment

Sector: Communications

Allegation:

The complainant suffers from an illness that is anxiety/stress-related. She alleged that her employer failed to accommodate her and treated her in an adverse differential manner by

denying and then terminating medical benefits during a labour dispute.

Settlement:

Financial compensation for pain and suffering.

Grounds: Disability and sex

Area: Employment

Sector: Transportation

Allegation:

The complainant was on long term disability for two years. When she returned to work, she was five months pregnant and was unable to perform some of the duties of her job. She alleged that she was denied accommodation due to pregnancy and disability. She also alleged that she was sexually harassed by an individual with whom she had a relationship in the past and when she complained to her employer, the matter was not investigated thoroughly.

Settlement:

Financial compensation for pain and suffering.

Financial compensation for lost wages.

Grounds: Disability and family status

Area: Employment

Sector: Other

Allegation:

The complainant, who is a mother of one and has lupus, alleged that the employer failed to take into consideration her family needs and her medical appointments. She alleged that she had to work overtime contrary to the agreed hours of work. Her employment was eventually terminated.

Settlement:

Financial compensation for pain and suffering.

Letter of employment.

Verbal expression of regret.

Grounds: Disability and family status

Area: Employment

Sector: Transportation

Allegation:

The complainant, who is Aboriginal, alleged that she was subjected to a poisoned work environment in that a few co-workers would often make racially derogatory statements and treated her differently because she was not related to them. She further alleged that when her employer attempted to deal with this matter, her co-workers began to retaliate against

her. She eventually had to leave her employment.

Settlement:

Financial compensation for pain and suffering.

Policy / systemic remedy:

Commitment to continue to provide sensitivity training to new employees.

Reassessment of the need to provide sensitivity training more frequently.

Grounds: Disability, race, national or ethnic origin and sex

Area: Employment

Sector: Transportation

Allegation:

The complainant, who has hyperthyroidism and is Caucasian, alleged that her supervisor harassed her and subjected her to close supervision because she is of a different ethnicity than the majority of employees in her department. She further alleged that the harassment became more apparent after she was treated for her illness and it became known that she was planning a second pregnancy. Her employment was eventually terminated.

Settlement:

Financial compensation for pain and suffering.

Letter of reference.

Grounds: Sex and disability

Area: Employment

Sector: Other

Allegation:

The complainant alleged that she was subjected to sexual harassment by her supervisor. The supervisor was removed, however the complainant was treated in an adverse differential manner by her new supervisor who was a close friend of the previous supervisor. Eventually the complainant's employment was terminated.

Settlement:

Financial compensation for general damages.

Financial compensation for pain and suffering.

Financial compensation for legal fees.

Counselling.

Letter of Reference.

Grounds: Race, national or ethnic origin, colour and sex

Area: Employment

Sector: Banking

Allegation:

The complainant, a black African woman, alleged that her manager made comments and racial slurs to her at work. She notified senior management of her concerns and felt that the harassment consequently intensified. Her employment was eventually terminated.

Settlement:

Financial compensation for general damages.

Financial compensation for legal fees.

Retiring allowance.

Letter of employment.

Grounds: Race, colour, national or ethnic origin and sex

Area: Employment

Sector: Telecommunications

Allegation:

The complainant, a black woman of Caribbean descent, alleged that she suffered adverse differential treatment by being paid less than people in the same position. She also alleged that she was harassed in her employment because of her race, colour, national or ethnic origin or sex which eventually led to her resignation from the respondent.

Settlement:

Financial compensation for pain and suffering.

Special compensation.

Financial compensation for legal expenses fees.

Retiring allowance.

Grounds: Family status and race

Area: Employment

Sector: Banking

Allegation:

The complainant, a black man and soon to be father, alleged that a Branch Manager did not honour a previous employment offer, after learning that he was about to take a paternity leave.

Settlement:

Financial compensation for pain and suffering.

Financial compensation for general damages.

Grounds: National or ethnic origin, race, colour and family status

Area: Employment

Sector: Other

Allegation:

The complainant, a métis woman, worked for an Aboriginal band council. She alleged she

was harassed by her supervisor because she was not a band member or married to one. Her employment was eventually terminated.

Settlement:

Financial compensation for general damages.

Policy / systemic remedy:

Specific policy to be revised and reviewed.

Training on harassment and diversity to all staff and officers.

Provision of Services

Grounds: Family status, marital status and sex

Area: Service

Sector: Transportation

Allegation:

The complainants, a married couple with two infants, alleged that while the airplane was still at the gate, the mother who was breast-feeding the youngest baby was advised by the Flight Attendant to "cover-up". Later, the mother asked the Flight Attendant the reasons for such a request. Their exchange was escalated into an argument between the couple and flight personnel which included the flight's Captain. The Captain eventually asked them to leave the plane or be escorted out and they decided to leave.

Settlement:

Financial compensation for pain and suffering.

Letter of regret from the Captain's Supervisor.

Policy/ systemic remedy:

Revision of the Operations Manual to be considered.

Provision of training and counselling to the Captain.

Provision of training to all flight personnel.

Age

Area: Provision of services

Employment

Ground: Age

Area: Employment

Sector: Other

Allegation:

The complainant, who was 65, alleged that his employer forced him to retire.

Policy / systemic remedy:

Extension of the complainant's employment for one year.

Ground: Age

Area: Employment

Sector: Banking

Allegation:

The complainant alleged that when she turned 65 her employment was terminated in accordance with her employer's age of retirement policy.

Settlement:

Financial compensation for pain and suffering.

Payment of a retiring allowance.

Ground: Age

Area: Employment

Sector: Communications

Allegation:

The complainant, who reached the age of 65, alleged that she was forced to retire in accordance with her employer's retirement policy.

Settlement:

Financial compensation for general damages.

Retiring allowance.

Policy / systemic remedy:

Review of mandatory retirement policy.

Ground: Age

Area: Employment

Sector: Transportation

Allegation:

The complainant alleges she was forced to retire once she reached the age of 65 in accordance with her employer's a mandatory retirement policy.

Settlement:

Financial compensation for pain and suffering.

Severance pay.

Policy / systemic remedy:

Policy review to ensure compliance with the law.

Ground: Age

Area: Employment

Sector: Transportation

Allegation: The complainant alleged that his employment was terminated at age 65 due to a mandatory retirement policy.

Settlement:

Financial compensation for pain and suffering.

Policy / systemic remedy:

Review of policy on mandatory retirement.

Ground: Age

Area: Employment

Sector: Transportation

Allegation :

The complainant alleged that his employment was terminated when he reached the age of 65 in accordance with the employer's age of retirement policy.

Settlement :

The complainant to remain employed until the matter of compulsory retirement is reviewed and decided in another case presently at Tribunal.

Ground: Age

Area: Employment

Sector: Transportation

Allegation:

The complainant, a 64 year old mechanic, was laid off along with a number of other employees. Two months later, he was the only one not recalled. He alleged that he was not hired back because of his age and was replaced by a much younger employee.

Settlement:

Financial compensation for pain and suffering.

Ground: Age

Area: Employment

Sector: Transportation

Allegation:

The complainant, who reached the age of 65 years, was employed with this employer for 25 years as a truck driver. He alleged that his employment was terminated because of he was

employed under a collective agreement that provided for mandatory retirement at age 65.

Settlement:

Financial compensation for pain and suffering.

Financial compensation for legal fees.

Ground: Age

Area: Employment

Sector: Banking

Allegation:

The complainant, who is over 50, alleged that her employer terminated her employment because of her age and hired younger staff to replace her.

Settlement:

Agreement to pay a retirement allowance.

Grounds: Age and disability

Area: Employment

Sector: Communications

Allegation:

The complainant, who was almost 65 and a diabetic, went on leave for medical reasons several times throughout his employment. Upon his return to work after extended medical leave, he was advised by his employer that the normal age of retirement was 65 and that his employment would end shortly. During another medical leave, he learned that his position had been eliminated.

Settlement:

Financial compensation for general damages.

Policy / systemic remedy:

Review of retirement policy to ensure compliance with the *Canadian Human Rights Act*.

Grounds: Disability, age and national or ethnic origin

Area: Employment

Sector: Transportation

Allegation:

The complainant, who is East-Indian, underwent open-heart surgery. He alleged that his employer refused to allow him to work reduced hours. He further claimed that his employer had refused to pay him a salary similar to that of his colleagues in other cities because of his age and national or ethnic origin.

Settlement:

Complainant's salary to be increased retroactively.

Vacation leave to be credited.

Grounds: Disability, age, national or ethnic origin and race

Area: Employment

Sector: Other

Allegation:

The complainant, an Asian man, was injured in a car accident. He alleged that a few weeks after he returned to work following a short term disability period, his employment was terminated. He claims the employer also terminated the employment of other Asian co-workers who had been absent from work due to a medical issue and that the same did not happen to Caucasians.

Settlement:

Financial compensation for pain and suffering.

Letter of reference.

Complainant to abandon a wrongful dismissal complaint.

Grounds: Disability and age

Area: Employment

Sector: Communications

Allegation:

The complainant developed a depressive disorder and had to be on disability leave for many months caused by situational stress within his work unit. He alleged that his employer forced him to return to work within the same unit and he had a relapse of his depression. His employer had agreed to accommodate him into another work unit in view of his return to work, but instead his position was abolished and his employment was terminated. He further alleged that younger employees replaced him after his employment was terminated.

Settlement:

Financial compensation for pain and suffering.

Financial compensation for general damages.

Financial compensation for legal fees.

Grounds: Disability and age

Area: Employment

Sector: Transportation

Allegation:

The complainant alleged that his employment was terminated while he was off on sick leave and in receipt of Work Security Insurance Benefits.

Settlement:

Financial compensation for pain and suffering.

Financial compensation for legal fees.
Letter of confirmation of employment.

Grounds: Sex and age

Area: Employment

Sector: Transportation

Allegation:

The complainant, who is over 50, alleged she was sexually harassed by her supervisor. She complained about the harassment and her supervisor invited her to retire and she refused. Her employment was eventually terminated.

Settlement:

Financial compensation for general damages.

Provision of Services

No Cases.

Sexual Orientation

Area: Provision of services

Employment

No Cases.

Provision of Services

No Cases.

Pardoned Conviction

Area: Provision of services

Employment

No Cases.

Provision of Services

No Cases.

SETTLEMENT EXAMPLES FOR 2009

Grounds of Discrimination

[Disability](#)

[Race, Colour, National or Ethnic Origin, Religion](#)

[Sex, Marital Status, Family Status](#)

[Age](#)

[Sexual Orientation](#)

Disability

Area: Provision of services

Employment

Ground(s): Disability

Area: Employment

Sector: Transportation

Allegation: The complainant alleged that his employer discriminated against him on the grounds of disability. Shortly after disclosing his drug dependency problem, he was required to submit to a drug test. He subsequently tested positive and his employment was immediately terminated.

Settlement:

Financial compensation for general damages.

Review and revision of drug and alcohol policy.

Ground(s): Disability

Area: Employment

Sector: Federal public service

Allegation:

The complainant alleged that his employer treated him differently after he suffered a mild heart attack. Although he received full medical clearance, he was denied opportunities for promotion, deployment overseas and certain job postings. His employment was eventually terminated.

Settlement:

Financial compensation for pain and suffering.

Financial compensation for lost wages, including retroactive pay for a three year period.

Ground(s): Disability

Area: Employment

Sector: Communications

Allegation:

The complainant suffers from thrombosis and was diagnosed as unable to return to work.

She alleged that her employer denied her medical benefits.

Settlement:

Financial compensation for pain and suffering.

Ground(s): Disability

Area: Employment

Sector: Communications

Allegation:

The complainant, who suffers from anxiety, alleged that her employer did not accommodate her while returning to work.

Settlement:

Financial compensation for pain and suffering.

Ground(s): Disability

Area: Employment

Sector: Other

Allegation:

The complainant, who has scoliosis, attempted to return to work after a double hip replacement. He alleged that he was not properly accommodated and was not reintegrated into the workplace.

Settlement:

Financial compensation for lost wages.

Adjustment of annual leave credits.

Assignment to a full-time suitable position.

Ground(s): Disability

Area: Employment

Sector: Communications

Allegation:

The complainant alleged that her employer denied her one month of sick leave and then terminated her employment.

Settlement:

Financial compensation for lost wages and for hurt feelings.
Letter of employment.

Ground(s): Disability

Area: Employment

Sector: Banking

Allegation:

The complainant suffers from severe and persistent back pain. As a result, he suffers from headaches and has difficulty sitting for long periods of time. He alleged that he made a request that his employer accommodate his disability by allowing him to work from home and it was denied. He was eventually suspended without pay.

Settlement:

Financial compensation for general damages and legal fees.
Financial compensation for lost wages and for severance of employment.
Agreement to sever employment relationship.
Career transition counselling.
Letter of regret and letter of employment.

Ground(s): Disability

Area: Employment

Sector: Banking

Allegation:

The complainant suffers from injuries to her knee and ankle. As a result, she has been on medical leave from work. She alleged that her manager was verbally abusive to her in public, questioned whether she was disabled and also threatened to terminate her employment. She eventually left her employment.

Settlement:

Financial compensation for pain and suffering and for severance of employment.
Financial compensation for legal fees.
Letter of employment.

Ground(s): Disability

Area: Employment

Sector: Banking

Allegation:

As a result of a brain aneurysm, the complainant is partly paralysed on her right side. Given her illness, she tires very easily and works at a slow pace. The complainant alleged that her

employer failed to accommodate her disability and that her employment was terminated because she was too slow and was making too many mistakes.

Settlement:

Financial compensation for pain and suffering and for severance of employment.

Ground(s): Disability, race, colour

Area: Employment

Sector: Other

Allegation:

The complainant, who is a member of a visible minority, alleged that he was treated differently from his Caucasian co-workers after he was injured in a car accident. While on disability leave due to this accident, his employer threatened him with dismissal if he did not return to work despite the fact that he was still recovering from his injuries. The complainant was eventually dismissed.

Settlement:

Financial compensation for general damages.

Severance pay.

Training and outplacement counselling.

Remove warning letter from personnel file.

Ground(s): Disability

Area: Employment

Sector: Banking

Allegation:

The complainant has severe allergies to fragrances and chemical substance fumes. She alleged that while her employer implemented a fragrance free policy in the workplace, it refused to fully accommodate her medical restrictions by extending the policy to customers entering the premises and/or eliminating all her face to face contact with the public. She eventually had to take a medical leave.

Settlement:

Financial compensation for general damages and lost wages.

Retirement package.

Outplacement counselling for three months.

Medical expenses.

Ground(s): Disability, national or ethnic origin

Area: Employment

Sector: Banking

Allegation:

The complainant, a woman of Italian origin, alleged that her supervisor engaged in a series of email that contained racially derogatory comments about her. As a result of this incident, the complainant went on medical leave. She further alleged that the employer refused to accommodate her in a position that was removed from the supervisor's authority. The employer advised the complainant that she could conduct an internal job search for another position, however failing to find a suitable replacement, her employment would be terminated.

Settlement:

Financial compensation for pain and suffering and for legal cost.

Agreement to sever the employment relationship.

Retiring allowance.

Letter of employment.

Ground(s): Disability

Area: Employment

Sector: Other

Allegation:

The complainant, a person who is deaf, alleged that a human resources representative refused to accept his application for employment because, in their opinion, the work environment was too dangerous for a deaf person.

Settlement:

Financial compensation for pain and suffering.

Letter of regret.

Notification of job opportunities.

Independent assessment of accommodation requirements.

Consultation with the Deaf community on ways to accommodate deaf employees.

Consultation with the Commission on current development of accommodation and respectful workplace policies and future training.

Ground(s): Disability

Area: Employment

Sector: Communications

Allegation:

The complainant, who is in a wheelchair, alleged that she suffered injuries at work which were caused by a malfunctioning electronic door mechanism. Furthermore the employer never provided her with the proper ergonomic equipment that she needed to accommodate her disability (proper desk, keyboard, chair, arm rest, handicap doors, etc.)

Settlement:

The employer will provide another ergonomic evaluation and implement its recommendations.

Ground(s): Disability

Area: Employment

Sector: Other

Allegation:

The complainant, who suffers from a spinal injury, alleged that his employment as a security officer was terminated because of his disability shortly after he was hired. His supervisor thought the work would be too difficult for him.

Settlement:

Financial compensation for pain and suffering and for general damages.

Ground(s): Disability

Area: Employment

Sector: Federal public service

Allegation:

The complainant, who suffers from a repetitive strain injury in her hands, alleged that her employer refused to accommodate her needs. More specifically, the employer refused to provide her with a voice activated computer system that would allow her to perform repetitive tasks without constant pain.

Settlement:

Financial compensation for pain and suffering.

Credit sick leaves and annual leaves.

Provide the appropriate computer technology.

Language training.

Offer of an appointment at a higher level.

Ground(s): Disability

Area: Employment

Sector: Communications

Allegation:

The complainant suffers from a chronic neurological condition which causes pain and swelling. He alleged that his employer refused to accommodate his needs by not offering him modified duties, and by insisting that he only return to work when he was fully recovered. His employment was subsequently terminated.

Settlement:

Financial compensation for pain and suffering.

Ground(s): Disability

Area: Employment

Sector: Other

Allegation:

Two disabled individuals filed a complaint against the same employer. Both employees, who were on modified duties at the time, alleged that their employer asked them to work overtime during the holidays. They agreed but were subsequently told they could not work overtime because they were on modified duties.

Settlement:

Financial compensation for pain and suffering.

Confirmation by employer that employees on modified duties are eligible for overtime hours.

Ground(s): Disability

Area: Employment

Sector: Other

Allegation:

The complainant, who suffered a foot injury, requested accommodation in the form of modified duties. She alleged that her supervisor insisted she do work that was beyond her capacity. When she refused, she was reported for unsatisfactory job performance. She eventually left on long term disability leave.

Settlement:

Financial compensation for general damages.

Return to work program in another area and under a different manager.

Maintenance of the pay grade during the return to work period.

Agreement to let the complainant annotate her performance appraisals.

Removal of the negative performance appraisal.

Ground(s): Disability

Area: Employment

Sector: Banking

Allegation:

The complainant developed anxiety and depression related to workplace stress and was off work for several months. She alleged that, when she attempted to return to work, she was not allowed to do so and was told that she was not a good fit. Subsequently, her long term disability benefits were discontinued.

Settlement:

Financial compensation for general damages and for legal costs.

Financial compensation for severance of employment and for retraining.
Long-term income protection to age 65.

Ground(s): Disability

Area: Employment

Sector: Federal public service

Allegation:

The complainant was employed for a three-year term. He experienced a series of threatening situations at work and was diagnosed with post traumatic stress disorder. He alleged that his employer did not renew his term employment in order to avoid continuing to accommodate his disability. The complainant moved to another province after the termination of his employment in order to be near his family and medical professionals.

Settlement:

Reinstatement to an indeterminate position.

Financial compensation for pain and suffering and for expenses.

Retroactive wages and full benefits including pension contributions with interests.

Relocation costs with interests.

Additional sick leave credits.

A graduated return to work schedule developed with the complainant's medical team.

Removal of the complainant's latest performance evaluation report.

Written confirmation that the events giving rise to the complainant's disability occurred in the course of his employment.

Coordination with another government department to enable the complainant to return to his home province for employment.

Ground(s): Disability

Area: Employment

Sector: Banking

Allegation:

The complainant injured his back at work. He alleged that he was forced to return to work before having fully recuperated, and that he was not accommodated as recommended by his doctor. He also alleged that his performance was appraised based on the full range of job duties without taking the recommended accommodation into account.

Settlement:

Agreement to sever the employment relationship.

Financial compensation for general damages and for pain and suffering.

Financial compensation for lost disability benefits and for legal costs.

Ground(s): Disability

Area: Employment

Sector: Transportation

Allegation:

The complainant, who works as a receptionist, suffers from multiple sclerosis. Due to the nature of her disability, she cannot foresee when and for how long she will be sick. She alleged that her supervisor wrote in her performance appraisal that she should reduce her sick leave. She refused to sign the performance appraisal.

Settlement:

Modifications to the performance appraisal with respect to sick leave.

Ground(s): Disability, sex

Area: Employment

Sector: Federal public service

Allegation:

The complainant was hired as a temporary employee. Later, she applied for a permanent position and indicated on the application form that she suffered from a depressive disorder. The complainant alleged that her manager denied her application for a permanent position because of her disability and also terminated her temporary employment.

Settlement:

Financial compensation and for pain and suffering for general damages.

Financial compensation for lost wages.

Review procedures on application of medical requirements.

Executive management to be apprised of the complainant's concerns.

Letter of reference.

Ground(s): Disability

Area: Employment

Sector: Federal public service

Allegation:

The complainant was diagnosed with depression, she alleged that her employer failed to accommodate her and that when she requested medical leave, it was denied. She eventually resigned her employment.

Settlement:

Financial compensation for lost wages and for pain and suffering.

Letter of regret and letter of reference.

Ground(s): Disability

Area: Employment

Sector: Banking

Allegation:

The complainant began experiencing serious mental health problems shortly after being hired and therefore had to take a few days off on sick leave. She alleged that when she returned to work, her employer refused to pay her for the days she was sick. She was off a few more days during her probationary period which resulted in the termination of her employment.

Settlement:

Financial compensation for pain and suffering.
Amended Record of Employment.

Ground(s): Disability

Area: Employment

Sector: Separate federal agency

Allegation:

The complainant, who is an insulin dependant diabetic, alleged that his managers initiated a targeted campaign of harassment and abuse against him. Eventually the complainant needed to take a sick leave and then required to go on long term disability. He further alleged that it took his employer two years to implement an accommodation request.

Settlement:

Financial compensation for general damages.

Ground(s): Disability

Area: Employment

Sector: Other

Allegation:

The complainant has low vision and uses a scooter wheelchair. She alleged that her employer did not accommodate her disability by providing a fully accessible workplace and documents in large print. When she complained about the lack of accommodation she was ostracized by her co-workers and sent to work in another location which was not wheelchair accessible.

Settlement:

Financial compensation for pain and suffering.
Letter of regret.

Ground(s): Disability, sexual orientation

Area: Employment

Sector: Banking

Allegation:

The complainant, who is homosexual, had a backache. He alleged that after revealing his homosexuality to his supervisor, she told him "you're gay, you're fired." The following week, the complainant had to take a medical leave for which he submitted a medical certificate. Judging it inadequate, the respondent asked him to produce a more detailed one. Soon after, the complainant was dismissed.

Settlement:

Financial compensation for pain and suffering.

Provision of Services

Ground(s): Disability

Area: Provision of services

Sector: Transportation

Allegation:

The complainant, who walks using a cane, alleged that she had difficulty accessing one of the transport company's stations. Her concerns included such things as lighting, signage, and slope of pathways.

Settlement:

The transportation company agreed to modify, repair and or upgrade their station within a reasonable time.

Ground(s): Disability

Area: Provision of services

Sector: Communications

Allegation:

The complainant, who is visually impaired, complained that a television broadcaster failed to provide a described video (DV) signal while broadcasting several television programs that were of interest to her.

Settlement:

The broadcaster will contact the signal carrier company in order to obtain the DV signal. If it fails it will refer the matter to the CRTC.

Sensitivity training to audience relations staff and the programming staff.

Broadcaster's website to include information that may not be technically possible to describe during a live broadcast.

Ground(s): Disability

Area: Provision of services

Sector: Banking

Allegation:

The complainant, who has an undisclosed disability, alleged that he received differential treatment from the employees at his bank. The complainant alleged that he was questioned about his injuries and about the amount of his compensation checks. The employees also insinuated that the checks he wished to deposit into his account were fraudulent.

Settlement:

Bank service charges waived for one year.

Charitable donation to an organization chosen by the complainant.

Gift certificate.

Letter of apology.

Ground(s): Disability

Area: Provision of services

Sector: Banking

Allegation:

The complainant alleged that he was denied sign language interpretation services (ASL) by his bank.

Settlement:

The Bank has advised all of its employees across Canada that it is the Bank's policy to provide sign language interpreters upon request from a national database of organizations which provide ASL interpreters.

The Bank will also consider ways of informing the Deaf community of its policy with respect to ASL interpreters and will report back to the Commission.

Ground(s): Disability

Area: Provision of services

Sector: Transportation

Allegation:

The complainant is the father of a young child who has an allergy to peanuts and tree nuts. The complainant alleged that on two separate occasions, a transportation company did not accommodate his daughter's disability by removing peanuts and tree nuts from their menu or by choosing not to sell these products to their other customers.

Settlement:

Agreement on a medically approved avoidance strategy for dealing with the daughter's allergy while she is a passenger on board the transporter's vehicles.

Review of current practices with respect to persons with peanut and tree nuts allergies.

Ground(s): Disability

Area: Provision of services

Sector: Separate federal agency

Allegation:

The complainant, who had a corneal transplant, alleged that he was refused accommodation as a security officer. In order to gain access to the restricted areas, he is required to pass through a biometric verification system. He alleged that when he was required to use an iris scanner for verification, it frequently malfunctioned due to the transplant. Rather than being provided access to a portable fingerprint scanner, he was sent to other screening stations that were distant from his personal work station. Even when the fingerprint scanner was available, the complainant was told he was not allowed to use it.

Settlement:

Explanation of the employer's limitations with respect to the biometric equipment.

Undertaking to provide clarification to the company operating the equipment on the use of alternative scanning methods to meet individual needs.

Verbal expression of regret.

Ground(s): Disability

Area: Provision of services

Sector: Separate federal agency

Allegation:

The complainant, who is hard of hearing, alleged that an agency refused to provide him with the services of a sign language interpreter while he was using its facilities.

Settlement:

Financial compensation for legal fees.

Donation to the Canadian Hearing Society.

Policy change in order to accommodate the deaf and hard of hearing.

Parties agreed to a public announcement of this change of policy.

Ground(s): Disability

Area: Provision of services

Sector: Other

Allegation:

The complainant, who is in a wheelchair, is assisted by a service dog in her movements.

She was refused access to an entertainment building because of her dog.

Settlement:

Financial compensation for pain and suffering.

Letter of regret.

Race, Colour, National or Ethnic Origin, Religion

Area: Provision of Services

Employment

Ground(s): Sex, religion, national or ethnic origin, disability

Area: Employment

Sector: Separate federal agency

Allegation:

The complainant alleged that his supervisor subjected him to unwelcomed comments of a sexual nature, negative comments about his ethnic origin as well as native spirituality, and that he assaulted him. The complainant eventually resigned from his position.

Settlement:

Financial compensation for pain and suffering for general damages.

Letter of apology.

Ground(s): National or ethnic origin, religion, sex

Area: Employment

Sector: Transportation

Allegation:

The complainant alleged that his supervisor harassed him by making sexual comments regarding the complainant having intercourse with his wife and made sexual gestures with his food. Furthermore, his supervisor asked him if he was part of the Taliban or a terrorist network. The complainant informed the employer of these actions and his employment was subsequently terminated

Settlement:

Financial compensation for damages.

Ground(s): Race, colour, national or ethnic origin, disability

Area: Employment

Sector: Transportation

Allegation:

The complainant, who is black, suffers from depression and anxiety. He alleged that his supervisors were dismissive as well as abrupt in their attitude towards him, abusively criticised his performance and subjected him to exaggerated supervision and harsh disciplinary measures.

Settlement:

Financial compensation for general damages for legal costs.

Letter of employment.

Ground(s): Race, colour

Area: Employment

Sector: Communications

Allegation:

The complainant, who is black, alleged that a co-worker put a screen saver on her computer depicting racially derogatory images. The employer investigated the matter and could not determine who was responsible.

Settlement:

Financial compensation for pain and suffering.

Reinstatement of sick days.

Ground(s): Race, national or ethnic origin

Area: Employment

Sector: Federal public service

Allegation:

The complainant, an Aboriginal woman, alleged that her supervisor made derogatory comments about Aboriginal people, harassed her and ultimately played a role in the termination of her temporary employment contract. The employer did not intervene after it was made aware of the harassment.

Settlement:

Financial compensation for hurt feelings.

Letter of regret and letter of reference.

Ground(s): Race

Area: Employment

Sector: Banking

Allegation:

The complainant, an Asian woman, was employed as a manager in the banking industry.

She alleged that she was harassed and her employment was subsequently terminated after she disciplined a Caucasian employee.

Settlement:

Financial compensation for general damages and for legal fees.

Retirement allowance.

Letter of confirmation of employment.

Ground(s): Race, national or ethnic origin, colour

Area: Employment

Sector: Communications

Allegation:

The complainant, who is black, alleged that he was denied work space, training and was also subjected to racist comments. His employment was eventually terminated.

Settlement:

Financial compensation for pain and suffering.

Human rights training to employees working at this location.

Ground(s): Race

Area: Employment

Sector: Banking

Allegation:

The complainant, who is black, alleged that his supervisors harassed him and that his co-workers engaged in racist comments and name-calling. He said he was not only given more work than his colleagues but also paid less. His employment was eventually terminated.

Settlement:

Financial compensation for general damages and for legal costs.

Financial compensation for severance and loss of income.

Ground(s): Race, national or ethnic origin, colour, family status, marital status

Area: Employment

Sector: Other

Allegation:

The complainant, a Caucasian man, alleged that a First Nations group undermined his work and failed to provide him with a harassment-free work environment. He further alleged that he was accused of depriving other individuals of benefits he was receiving through marriage with his wife, who is a First Nations person entitled to benefits.

Settlement:

Financial compensation for general damages.

Ground(s): Race, national or ethnic origin

Area: Employment

Sector: Federal public service

Allegation:

The complainant was participating in a training program. He alleged that he was subjected to derogatory comments by one of the instructors in relation to his Aboriginal heritage. He alleged that this instructor made several attempts to remove him from the program, and

forced him to leave on the last day even though he had successfully completed all of the elements.

Settlement:

Official recognition of the complainant's successful completion of the program.

Ground(s): Race, national or ethnic origin

Area: Employment

Sector: Federal public service

Allegation:

The complainant, a Canadian who is originally from the Middle East, applied for a position. She alleged that during the job interview, she mentioned that an immediate family member was on an extended visit in the Middle East. The interview was then abruptly terminated and she was discouraged from continuing with her job application.

Settlement:

Financial compensation for pain and suffering.

The complainant will be allowed to reapply at a future date.

The interviewers will receive training on human rights.

Letter of regret.

Provision of Services

Ground(s): Race, colour, national or ethnic origin

Area: Provision of services

Sector: Communication

Allegation:

The complainant, who is a member of a visible minority, alleged that he was treated differently by a representative of his cable provider. The representative harassed him and made racially derogatory comments. The complainant also alleged that when he tried to address the matter, one of the managers treated him in a rude and abusive manner.

Settlement:

Free equipment to the complainant and free cable service for one year.

Ground(s): Race, colour, national or ethnic origin and sex

Area: Provision of services

Sector: Banking

Allegation:

The complainant, who is black, alleged that he was excessively scrutinized when he applied

for a loan. He alleged that the person who reviewed his application was rude and made inappropriate comments.

Settlement:

Financial compensation for general damages and for legal costs.

Ground(s): National or ethnic origin, race, disability

Area: Provision of services

Sector: Transportation

Allegation:

The complainant, who is Aboriginal, suffers from rheumatoid arthritis. She alleged that while she was travelling with her children, an attendant harassed her and her family, and treated them differently than other passengers during their journey.

Settlement:

Financial compensation for general damages and pain and suffering.

Letter of apology.

Sex, Marital Status, Family Status

Area: Provision of Services

Employment

Ground(s): Sex, sexual orientation

Area: Employment

Sector: Transportation

Allegation:

The complainant, a woman who is married to a same-sex partner, works in a male-dominated workplace. She alleged that she was denied advancement as well as training opportunities and was harassed by her co-workers. She eventually had to take a sick leave due to stress at work.

Settlement:

Immediate entry into another group with apprenticeship. Opportunity to take supervisory training.

Adjustment of sick leaves

Counselling services upon request.

Invitation to join the employer's Employment Equity Committee.

Ground(s): Sex, race, national or ethnic origin, colour

Area: Employment

Sector: Transportation

Allegation:

The complainant alleged that she was subjected to harassment in the workplace in the form of racist jokes, sexist comments and nude posters of women. She claims that her employment was terminated because of her complaints of harassment.

Settlement:

Financial compensation for hurt feelings.

Revision of policy on providing references for former employees.

Ground(s): Sex, disability

Area: Employment

Sector: Transportation

Allegation:

The complainant, who worked as a long-haul truck driver, alleged that she was given less work opportunities than her male colleagues. She further alleged that when she became ill, her sick benefits were cancelled and her employment was terminated.

Settlement:

Financial compensation for general damages.

Letter of employment.

Ground(s): Sex, family status

Area: Employment

Sector: Communications

Allegation:

The complainant was off on maternity leave for one year. Prior to her scheduled return, she was advised that her position had been eliminated due to re-structuring. She alleged that she was replaced due to her pregnancy and family status.

Settlement:

Financial compensation for pain and suffering.

Ground(s): Family status

Area: Employment

Sector: Banking

Allegation:

The complainant, who's son has asthma, alleged that she received a warning letter for taking time off to attend to her sick child despite providing a medical note. Subsequently, the complainant was advised that her employment was terminated due to a security breach. She alleged that her employment ended due to her child-related absences.

Settlement:

Financial compensation for general damages.

Ground(s): Sex

Area: Employment

Sector: Federal public service

Allegation:

The complainant had been working for nine months in a one year determinate position when she left for maternity leave. She alleged that the people hired around the same time as her, were given an indeterminate position whereas her contract was not renewed because she went on maternity leave.

Settlement:

Reinstatement in her previous determinate position with retroactive pay

Approval of the complainant's parental leave until she is ready to return to work.

Ground(s): Sex

Area: Employment

Sector: Other

Allegation:

The complainant alleged that she was subjected to sexual harassment in the form of unwelcome comments and gestures from her supervisor. After she complained to the employer, her employment was terminated.

Settlement:

Financial compensation for general damages.

Policy review by the Commission.

Ground(s): Sex

Area: Employment

Sector: Banking

Allegation:

The complainant is pregnant and states that due to frequent pregnancy related illnesses, she decided to relocate to be closer to her family and receive better medical care. She claims that her employer has a policy which allows for a leave of absence of up to 60 days during which time an employee could relocate and find another job within the organization. The complainant alleged that her employer refused to give her a leave of absence because of her pregnancy and as a result she was forced to leave her employment.

Settlement:

Letter of employment.

Distribute the complainant's resume to all branches in the complainant's region.

Ground(s): Sex, family status

Area: Employment

Sector: Other

Allegation:

The complainant was a supervisor for four years prior to her maternity leave. Her employer hired someone to fill her position temporarily. She alleged that after she returned to work, the temporary person was hired permanently and occupied her office. The complainant's possessions were moved to a storage room and the complainant was informed that this was her new office. Her new work assignments were also at a much lower level. The complainant resigned within a month after her return to work.

Settlement:

Financial compensation for pain and suffering and for legal expenses.

Ground(s): Sex

Area: Employment

Sector: Federal public service

Allegation:

The complainant alleged that her employer discriminated against her by refusing to extend her term contract because she was pregnant, thereby making her ineligible for maternity top-up benefits.

Settlement:

Retroactive appointment of the complainant to a term contract.

Ground(s): Sex

Area: Employment

Sector: Other

Allegation:

The complainant alleged that a co-worker made inappropriate comments and advances towards her. After she refused his advances, he initiated a campaign of harassment and defamation that impacted her work. She complained to the employer, who addressed the situation, but the measures taken were not successful in resolving the situation.

Settlement:

Financial compensation for pain and suffering.

Review of the employer's anti-harassment policy and internal investigations procedures.

Training for all employees in human rights.

Verbal expression of regret.

Ground(s): Sex, family status, race

Area: Employment

Sector: Other

Allegation:

The complainant, who is Caucasian mother with two children, worked for a Native Band Council. She alleged that her co-workers called her names and harassed her because she is not Aboriginal. The complainant's employment was eventually terminated.

Settlement:

Financial compensation for general damages.

Ground(s): Sex, sexual orientation, family status, national or ethnic origin

Area: Employment

Sector: Transportation

Allegation: The complainant alleged that her supervisor and some male co-workers made inappropriate comments about women, gays and certain ethnic groups. Her supervisor told dirty jokes and, on one occasion, a colleague punched her in the breast. To address the situation, the complainant called the Human Resources Department to raise her concerns. The next day, her supervisor informed everyone that she had filed a complaint against them. She alleged that her employer did not handle her complaints properly.

Settlement:

Financial compensation for general damages.

Agreement to place a poster within all Canadian facilities addressing sexual harassment.

Ground(s): Sex

Area: Employment

Sector: Transportation

Allegation:

The complainant, a female truck driver, alleged that while training as a long-haul truck driver, her trainer made inappropriate comments and called her derogatory names. When she objected, the trainer began treating her in a dismissive manner and refused to accommodate any of her needs on the road trip. After reporting the trainer's behavior to her employer, no actions were taken to correct the situation.

Settlement:

Financial compensation for pain and suffering.

Training in respectful work environments for staff and drivers.

Anti-harassment policy to be revised.

Ground(s): Sex, family status, marital status

Area: Employment

Sector: Transportation

Allegation:

The complainant works as a security officer in an airport. She alleged that co-workers made derogatory comments about her husband and remarks of a sexual nature. She complained to her managers but the problems persisted. Eventually, she had to take some time off due to stress.

Settlement:

Financial compensation for lost wages.

Financial compensation for pain and suffering.

No loss in seniority for taking time off.

Ground(s): Sex

Area: Employment

Sector: Other

Allegation:

The complainant worked in the administrative office of a First Nation group. She alleged that an official repeatedly harassed her by making sexually suggestive remarks and standing over her in an intimidating manner. She asked him to stop and complained to her supervisor, but her complaint was never investigated. Her employment was terminated while she was on stress leave.

Settlement:

Reimbursement of full tuition fees toward obtaining a university degree.

Ground(s): Sex

Area: Employment

Sector: Other

Allegation:

The complainant alleged that co-workers made inappropriate sexual comments, and that her supervisor treated her harshly. She complained but nothing was done and she eventually had to resign.

Settlement:

Financial compensation for general damages.

The employer will review its harassment policy.

Ground(s): Sex

Area: Employment

Sector: Transportation

Allegation:

The complainant was dismissed a few months after she was hired. She alleged that the person who dismissed her subjected her to discriminatory comments, saying that a woman should not be a dispatcher, and wrongly accused her of causing the loss of a contract to her

employer.

Settlement:

Financial compensation for pain and suffering.

Letter of reference.

Letter confirming that the complainant is not responsible for the loss of a contract.

Provision of Services

Ground(s): Marital and family status

Area: Provision of services

Sector: Banking

Allegation:

The complainant alleged that a Bank decided to terminate all of her banking services after her husband made threatening comments to one of the bank's employees.

Settlement:

Financial compensation for pain and suffering.

Letter of apology.

Age

Area: Provision of services

Employment

Ground(s): Age

Area: Employment

Sector: Transportation

Allegation:

The complainant alleged that he was forced into retirement pursuant to a policy of the employer's pension plan. He also alleged that while the employer could request an exemption to allow work past retirement age, it refused to do so. Discussions with the employer had touched on the possibility of post-retirement contract work but this never materialized.

Settlement:

Financial compensation for general damages.

Initiate conversation with the employer's association to prepare for the possible repeal of mandatory retirement.

Ground(s): Age

Area: Employment

Sector: Transportation

Allegation:

The complainant was employed under a collective agreement that provided for mandatory retirement at age 65. While preparing for transition into retirement he learned that mandatory retirement had been abolished for provincially-regulated workers in his home province. He inquired with his employer about continuing to work beyond age 65 but, although his employer initially agreed to explore the possibility, his request was ultimately turned down.

Settlement:

Financial compensation for pain and suffering.

Letter of regret.

Ground(s): Age

Area: Employment

Sector: Banking

Allegation:

The complainant, who reached the age of 65 years, alleged that she was forced to retire under her employer's retirement policy.

Settlement:

Financial compensation for lost wages.

Extension of employment contract for one year.

Review of the mandatory retirement policy.

Ground(s): Age

Area: Employment

Sector: Communications

Allegation:

The complainant alleged that his employer advised him that he would need to retire when he reached the age of 65. He later informed his supervisors that he wanted to continue working past the age of 65. His employer allowed him to do so, but with reduced benefits and pay.

Settlement:

Financial compensation for general damages.

Continued employment with current pay and benefits for a definite period of time.

Ground(s): Age, national or ethnic origin

Area: Employment

Sector: Banking

Allegation:

The complainant, a 57 year old Asian woman, alleged that new and younger employees refused to work with her during training and made derogatory remarks. She approached her employer regarding these comments and was advised that nothing could be done. Subsequently, the employer told her she was not suitable for the position and ended her employment. She alleged that her employment was terminated because of her age and ethnic origin.

Settlement:

Financial compensation for renunciation of her right to reinstatement.
Withdrawal of unjust dismissal complaint and human rights complaint.
Letter of employment.

Ground(s): Age

Area: Employment

Sector: Other

Allegation:

A group of four workers, aged 65 and over, alleged that their employer terminated their employment following the introduction of a mandatory retirement policy.

Settlement:

Financial compensation for each complainant for severance, pain and suffering and costs.
No restrictions from applying in the future for open positions.

Ground(s): Age

Area: Employment

Sector: Federal public service

Allegation:

The complainant, who is over 60, worked as a consultant. He alleged that an official of the organization engaging his services and responsible for his contract renewal asked him why he was still working at his age and suggested he stay home.

Settlement:

Financial compensation for pain and suffering.

Provision of Services

No Cases.

Sexual Orientation

Area: Provision of services

Employment

Ground(s): Sexual orientation, sex

Area: Employment

Sector: Communications

Allegation:

The complainant, a lesbian, alleged that her manager subjected her to unwelcomed comments and gestures of a sexual nature. She informed her superiors of the situation, however her complaints were not dealt with adequately or confidentially. Finally, she was dismissed without cause or notice.

Settlement:

The complaint was settled between the parties and the terms were not disclosed.

Provision of Services

No Cases.

SETTLEMENT EXAMPLES FOR 2008

Grounds of Discrimination

[Disability](#)

[Race, Colour, National or Ethnic Origin, Religion](#)

[Sex, Marital Status, Family Status](#)

[Age](#)

[Sexual Orientation](#)

Disability

Area: Employment

Area: Provision of services

Employment

Ground(s): Disability

Area: Employment

Sector: Other

Allegation: The complainant, who is diabetic and has blurred vision, worked in the same position for eight years and was considered a good employee. Following a downsizing exercise, she was moved to a new job. In her new position, she began making errors for which she was disciplined. She alleged that, despite her doctor's opinion that her disability was affecting her work, her employer did not accommodate her and terminated her employment.

Settlement: Financial compensation for general damages.
Letter of employment.

Ground(s): Disability

Area: Employment

Sector: Communications

Allegation: Shortly after he was hired, the complainant began experiencing arthritis in his legs. His doctor recommended a partial hip replacement and asked that the employee be given sedentary work while awaiting the surgery. The complainant alleged that his request for accommodation was denied and that his manager began harassing him and treating him

differently. He began having anxiety attacks and eventually quit his job.

Settlement: Financial compensation for general damages.

Letter of employment.

Ground(s): Disability

Area: Employment

Sector: Separate federal agency

Allegation: The complainant could not perform some of his job duties because he has bursitis and limited use of one hand. He alleged that his employer accommodated his disability for a period and then refused to continue to do so.

Settlement: Return to work on a gradual basis.

Reassessment of the accommodation the complainant requires.

Ground(s): Disability

Area: Employment

Sector: Transportation

Allegation: The complainant worked on a ship. He alleged that his medical fitness certificate was revoked when it became known that he took medication for bipolar disorder.

Settlement: Financial compensation for lost wages and interest.

Financial compensation for pain and suffering.

Reinstatement of the fitness to work certificate.

Ground(s): Disability

Area: Employment

Sector: Transportation

Allegation: The complainant alleged that his employment was terminated when he returned to work following a workers' compensation claim for a knee injury.

Settlement: Financial compensation for lost wages.

Ground(s): Disability

Area: Employment

Sector: Federal public service

Allegation: The complainant has Tourette syndrome and a learning disability. He accepted a job as a casual labourer at some distance from his home town because he thought it would lead to a permanent position. He alleged that his employer did not accommodate him and eventually terminated his employment. He had to move back to his home town.

Settlement: Financial compensation for pain and suffering and for moving expenses.

Re-employment under a term contract.

Ground(s): Disability

Area: Employment

Sector: Transportation

Allegation: The complainant had worked for two years in administrative support for a small airline. She underwent a hysterectomy and returned to work with lifting and mobility restrictions. Soon after her return, her employment was terminated.

Settlement: Financial compensation for general damages.

Ground(s): Disability, age

Area: Employment

Sector: Separate federal agency

Allegation: The complainant was refused employment as a pilot despite his qualifications. He alleged that he was denied the opportunity because of his age and because his vision has been corrected with ocular implants rather than corrective lenses.

Settlement: Withdrawal of the complaint after the complainant was allowed to participate in pre-employment testing.

Ground(s): Disability

Area: Employment

Sector: Banking

Allegation: The complainant, a banking assistant, suffered an injury at work that left her with limitations in one hand. She alleged that her employer failed to accommodate her disability when she was ready to return from an extended medical absence, resulting in the loss of her employment.

Settlement: Financial compensation for pain and suffering and for lost wages.

Ground(s): Disability

Area: Employment

Sector: Federal government

Allegation: The complainant worked for 30 years for the same employer as a manager and had developed an alcohol dependency. After being made aware of his disability, his employer made arrangements for detoxification therapy, which was successful. The complainant alleged that upon learning that he had become inebriated during a work-related social gathering, his employer forced him to resign.

Settlement: Financial compensation for lost wages and for general damages.

Ground(s): Disability

Area: Employment

Sector: Federal public service

Allegation: The complainant sustained an injury at work during a training program. She alleged that, because the employer did not accommodate her, she was unable to complete the program. As a result, her contract was not renewed.

Settlement: Financial compensation for lost wages and for general damages.

Ground(s): Disability

Area: Employment

Sector: Communications

Allegation: The complainant injured her legs and wrist at work. After a period of leave, she was declared fit to return to work with accommodation. She alleged that her employer refused to accommodate her and, as a result, she could not return to work.

Settlement: Return to work with accommodation.

Financial compensation for pain and suffering.

Financial compensation for the salary of the complainant's support person attending the mediation.

Ground(s): Disability

Area: Employment

Sector: Federal public service

Allegation: The complainant, who has a mental disability, applied for a professional position. He alleged that the employer failed to accommodate his disability during the hiring process, ending his candidacy prematurely. The position required that he attend a training program over the summer in order to start work in the fall. Because he needed more time to complete the training, he did not graduate by the end of the summer and was consequently screened out of the competition.

Settlement: Financial compensation for general damages.

Changes to the hiring process to allow for this type of accommodation.

Letter of apology.

Ground(s): Disability, race

Area: Employment

Sector: Other

Allegation: The complainant is a non-Aboriginal person who was employed as a special education teacher on a reserve. She alleged that she was subjected to rude, belittling and humiliating comments and denied opportunities to attend work-related workshops. She also alleged that her employer failed to accommodate her when she returned to work after surgery by asking her to perform duties for other employees. In the end, her employment was terminated.

Settlement: Financial compensation for pain and suffering.

Ground(s): Disability

Area: Employment

Sector: Other

Allegation: The complainant suffers from fatigue. She alleged that, against her doctor's recommendation, her employer made her work extra hours and refused to give her time off to attend medical appointments. She alleged that her employment was terminated without cause.

Settlement: Reinstatement of the complainant in her position with retroactive benefits.

Long-term disability benefits until retirement.

Retirement bonus of three months' salary.

Financial compensation for legal costs.

Ground(s): Disability

Area: Employment

Sector: Transportation

Allegation: The complainant has an inflammatory rheumatic disease that causes arthritis of the spine. He alleged that he was offered employment as a pilot subject to the results of a medical exam. After the exam, the offer was rescinded, despite a medical certificate declaring him fit to fly.

Settlement: Financial compensation for general damages and for pain and suffering.

Financial compensation for legal costs.

Offer to hire the complainant for the next available pilot position.

Ground(s): Disability

Area: Employment

Sector: Transportation

Allegation: The complainant was injured at work, resulting in a permanent disability. She returned to work with medical requirements that the respondent largely respected.

However, when she re-injured herself a few years later, she alleged that her employer refused to accommodate her new medical requirements. Her employer maintained that accommodating her would contravene the seniority provisions of collective agreements.

Settlement: Financial compensation for general damages and expenses.

Letter of apology.

A guarantee of 30 hours of modified work per week.

Retention of the complainant's seniority.

Ground(s): Disability

Area: Employment

Sector: Transportation

Allegation: The complainant alleged that he was subjected to harsher discipline and differential treatment when his employer was informed of his diagnosis of attention deficit disorder. The complainant's union filed several grievances, but the grievance process was adjourned pending resolution of this complaint.

Settlement: Mutually agreed termination date.

Financial compensation for lost wages and for general damages.

Benefits of a retired employee, including pension.

Respect-related workplace training for employees at the work site concerned.

Withdrawal of all outstanding grievances, with sign-off by the union.

Ground(s): Disability

Area: Employment

Sector: Communications

Allegation: The complainant alleged that his employer refused to continue to accommodate his medical restrictions after it made changes to the workplace. He was required to work nights against the medical advice of his physician.

Settlement: Reinstatement of sick and annual leave credits.

Financial compensation for hurt feelings.

Letter of apology.

Ground(s): Disability

Area: Employment

Sector: Separate federal agency

Allegation: The complainant had worked for the same employer for many years before developing a disability in one arm. After she took medical leave, an independent medical examiner determined that she was fit for work with limitations. She alleged that her employer was advised of the medical examiner's recommendations but failed to provide the required accommodation. As a result, she was forced to take additional leave.

Settlement:

Financial compensation for lost wages.

Credited sick leave.

Eligibility for the corporate team incentive.

Letter of regret.

Agreement by the complainant to retire at the end of the calendar year.

Affirmation of the respondent's commitment to human rights principles.

Ground(s): Disability

Area: Employment

Sector: Communications

Allegation: The complainant, who has a cardiac disability, worked as a receptionist. She informed her employer that she needed accommodation because of the high-stress environment she worked in. She alleged that the employer denied her request, claiming that medical information she provided did not support it. Subsequently, her employment was terminated.

Settlement:

Financial compensation for lost wages and for general damages.

Financial compensation for legal fees and for medical insurance expenses.

Ground(s): Disability

Area: Employment

Sector: Banking

Allegation: The complainant worked as a bank officer. She alleged that she was not accommodated upon her return from long-term disability leave, despite her doctor's recommendations. The complainant alleged that her employment was threatened and, as a result, she suffered a nervous breakdown.

Settlement:

Agreement to respond quickly to future concerns raised by the complainant.

Financial compensation for lost wages and for pain and suffering.

Ground(s): Disability

Area: Employment

Sector: Separate federal agency

Allegation: The complainant was employed in a position that required her to handle heavy packages. She suffered an injury on the job and was accommodated in other duties. She alleged that she was later promoted to a supervisory position that did not reflect her medical limitations. She asked whether there was another job she could do and did not receive a reply.

Settlement:

Financial compensation for pain and suffering.

Ground: Disability

Area: Employment

Sector: Transportation

Allegation: The complainant, who has asthma, alleged that her employment was terminated after she requested accommodation. She had asked that her colleagues stop using certain aerosol products that triggered her asthma.

Settlement:

Donation to the Asthma Society.

Training for all managers on the accommodation of employees with similar disabilities.

Ground(s): Disability

Area: Employment

Sector: Communications

Allegation: The complainant, who has a visual impairment, was hired as a customer care consultant. He alleged that he told his employer he had a disability and needed to be accommodated. He said his requests for accommodation were ignored. He was unsuccessful in a training program and, as a result, his employment was terminated.

Settlement:

Financial compensation for pain and suffering.

Ground(s): Disability

Area: Employment

Sector: Transport

Allegation: The complainant alleged that she was not rehired as a summer employee because she said, during a pre-employment medical examination, that she had a history of mental health issues.

Settlement:

Financial compensation for pain and suffering.

Ground(s): Disability

Area: Employment

Sector: Federal public service

Allegation: The complainant, who suffers from a motor coordination and speech disorder, was employed as an information technology specialist on contract. He alleged that a new supervisor made derogatory remarks about his ability to work at a fast pace and later terminated his contract.

Settlement:

Financial compensation for pain and suffering.

Letter of regret.

Ground: Disability

Area: Employment

Sector: Banking

Allegation: The complainant, who has a visual impairment, was hired to work as a receptionist in a call centre. He alleged that his employer refused to accommodate him by providing screen magnification software for his computer. That aggravated his condition,

and he was unable to continue working.

Settlement:

Financial compensation for pain and suffering and for lost wages.

Financial compensation for expenses.

Agreement by the complainant to resign.

Letter of regret and confirmation of employment.

Ground(s): Disability

Area: Employment

Sector: Federal public service

Allegation: The complainant has a back problem and uses a scooter. He alleged that his employer did not take his accommodation needs into account when reconfiguring his office space and decided that the complainant could no longer enter his office on his scooter.

Settlement:

Progressive return to work on a special assignment.

Commitment to continue to accommodate the complainant.

Commitment by the complainant to provide information on accommodation needs.

Ground(s): Disability

Area: Employment

Sector: Banking

Allegation: The complainant, who has epilepsy, alleged that his employer did not accommodate his disability and terminated his employment.

Settlement:

Financial compensation for pain and suffering.

Letter of employment.

Ground(s): Disability

Area: Employment

Sector: Banking

Allegation: The complainant, who has environmental sensitivities, alleged that she had severe allergic reactions to air fresheners in the workplace. She asked her employer several times to stop using these products and to educate her colleagues about their use. Her requests were ignored and her employer accommodated her by moving her to another location. She alleged that, as a result of this move, her salary and earning potential were reduced. Moreover, she continued to be exposed to products that triggered allergic reactions and aggravated her condition, and she had to leave her workplace.

Settlement:

Financial compensation for pain and suffering.

Review of the complainant's application for income protection.
Placement in a suitable position on the complainant's return to work.

Ground(s): Disability, race, national or ethnic origin, and sex

Area: Employment

Sector: Separate federal agency

Allegation: The complainant was hired as an independent contractor to carry out a specialized project. She alleged that, during the project, the agency pressured her to provide information of a highly personal nature. When she refused to do so, the project was cancelled.

Settlement:

Financial compensation for general damages.

Re-institution of the project.

Development of an anti-harassment policy applicable to independent contractors.

Ground(s): Disability and sex

Area: Employment

Sector: Other

Allegation: The complainant has lupus and was off work for a period of time. She alleged that she gave her supervisor a note from her doctor explaining her medical condition. The supervisor ignored the note and refused her sick leave for the days she was absent from work.

Settlement:

Financial compensation for pain and suffering.

New procedures for changing an employee's paid hours of work.

Training for the complainant's supervisor on human rights and conflict management.

Ground(s): Disability and family status

Area: Employment

Sector: Federal public service

Allegation: The complainant, a single parent with three children, suffers from clinical depression. She alleged that her employer subjected her to unwelcome comments related to her mental health and treated her differently regarding work assignments.

Settlement:

Financial compensation for pain and suffering.

Reinstatement of two weeks' vacation leave.

Approval of telework.

Training for managers on accommodation of persons with mental health issues.

Letter of regret.

Ground(s): Disability, race, and national or ethnic origin

Area: Employment

Sector: Separate federal agency

Allegation: The complainant alleged that he was denied employment because he was believed to use recreational drugs and he participated in gambling, which is a widespread habit in his community.

Settlement:

Reimbursement of the complainant's expenses.

Provision of Services

Ground(s):

Disability

Area: Provision of services

Sector: Transportation

Allegation: The complainant has several disabilities, including diabetes and mobility impairment. She alleged that she was not allowed to carry medical items with her on an international flight.

Settlement: Financial compensation for general damages.

Financial compensation for the cost of the airline ticket and excess baggage fee. Settlement of outstanding complaints with a regulatory agency.

Letter of apology.

Ground(s):

Disability

Area: Provision of services

Sector: Federal public service

Allegation: The complainant, who suffers from attention deficit disorder, is a crewman aboard ships and requires a medical certificate to work in the marine industry. He was issued a medical certificate that did not allow him to work in a certified crew position. The complainant felt that he should have been allowed to work in this position, as his disability has no impact on the performance of his duties.

Settlement: Financial compensation for lost wages and for pain and suffering.

Financial compensation for legal costs.

Ground(s):

Disability

Area: Provision of services

Sector: Federal public service

Allegation: The complainant, who suffers from bipolar disorder, has worked on ships for many years. He alleged that he was denied a medical certificate, which affected his employability and chances of advancement.

Settlement: Financial compensation for pain and suffering.

Verbal expression of regret.

Ground(s): Disability

Area: Provision of services

Sector: Federal public service

Allegation: The complainant, who is visually impaired, alleged that she did not have independent access to a federal government service. She alleged that sighted members of the public were able to use the service privately and confidentially, while she had to rely on a sighted person or use an adaptive technology that was not dependable. Either option compromised her privacy or her ability to use the service reliably.

Settlement:

Recognition of the service provider's efforts to adapt the service.

Introduction of additional methods for accessing the service.

Agreement to explore alternatives and to provide a progress report on initiatives to improve the service.

Ground(s): Disability

Area: Provision of services

Sector: Transportation

Allegation: The complainant, who uses an electric wheelchair, alleged that he was transferred improperly between planes during a flight, that his wheelchair was not available to him during layovers, and that his wheelchair was unavailable for 24 hours and damaged on the return trip.

Settlement:

Financial compensation for damages and costs.

Race, Colour, National or Ethnic Origin, Religion

Area: Employment

Area: Provision of Services

Employment

Ground(s): National or ethnic origin

Area: Employment

Sector: Transportation

Allegation: The complainant alleged that she was subjected to unwelcome comments by a co-worker about her German ancestry and that her employment was terminated when she complained. The complainant filed two complaints: one against her employer and one against the co-worker.

Settlement: Financial compensation for general damages.

Ground(s): Race, colour, national or ethnic origin

Area: Employment

Sector: Transportation

Allegation: The complainant worked for a trucking company. He alleged that he was paid less than other drivers, harassed and eventually fired because he is black.

Settlement: Financial compensation for general damages.

Letter of reference and agreement by the respondent not to comment on the complainant's character.

Agreement by the complainant not to make any comments regarding the respondent's business or employees to any third party.

Agreement by the complainant to keep away from the respondent's premises.

Ground(s): Race, national or ethnic origin

Area: Employment

Sector: Banking

Allegation: The complainant suffers from a back problem. She alleged that she requested an ergonomic chair but never received it. She also alleged that her supervisor and co-workers harassed her. Eventually her employment was terminated.

Settlement: Financial compensation for pain and suffering.

Letter of apology.

Letter of employment.

Ground(s): Race, national or ethnic origin, disability

Area: Employment

Sector: Other

Allegation: The complainant alleged that he was harassed in relation to his Aboriginal ancestry. He also alleged that, after he complained to the Commission about the harassment, his employer retaliated against him by refusing to allow him to return to work following a period of sick leave, even though his doctor and the employer's own medical officer confirmed that he was fit for work.

Settlement: Financial compensation for pain and suffering.

Ground(s): National or ethnic origin, religion

Area: Employment

Sector: Communications

Allegation: The complainant, who is Muslim, alleged that he was subjected to racist comments during a training program. His co-trainees referred to him on many occasions as a terrorist. He alleged that the instructor heard the comments and took no action. His health was affected and he stopped attending the program. As a result, he was fired for abandoning his job.

Settlement: Financial compensation for damages.
Letter of apology.

Ground(s): Race, colour, religion, sex, disability

Area: Employment

Sector: Banking

Allegation: The complainant is black and Muslim. He alleged that a supervisor and other employees harassed him by making derogatory comments about his religion and place of origin. The employer investigated the allegations but did not resolve the situation to his satisfaction.

Settlement: Financial compensation for general damages and for legal expenses.
Financial compensation for moving expenses.
Severance pay.
Letter of apology.
Commitment to enforce existing policies.

Ground(s): Race, colour, national or ethnic origin

Area: Employment

Sector: Transportation

Allegation: The complainant alleged that his supervisor denied him a training opportunity because of his African origin. He applied to transfer to another area but was refused by the

same supervisor. In the end, he felt he had no choice but to quit his job.

Settlement: Financial compensation for general damages.

Ground(s): Race and colour

Area: Employment

Sector: Communications

Allegation: The complainant, who is black, had worked for the same employer for over 10 years. After a new manager arrived, the complainant was suspended in response to some customer complaints. He alleged that the measures taken against him were more severe than the ones imposed on white employees who had customer complaints filed against them. The complainant's employment was subsequently terminated.

Settlement:

Financial compensation for pain and suffering.

Agreement by the employer that, should potential employers seek references, the employer will ensure its staff fully respects its policy on verification of employment to outside organizations.

Withdrawal of other claims against the employer.

Ground(s): Race and colour

Area: Employment

Sector: Banking

Allegation: The complainant, who is black, alleged that co-workers made derogatory comments about her and others based on colour and race. She also alleged that her employer did not promote her to the position she had been acting in for more than a year.

Settlement:

Human rights sensitivity training for staff and managers.

Training and mentoring for the complainant to help her progress in her career.

Ground(s): Race, colour and sex

Area: Employment

Sector: Banking

Allegation: The complainant, a black woman, alleged that during the period of her employment she was ignored, as her suggestions were not taken seriously. She also alleged that racially derogatory comments were made and her employment was subsequently terminated.

Settlement:

Financial compensation for pain and suffering and for legal fees.

Financial compensation as retirement allowance.

Ground(s): Race, national or ethnic origin, and religion

Area: Employment

Sector: Federal public service

Allegation: The complainant, a Muslim of Arabic origin, worked as a community services volunteer. She alleged that, during her two years as a volunteer, she was subjected to racially derogatory comments and was not invited to the staff Christmas party. Her volunteer assignment was eventually terminated without justification.

Settlement:

Financial compensation for general damages.

Letter of explanation.

Ground(s): Religion

Area: Employment

Sector: Transportation

Allegation: The complainant, who is Muslim, was employed for a short period as a truck driver. During his employment, he realized he was hauling loads of liquor and asked his employer to exempt him from doing so because of his religious beliefs. The employer refused and terminated his employment.

Settlement:

Financial compensation for pain and suffering.

Letter of reference.

Provision of Services

Ground(s): Race, colour

Area: Provision of services

Sector: Banking

Allegation: The complainant, who is black and of African origin, alleged that he was treated differently on two occasions while making a transaction at two different branches of his bank. He alleged that he was a victim of racial profiling and that the bank 's employees assumed he was a criminal because of his colour.

Settlement: Financial compensation for general damages.

Letter of apology.

Commitment to consult with advocacy groups on racial profiling.

Commitment to advertise open jobs in ethnic newspapers.

Training in human rights for branch staff.

Ground(s): Race, colour, national or ethnic origin

Area: Provision of services

Sector: Transportation

Allegation: The complainant, who is black and from the Caribbean, alleged that employees of a transportation company denied him service because they thought he was intoxicated. He denied having had too much to drink and said the company made this assumption because he is from a culture in which people speak loudly and express themselves forcefully.

Settlement: Letter of apology.

Travel vouchers.

Training for service staff regarding cultural differences.

Ground(s): National or ethnic origin

Area: Provision of services

Sector: Federal public service

Allegation: The complainant, an Arabic woman, needed a security clearance. She alleged that the security clearance was denied because of her national or ethnic origin.

Settlement: Another opportunity to obtain the security clearance.

Sex, Marital Status, Family Status

Area: Employment

Area: Provision of Services

Employment

Ground(s): Sex **Area:** Employment

Sector: Communications

Allegation: The complainant alleged that a male co-worker displayed pornographic material in a common area and made derogatory comments of a sexual nature. She complained to her employer, but nothing was done to rectify the situation.

Settlement: Financial compensation for pain and suffering.

Training in human rights for all staff and supervisors of the work unit.

Issuance of a no-tolerance statement on inappropriate behaviour and language.

Ground(s): Sex

Area: Employment

Sector: Other

Allegation: The complainant developed complications early in her pregnancy. She alleged that the respondent accommodated her disability for a short period but then refused to continue to accommodate her.

Settlement: Financial compensation for pain and suffering.

Ground(s): Sex

Area: Employment

Sector: Transportation

Allegation: The complainant worked for a trucking company. She alleged that she was paid less as a customer service representative, a female-dominated position, than she would receive as a dispatcher, a male-dominated position. The company was subsequently sold, and the job description for customer service representatives was substantially changed.

Settlement: Financial compensation for general damages and for legal costs.
Letter of employment.

Ground(s): Sex

Area: Employment

Sector: Federal public service

Allegation: The complainant alleged that she was prevented from completing an employment training program because she became pregnant.

Settlement: Financial compensation for pain and suffering.
Changes to allow for extensions to the training program.

Ground(s): Sex, marital status, family status

Area: Employment

Sector: Transportation

Allegation: The complainant alleged that her supervisor made inappropriate comments about her body and general appearance. She says her hours of work and choice of shifts were reduced after she complained of his behaviour to a manager. Her employment was terminated shortly afterwards. Her husband, who worked for the same employer, was also affected, as he and the complainant were no longer allowed on the company's premises.

Settlement: Financial compensation for general damages.
Letter of reference.

Lifting of the no-trespassing order.

Ground(s): Sex

Area: Employment

Sector: Federal public service

Allegation: The complainant worked in a highly male-dominated environment. She alleged

that her colleagues made inappropriate comments of a sexual nature and displayed pornography. She began to suffer from depression and anxiety as a result. Although she complained to her employer, nothing was done. Eventually, her employment was terminated on the grounds that she was too ill to continue working.

Settlement: Financial compensation for hurt feelings and for legal fees.
Retention of the complainant's disability pension.

Ground(s): Sex

Area: Employment

Sector: Transportation

Allegation: The complainant, a truck driver, alleged that a trainer harassed her and made inappropriate advances and comments during her training period with a transportation company. She further alleged that the company failed to address the situation after she complained.

Settlement: Financial compensation for general damages.

Verbal expression of regret.

Undertaking to develop an anti-harassment policy.

Anti-harassment training for employees.

Ground(s): Sex, marital status, family status

Area: Employment

Sector: Communications

Allegation: The complainant, who is black, alleged that she was treated differently than her white colleagues upon her return from maternity leave. She alleged that her working hours were changed, even though that made it difficult for her to obtain daycare for her child.

Settlement: Financial compensation for pain and suffering and for representation fees.

Ground(s): Sex

Area: Employment

Sector: Communications

Allegation: The complainant alleged that a co-worker harassed her at a social event that took place after working hours during a business trip. She reported the incident but it was not dealt with properly. She felt compelled to move to a different part of the country and take a demotion in order to resolve the situation.

Settlement: Career coaching and leadership assessment services for the complainant.

Financial compensation for general damages.

Sexual harassment training for employees in the area where the complainant worked.

Commitment to deal with the individual involved in the after-hours incident.

Ground(s): Family status

Area: Employment

Sector: Federal public service

Allegation: The complainant participated in a training program before being confirmed in her position. Her husband was one of the trainers and this fact was well known. She alleged that, because of her family status, she was treated differently and harassed. In the end, she decided to resign.

Settlement: Financial compensation for pain and suffering.

Ground(s): Sex

Area: Employment

Sector: Transportation

Allegation: The complainant worked as an office assistant for a trucking company. She advised her employer that she would be taking maternity leave for the second time in a year. She alleged that, shortly afterwards, she was advised that her position had been eliminated and her employment was terminated. However, she later learned that someone else had been hired to do the same work.

Settlement:

Financial compensation for pain and suffering.

Letter of confirmation of employment.

Amended record of employment.

Ground(s): Sex

Area: Employment

Sector: Federal public service

Allegation: The complainant alleged that after competing for a term position as a counsellor, she was informed that she had won the competition. Later, she told the employer she was pregnant and would be taking maternity leave. She never received a formal job offer and, when she tried to contact the employer, her calls were not returned. She later learned that the position had been filled by another candidate.

Settlement:

Agreement to hire the complainant for the same position and for the same duration after her maternity leave.

Ground(s): Sex

Area: Employment

Sector: Communications

Allegation: The complainant was employed as a salesperson. He alleged that his manager gave more accounts to his female colleagues and that his commissions were lower as a

result.

Settlement:

Salary continuance for five months.

Financial compensation for pain and suffering and for legal fees.

Outplacement services for three months.

Letter of employment.

Ground(s): Sex

Area: Employment

Sector: Banking

Allegation: The complainant was employed as a trainee sales representative. She became pregnant during her probation period. After she informed her superiors, she was dismissed without warning for poor performance. She alleged that her performance was a pretext and that she was fired because she was pregnant.

Settlement:

Financial compensation for general damages and for loss of benefits.

Letter of reference.

Ground(s): Sex

Area: Employment

Sector: Transportation

Allegation: The complainant was hired to drive a freight truck between Canada and the United States. At the time she was hired, she was the only woman employed at the company as a driver. She alleged that the employer did not give her any trips, claiming that business was slow, but that it offered trips to one of the men who was hired after she was. Eventually, her employment was terminated.

Settlement:

Financial compensation for pain and suffering.

Ground(s): Sex

Area: Employment

Sector: Transportation

Allegation: The complainant worked for a trucking company. He alleged that he was sexually harassed by two male colleagues over a period of 10 years. He reported the incidents several times, but his employer did nothing substantial to prevent the harassment. He eventually left work on stress leave and subsequently submitted his resignation.

Settlement:

Financial compensation for general damages and for expenses.

Revision of anti-harassment policy.

Harassment training in the workplace.

Letter of reference.

Letter of regret.

Ground(s): Sex

Area: Employment

Sector: Other

Allegation: The complainant alleged that her supervisor sexually harassed her. He sent her pornographic e-mails and made degrading comments about women.

Settlement:

Donation to a women's shelter.

Agreement to enroll in a course on workplace harassment.

Letter of apology.

Provision of Services

Ground(s):

Family status

Area: Provision of services

Sector: Federal public service

Allegation: The complainant alleged that she was unable to obtain a passport for her niece, for whom she is the legal guardian. She was required to get the natural mother's written consent, even though the mother's whereabouts were unknown.

Settlement: Provision of a passport and waiver of the regular fee.

Age

Area: Employment

Employment

Ground(s): Age

Area: Employment

Sector: Banking

Allegation: The complainant alleged that his employment was terminated following a management reorganization because of his age. He was 63 years old at the time.

Settlement: Payment of severance pay.
Financial compensation for damages and for legal fees.

Ground(s): Age

Area: Employment

Sector: Transportation

Allegation: The complainant, who was 55 at the time, alleged that the respondent screened him out of a job competition, denied him training and refused to transfer him to another work location because of his age.

Settlement: Financial compensation for pain and suffering.

Ground(s): Age

Area: Employment

Sector: Transportation

Allegation: The complainant is 64 years old and employed as a freight clerk for a transportation company. He alleged that his employer will refuse to allow him to work after he reaches the age of 65, because that is the employer's mandatory age of retirement. The complainant alleged that the employer does not apply this policy consistently with all employees.

Settlement:

Extension of the retirement date for one year.

Consideration to be given to the complainant for temporary work after his retirement date.

Ground(s): Age

Area: Employment

Sector: Transportation

Allegation: The complainant alleged that after he had worked for over 40 years for the same employer, his employment was terminated after he reached the employer's mandatory retirement age of 65, although he met all of the employer's requirements to continue working in his position.

Settlement:

Financial compensation for pain and suffering.

Amendment of the retirement policy to abolish mandatory retirement at age 65.

Ground(s): Age, disability and marital status

Area: Employment

Sector: Communications

Allegation: The complainant, a man in his seventies, hurt himself by falling on his employer's property. He alleged that after he asked to file an accident report, his supervisor

made a comment about his age and suggested that he retire. He also alleged that his supervisor tried to discourage him from requesting sick leave, saying there would be consequences.

Settlement:

Acknowledgment that there had been poor communication.

Commitment to improve communication in the future.

Verbal apology.

Credit for two days of paid leave.

Sexual Orientation

Area: Employment

Area: Provision of services

Employment

Ground(s): Sexual orientation and disability

Area: Employment

Sector: Federal public service

Allegation: The complainant alleged that he was subjected to harassment in the workplace because of his sexual orientation and because he was perceived to have a learning disability. He alleged that colleagues made inappropriate comments and that his supervisor pressured him regarding various issues. He eventually resigned from his term employment because his employer failed to provide him with a harassment-free work environment.

Settlement:

Financial compensation for pain and suffering.

Letter of confirmation of employment.

Agreement by the complainant to resign.

Provision of Services

Ground(s):

Sexual orientation

Area: Provision of services

Sector: Federal public service

Allegation: The complainant alleged that a government agency denied her services because she was in a same-sex relationship. During the course of the complaint, the legislation was changed and it became possible for the agency to provide the requested

service.

Settlement:

Declaration in the settlement that the legislative changes addressed the barrier to eligibility.

Financial compensation for pain and suffering.

Letter of regret.

SETTLEMENT EXAMPLES FOR 2007

Grounds of Discrimination

[Disability](#)

[Race, Colour, National or Ethnic Origin, Religion](#)

[Sex, Marital Status, Family Status](#)

[Age](#)

[Sexual Orientation](#)

Disability

Area: Employment

Area: Provision of services

Employment

Ground(s): Disability

Area: Employment

Allegation: The complainant was diagnosed with depression and took time off work. He alleged that his employer refused to accommodate his return to work. As a result, he remained off work and without income for some time.

Settlement:

Financial compensation for lost wages and for general damages.

Two months of outplacement services.

Ground(s): Disability

Area: Employment

Allegation: The complainant was diagnosed with lymphoma. His job required heavy lifting and the complainant asked to be given lighter duties. He alleged that his employer refused to accommodate his disability. No other work was found for him and after a period of inactivity his employment was terminated.

Settlement:

Financial compensation for lost of wages and for pain and suffering.

Financial compensation for general damages and for out-of-pocket expenses.

Ground(s): Disability

Area: Employment

Allegation: The complainant suffers from a stress-related illness and from migraine headaches. She alleged that her employer terminated her employment because she took too many sick leaves.

Settlement:

Financial compensation for pain and suffering.

Amended record of employment.

Letter of reference.

Ground(s): Disability

Area: Employment

Allegation: The complainant was employed as a computer specialist. She was diagnosed with depression and took time off work. She alleged that her employer refused to accommodate her disability and terminated her employment.

Settlement:

Financial compensation for out-of-pocket expenses.

Ground(s): Disability

Area: Employment

Allegation: The complainant has a neurological disability that affects his memory. He alleged that his employer refused to accommodate his disability and eventually terminated his employment.

Settlement:

Financial compensation for lost wages and for pain and suffering.

Financial compensation for legal fees.

Ground(s): Disability

Area: Employment

Allegation: The complainant was a forklift operator in a warehouse and was diagnosed with multiple sclerosis. She asked to be given alternative duties after her doctor advised her to stop driving a forklift. She alleged that her employer refused to accommodate her and forced her to stay home.

Settlement:

Reinstatement of sick leave.

Ground(s): Disability

Area: Employment

Allegation: The complainant is a recovering cancer patient. She alleged that she was not

accommodated in a position on the night shift that she felt was more suitable, given her medical condition. As a result, she was forced to take leave without pay.

Settlement:

Compensation for lost wages.

Agreement by the complainant to resign.

Ground(s): Disability

Area: Employment

Allegation: The complainant advised his supervisor that a colleague was harassing him. He was later diagnosed with burnout and took time off work. He alleged that his employer failed to accommodate his return to work because it ordered him to return to his former work environment, contrary to recommendations made by his physician and the employer's specialist. Consequently, the complainant never returned to work.

Settlement:

Financial compensation for pain and suffering.

Commitment from the complainant to never apply for a job with that employer.

Ground(s): Disability

Area: Employment

Allegation: The complainant, who was employed as an aviation specialist, was diagnosed with multiple sclerosis and took time off work on long-term disability leave. He alleged that his employer did not facilitate his return to work from leave and failed to accommodate him because it refused to adapt his work schedule to part-time work.

Settlement:

Salary continuation for 15 months, followed by retirement at the end of the salary continuation period.

Continued access to the work site as a visitor.

Plaque recognizing the complainant's contributions to his workplace.

Ground(s): Disability

Area: Employment

Allegation: The complainant alleged that, while he was absent from work due to back problems, his co-workers spread a rumour that he had a mental illness. Following his return, this situation made the work environment very difficult for him and affected his work performance. His employer refused to accommodate his request for a transfer and, as a result, the complainant resigned his position.

Settlement:

Financial compensation for general damages.

Letter of verification of employment.

Ground(s): Disability

Area: Employment

Allegation: The complainant, a research officer, was diagnosed with bipolar affective disorder and had to take time off work. She alleged that upon her return to work, her employer failed to accommodate her disability, reduced her hours of work and pressured her to take early retirement.

Settlement:

Financial compensation for general damages and for legal fees.

Agreement that the complainant will retire.

Agreement that the employer will apply for a waiver of pension reduction.

Letter of reference.

Ground(s): Disability

Area: Employment

Allegation: The complainant, a sales representative, was diagnosed with chronic fatigue syndrome, fibromyalgia and multiple sclerosis. She alleged that after she was denied long-term disability benefits by the group insurer, her employer failed to accommodate her and terminated her employment.

Settlement:

Financial compensation for general damages.

Free transportation services for the complainant for three years.

Correction of the employer's procedural deficiencies in the management of disability cases.

Ground(s): Disability

Area: Employment

Allegation: The complainant, an administrative assistant, suffers from severe back pain caused by an earlier car accident. She alleged that her request for an ergonomic workstation was not adequately accommodated and that her employment was terminated because of her absences for medical reasons.

Settlement:

Compensation for general damages.

Letter of apology.

Ground(s): Disability

Area: Employment

Allegation: The complainant, a newly promoted night-shift supervisor, began to suffer from a sleep disorder. She alleged that her employer failed to accommodate her in a day-shift supervisory position and instead returned her to her former part-time day-shift position.

Settlement:

Appointment to a day-shift position in a supervisory capacity.
Financial compensation for pain and suffering.

Ground(s): Disability

Area: Employment

Allegation: The complainant alleged that her employer failed to accommodate her disability because it did not respect her work restrictions. She also alleged that a supervisor referred to her as a whiner and that a colleague made inappropriate remarks that made her feel threatened. She said her employer took no action after she complained. She eventually had to take sick leave.

Settlement:

Assignment to another work location.
Financial compensation for lost wages.
Graduated return to work.

Ground(s): Disability

Area: Employment

Allegation: The complainant suffers from a gastrointestinal disorder. She alleged that her employer didn't properly accommodate her when she returned to work after a period of sick leave.

Settlement:

Financial compensation for pain and suffering.
Letter of regret.

Ground(s): Disability

Area: Employment

Allegation: The complainant alleged that her employer discriminated against her because she has a mental disability. She alleged that she did not get a bonus after being off on long-term sick leave.

Settlement:

Agreement that the complainant will resign.
Compensation for lost wages for 14 months (in lieu of notice), provided the complainant does not find equivalent employment.
Financial compensation for pain and suffering.
Provision of independent career counselling.

Ground(s): Disability

Area: Employment

Allegation: The complainant suffers from HIV/AIDS. He alleged that he was put under a

great deal of stress due to a combination of extra work demanded by the employer and important doses of medications he was taking. He eventually had to book sick leave. Consequently, the employer threatened disciplinary action and the complainant was unable to work for some time.

Settlement:

Recognition of the complainant's medical issues by the employer.
Agreement by the parties regarding how to book leave for medical reasons in the future.
Financial compensation for 10 days of lost wages.

Ground(s): Disability

Area: Employment

Allegation: The complainant suffers from depression. She was employed for two years before going on sick leave. She alleged that while she was on leave, her employment was terminated on the grounds that she had abandoned her position. Subsequently, the complainant applied for a position and was rehired. When it was discovered that her employment was previously terminated, the job offer was withdrawn. The complainant also alleged that the employer's representative made derogatory remarks about her disability and that the withdrawal of the job offer caused her more stress.

Settlement:

Financial compensation for pain and suffering.
Amendment of employer's records to show that the complainant resigned from her position.
Training of the employer's representative regarding the appropriateness of questions regarding an individual's disability.
Letter of apology.

Ground(s): Disability

Area: Employment

Allegation: The complainant was employed for four months when he suffered an injury on the job. He said that he asked for an accommodation, but that his employer refused and eventually terminated his employment.

Settlement:

Financial compensation for pain and suffering.

Ground(s): Disability

Area: Employment

Allegation: The complainant filed a complaint on behalf of her son. She alleged that he was denied workplace training because of his food allergies.

Settlement:

Provision of training.

Accommodation of the son's food allergies.

Ground(s): Disability

Area: Employment

Allegation: The complainant was required to train and test on a forklift. She alleged that, because she was born with one hand, she was treated differently during the training and testing.

Settlement:

Provision of training, instruction and testing to the complainant.

Reinstatement of 25 sick days.

Ground(s): Disability

Area: Employment

Allegation: The complainant suffers from fibromyalgia. She alleged that her employer treated her adversely, failed to accommodate her and terminated her employment.

Settlement:

Retroactive reinstatement of employment.

Financial compensation for lost wages and for general damages.

Financial compensation for legal expenses.

Payment of annual bonus.

Career counselling services.

Letter of reference.

Ground(s): Disability

Area: Employment

Allegation: The complainant suffers from depression. He alleged that he was denied a job because of his disability. Subsequently, the employer recognized that an error had been made and the complainant was offered a position.

Settlement:

Financial compensation for lost wages and for lost pension contributions.

Ground: Disability

Area: Employment

Allegation: The complainant, who suffers from depression and anxiety, alleged that her employer did not accommodate her disability after being informed of her medical condition. Instead, her performance was closely monitored and eventually her employment was terminated.

Settlement:

Financial compensation for general damages.

Ground(s): Disability

Area: Employment

Allegation: The complainant alleged that she was not accommodated upon her return from long-term disability leave, despite her doctor's recommendations. The complainant alleged that her employment was threatened and that, as a result, she suffered a nervous breakdown.

Settlement:

Agreement by the employer to speed up its response to future issues related to complainant-manager working relationships.

Financial compensation for lost wages and for pain and suffering.

Ground(s): Disability

Area: Employment

Allegation: The complainant, a truck driver, suffered a back injury. He alleged that after he returned to work with a medical accommodation and then re-injured himself, his employer did not accommodate him and he did not receive disability benefits for a month.

Settlement:

Financial compensation for general damages.

Letter of regret.

Ground(s): Disability

Area: Employment

Allegation: The complainant suffers from macular degeneration. She alleged that she was not accommodated at work with visual aids and that her employment was terminated as a result of her visual disability.

Settlement:

Financial compensation for pain and suffering and for long-term disability benefits.

Payment of a retirement allowance.

Payment of interest.

Ground(s): Disability

Area: Employment

Allegation: The complainant was hired as an administrative assistant. She alleged that after three days in her new job with the employer, someone reported smelling alcohol on her breath and her employment was subsequently terminated.

Settlement:

Financial compensation for lost wages equivalent to 14 weeks of her salary.

Ground(s): Disability

Area: Employment

Allegation: The complainant worked for a railway for 18 years, three of them as a manager. He was diagnosed as suffering from depression and was off work for two years. He alleged that when he was fit to return to work, his employer indicated that it could not accommodate him in his management position because his medical limitations required that he work in a non-stressful environment. He was offered a demotion to a blue-collar position, which he refused. Subsequently, his employer refused to accommodate him.

Settlement:

Financial compensation as general damages.

Agreement to work with a human resources advisor to find a position that meets the complainant's medical requirements.

Ground(s): Disability

Area: Employment

Allegation: The complainant, a truck driver, began to suffer from high blood pressure, which prevented him from driving in the United States. He alleged that his employer terminated his employment after he requested a medical accommodation.

Settlement:

Financial compensation for lost wages and for general damages.

Financial compensation for medical expenses.

Reinstatement of disability benefits.

Ground(s): Disability

Area: Employment

Allegation: The complainant, an administrative assistant, alleged that a co-worker harassed her and threatened her physically. When she complained to her employer, no action was taken. Over time, she developed an anxiety disorder. She alleged that her employer refused to accommodate her. Finally, she quit her job on the advice of her doctor.

Settlement:

Financial compensation for lost wages and for general damages.

Agreement to update the orientation package for new employees, and to include information on the harassment policy and the internal complaint process.

Agreement to continue to train employees in harassment prevention and the code of ethics.

Ground(s): Disability

Area: Employment

Allegation: The complainant suffers from a depressive disorder. She alleged that she was off work for medical reasons and that her doctor requested that she not return to her current place of work. She requested a transfer to another branch and advised her employer that she would accept a lower paying job if required. She alleged that her employer failed to accommodate her and terminated her employment as a result of her work-related absence.

Settlement:

Financial compensation for general damages and for legal fees.

Ground(s): Disability

Area: Employment

Allegation: The complainant was diagnosed with rheumatoid arthritis while she worked as a supervisor for a parcel delivery employer. Her doctor recommended a change in her hours of work. The complainant alleged that her employer refused to provide her with the recommended accommodation, despite repeated requests. She eventually had to take disability leave.

Settlement:

Financial compensation for legal fees.

Salary continuance for six months.

Provision of information to the complainant on upcoming available positions.

Accommodation of the complainant when she is ready to return to work.

Ground(s): Disability

Area: Employment

Allegation: The complainant, who suffers from scoliosis, could only work standing up for short periods. Since her position required her to stand 90 percent of the time, she requested an accommodation in a similar job at a desk. The complainant alleged that her employer refused her transfer. Following this refusal, the complainant offered to accept a demotion to another position, but her offer was refused unless she competed for the position. Her employment was terminated a few weeks later. Although she was told the termination was due to her poor performance, the complainant alleged that she really lost her job because of her disability.

Settlement:

Financial compensation for pain and suffering.

Letter of reference.

Ground(s): Disability, race, and national or ethnic origin

Area: Employment

Allegation: The complainant has a speech impediment and is black. He alleged that his manager mocked his speech and called him racially derogatory names. As a result, the complainant terminated his employment relationship with his employer.

Settlement:

Financial compensation for pain and suffering.

Ground(s): Disability and family status

Area: Employment

Allegation: The complainant could no longer work at his position because of a hand injury. He alleged that his employer refused to provide him with alternative employment and offered him a job in a community where his child's special needs could not be accommodated. His employment was subsequently terminated.

Settlement:

Financial compensation for pain and suffering and for lost wages

Financial compensation for legal fees and for medical expenses.

Ground(s): Disability and family status

Area: Employment

Allegation: The complainant, a customer service representative, alleged that he was harassed after one of his relatives, also employed by this employer, was fired for cause. He consequently experienced anxiety and depression at work, and his employment was terminated.

Settlement:

Financial compensation for general damages and for legal fees.

Letter confirming the complainant's employment.

Provision of Services

Ground(s):

Disability

Area: Provision of services

Allegation: The complainant has a mobility impairment and uses a motorized scooter. He alleged that a service provider did not provide any accessible walkways on its property.

Settlement:

Identification of a trail that will be made accessible and agreement on an implementation deadline.

Race, Colour, National or Ethnic Origin, Religion

Area: Employment

Area: Provision of services

Employment

Ground(s): Race, colour, and national or ethnic origin

Area: Employment

Allegation: The complainant alleged that her employer retaliated in response to a previous CHRC complaint. She alleged that she was singled out for excessive supervision and discipline, and that her hours of work were reduced. Eventually, her employment was terminated.

Settlement:

Training on human rights and workplace conflict for supervisors and staff.

Ground(s): Race, and national or ethnic origin

Area: Employment

Allegation: The complainant, who is Aboriginal, alleged that he was subjected to racist comments by his supervisor. He also alleged that he was treated in an abusive manner in front of colleagues and that his employment was eventually terminated.

Settlement:

Financial compensation for pain and suffering.

Sensitivity training for the supervisor and staff.

Letter of regret.

Ground(s): Race, national or ethnic origin, and colour

Allegation: The complainant is of Chinese origin. He alleged that on a recent flight, the airline withheld his Canadian passport for the duration of the flight because he was Chinese.

Settlement:

Financial compensation for general damages.

Ground(s): National or ethnic origin, and colour

Area: Employment

Allegation: The complainant, a Caucasian, alleged that her employer treated her differently than its Aboriginal staff. She alleged that her employer gave preferential treatment to Aboriginal employees and failed to provide a harassment-free work environment by not addressing incidents involving staff and clients, which led the complainant to quit her job.

Settlement:

Financial compensation for pain and suffering and for counselling.

Copy of the complainant's personnel file to be provided to her.

Designation of a contact person for employment references.

Possibility of implementing a special program within the meaning of section 16 of the *Canadian Human Rights Act*.

Letter of apology.

Letter of reference.

Ground(s): Race, colour, and national or ethnic origin

Area: Employment

Allegation: The complainant, a black woman of Jamaican origin, was employed in an administrative capacity. She alleged that her employment was terminated while she was in the probationary period due to her race, colour, and national or ethnic origin, rather than to her performance.

Settlement:

Financial compensation for general damages.

Ground(s): Race, and national or ethnic origin

Area: Employment

Allegation: The complainant filed a complaint in which he alleged retaliation for a complaint he had filed in the past. Also, he alleged that he was denied second-language training.

Settlement:

Pre-retirement transition leave for one year.

Cash out of vacation leave entitlements, use of sick leave credits and all other leaves.

Leave with pay for three months.

Bonus pay.

Ground(s): Race, colour, and national or ethnic origin

Area: Employment

Allegation: The complainant's mother is black and his father is white. He alleged that while disciplining him, his supervisor referred to him using racially derogatory language.

Settlement:

The supervisor will attend sensitivity training.

Ground(s): Race, colour, and national or ethnic origin

Area: Employment

Allegation: The complainant, who is black and of African origin, worked as a credit officer. He alleged that his employment was terminated and that he was harassed because of his

colour, race and place of origin. The complainant was a new hire and alleged that his supervisors made comments regarding his place of origin and suggested that his English was not good enough for him to work with the public.

Settlement:

Financial compensation for pain and suffering.

Letter of reference.

Ground(s): National or ethnic origin, race, religion, marital status and sexual orientation

Area: Employment

Allegation: The complainant, a single Caucasian Catholic, alleged that he was subjected to harassment and pranks by colleagues in relation to his religion and marital status, and also because he was perceived to be gay. He alleged that management did nothing to address the situation.

Settlement:

Financial compensation for pain and suffering.

Ground(s): National or ethnic origin, race, colour, family status and sex

Area: Employment

Allegation: The complainant, a white single mother, alleged that she was not given a pay raise, that her program was understaffed, that her mail was interfered with and that she was not given credit for her achievements. The complainant further alleged that colleagues and clients harassed her with vandalism and racist graffiti on her car, and that the general manager intimidated her. She eventually became ill from stress-related causes and left her employment.

Settlement:

Financial compensation for lost wages and for pain and suffering.

Financial compensation for moving expenses and for re-training costs.

Financial compensation for Employment Insurance repayments.

Ground(s): Race, colour, national or ethnic origin, and family status

Area: Employment

Allegation: The complainant, who is black, was employed in an administrative capacity. She alleged that after she took time off work to attend a relative's funeral, her employment was terminated. Also, she alleged that her race, colour, national or ethnic origin, and family status were factors used by her supervisor in employment competitions.

Settlement:

Financial compensation for general damages and for legal fees.

Harassment training for employees and managers.

Outplacement counselling services.

Letter of reference.

Ground(s): National or ethnic origin, sex and colour

Area: Employment

Allegation: The complainant, a Caucasian woman, worked as a manager for an Aboriginal employer. She alleged that a senior manager encouraged the employees and the larger community to file a racial harassment complaint against her. She also alleged that she was sexually harassed while at work.

Settlement:

Financial compensation for pain and suffering and for legal fees.

Review of the employer's policy on workplace discrimination and harassment.

Training on discrimination for staff.

Waiver of the confidentiality clause in order to use this case to educate the community.

Letter of apology.

Ground(s): Religion

Area: Employment

Allegation: The complainant, a Muslim, alleged that her employer refused to authorize her leave to participate in a religious event. Her employer required that she take annual leave instead.

Settlement:

Financial compensation for pain and suffering.

Identification of options for future requests to attend religious events.

Provision of Services

Ground(s): National or ethnic origin

Area: Provision of services

Allegation: The complainant, who is Aboriginal, alleged that a bank refused to cash his cheque and humiliated him publicly by unjustifiably calling in the police while he was waiting to complete his bank transaction.

Settlement:

Financial compensation for general damages.

Letter of apology.

Ground(s): Race, colour, and national or ethnic origin

Area: Provision of services

Allegation: The complainant, who is black, alleged that a financial institution treated him in a demeaning manner while providing service. The complainant went to the financial institution to open an account. He alleged that the representative was rude, made comments and behaved in a manner that implied people like him were not to be trusted. Although the account was opened, it was subsequently closed in a manner that caused him inconvenience and embarrassment.

Settlement:

Financial compensation for pain and suffering.

Anti-racism training at the location where the incident took place.

Commitment by the institution to ensure that the staff complement more accurately reflect the community it serves.

Sex, Marital Status, Family Status

Area: Employment

Area: Provision of services

Employment

Ground(s): Sex

Area: Employment

Allegation: The complainant became pregnant and announced to her supervisor that she would be taking maternity leave. She alleged that her supervisor subsequently refused to provide training or to consider her for promotions.

Settlement:

Financial compensation for pain and suffering.

Adjustment to salary to equal that of others of her rank.

Letter of verification of employment.

Ground(s): Sex

Area: Employment

Allegation: The complainant alleged that she was forced to resign after a director sexually harassed her. She alleged that he asked for sex in exchange for a personal favour.

Settlement:

Reinstatement to her job with equivalent salary and benefits.

Financial compensation for lost wages and for pain and suffering.

Positive letter of reference.

Ground(s): Sex

Area: Employment

Allegation: The complainant worked in an administrative support capacity for a transportation company. She alleged that she was subjected to sexual remarks by colleagues and sexual advances by her supervisor. She later complained to her employer. She alleged it did not deal with her internal complaint appropriately and terminated her employment.

Settlement:

Financial compensation for pain and suffering.

Ground(s): Sex

Area: Employment

Allegation: The complainant, who worked as an office manager, alleged that a colleague sexually harassed her and she had to take sick leave as a result. She also alleged that her employer did not follow its own harassment policy, did not deal with her internal complaint appropriately and terminated her employment.

Settlement:

Financial compensation for pain and suffering and for medical expenses.

Letter of apology.

Letter of employment.

Ground(s): Sex

Area: Employment

Allegation: The complainant, who was a communications company executive, alleged that her employment was terminated after she requested a disability leave for her pregnancy.

Settlement:

Financial compensation for pain and suffering.

Ground(s): Sex

Area: Employment

Allegation: The complainant alleged that her manager made sexual advances towards her. After she objected, he began taking credit for her work and passed on inaccurate information about her to her new manager, which resulted in a poor performance appraisal. She later became pregnant and had to leave work due to complications related to her pregnancy. After she left, she was told that her employment was being terminated.

Settlement:

Financial compensation for lost wages and pain and suffering.

Financial compensation for legal fees.

Special financial compensation.

Letter of reference.

Ground(s): Sex

Area: Employment

Allegation: The complainant alleged that her employer terminated her employment after learning she was pregnant.

Settlement:

Financial compensation for pain and suffering.

Letter of regret.

Ground(s): Sex

Area: Employment

Allegation: The complainant alleged that her supervisor sexually harassed her and that her employer reduced her period of employment after learning she was pregnant.

Settlement:

Financial compensation for pain and suffering.

Letter of apology.

Letter of reference.

Training on harassment for all operational managers, including the supervisor involved.

Ground(s): Sex

Area: Employment

Allegation: The complainant worked in a warehouse and was one of only two female employees working there. She alleged that a colleague sexually harassed her and her female colleague by making inappropriate comments and exposing his backside. She alleged that her employer did not take appropriate measures and she eventually had to take sick leave.

Settlement:

Financial compensation for lost wages.

Ground(s): Sex

Area: Employment

Allegation: The complainant left on maternity leave. She alleged that during her absence, the employer hired one woman and two men in succession to fill her position and paid the male employees more than the female employees for doing the same job. When she was ready to return to work following her maternity leave, the complainant had discussions with her supervisor about her pay raise and he did not allow her to return to work.

Settlement:

Financial compensation for pain and suffering.

Ground(s): Sex

Area: Employment

Allegation: The complainant is a woman working in a non-traditional trade. She alleged that a colleague had sexually harassed her. She also alleged that after she reported the actions to her supervisor, the employer failed to act properly and she was laid off.

Settlement:

Financial compensation for pain and suffering.

Letter of apology.

Reinstatement to her previous employment without loss of seniority.

Agreement by the employer to revise its policy on harassment.

Ground(s): Sex

Area: Employment

Allegation: The complainant alleged that her employer refused to offer her a two-week acting appointment in a supervisory position because she was pregnant. The employer informed her that her temporary work restrictions precluded her from doing the job.

Settlement:

Financial compensation for pain and suffering.

Ground(s): Sex

Area: Employment

Allegation: The complainant was employed in an administrative support capacity for several years. She alleged that she was given a temporary job in a non-traditional trade with the same employer but was forced to return to her administrative position after one week. She later learned that two men were hired to fill similar temporary positions immediately after she returned to her administrative position.

Settlement:

Financial compensation for general damages and for lost wages.

Ground(s): Family status

Area: Employment

Allegation: The complainant was within the probationary period of his employment when he requested temporary leave to care for his children while his wife was hospitalized with their newborn. He alleged that his employer refused his request for time off and forced him to quit his employment.

Settlement:

Reinstatement with probation deemed complete, with eligibility for benefits and full seniority.

Financial compensation for pain and suffering.

Letters of reference, confirmation of employment and expression of regret.

Agreement by the employer to implement new procedures for processing leave requests.

Ground(s): Marital status and family status

Area: Employment

Allegation: The complainant, who worked as a customer service agent for a bank, alleged that her employer refused to modify her shift-work schedule to accommodate her obligations as the single parent of a preschool child. She eventually had to leave her job.

Settlement:

Financial compensation for lost wages and for pain and suffering.

Provision of Services

Ground(s): Family status

Area: Provision of services

Allegation: The complainant alleged that she was discriminated against on the basis of her family status when she was denied certain benefits that would allow her to look after her critically ill sister.

Settlement:

Financial compensation for lost wages and for pain and suffering.

Amendment of procedures to expand the definition of family members to include sisters and brothers.

Age

Area: Employment

Employment

Ground(s): Age

Area: Employment

Allegation: The complainant, who is over 50, alleged that her employer considered her to be disabled, even though she had fully recovered from a heart attack. She was offered early retirement, which she declined. Subsequently, she was forced to retire. At that time, the

head of the company was quoted as saying that managers were being offered early retirement packages in order to attract new blood.

Settlement:

Financial compensation for pain and suffering and for legal fees.

Financial compensation for other expenses.

Special compensation.

Ground(s): Age

Area: Employment

Allegation: The complainant, who worked for a communications company, alleged that she was forced to retire on her 65th birthday because her employer's policy prevents employment past the age of 65. She also alleged that, in forcing her to retire before a labour dispute was settled, the employer denied her a significant signing bonus.

Settlement:

Financial compensation for general damages.

Agreement to consult with the union to address the mandatory retirement policy in the collective agreement.

Ground(s): Age

Area: Employment

Allegation: The complainant alleged that his position as a manager in a bank was eliminated and that he was forced to retire when he reached the age of 60. When he reapplied with the employer for a lower level position, he was not granted an interview. The complainant also alleged that the employer routinely forces employees to retire at age 60.

Settlement:

Financial compensation for general damages.

Letter of regret.

Sexual Orientation

[Area: Employment](#)

[Area: Provision of services](#)

Employment

Ground(s): Sexual orientation

Area: Employment

Allegation: The complainant, who is gay, alleged that his teaching contract was not renewed as a result of assessments completed by adult students containing homophobic

remarks.

Settlement:

Offer of a teaching job for the next academic year.

Provision of Services

Ground(s):

Sexual orientation

Area: Provision of services

Allegation: The complainant filed four related complaints in which he alleged that material was posted on web sites that exposed homosexual persons to hatred and contempt.

Settlement:

Agreement to remove material from the web sites and not to post similar material in the future.

Agreement that the individual would participate in an educational seminar on human rights.

Letter of apology.

Ground(s): Sexual orientation

Area: Provision of services

Allegation: The complainant alleged that an individual was repeatedly posting messages on an Internet message board that were offensive and would expose homosexual people to hatred or contempt.

Settlement:

Donation to an organization serving gay youth.

Agreement to remove material from the message board and not to post similar material in the future.

Letter of apology.

Ground(s): Sexual orientation and marital status

Area: Provision of services

Allegation: The complainant is a male legally married to a man. He alleged that in one of its surveys, a service provider asked the surveyed persons to enter their marital status. Only heterosexual married couples were permitted to choose "married." Same-sex married couples had to select "other."

Settlement:

Agreement by the service provider to include the complainant and his spouse as observers

in two different focus groups.

Opportunity for the complainant and his spouse to comment on the future wording of the surveys.

SETTLEMENT EXAMPLES FOR 2006

Grounds of Discrimination

[Disability](#)

[Race, Colour, National or Ethnic Origin, Religion](#)

[Sex, Marital Status, Family Status](#)

[Age](#)

[Sexual Orientation](#)

Disability

Area: Employment

Area: Provision of services

Employment

Ground(s): Disability

Area: Employment

Allegation: The complainant suffers from depression and anxiety. She alleged that while she was on disability leave, her employer eliminated her position and assigned her to a new position in another division at lower pay.

Settlement: Financial compensation for pain and suffering. Reimbursement of medical and dental expenses. Agreement to rehire the complainant when she is fit to return to work. Accommodation at work, if required.

Ground(s): Disability

Area: Employment

Allegation: The complainant injured her hand, which limited her ability to lift heavy objects. She alleged that her employer refused to accommodate her in her employment and refused to give her assignments for which she was qualified after she injured her hand.

Settlement: Financial compensation for pain and suffering. Agreement that the complainant

is no longer fit for duty. Agreement that the complainant will not re-apply for employment. Retention of workers' compensation rights.

Ground(s): Disability

Area: Employment

Allegation: The complainant suffered from depression. She alleged that her employer failed to accommodate her, threatened to terminate her employment and forced her to take early medical retirement.

Settlement: Financial compensation for pain and suffering.

Letter of apology.

Ground(s): Disability

Area: Employment

Allegation: The complainant has a voice disorder that makes it hard for her to speak. She alleged that her employer would not accommodate her by reducing the number of telephone calls she had to make every day and eventually terminated her employment.

Settlement:

Financial compensation for pain and suffering.

Letter of reference.

Ground(s): Disability

Area: Employment

Allegation: The complainant worked a short week because she suffers from fibromyalgia. She alleged that her employer denied her bonuses and would not let her compete for promotion. The complainant went on disability leave.

Settlement:

Financial compensation for legal fees.

Confirmation that the complainant can return to her position when she recovers.

Ground(s): Disability

Area: Employment

Allegation: The complainant, who suffers from depression, short-term memory problems and sleep apnea, alleged that he was subjected to differential treatment, was denied accommodation and was terminated from his job because of his disability.

Settlement:

Financial compensation for pain and suffering and for lost wages.

Letter of reference.

Ground(s): Disability

Area: Employment

Allegation: The complainant has an anxiety disorder. She alleged that her union failed to represent her interests adequately when she filed a grievance against her employer. She said the union was more inclined to believe the employer's side of the story because of her mental illness.

Settlement:

Financial compensation for legal fees.

Agreement to continue representing the complainant.

Ground(s): Disability

Area: Employment

Allegation: The complainant had a miscarriage, after which she required an accommodation. She provided medical documents recommending that she work in a different environment. The complainant alleged that the employer failed to accommodate her and eventually terminated her employment.

Settlement:

Financial compensation for lost wages and out-of-pocket expenses.

Monthly financial compensation until an offer of employment is made within a one-year period.

Agreement to conduct a medical assessment to assist the complainant in finding appropriate work.

Reinstatement of pension and seniority.

Ground(s): Disability

Area: Employment

Allegation: The complainant, a truck driver, alleged that his employer failed to accommodate him after he underwent knee surgery. He alleged that although he was declared fit to return with modified duties, he was not allowed to do so until many months later. His request for back pay, for the time that he was declared fit to return and the company did not have a job for him, was turned down.

Settlement:

Financial compensation for pain and suffering.

Agreement by the complainant to resign.

Agreement to purge the complainant's personnel file.

Ground(s): Disability

Area: Employment

Allegation: The complainant has hepatitis C. He alleged that his employer discriminated

against him by failing to accommodate his disability and by terminating his employment. He alleged that, while he was on medical leave, the employer relocated its facilities and eliminated his position. Another individual was hired for the same job and the employer did not offer an alternative position to the complainant.

Settlement:

Financial compensation for pain and suffering, and for legal fees and other expenses.

Agreement by the complainant not to pursue a claim for disability insurance benefits.

Agreement by the parties to refrain from making disparaging remarks about each other.

Ground(s): Disability

Area: Employment

Allegation: The complainant has stress-related illnesses. Her doctor recommended that she work in a less stressful position. The complainant alleged that she willingly accepted a lower paying and less stressful position; however, the employer gradually expected more of her and increased her duties, thereby aggravating her illnesses. The complainant went on disability leave and alleged that the employer continually called her regarding her return to work and even suggested she resign. The complainant alleged that her employer refused to accommodate her and eventually terminated her employment.

Settlement:

Financial compensation for pain and suffering, lost wages and interest.

Letter of reference.

Ground(s): Disability

Area: Employment

Allegation: The complainant worked as a airport officer. Her doctor recommended that she be given light duties because of her diabetes and asthma. The company refused to modify her duties and terminated her employment.

Settlement:

Financial compensation for pain and suffering.

Letter of apology.

Ground(s): Disability

Area: Employment

Allegation: The complainant alleged that co-workers harassed him because of his disability. He also alleged that a request for a leave of absence was denied, and a complaint made against him was handled inappropriately. As a result of these events, he began to experience symptoms of a psychiatric illness that had been well under control for some time. He resigned his employment for fear of getting fired.

Settlement:

Agreement to give the complainant first priority for employment in a temporary position.
Removal of a letter from the complainant's personnel file.

Ground(s): Disability

Area: Employment

Allegation: The complainant alleged that because of his medication for depression, the employer would not let him continue in his job as a driver and offered him a modified position in the maintenance area.

Settlement:

Financial compensation for pain and suffering.

Ground(s): Disability

Area: Employment

Allegation: The complainant alleged that the employer failed to accommodate her lengthy absences from work, which were due to unexpected illnesses and surgeries.

Settlement:

Financial compensation for pain and suffering.

Letter of apology.

Gift certificate.

Ground(s): Disability

Area: Employment

Allegation: The complainant suffers from clinical depression, nervousness and anxiety. She alleged that her employment was terminated because of her disabilities and not as a result of organizational change, as her employer indicated.

Settlement:

Financial compensation for general damages and for legal fees.

Ground(s): Disability

Area: Employment

Allegation: The complainant suffers from Stickler syndrome (collagen deficiency). She alleged that the employer failed to accommodate her disability and consequently terminated her employment.

Settlement:

Financial compensation for general damages and for legal fees.

Severance pay.

Ground(s): Disability

Area: Employment

Allegation: The complainant alleged that after he advised his employer that he had a drug addiction, his employment was terminated. He alleged that his employer advised him that he was a liability and it did not have a treatment program in place for employees.

Settlement:

Financial compensation for general damages.

Ground(s): Disability

Area: Employment

Allegation: The complainant alleged that her employer failed to accommodate her because it refused to allow her to telework while her illness prevented her from working in the office. The employer indicated that her work was of a security-sensitive nature that did not permit telework.

Settlement:

Financial compensation for pain and suffering.

Agreement that the complainant would remain an employee for a specified period, with full salary.

Agreement that the complainant would request long-term disability leave upon termination of the specified employment period.

Letter of regret.

Ground(s): Disability

Area: Employment

Allegation: The complainant's daughter applied for a summer job. She had been hired the previous year but had an epileptic seizure on the first day; as a result, her employment was not continued. When she reapplied, she was not hired for medical reasons.

Settlement:

Financial compensation for lost wages from the previous year.

Employment for the current year respecting the complainant's medical limitations.

Agreement to accommodate any changes in limitations.

Letter of regret.

Ground(s): Disability

Area: Employment

Allegation: The complainant has a chronic pain condition that is aggravated by walking long distances. He informed his employer of this fact when he was hired, and he was offered a reserved parking spot. After a short period of time, this arrangement was revoked and he had to park further away, thereby aggravating his disability. He tried to resolve this issue with his employer, to no avail. His employer eventually terminated his employment, citing poor performance.

Settlement:

Financial compensation for lost wages and for pain and suffering.

Financial compensation for related expenses.

Letter of regret.

Ground(s): Disability

Area: Employment

Allegation: The complainant was granted sick leave due to the stress he was experiencing at work. He alleged that, when he was fit to return to work, the employer did not accommodate him because it did not assign him to another supervisor, as his doctor requested.

Settlement:

Financial compensation for lost wages.

Withdrawal of grievance.

Ground(s): Disability

Area: Employment

Allegation: The complainant, who suffers from depression, alleged that his employer did not accommodate his disability, disciplined him when he failed to meet deadlines and denied him promotional opportunities.

Settlement:

Financial compensation for pain and suffering and for legal fees.

Appointment to a suitable position.

Reinstatement of sick leave.

Reimbursement of disciplinary penalty.

Confirmation that a specified performance appraisal will not be referred to in future performance appraisals or for other personnel purposes.

Confirmation that the personal suitability report for a specific competition will not be referred to in future competitions or personnel matters.

Confirmation that the record of discipline regarding the complainant's job ability is not part of his employment record.

Letter of regret.

Ground(s): Disability

Area: Employment

Allegation: The complainant alleged that the respondent discriminated against him by not accommodating him with duties suitable to his medical restrictions due to a knee injury that he suffered at work. His employment was eventually terminated.

Settlement:

Financial compensation for general damages.

Ground(s): Disability**Area:** Employment**Allegation:** The complainant, who suffers from recurring episodes of depression, alleged that she was treated differently by being denied raises and promotions.**Settlement:**

Financial compensation for general damages.

Agreement by the complainant to resign.

Ground(s): Disability**Area:** Employment**Allegation:** The complainant suffers from bipolar affective disorder. He alleged that he was discriminated against when a regulatory agency's doctor refused to grant him a marine medical certificate to work on board ships, because of his disability. The complainant's employer was unable to accommodate him with land-based duties.**Settlement:**

Letter of regret.

Financial compensation for lost wages and for pain and suffering.

Financial compensation for expenses incurred.

Ground(s): Disability**Area:** Employment**Allegation:** The complainant, who suffers from a depressive disorder, alleged discrimination after the respondent restricted his ability to work at sea, following a change in its policy concerning people with certain disabilities who work aboard ocean-going vessels.**Settlement:**

Financial compensation for pain and suffering.

Agreement to convene a hearing to reconsider the medical information.

Ground(s): Disability**Area:** Employment**Allegation:** The complainant had an alcohol and drug dependency and also suffered from depression. She alleged that, while she was on long-term disability leave, her position was abolished, and her employer failed to accommodate her and help her find a new job within the organization. Eventually, her employment was terminated.**Settlement:**

Financial compensation for general damages and for legal fees.
Letter of regret.

Ground(s): Disability

Area: Employment

Allegation: The complainant worked as a truck driver. He alleged that his employer harassed him and terminated his employment because it perceived him to be mentally ill.

Settlement:

Financial compensation for general damages.

Ground(s): Disability

Area: Employment

Allegation: The complainant suffers from depression. She alleged that her supervisor refused to accommodate her illness and harassed her to such an extent that her work environment became unbearable. She had no choice but to leave the workplace on stress leave.

Settlement:

Separation package.

Employment confirmation letter.

Extension of medical benefits.

Education allowance.

Ground(s): Disability

Area: Employment

Allegation: The complainant has cerebral palsy. She alleged that her manager did not accommodate her disability, made disparaging comments and terminated her employment.

Settlement:

Review of current practices related to the placement of potential employees with disabilities.

Agreement to discuss the alleged comments with the manager and to take appropriate action.

Ground(s): Disability

Area: Employment

Allegation: The complainant injured his shoulder. He alleged that his employer failed to accommodate him by terminating his employment because of excessive absenteeism. The respondent stated that the complainant worked only three months during his three years of employment. The respondent was not prepared to re-employ him.

Settlement:

Financial compensation for general damages.
Agreement from the complainant not to re-apply.

Ground(s): Disability

Area: Employment

Allegation: The complainant, who suffers from obsessive-compulsive disorder, alleged that he was denied employment with the respondent because his employer determined that he was medically inadmissible because of his disability.

Settlement:

Financial compensation for pain and suffering and for lost wages.

Financial compensation for legal fees and related expenses.

Reimbursement of medical expenses incurred to obtain a medical opinion.

Agreement that the complainant would complete an assessment of his ability to meet the common employment medical standards.

Letter of regret.

Ground(s): Disability

Area: Employment

Allegation: The complainant, a truck driver, injured his shoulder at work. He alleged that his employer terminated his employment because it did not want to accommodate his disability.

Settlement:

Letter of employment.

Ground(s): Disability

Area: Employment

Allegation: The complainant was off work for several months for a variety of reasons, including a stress-related illness. He alleged that he provided his employer with medical information supporting his time off. Despite that, his employer threatened to terminate his employment.

Settlement:

Financial compensation for general damages.

Agreement by the complainant to resign.

Ground(s): Disability

Area: Employment

Allegation: The complainant suffers from lupus. She alleged that her employer put her into its attendance management program even though her absences were medically justified and there was ample evidence of her illness in her personnel file.

Settlement:

Agreement to amend the attendance management program to clarify the provisions related to employees with disabilities.

Reinstatement of four weeks of sick leave.

Removal of all reference to this complaint from the complainant's records.

Ground(s): Disability**Area:** Employment

Allegation: The complainant, who is diabetic, worked as a term employee and alleged that his employer failed to accommodate him by modifying his job duties. When his term ended, he was let go, although others had their term renewed or were offered permanent positions.

Settlement:

Financial compensation for pain and suffering.

Three-month term in a job more suited to the complainant's medical requirements.

Appointment of a manager to mentor the complainant.

Ground(s): Disability and age**Area:** Employment

Allegation: The complainant alleged that he was not hired because of his age and previous drug and alcohol problem. During the selection process, he was told that his age was "playing against him." He was 47 years old at the time. He further alleged that during a group meeting with 11 other applicants, he was the only one asked to step out of the room and questioned about his stay at a rehabilitation facility.

Settlement:

Agreement that the complainant can re-apply for employment once five years have elapsed since his last criminal conviction.

Confirmation that, once the complainant qualifies for employment, the employer will provide the accommodation required for any functional limitation that physicians identify.

Ground(s): Disability and age**Area:** Employment

Allegation: The complainant is over 50 years old and suffers from diabetes. He worked for a radio station as an announcer. He alleged that his employment was terminated because of his age and disability, even though he had been cleared to return to work.

Settlement:

Financial compensation for lost wages, pain and suffering, and legal fees.

Financial bonus for appreciation of service.

Agreement by the complainant to resign.

Continuation of medical benefits and pension payments for a specified period.

Ground(s): Disability and age

Area: Employment

Allegation: The complainant, who is near retirement age, was diagnosed with costochondritis, epicondylitis and depression. She alleged that her employer discriminated against her by refusing to accommodate her based on her disabilities and terminating her employment.

Settlement:

Financial compensation for pain and suffering.

Letter of apology.

Ground(s): Disability and sex

Area: Employment

Allegation: The complainant alleged that she was harassed by her supervisor, subjected to sexist comments and treated in an abusive manner. She also alleged that her employer failed to accommodate her disabilities after she was in a car accident.

Settlement:

Financial compensation for pain and suffering.

Ground(s): Disability and sex

Area: Employment

Allegation: The complainant, who suffers from a back injury, alleged that her employer demoted her from her supervisory position and then terminated her employment, based on her injury and her gender.

Settlement:

Financial compensation for pain and suffering.

Ground(s): Disability and sex

Area: Employment

Allegation: The complainant, who suffers from an elbow injury, alleged discrimination and differential treatment based on her gender and disability.

Settlement:

Financial compensation, to be used for the complainant's university education.

Financial compensation for pain and suffering.

Ground(s): Disability and sex

Area: Employment

Allegation: The complainant, a transsexual, alleged that he was discriminated against when his employer did not offer him employment on the assumption that he required specialized medical services. The complainant had, in fact, completed the gender

reassignment process and did not require medical treatment, only periodic follow-up.

Settlement:

Offer of employment.

Clarification of the respondent's policy on medical requirements.

Ground(s): Disability, sex and sexual orientation

Area: Employment

Allegation: The complainant alleged that co-workers repeatedly harassed him based on his gender, his disability and the fact that he was perceived as being homosexual. He alleged that his employer did nothing to stop the harassment.

Settlement:

Financial compensation for legal fees.

Agreement by the complainant to resign, with payment of seven months' salary upon resignation.

Letter of apology.

Ground(s): Disability and sexual orientation

Area: Employment

Allegation: The complainant suffers from anxiety and had a heart attack. He alleged that his employer did not accommodate his disability by giving him modified duties. He also alleged that his co-workers harassed him because they thought he was homosexual and his employer failed to deal with the situation.

Settlement:

Financial compensation for general damages.

Agreement by the complainant to resign.

Ground(s): Disability and race

Area: Employment

Allegation: The complainant, who is black, was disabled as a result of having had polio. He alleged that he was denied advancement, interviews and promotions because of his disability and colour. He alleged that non-black employees had better opportunities for advancement. He eventually resigned.

Settlement:

Financial compensation for general damages and for legal fees.

Ground(s): Disability, family status and sex

Area: Employment

Allegation: The complainant alleged that she was treated differently upon her return from maternity leave and was denied a raise. She was told that she could not do her job due to

her family obligations. As a result, the complainant resigned.

Settlement:

Financial compensation for lost wages and for pain and suffering.

Provision of Services

Ground(s): Disability

Area: Provision of services

Allegation: The complainant alleged that a television network discriminated against him and other deaf viewers by not using closed captioning on all its broadcasts. The complainant cited specific instances of missing captions or poor-quality captioning.

Settlement:

Agreement to consult organizations representing the deaf community regarding issues of accessibility.

Agreement that the complainant could disclose the terms of settlement to specified organizations in preparation for consultations.

Ground(s): Disability

Area: Provision of services

Allegation: The complainant has a visual impairment. He alleged that a transportation company denied him service and accommodation. He was subjected to inappropriate questions about his disability, asked to pay extra to travel with his guide dog and a sighted assistant, and ultimately denied service.

Settlement:

Financial compensation for general damages.

Letter of introduction for the complainant to use when accessing services in the future.

Agreement to include human rights and the duty to accommodate in the transportation company's new training program for staff.

Race, Colour, National or Ethnic Origin, Religion

Area: Employment

Area: Provision of services

Employment

Ground(s): National or ethnic origin, colour and religion

Area: Employment

Allegation: The complainant, a Sikh of East Indian origin, alleged discrimination, harassment and differential treatment leading to termination of employment.

Settlement:

Financial compensation for pain and suffering.

Purging of all references to the matter from the complainant's personnel file.

Confirmation that cultural diversity training was provided to all employees.

Letter of regret.

Ground(s): Race, colour, and national or ethnic origin

Area: Employment

Allegation: The complainant, a Caucasian woman who was employed by an Aboriginal band, alleged that she was treated differently than other workers and was harassed during her employment.

Settlement:

Amendment to the human resources policy on harassment and discrimination.

Agreement by the respondent to provide training on harassment and discrimination.

Revision to the complainant's job description to include more details about the duties of the position.

Increase to the complainant's salary to bring it into line with other professional jobs in the community.

Letter of apology.

Letter of reference.

Ground(s): Race, national or ethnic origin, and sex

Area: Employment

Allegation: The complainant, an Aboriginal woman, alleged that she was subjected to harassment in the workplace. She said a manager implied she was a second-class citizen because of her status as a First Nations person.

Settlement:

Financial compensation for pain and suffering.

Agreement by the complainant to resign.

Ground(s): Race, national or ethnic origin, colour, and sex

Area: Employment

Allegation: The complainant alleged that the respondent did not select her for employment or membership in the union because she is an Aboriginal woman. She stated that while she was completing assessment exams during the screening process, one of the presenters

made a remark about "Indians" that she felt was inappropriate. Her concentration was affected as a result of this incident and her test performance suffered. She was subsequently informed that she would not be considered further for employment.

Settlement:

Invitation to the complainant to participate in future job recruitment.
Letter of apology.

Ground(s): National or ethnic origin, and sex

Area: Employment

Allegation: The complainant was a casual seasonal employee and worked as an equipment operator. She alleged that during her employment her co-workers harassed her, sabotaged her work and refused to work with her because she is a Métis woman. She also alleged that she was singled out for harsher discipline over incidents at work.

Settlement:

Financial compensation for general damages, pain and suffering, and expenses incurred.

Ground(s): Race, colour, and national or ethnic origin

Area: Employment

Allegations: The complainant, a Caucasian who worked for an Aboriginal organization, alleged that she was one of three non-Aboriginal employees laid off without notice by the employer. She also alleged that three Aboriginal employees in her department were not laid off.

Settlement:

Financial compensation for pain and suffering and general damages.
Letter of regret.
Commitment by the employer to hire a human resources manager and develop formal human resources policies reflecting human rights principles.

Ground(s): National or ethnic origin

Area: Employment

Allegation: The complainant, an individual of Pakistani origin, alleged that his employer refused to continue to employ him because of his national or ethnic origin. He alleged that as part of his training, he was required to successfully complete simulation exercises and pass an interview to determine his personal suitability. During the simulation exercises, the evaluators gave him less attention than non-Pakistani participants and asked him questions of a personal nature.

Settlement:

Re-enrolment in the training program.
Waiver of the aptitude test and tuition fees.

Ground(s): Race, colour, national or ethnic origin, and family status

Area: Employment

Allegation: The complainant, a Caucasian working as a relief worker, gained Indian status through marriage. She alleged that she was not called for some shifts because she is Caucasian, while relief workers hired after her were called. She also alleged that after a dispute involving her son and a relative of the supervisor and two other staff members, she was not recalled for work.

Settlement:

Financial compensation for pain and suffering.

Ground(s): Religion

Area: Employment

Allegation: The complainant, who is Christian and worked for an Aboriginal organization, alleged that his employment was terminated because he refused to participate in traditional practices of the employer.

Settlement:

Financial compensation for pain and suffering.

Letter of apology.

Ground(s): Race, colour, national or ethnic origin, and disability

Area: Employment

Allegation: The complainant, a black African who has a depressive disorder, alleged discrimination in employment after he was spoken to in an abusive manner, subjected to differential disciplinary treatment and dismissed from his employment. The complainant also alleged the respondent failed to provide a workplace free of harassment.

Settlement:

Financial compensation for general damages and for legal fees.

Agreement by the complainant to withdraw a related complaint against an individual.

Letter of regret.

Ground(s): National or ethnic origin

Area: Employment

Allegation: The complainant, who is of British origin, alleged discrimination in employment on the basis of national or ethnic origin after the respondent refused to communicate with him in English and treated him differently than Canadian-born employees.

Settlement:

Financial compensation for pain and suffering.

Letter of regret.

Ground(s): Race, colour, and national or ethnic origin

Area: Employment

Allegation: The complainant alleged that her employer paid her less than her co-workers because she is black and from Africa.

Settlement:

Commitment to open and honest communication between the complainant and her manager.

Commitment not to retaliate against the complainant.

Provision of coaching, counselling and feedback to help the complainant improve her work performance.

Ground(s): Race and sex

Area: Employment

Allegation: The complainant, a woman of Asian origin, alleged that she was denied a promotion and given an entry-level job because of her sex and because she is a recent immigrant to Canada.

Settlement:

Financial compensation for general damages.

Severance package.

Outplacement services.

Ground(s): Race, colour, and national or ethnic origin

Area: Employment

Allegation: The complainant, who is black, alleged that her supervisor treated her differently than other staff. She alleged that he made racist remarks about certain clients and failed to assist her in her work.

Settlement:

Financial compensation for pain and suffering.

Consideration of the complainant's views on the respondent's anti-harassment policy.

Letter of regret.

Ground(s): Race, colour, and national or ethnic origin

Area: Employment

Allegation: The complainant, who is originally from the Philippines, alleged that his supervisor treated him differently than other employees by reducing his work hours and eventually terminating his employment. He also alleged that he was exposed to racist remarks from co-workers.

Settlement:

Financial compensation for legal fees.

Donation to a charity of the complainant's choice.

Review of the respondent's policies to ensure compliance with human rights principles.

Provision of Services

Ground(s): Race, family status, national or ethnic origin, and sex

Area: Provision of services

Allegation: The complainant, a black woman of African origin, alleged that she was treated differently at a border crossing. She alleged that she was unnecessarily delayed, missed her train and had to board a bus to return home.

Settlement:

Removal of the complainant's name from the database regarding a specific incident.

Financial compensation for the complainant's out-of-pocket expenses.

Ground(s): Race, colour, and national or ethnic origin

Area: Provision of services

Allegation: The complainant, an individual of East Indian origin, alleged that a federal agency singled him out for arrest, handcuffed him and harassed him because of his colour and national or ethnic origin. He was arrested for possession of an illegal substance while he was carrying prescription drugs for his mother. He was strip searched and the police were contacted.

Settlement:

Financial compensation for out-of-pocket expenses.

Removal of the complainant's name from the database regarding a previous incident.

Ground(s): Race, and national or ethnic origin

Area: Provision of services

Allegation: The complainant is of Chinese origin. She alleged that a bus driver refused to give her a transfer ticket, was rude to her and used derogatory language in reference to her race. She said he treated her this way on two separate occasions.

Settlement:

Financial compensation for pain and suffering.

Sensitivity training for the bus driver.

Individual sessions for the driver with a human rights consultant.

Sex, Marital Status, Family Status

Area: Employment

Area: Provision of services

Employment

Ground(s): Sex

Area: Employment

Allegation: The complainant, a mail sorter, alleged that her pregnancy was not accommodated. Her manager refused to provide her with an office position while she was pregnant.

Settlement:

Review by a neutral party of the working relationship between the complainant and her manager, six months after the complainant's return from maternity leave.
Commitment not to retaliate against the complainant for filing a complaint.

Ground(s): Sex

Area: Employment

Allegation: The complainant alleged that a colleague sexually harassed her. She ended up resigning from her position.

Settlement:

Financial compensation for general damages.

Ground(s): Sex

Area: Employment

Allegation: The complainant alleged that a male co-worker harassed her by touching her and making inappropriate comments.

Settlement:

Financial compensation for pain and suffering.
Agreement that communications between the complainant and the co-worker will be for business purposes only.
Review of corrective measures available to women in the workplace.

Ground(s): Sex

Area: Employment

Allegation: The complainant alleged that she was sexually harassed at work. In addition, she alleged that after she reported the harassment, her shifts were changed and her employment was terminated.

Settlement:

Financial compensation for general damages.

Severance package.

Ground(s): Sex

Area: Employment

Allegation: The complainant alleged that her employer did not accommodate her pregnancy-related disability and subsequently terminated her employment.

Settlement:

Agreement to rehire the complainant when she is ready to return to work.

Ground(s): Sex

Area: Employment

Allegation: The complainant alleged that her employer treated her differently than male employees regarding requests for time off for medical appointments, for extensions to complete work assignments and for sick leave.

Settlement:

Financial compensation for pain and suffering.

Letter of reference.

Ground(s): Sex

Area: Employment

Allegation: The complainant alleged that her employer terminated her employment because she took sick leave related to her pregnancy.

Settlement:

Financial compensation for pain and suffering, and for lost wages.

Ground(s): Sex

Area: Employment

Allegations: The complainant alleged that her employer discriminated against the predominantly female clerical and associated job classes by paying them less, for work of equal value, than employees in the predominantly male craft and services job classes.

Settlement:

Agreement by the employer to retain and pay for a consultant with expertise in pay equity analysis.

Job evaluation process conducted by a consultant, as discussed and agreed upon by the parties.

Agreement by the employer to address any identified wage gaps within a reasonable time frame.

Ground(s): Sex

Area: Employment

Allegations: The complainant alleged that she was let go during the probationary period because she was pregnant and not because of her performance.

Settlement:

Financial compensation for general damages.

Letter of reference.

Ground(s): Sex

Area: Employment

Allegation: The complainant alleged that she was subjected to harassment of a sexual nature. She was forced to resign because her employer did not respond appropriately to her complaints.

Settlement:

Financial compensation for general damages.

Letter of confirmation of employment.

Ground(s): Sex

Area: Employment

Allegation: The complainant alleged that she was constructively dismissed when she returned from maternity leave.

Settlement:

Financial compensation.

Letter of reference.

Ground(s): Sex

Area: Employment

Allegation: The complainant alleged that she was sexually harassed by a male co-worker, who used inappropriate language and gestures, despite her repeated requests for him to stop. In a second complaint against the employer, she alleged that she was not provided with a work environment free of harassment and was subjected to discipline by her employer.

Settlement:

Training on harassment and discrimination to be provided to management staff.

Removal of a disciplinary letter from the complainant's personnel file.

Letter of regret from the co-worker.

Letter of reference.

Ground(s): Sex and disability

Area: Employment

Allegation: The complainant alleged that she was denied employment because of her sex. She applied for a position and after successfully completing written exams and training, she injured her arm. The complainant stated that she was sent home and not allowed to continue with the application process. She alleged that the injury was minor and that the employer took advantage of the situation to deny her a job because it did not want to hire women.

Settlement:

Agreement to continue the application process and retain the portions of the testing already completed.

Ground(s): Sex and sexual orientation

Area: Employment

Allegation: The complainant, a senior driver, is transgendered. She alleged that she was subjected to offensive comments from co-workers and superiors who perceived her as gay. She alleged differential treatment because she was passed over for a preferred route, which was given to a junior employee. She further alleged that the reason given for her employment termination—absenteeism—was a pretext. Although the employer agreed to reinstate her, she was not willing to return to work unless action was taken to address the harassment in the workplace.

Settlement:

Agreement by the complainant to resign.

Financial compensation for general damages.

Ground(s): Sex and family status

Area: Employment

Allegation: The complainant alleged that she was not allowed to pick vacation time in order of seniority because she was on maternity leave. She further alleged that while she was still on maternity leave, the employer eliminated her position and did not offer an alternative position.

Settlement:

Financial compensation for pain and suffering, and for lost wages.

Financial compensation for legal fees and for training.

Performance bonus.

Letter of regret.

Letter of reference.

Ground(s): Marital status

Area: Employment

Allegation: The complainant alleged that she was screened out at the interview stage for an enforcement officer position, because her husband had bailed out a friend who was arrested for possession of drugs.

Settlement:

Letter of apology, including commitment to fairness in future hiring processes.

Financial compensation for pain and suffering.

Ground(s): Marital status and family status

Area: Employment

Allegation: A husband and wife alleged that their common employer discriminated against them because they are married to each other. The promotion of one spouse was delayed specifically because it would require spousal relocation.

Settlement:

Agreement to make the promotion effective retroactively, with pay, benefits, pension and service records adjusted accordingly.

Provision of Services

Ground(s): Marital status

Area: Provision of services

Allegation: The complainant alleged that she was denied a loan under a government program because her husband's income was taken into account, but not their combined loan debt.

Settlement:

Financial compensation for pain and suffering.

Reimbursement of out-of-pocket expenses.

Interest on loans over the course of one year.

Age

Area: Employment

Area: Provision of services

Employment

Ground(s): Age

Area: Employment

Allegation: The complainant, a current employee, applied for a transfer to a position in another area of the company. He alleged that he was denied progression to the interview stage of the competition because he was over 50 years old.

Settlement:

Agreement to advance the complainant to the interview stage and, if he is successful, to place him as an alternate in the next training class.

Ground(s): Age

Area: Employment

Allegation: The complainant, aged 54, alleged that his employer refused to consider him for promotion because he is over 50 years old.

Settlement:

Financial compensation for general damages.

Letter of apology.

Ground(s): Age

Area: Employment

Allegation: The complainant, who is 68 years old, alleged discrimination after a prospective employer refused to hire him based on his age.

Settlement:

Financial compensation for general damages.

Letter of regret.

Provision of Services

Ground(s): Age

Area: Provision of services

Allegation: The complainant alleged that investment information is no longer available online at his bank once customers reach the age of 69, and that they are required to change their registered retirement savings plans to registered retirement investment funds (RRIFs).

Settlement:

Special arrangements with the complainant's branch, as a short-term measure, to enable the complainant to get Internet service.

Provision of full Internet service within the next eight to 12 months to customers with RRIFs.

Agreement to advise the complainant of the approximate date online services will be available.

Sexual Orientation

Area: Employment

Employment

Ground(s): Sexual orientation

Area: Employment

Allegation: The complainant alleged that he was treated differently and that his employment was terminated because he is gay.

Settlement:

Financial compensation for pain and suffering.

Clarification of the in-house policy on the display of personal materials at work.

Workplace training for all supervisory personnel.

Letter of reference.

Ground(s): Sexual orientation

Area: Employment

Allegation: The complainant alleged that his female manager made sexual overtures towards him. When she learned that he was gay, her attitude changed and became hostile. The manager and one of her colleagues began making suggestive comments and rude gestures. He complained, but his employer failed to address the situation to provide him with a harassment-free workplace. The complainant eventually took sick leave because he found the situation intolerable.

Settlement:

Financial compensation equivalent to two weeks' pay and for legal fees.

Transfer of the complainant to another unit within the same department.

Agreement that the complainant will receive full pay while the employer finds a suitable position.

Ground(s): Sexual orientation

Area: Employment

Allegation: The complainant alleged that she was the subject of offensive remarks related to her sexual orientation. She complained to her manager but nothing was done. She eventually took time off work.

Settlement:

Financial compensation for pain and suffering.

Reimbursement of sick leave credits and related expenses.

Review of policies and procedures.

Anti-harassment training for all employees.