

Prince Edward Island Human Rights Commission

Letting Our Youth Educate Us



Let us remember: One book,
one pen, one child, and one
teacher can change the world.

Malala Yousafzai,
Pakistani education activist, 2013.



Annual Report 2015-2016

Human Rights Commissioners and Staff (2015-2016)



From Left: Ellen Macdonald, John Rogers, Brenda Picard, Carmen de Pontbriand, Thomas Hilton, Alcide Bernard, Wendy Baker, Maurice Rio, Lorraine Buell, George Lyle.

Cover Photos

Left or Top: Queen Charlotte Intermediate School's Katia Hughes discusses the artistic process behind "Among Those who Stood Up".

Right or Bottom: Teacher Joanne McIsaac's Grade 1 students from Vernon River Consolidated School share details of their fund-raising project on behalf of Kenyan students

Cover Photo Credit: Brian Simpson / PEI Provincial Photographer.

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Prince Edward Island
Human Rights Commission

53 Water Street, PO Box 2000
Charlottetown, Prince Edward Island
C1A 7N8 Canada



Commission des Droits
de la Personne
de l'Île-du-Prince-Édouard

53, rue Water, C.P. 2000
Charlottetown, Île-du-Prince-Édouard
C1A 7N8 Canada

John Rogers
Commission Chair

June 22, 2016

The Honourable Wade MacLauchlan, Attorney General
Province of Prince Edward Island
PO Box 2000
Charlottetown PE C1A 7N8

Dear Minister MacLauchlan:

Re: *Prince Edward Island Human Rights Commission Annual Report – Fiscal 2015-2016*

On behalf of the staff and Commissioners of the Prince Edward Island Human Rights Commission, I am pleased to provide to you the Commission's Annual Report for the fiscal year 2015-2016.

We submit this report to you for presentation to the Legislative Assembly in accordance with section 22.1 of the Prince Edward Island *Human Rights Act* R.S.P.E.I. 1988, Cap. H-12.

Should you or your staff have any questions or require any further information, please do not hesitate to contact me.

Sincerely,

John Rogers
Chair

Message from the Chair

The Prince Edward Island Human Rights Commission is charged with the responsibility of administering the Prince Edward Island *Human Rights Act*, an Act of the PEI Legislature and the people of this Province. The *Act* calls for the elimination of discrimination for all residents and visitors to the Province. The Commission works tirelessly towards the achievement of this goal.

More specifically, the role of the Commission is fourfold. Firstly, the Commission oversees the resolution of complaints of discrimination that fall under the *Act*. Secondly, the Commission provides a program of education that informs the public about the *Human Rights Act*. Thirdly, the Commission makes recommendations to Government on current trends in human rights and how they might impact on existing or future legislation. Finally, the Human Rights Commission, through its Executive Director, oversees the operation of the Human Rights Commission's office at 53 Water Street in Charlottetown.

This past year has been a busy one indeed. Much like the work of a farmer, (and many others), the job is never done. Our staff closed 52 files during the reporting year (more detailed information can be found later in this Report). This is a lot of work and I want to commend Lorraine Buell, Mediator / Intake Officer, Wendy Baker, Human Rights Legal Officer, and Brenda Picard, Executive Director, for their hard work and dedication. As we close files, new complaints arrive. The challenge to be effective and efficient in the management and execution of files is ongoing. Well done, staff!

In the area of education, I would like to commend the work of our Education Project Officer, Tom Hilton. Tom has been an integral part of The *4Rs* Project which, with the support of the Department of Education, Early Learning and Culture (DEELC), the English Language School Board, the University of Prince Edward Island (Faculty of Education) and the Prince Edward Island Teachers Federation, resulted in the development of education packages on human rights issues to be used in classrooms across the Province. Lesson plans that reflect human rights issues have been approved by DEELC for Kindergarten through Grade 6. A unit on Indian Residential Schooling was recently piloted in Grade 9 at Summerside Intermediate School. We thank UPEI student teachers Josh MacIntosh and Lomeharshan Lall, along with their cooperating teachers Darrell DesRoches and Stuart Smith, for their work on this pilot. We also thank the Law Foundation of PEI for their financial support of The *4Rs* Project over the past two years.

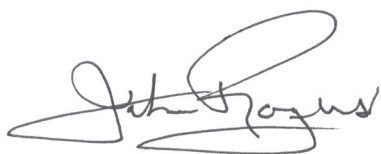
During this reporting year, we met with the Minister of Justice & Public Safety to discuss two issues. The Commission recommended changes to the *Vital Statistics Act* which would enable transgender individuals to make changes to the gender marker on their birth certificates. This will keep the Province current with other jurisdictions in Canada and, more importantly, enable our transgender population to make changes to their personal documents with dignity and respect. Government acted on this recommendation by passing legislation to amend the *Vital Statistics Act* in the spring sitting of Legislature. The Commission also lobbied for funding for a permanent Education Officer at the Commission. This is a much needed position that will benefit society in general and youth specifically. During this reporting year 49 Education Presentations that reached 2,709 individuals were conducted in the Province. This was achievable because of having an Education Project Officer at the Commission. We hope Government is receptive to our request that the Education Officer position be reinstated permanently. The benefit to society will be immeasurable!

One of the highlights of the past year was the Celebration of International Human Rights Day on December 10th. This Celebration was very exciting with a program that highlighted student presentations from a number of Island schools; Vernon River Consolidated, Stratford Elementary, Charlottetown Rural High, Birchwood Intermediate, Queen Charlotte Intermediate and Colonel Gray High. Choir selections, art displays, and drama emphasizing human rights themes were presented and enjoyed by all in attendance. Well done, students!

In closing, I want to thank our Commissioners for their hard work throughout the year. Commissioners include Alcide Bernard, Carmen de Pontbriand, George Lyle, Hon. Ellen Macdonald, and Maurice Rio. Thank you all for your dedication and support!

This year, 2016, marks the 40th Anniversary of the Prince Edward Island Human Rights Commission. This is an opportune time for all Islanders to recommit to the continued advancement of human rights in the Province and the pursuit of dignity and respect for all, which is the true spirit of the PEI *Human Rights Act*. Please join us in this pursuit and also in celebrating this important milestone.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'John Rogers', with a stylized, flowing script.

John Rogers, Chair

Message from the Executive Director

The majority of complaints which come before the Commission allege discrimination on the ground of disability. This year 57% (75 out of 131) of our open files were filed on the ground of disability, either alone or in conjunction with other grounds. Of those cases, 72% (54 out of 75) were in the area of employment. Commission staff members spend a considerable amount of time answering questions and giving presentations to employees or business organizations about the duty to accommodate to the point of undue hardship. Many businesses do not realize compliance with the *Employment Standards Act* is not their only legal obligation. The employer may have to make special arrangements for employees to accommodate their disability. At the same time, employees must be prepared to discuss the needs they have with their employer and to provide sufficient medical evidence to allow the employer to understand those needs. The employee has to cooperate with the employer in relation to the accommodation offered even if the employee does not think the accommodation is ideal. When both parties communicate respectfully allegations of discrimination are less likely.

This past year, there was an increase in questions and complaints regarding the role of service animals. The *Human Rights Act* includes the “physical reliance on service animals” as something which is protected under the definition of disability. A service animal is one trained to provide a service related to the handler’s disability. Pets and comfort animals which have not received specialised disability-related training are not covered by the *Act*. Up to the point of undue hardship, businesses and other service providers have an obligation to provide access and services to people who rely on a service animal as a result of a disability. People who rely on service animals also have an obligation to ensure their animal is properly trained and controlled. They should be prepared to provide a basic description of the service the animal has been trained to do, or a copy of the animal’s certification, but should not be required to disclose details of their disability.

Gender Identity is another ground of discrimination which is receiving increased attention. The Commission reviewed the current law, policy and practice of the Department of Vital Statistics and the Department of Transportation to explore best practices for ensuring that people are able to obtain identifying documentation which reflects their gender identity. It is a positive step that the government has passed legislation amending the *Vital Statistics Act* to allow a person to correct the sex designation on their birth certificate to reflect the gender which corresponds with their identity. We anticipate this will be an ongoing area of discussion as many people explore whether there is a need for gender to be included in our identification documents at all, particularly given the many genderqueer people who do not identify as either (or as exclusively) male or female. Moving away from thinking of

gender as a choice between two options is a challenge for many but challenging the way we think and see our world has led us to a much more inclusive and accepting community.

The 4Rs project continues to develop exciting and relevant resources and learning opportunities for teachers and students about Human Rights related issues. It is always a pleasure to see the results of some of those efforts at our annual Human Rights Day celebration in December. As can be seen from the cover, the Chair message and the Education Report, the Commission believes education is a high priority in its mandate. Education is the key to prevention.

The PEI Human Rights Commission staff and Commissioners fulfill many roles. I wish to thank each and every one for their commitment to the principles and spirit of ensuring those who cross our paths are treated with dignity and respect.



Brenda J. Picard Q.C.
Executive Director



The Stratford Elementary School choir under the direction of Ellen Davis performs 'I Wish I Knew How it Would Feel to Be Free' written in 1952 by Billy Taylor and popularized during the US civil rights movement of the 1950s and 1960s. (Human Rights Day 2015). Photo Credit: Brian Simpson/ PEI Provincial Photographer.

Education Project Officer's Report

Education is an important part of the Commission's mandate. Many people contact us looking for information, and we use these inquiries as a means of educating people on an individual basis about the role of the Commission and about people's rights and responsibilities. We had approximately 300 inquiries this past year, either in person, by phone or in writing.

We educate business people, service providers and community members by making group presentations. These presentations may be part of a settlement agreement relating to a complaint or they may be requested out of interest or prevention measures. This year we had 23 presentations with over 600 participants.

For the third year, the main focus of the Education Project Officer has been The 4Rs project which is detailed below. These efforts provided an opportunity for close to 2100 students and teachers to participate in an additional 26 presentations.

The Commission invites any school, business or organization interested in receiving our education services to contact us. In addition, people are encouraged to contact the Commission to discuss their questions or concerns. The Commission does not provide legal advice to callers and we recognize that each situation is unique; however, we can provide general information and best practice suggestions. The public is also encouraged to view our website (www.peihumanrights.ca) to learn more about Human Rights issues.

Made in PEI: Rights, Responsibilities, Relationships & Resources (The 4Rs)

Human rights education is much more than a lesson in schools or a theme for a day; it is a process to equip people with the tools they need to live lives of security and dignity.

Kofi Annan, UN Secretary-General, 10 December 2004

Relationships & Resources

In keeping with the above statement, a goal of The 4Rs partner organizations¹ is to infuse human rights education into the K-12 curriculum in PEI's public school system. This goal recognizes ongoing and cross-curricular human rights educational opportunities help build the inclusive learning environments which best position students for success in our

¹ Since December 2013, The 4Rs partner organizations have been: Department of Education, Early Learning & Culture (DEELC), English Language School Board (ELSB), PEI Human Rights Commission (PEIHRC), PEI Teacher's Federation (PEITF) and UPEI Faculty of Education (UPEI FEd).

increasingly diverse and interconnected society. Learning environments which prioritize through practice the principles of equal dignity and respect are environments in which all members of the learning community feel safe, welcomed and encouraged to be whoever they are. This point is particularly important as educational research confirms that engagement levels increase and academic outcomes improve when students feel free to be who they are at school.

The following activities and accomplishments highlight some of what The *4Rs* partners achieved over the past year relative to the goal of infusing human rights educational opportunities into the public school curriculum:

Curriculum Support Resources

- In October 2015 the DEELC introduced into Grades 4, 5 & 6 classrooms the following resources, each of which includes 4 lessons:

Grade	Resource Title	Cross-Curricular Outcomes
4	Exploring Difference: How inclusive is our school?	Health, Science, Social Studies & Visual Arts
5	Identifying then Challenging Stereotypes, Prejudice & Discrimination	Health, Language Arts & Visual Arts
6	The <i>Universal Declaration of Human Rights</i> and the <i>Convention on the Rights of the Child</i> : What do these mean for our class and school?	Health, Language Arts, Social Studies & Visual Arts



Summerside Intermediate School teacher Darrell DesRoches (left) reviews the new curriculum on Canada's Indian Residential schooling system with students Dexter Stewart (top) and Paige Deighan (right). Photo credit: Colin MacLean/Journal Pioneer.

- During February and March 2016, we led a pilot in two Grade 9 Social Studies classrooms at Summerside Intermediate School (SIS). This pilot provided the opportunity to evaluate the following 12-lesson resource on Indian Residential Schooling (IRS) in which we employed a human rights framework:

Grade	Resource Title	Cross-Curricular Outcomes
9	Practicing Reconciliation through Education: The History and Legacy of Canada's Indian Residential Schooling System	Language Arts, Social Studies & Visual Arts

- Based on positive pilot results received from UPEI pre-service teachers (Lomeharshan Lall & Joshua MacIntosh) and SIS in-service teachers (Darrell DesRoches & Stuart Smith), in late-March 2016:
 - DEELC released the IRS resource to Grade 9 Social Studies teachers Island-wide; and
 - ArtSmarts provided funding for Gilbert Sark of Lennox Island First Nation to teach SIS students how to build, paint and play a Mi'kmaq drum at two events in May 2016.



Grade 9 students Nathan Richard (left) and Damien Cameron (right) display the Summerside Intermediate School drum to Senator Elizabeth Hubley and PEIHRC Commissioners and staff. Under the artistic direction of Lennox Island's Gilbert Sark, SIS students stitched, painted and played the Mi'kmaq drum alongside Sark and members of the Hey Cuzzins drum group. Photo Credit: Brian Simpson/PEI Provincial Photographer.

The *4Rs* resources are now available for use in Grades K-6 & Grade 9 classrooms in the English school system on PEI. Currently, these resources are being adapted for use in French schools and should be available early in the 2016-17 school year.

4Rs Presentations to Students, Educators & Administrators

- Over the past fiscal year we expanded our in-school presence significantly. We increased the number of presentations delivered by 30%, and delivered them to 86% more students.

Fiscal Year	# 4Rs Presentations (% Change)	# 4Rs Participants (% Change)
2014-15	20	1126
2015-16	26 (+ 30%)	2095 (+86%)

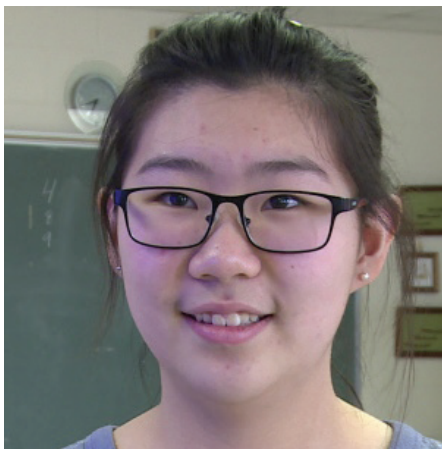
- Teachers, administrators and school counselors most often requested that the grounds of Gender Identity and Gender Expression be the focus of presentations.



Dr. Carolyn Thorne (left), UPEI Faculty of Education, and the PEIHRC's Tom Hilton present 'How educators can create inclusive classrooms and schools for gender diverse students' at the Prince Edward Island Teacher's Federation 2015 Convention. Photo Credit: Heather Taweel/The Guardian.

Human Rights Experiences of Newcomers to Canada in PEI

- From October to December 2015, we partnered with teachers Andrew Petrie and Nora Wotton of Colonel Gray High School on an innovative human rights project specifically designed for students who are Newcomers to Canada.



Left to right: Colonel Gray High School students Sunny Yang being interviewed by the CBC and (right) Anna Al Mialeh presents on the Duty to Accommodate to the Point of Undue Hardship. Photo credit: CBC News PEI.

- The project involved:
 - students attending a presentation on human rights, the prohibited grounds of discrimination and the duty to accommodate to the point of undue hardship;
 - students reflecting on personal experiences with discrimination (from countries of birth and Canada);
 - students interviewing local individuals representing the *Act's* prohibited grounds of discrimination; and
 - students presenting their human rights learning to classmates, PEIHRC staff, interviewees, the media and Queen Charlotte Intermediate School students.

Human Rights Day 2015

- Our 3rd annual Human Rights Day open-house featured:
 - music performed by Stratford Elementary School students;
 - artwork created and presented by students from Queen Charlotte Intermediate School and the Gender Sexuality Alliance at Charlottetown Rural High School;
 - a presentation by Grade 1 students from Vernon River Consolidated School on their fund-raising project to provide solar panels to Grade 8 students in Kenya so that they are able to study at home for the National Kenyan Examination;
 - a play on welcoming Syrian refugees written and directed by drama students from Colonel Gray High School; and
 - event set up and break down by Birchwood Intermediate School students.

Participating teachers expressed the unanimous belief that human rights-related learning opportunities promote student engagement and inspire student excellence.

Results of this magnitude would not have been possible without ongoing collaboration and communication among The 4Rs project partners and ongoing consultation with the Mi'kmaq Confederacy of PEI (MCPEI). Thank you to Bethany Doiron (DEELC), Carolyn Thorne and Murray MacInnis (ELSB), Alan Gillis, Alma MacDougall and Tammy MacDonald (MCPEI), Brenda Picard (PEIHRC), Chad Gallant (PEITF) and Carolyn Francis (UPEI) for your collective commitment to equipping Island educators and students with the tools they need to thrive in today's diverse and interconnected world.

Respectfully submitted,
Thomas Hilton, Education Project Officer

Powers and Duties of the Commission

Since the enactment of the *Human Rights Act* on September 11, 1976, the Prince Edward Island Human Rights Commission has been empowered to:

- administer and enforce the *Act*;
- develop a program of public information and education in the field of human rights to forward the principle that every person is free and equal in dignity and rights;
- advise government on suggestions, recommendations and requests made by private organizations and individuals;
- report as required by the Minister on the business and activities of the Commission;
- consider, investigate or administer any matter or activity referred to the Commission by the Minister or the Lieutenant Governor in Council.

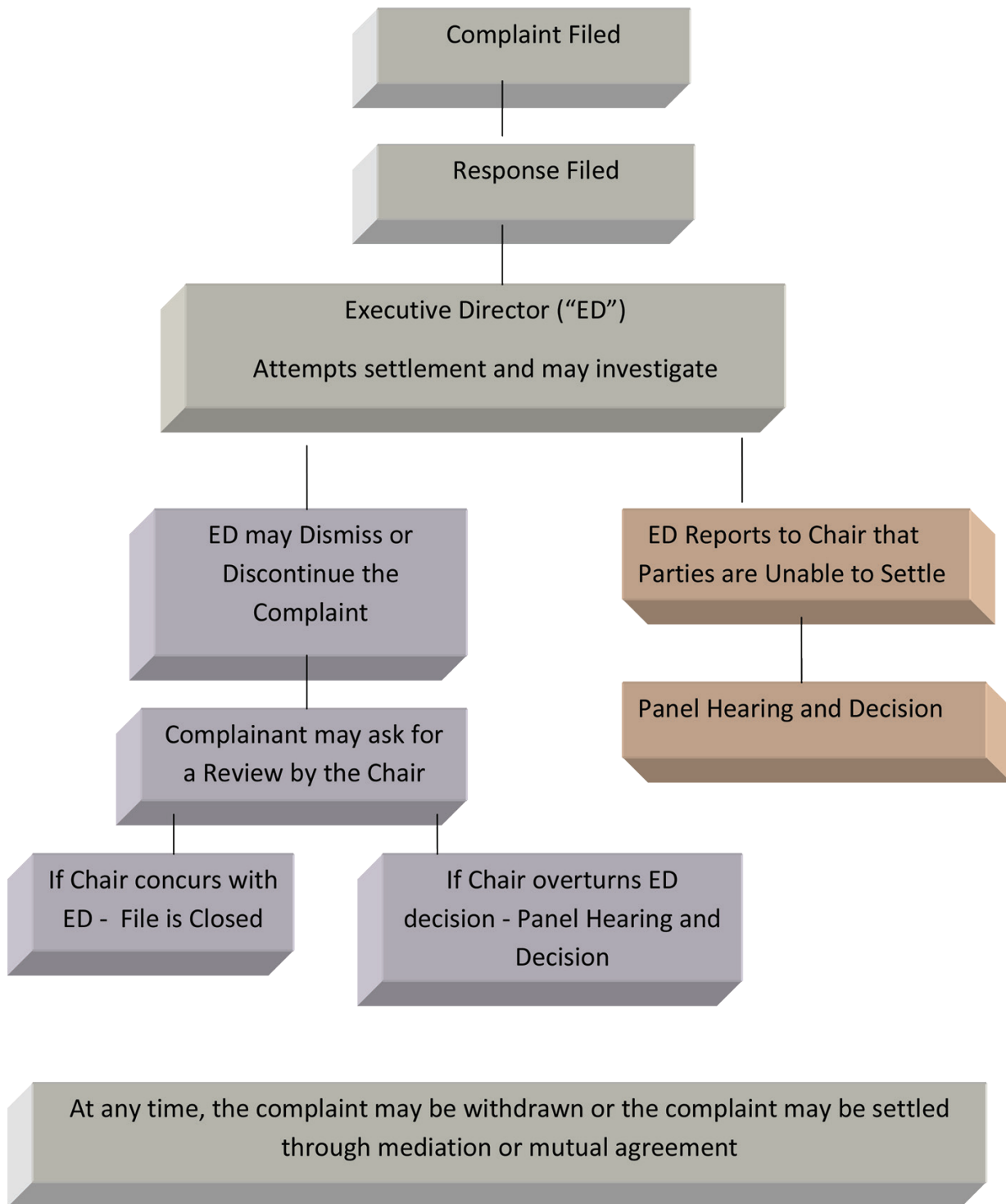
When a complaint is made to the Human Rights Commission, the typical process involves written exchanges of information between the Complainant and the Respondent (the business or entity against whom a complaint of discrimination is made). The matter is then provided to the Executive Director or a delegate (Human Rights Legal Officer) to investigate and attempt to settle the matter.

The duties of the Executive Director (or her Delegate) are set out in section 22(3) and (4) of the *Human Rights Act*:

22(3) The Executive Director shall investigate and attempt to effect settlement of the complaint.

22(4) Notwithstanding subsection (3), the Executive Director may, at any time,
(a) dismiss a complaint if the Executive Director considers that the complaint is without merit;
(b) discontinue further action on the complaint if, in the opinion of the Executive Director, the complainant has refused to accept a proposed settlement that is fair and reasonable;
(c) discontinue further action on the complaint if it could be dealt with more appropriately by an alternate method of resolution under any other Act, or if grievance or other review procedures have not been exhausted;
or
(d) report to the Chairperson of the Commission that the parties are unable to settle the complaint

Typical Complaint Process



Human Rights Complaints must be made within one year of an alleged incident. The complaint must fall within one or more of the areas covered by the Prince Edward Island *Human Rights Act*. As well, the complaint must be based on one or more of the grounds covered by the Prince Edward Island *Human Rights Act*.

Complaint Statistics

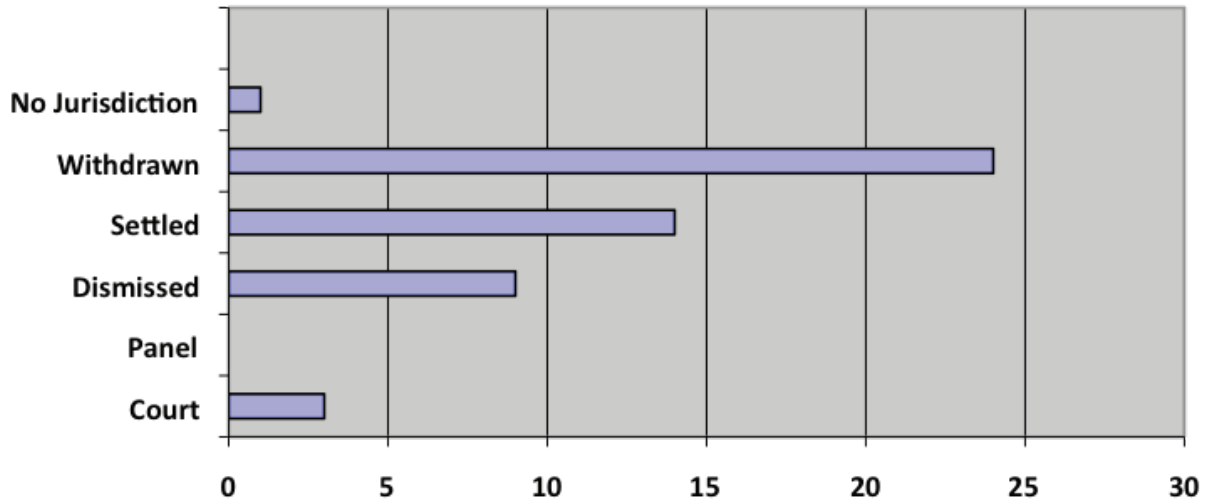
Eighty (80) matters were carried over from previous years and Fifty One (51) complaints were received in 2015-2016, which resulted in a total of One Hundred Thirty One (131) open files during this fiscal year. In addition to written complaints, the Commission received numerous phone, email and in-person inquiries from individuals and organizations concerned about their rights.

NUMBER OF COMPLAINTS IN AREA AND GROUND							
Ground of Discrimination	Carried over from previous years			Received in 2015-2016			Total
	Employment & Volunteer Work	Services & Facilities	* Other & multiple areas	Employment & Volunteer Work	Services & Facilities	* Other & multiple areas	
Age	2		1			1	4
Association							
Colour, Race, Ethnic/National Origin	4	1		1			6
Creed/Religion	3	1					4
Criminal Conviction	2			1			3
Disability	24	4	2	17	5	3	55
Family Status	1						1
Gender Expression							
Gender Identity							
Marital Status						1	1
Political Belief	2				1		3
Sex/Gender (including Pregnancy and Harassment)	8		1	2			11
Sexual Orientation				3	2		5
Source of Income	1						1
Filing a Complaint/Giving Evidence	2						2
Multiple Grounds	13	6	2	7	5	2	35
Total Number of Complaints	62	12	6	31	13	7	131

Most complaints arise in the area of employment, while the most common ground of discrimination is disability.

* Other and Multiple Areas include: Accommodations, Lease or Sale of Property, Membership in Employee or Professional Organizations, and Advertisements and Publications.

**Complaint Outcomes
Closed Files
April 1, 2015 - March 31, 2016**



Closed Files (51)

No Jurisdiction: One (1) complaint was deemed outside the jurisdiction of the Prince Edward Island Human Rights Commission.

Withdrawn: Twenty Four (24) complaints were withdrawn at various stages by the Complainant or were considered withdrawn as the complaint was deemed abandoned

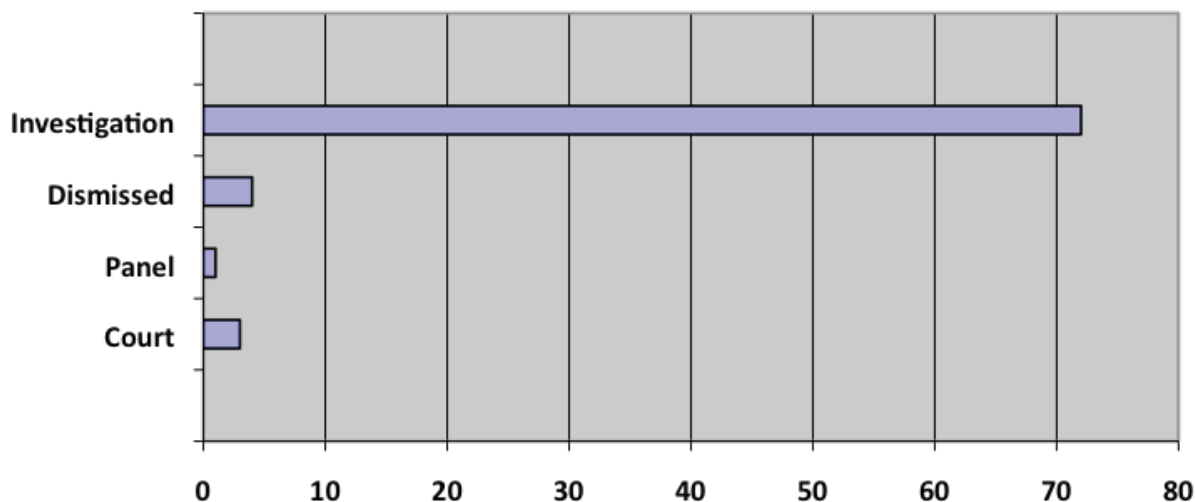
Settled: Fourteen (14) complaints were settled through settlement discussions or mediation.

Dismissed or Discontinued: Nine (9) complaints were dismissed or discontinued by the Executive Director or Delegate as set out in the *Act* (section 22(4)). Four (4) Complainants requested a review by the Chair and decisions were rendered.

Panel: n/a

Court Matters: Three (3) Court matters had decisions rendered. (See Court Decisions page19)

Complaint Outcomes Files Carried Forward to 2016 - 2017



Files Carried Forward to 2016-2017 (80)

Investigation/Settlement: Seventy two (72) complaints remain in various stages of the complaint process (investigation, settlement negotiations, held in abeyance...).

Dismissed or Discontinued: Four (4) complaints were dismissed or discontinued by the Executive Director or Delegate as set out in the Act (section 22(4)) but remained open pending the Chair's decision on the Request for Review.

Panel: There was one (1) Panel hearing held and a decision rendered. The Respondent has applied for Judicial Review, and there was one (1) matter referred to Panel but a date has not yet been set.

Court Matters: As of March 31, 2016, in addition to the matter noted above, there were two (2) other files in the Supreme Court (one awaiting dates for a Judicial Review hearing and one awaiting the Court's decision). (See Court Decisions page 19)

Settlements

The Commission encourages parties to attempt to find a mutually agreeable solution to complaints. The Commission's Mediator reviews files to assess whether the parties are open to a mediation or settlement process at an early stage. This gives the parties the opportunity to settle their issues and, in some cases, rebuild their relationships before they become more entrenched in their positions and without the delay of waiting for an investigation or panel hearing. Our Mediator can facilitate informal or formal mediation opportunities.

Allowing parties to develop their own solutions through settlement discussion is more effective and satisfactory and less expensive than the tribunal process. Settlement is particularly valuable when the relationship between the parties is likely to continue.

Settlements between Complainants and Respondents may be achieved at any time before a Human Rights Panel rules on a complaint. Even if the parties are unable to reach settlement during the early stages, the Executive Director or Delegate may facilitate a settlement during the investigation or preparation for panel hearings. Settlements can be reached without a finding or acknowledgment that the matter complained of was discriminatory.

Settlements made through the Commission have included making changes in policy of a business or service, changes to physical elements of a place of business, re-employment of the Complainant, accommodation at the workplace (hours of work, physical space), an apology letter, letter of reference or financial compensation.

Consistent with the Commission's mandate of providing human rights education, settlements often include an educational component for one or both parties to the complaint.

During this fiscal year fourteen (14) complaints were settled through mediation or settlement discussions. Eleven (11) of these related to employment, one (1) related to accommodations and two (2) related to services available to the public. The majority of these complaints named disability as the ground of discrimination.

Panel Hearings and Court Decisions in 2015-2016

Panel Hearings in 2015 – 2016

One matter was referred to a Panel previously but, as a result of a Judicial Review, the Panel of Inquiry will not proceed. See Court Decision below (*Thibodeau et al v. PEIHRC & Pate*, 2016 PESC 10)

One matter has been referred to a Panel following a Chair Review. A date has not yet been set.

One Panel of Inquiry proceeded in this fiscal year.

King vs Government of PEI

This matter was heard by a three-person Panel on 12, 14 and 15 January 2016 and a written decision was issued on 31 March 2016.

On 13 February 2013, the Complainant filed a complaint on behalf of her adult child, alleging discrimination in the area of services and facilities available to the public on the basis of disability. She alleged that the Respondent discriminated against persons disabled by reason of mental illness by not extending the same benefits to those individuals as it does to people with other forms of disability.

The Panel found that the Respondent discriminated against the Complainant. The Panel concluded that the exclusion of mental illness for the child and adult disability support components of the Disability Support Program is discriminatory against those who are disabled as a result of mental illness. The Panel ordered:

The Respondent cease excluding people with a disability caused by mental illness from access to the Disability Support Program.

The Respondent make necessary changes to the Disability Support Program to refrain in future from excluding people with a disability caused by mental illness from access to the DSP.

The Respondent make available to the Complainant and to other persons who are disabled as a result of mental illness, the rights, opportunities or privileges of all components of the DSP.

The Disability Support Program conduct an appropriate assessment of the Complainant within six [6] months of this Order to determine if

she has any unmet needs which can be addressed by the program. They are to use an assessment process which properly assesses a person whose disability is the result of mental illness.

The Respondent pay \$15,000 in general damages and \$16,000 in costs to the Complainant.

An application for a Judicial Review has been made by the Respondent. A date for the Judicial Review has not yet been set.

Court Files Closed in 2015-2016

The following two matters were finalized in the 2015-2016 fiscal year but were reported on in the 2014-2015 report as they were completed prior to the printing of that report. You may obtain information on these matters by referring to the 2014-2015 Report or by visiting our website.

Ayangma v. PEIHRC & La Commission Scolaire, 2015 PECA 4

See also related Decisions: 2014 PESC 18 and 2014 PECA 17

Note: Application for Leave to Appeal to Supreme Court of Canada was not granted.

PEI Music & Amusement Operators et al v. Gov't PEI & Ano. 2015 PECA 8

See also related Decision: 2014 PESC 20

Thibodeau et al. v. PEIHRC & Pate, 2016 PESC 10

The Complainant filed a human rights complaint on 19 October 2010, alleging that the Respondents discriminated against him in the areas of employment and membership in an employee or professional organization on the basis of association, disability and source of income. His press pass was revoked and he alleged that his disability and disability-related advocacy were factors in the decision to revoke it. After investigating the complaint, the Executive Director dismissed it pursuant to s.22(4)(a) of the *Act* as he found it to be without merit.

The Complainant asked for a review by the Chair of the Commission. Upon review, the Chair did not concur with the decision of the Executive Director. She determined there were questions in the Complainant's complaint that would best be determined by a Panel of Inquiry, and recommended that the complaint be sent to a Panel hearing.

The Respondents applied for a Judicial Review of the Chair's decision which was heard on 16-18 September 2015. A written decision was issued by the Court on 11 March 2016.

The Court reviewed the three part test necessary for a finding of discrimination:

Is the Complainant a member of a group possessing a characteristic protected under the *Human Rights Act*?

Did the Complainant suffer some adverse treatment?

Is it reasonable to infer that the protected characteristic played some role in the adverse treatment?

While finding that the Complainant in this case met the first two steps, the Court found that the adverse treatment (loss of his press pass) was a result of his own inappropriate actions and not as a result of his disability. The Court found the matter should not have been referred to a Panel of Inquiry. The Court restored the decision of the Executive Director, thereby dismissing the complaint. The Court also ordered the Complainant to pay costs of \$5,000.

Court Files Ongoing 2015-2016

Cairns v. Eastern School Board & PEIHRC, S1-GS-24710

On 7 March 2007, the Complainant filed a complaint alleging discrimination in employment on the basis of disability. He alleged that his employer believed he had a mental illness and tried to force him to undergo psychological testing. The Complainant stated that he had never experienced psychological problems and refused to attend the evaluation. He alleged that his employer terminated his employment because they believed he suffered from a mental health disability.

After investigating, the Executive Director dismissed the complaint as he found it to be without merit. The Complainant requested a review by the Chair of the Commission. The Chair Delegate concurred with the decision of the Executive Director.

The Complainant filed an application for Judicial Review. The Judicial Review was heard on 29 February 2016. The Court has not yet issued a decision.

MacMaster v. Workers Compensation Board & PEIHRC, S1-GS-24741

On 16 February 2011, the Complainant filed a complaint alleging discrimination in employment on the basis of source of income. He alleged that he was not being paid the full amount of Workers Compensation benefits to which he was entitled. The Executive Director dismissed the complaint because he found it to be without merit.

The Complainant requested a review by the Chair of the Commission, who concurred with the decision of the Executive Director. On 29 March 2012, the Complainant filed an application for Judicial Review. A date for the Judicial Review has not yet been set.

Commissioners (2015-2016)

Human Rights Commissioners are appointed by the Legislative Assembly on the recommendation of the Standing Committee on Communities, Land & Environment. The Commissioners come from a variety of personal and professional backgrounds and bring their own experience and expertise to decision-making. They are appointed for terms up to three years and are eligible for reappointment.

Commissioners provide leadership in setting the direction and promoting the work of the Commission.

The Chair may be asked to review decisions of the Executive Director or Delegate when a complaint has been dismissed or discontinued.

If the matter is referred to a hearing, the Chair will appoint one or three Commissioners to sit on a Panel to hear evidence and submissions and determine if there has been a violation of the *Human Rights Act* and, if so, what remedy should be ordered.

Commission Chair - John G. Rogers



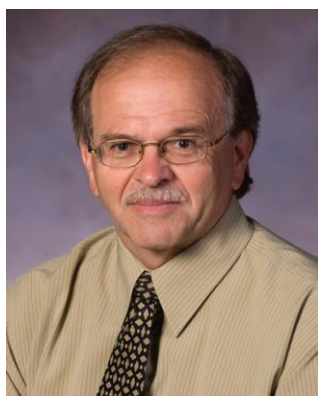
John Rogers of Brae was appointed to the Commission in 2008 and reappointed in 2011 and 2014. He was appointed Chair of the Commission on July 9, 2015. Mr. Rogers holds a B.A. and B.Ed. from the University of Prince Edward Island and a M.Ed. from the University of Ottawa. He retired from the public school system in 2005 after serving as a teacher, vice-principal, and principal. Since retiring from the public school system, Mr. Rogers has been employed as a sessional lecturer on the Faculty of Education at UPEI. He also devotes time to the family farm in Brae. Mr. Rogers has served on numerous organizations both at the local and provincial levels. He is a past director of the Canadian Potato Museum in O'Leary and sits as vice-chair of the Leard's Pond Environment Project. Mr. Rogers is strongly committed to the fundamental principle that "all persons are equal in dignity and human rights" (Preamble, PEI *Human Rights Act*). He works towards the fair and equal treatment of all persons in our society.

George A. Lyle, Commissioner



George Lyle of Summerside was appointed Commissioner on April 16, 2009 and reappointed in 2012 and 2015. Mr. Lyle, now retired, practiced law as a general practitioner from 1978 to 2014, in the Province of Prince Edward Island. Prior to that he held various positions with the Guaranty Trust Company of Canada. He is a graduate of the University of Ottawa Law School and a certificate program in Trust Business from Queens University. During his private practice of law, he held the position of Chairperson of the PEI Labour Relations Board and was President of the Law Society of Prince Edward Island and the PEI branch of the Canadian Bar Association. Mr. Lyle has served on various boards and has a strong community involvement in the City of Summerside.

Alcide J. Bernard, Commissioner



Alcide Bernard of Wellington was appointed Commissioner in April 2011 and reappointed in 2014. Mr. Bernard holds a B.A. and M.B.A. from University of Moncton. He retired from Old Dutch Foods Inc in March 2011 after having served in various management positions throughout his 25 years in the potato chipping industry. After working for the last three years with the Atlantic Commission on Acadian Tourism as Tourism Development Officer for PEI, Mr. Bernard has now retired. He currently serves as Chairman of the Incorporated Community of Wellington. Mr. Bernard has been involved in many other volunteer organizations in the Acadian community of Prince Edward Island.

Maurice H. J. Rio, Commissioner



Maurice Rio of Summerside was appointed Commissioner in 2006 and served until 2009. He was reappointed in 2012 and 2015. Mr. Rio returned to the Island after 20 years of public service with the Federal Department of the Solicitor General. He studied at Dalhousie University, Memorial University and the University of Regina. As a proponent of “natural justice”, Mr. Rio is pleased to continue to serve Islanders in his work for human rights.

Carmen de Pontbriand, Commissioner



Carmen de Pontbriand was appointed to the Commission in May 2014. She is originally from Montréal, but currently resides in Charlottetown. Ms. de Pontbriand has extensive professional experience with municipal and local governments as well as having been a member of the Veterans Appeal and Review Board of Canada. She holds certificates in tribunal administration, journalism and entrepreneurship. She is an active member of her community, participating in two choirs and various community organizations.

Hon. Ellen M. Macdonald, Commissioner



Hon. Ellen Macdonald B.A., L.L.B., L.L.D., (Honours), of Souris was appointed Commissioner in May 2014. She joins the Commission following her retirement in August 2013 from the Superior Court of Justice (Ontario).

Justice Macdonald graduated from Souris High School in 1966, UPEI in 1970, and McGill Faculty of Law in 1973. She was admitted to the Ontario Bar in 1975 and practiced law in Toronto from 1975 to November 1991 when she was appointed to the Superior Court.

Justice Macdonald has been involved extensively in continuing legal education for the judiciary as well as the Superior Court Judges' Association and Judges' Counselling Program. She has been a member of the 4H Boards of Directors including the Canadian Council of 4H Clubs, and was a past Director of the Ontario Advocates' Society and the Dellcrest Children's Center, a non-profit children's mental health centre, in Toronto. In November 2001, Justice Macdonald was awarded the Distinguished Alumni Award from UPEI.

Commission Staff (2015-2016)

The Commission staff carries out the day to day functions of the Commission including processing, mediating, investigating and settling complaints. Staff are also involved in presenting cases during a Panel Hearing. Lawyers at the Commission appear before the Supreme Court and Court of Appeal. Education is a key role for all staff who frequently respond to inquiries from the public about Human Rights issues. All staff are involved in preparing written and on line informational materials, as well as providing education presentations on human rights.

Brenda J. Picard Q.C., Executive Director



Brenda Picard Q.C. has been the Executive Director at the Commission since August 2013.

After graduating from Kensington Intermediate Senior High School (1979), Brenda attended Dalhousie University where she obtained her Bachelor of Arts (1982) and Bachelor of Laws (1985) degrees. She was admitted to the Nova Scotia Barristers Society (1986) and practiced in Stellarton.

Returning to PEI in 1990, Brenda was the first Co-ordinator of Transition and Support Services in Summerside. She was admitted to the Law Society of PEI in 1992. She was a partner at The Law Offices of Craig and Picard prior to her lengthy career at PEI Legal Aid, which preceded her current position. Brenda was appointed Queens Counsel in 2007.

Brenda has been a regular volunteer with her church and with many provincial and national organizations relating to family violence prevention, restorative justice and conflict resolution. Brenda resides in Charlottetown with her partner Rick and her son Micah.

Wendy Marie Baker, Human Rights Legal Officer



Wendy Marie Baker was born in Halifax and grew up in the village of Spanish Ship Bay, Nova Scotia. She obtained her Bachelor of Arts degree from Saint Mary's University in Halifax in 1997 and earned a diploma in Media Studies from the Atlantic Media Institute in Halifax in 1999. She earned her law degree from the University of Victoria in 2006. Wendy has lived and worked in five Canadian provinces and has held positions in both the public and private sectors. She joined the staff of the Commission in 2010. She is a member of the Law Society of Newfoundland and Labrador, the Law Society of Prince Edward Island and the Nova Scotia Barristers' Society.

B. Lorraine Buell, Mediator / Intake Officer



Lorraine Buell is the Commission's Mediator and Intake Officer. She has been a member of the Commission's team since 1998. Lorraine is an Islander and a resident of Stratford, PEI. She is a member of the Canadian Payroll Association and the Council of Canadian Administrative Tribunals. She is a Commissioner of Oaths and Panel Clerk at Human Rights hearings. Lorraine received her Business Administration at Career Skills, Executive Office Administration at Holland College and Conflict Resolution Studies at University of Prince Edward Island. She has three children Scott(Amanda), Nick(Shalin) and Amanda(Ben) and three granddaughters Maxine, Emily and Everly.

Thomas V. Hilton, Education Project Officer



Thomas Hilton, a native of Charlottetown, holds a BA from Bowdoin College (Brunswick, ME) and Master of Education from UPEI. Tom has worked with the Commission on public education outreach projects since 2011. Since December 2013, he has been working on *Made in PEI: Rights, Responsibilities, Relationships & Resources (The 4Rs)*. Tom serves as Past Chair of the PEI Literacy Alliance, an organization committed to building a culture of literacy, learning and prosperity on PEI.



Students of Charlottetown Rural High School's Gender Sexuality Alliance discuss the artistic processes they employed while creating 'Diversity'. Photo credit: Brian Simpson/PEI Provincial Photographer.

Audited Financial Statements

**PRINCE EDWARD ISLAND
HUMAN RIGHTS COMMISSION**

Financial Statements
March 31, 2016

**PRINCE EDWARD ISLAND
HUMAN RIGHTS COMMISSION**

Financial Statements
March 31, 2016

Management's Report

Management's Responsibility for the Financial Statements

The financial statements have been prepared by management in accordance with Canadian public sector accounting standards and the integrity and objectivity of these statements are management's responsibility. Management is responsible for the notes to the financial statements and for ensuring that this information is consistent, where appropriate, with the information contained in the financial statements.

Management is responsible for implementing and maintaining a system of internal control to provide reasonable assurance that reliable financial information is produced.

The Board of Commissioners is responsible for ensuring that management fulfills its responsibilities for financial reporting and internal control. The Board reviews internal financial reports on a regular basis and externally audited financial statements annually.

The Auditor General conducts an independent examination, in accordance with Canadian generally accepted auditing standards and expresses her opinion on the financial statements. The Auditor General has full and free access to financial information and management of the Prince Edward Island Human Rights Commission to meet as required.

On behalf of the Prince Edward Island Human Rights Commission



Brenda J. Picard, Q.C.
Executive Director

June 14, 2016



Prince Edward Island Île-du-Prince-Édouard

Office of the
Auditor General

PO Box 2000, Charlottetown PE
Canada C1A 7N8

Bureau du
vérificateur général

C.P. 2000, Charlottetown PE
Canada C1A 7N8

INDEPENDENT AUDITOR'S REPORT

To the Commissioners of the Prince Edward Island Human Rights Commission

I have audited the financial statements of the **Prince Edward Island Human Rights Commission**, which comprise the statement of financial position as at March 31, 2016, and the statements of operations and accumulated surplus, changes in net financial assets (debt), and cash flow for the year then ended and a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian public sector accounting standards and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

My responsibility is to express an opinion on these financial statements based on my audit. I conducted the audit in accordance with Canadian generally accepted auditing standards. Those standards require that I comply with ethical requirements and plan and perform the audit to obtain reasonable assurance whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risk of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall financial statement presentation.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Opinion

In my opinion, the financial statements present fairly, in all material respects, the financial position of the Commission as at March 31, 2016, and the results of its operations, changes in net financial assets (debt), and cash flow for the year then ended in accordance with Canadian public sector accounting standards.

B. Jane MacAdam, CPA, CA
Auditor General

Charlottetown, Prince Edward Island
June 14, 2016

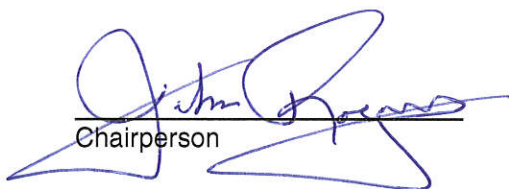
**PRINCE EDWARD ISLAND
HUMAN RIGHTS COMMISSION**

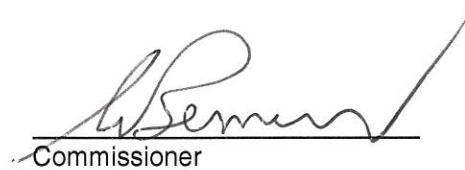
Statement of Financial Position
March 31, 2016

	2016	2015
	\$	\$
Financial Assets		
Cash	61,968	44,292
Accounts receivable	<u>1,221</u>	<u>8,619</u>
	<u>63,189</u>	<u>52,911</u>
Liabilities		
Accounts payable and accrued liabilities (Note 3)	<u>58,148</u>	<u>16,232</u>
Net Financial Assets	<u>5,041</u>	<u>36,679</u>
Non Financial Assets		
Prepaid expenses	<u>5,546</u>	<u>2,255</u>
Accumulated Surplus	<u>10,587</u>	<u>38,934</u>

(The accompanying notes are an integral part of these financial statements.)

Approved on behalf of the Prince Edward Island Human Rights Commission


Chairperson


Commissioner

**PRINCE EDWARD ISLAND
HUMAN RIGHTS COMMISSION**

Statement of Operations and Accumulated Surplus
for the year ended March 31, 2016

	Budget 2016	2016	2015
	\$	\$	\$
Revenues			
Grants - Province of Prince Edward Island	397,000	397,000	413,400
Other grants (Note 7)	<u>22,500</u>	<u>22,500</u>	<u>49,500</u>
	<u>419,500</u>	<u>419,500</u>	<u>462,900</u>
Expenses			
Commissioner per diems (Note 6)	34,200	31,049	18,370
Conferences and training	4,000	4,702	2,943
Equipment	2,000	1,542	575
Hearing expenses	1,500	322	1,575
Dues and fees	3,500	3,244	2,977
Miscellaneous	2,500	1,824	1,280
Office and special projects	10,000	9,455	13,153
Photocopying	4,000	2,803	3,857
Professional fees	500	1,805	300
Project - Made in PEI (Note 7)	64,000	48,821	53,822
Rent	21,500	21,500	21,500
Salaries and benefits (Note 8)	292,700	305,481	288,844
Travel - staff	7,000	5,619	4,775
- commissioners	8,000	7,145	8,858
Telephone	<u>3,000</u>	<u>2,535</u>	<u>2,773</u>
	<u>458,400</u>	<u>447,847</u>	<u>425,602</u>
Annual (Deficit) Surplus	<u>(38,900)</u>	(28,347)	37,298
Accumulated Surplus, beginning of year		<u>38,934</u>	<u>1,636</u>
Accumulated Surplus, end of year		<u>10,587</u>	<u>38,934</u>

(The accompanying notes are an integral part of these financial statements.)

**PRINCE EDWARD ISLAND
HUMAN RIGHTS COMMISSION**

Statement of Changes in Net Financial Assets (Debt)
for the year ended March 31, 2016

	Budget 2016	2016	2015
	\$	\$	\$
Net Financial Assets (Debt), beginning of year	36,679	36,679	(4,109)
Changes in year:			
Annual (deficit) surplus	(38,900)	(28,347)	37,298
Prepaid expenses	<u>-</u>	<u>(3,291)</u>	<u>3,490</u>
Change in Net Financial Assets	<u>(38,900)</u>	<u>(31,638)</u>	<u>40,788</u>
Net Financial Assets (Debt), end of year	<u>(2,221)</u>	<u>5,041</u>	<u>36,679</u>

(The accompanying notes are an integral part of these financial statements.)

**PRINCE EDWARD ISLAND
HUMAN RIGHTS COMMISSION**

Statement of Cash Flow
for the year ended March 31, 2016

	2016	2015
	\$	\$
Cash provided (used) by:		
Operating Activities		
Annual (deficit) surplus	(28,347)	37,298
Changes in:		
Accounts receivable	7,398	(6,611)
Accounts payable and accrued liabilities	41,916	(36,165)
Prepaid expenses	<u>(3,291)</u>	<u>3,490</u>
Cash provided (used) by operating activities	<u>17,676</u>	<u>(1,988)</u>
Cash, beginning of year	<u>44,292</u>	<u>46,280</u>
Cash, end of year	<u>61,968</u>	<u>44,292</u>

(The accompanying notes are an integral part of these financial statements.)

PRINCE EDWARD ISLAND HUMAN RIGHTS COMMISSION

Notes to Financial Statements
March 31, 2016

1. Purpose of the Organization

The Prince Edward Island Human Rights Commission (the Commission) is a corporate body established under section 16(1) of the *Human Rights Act* of Prince Edward Island. The Commission is responsible for administering and enforcing the *Human Rights Act* and providing education and public information in the field of human rights. The Commission also inquires into and endeavours to effect a settlement of any complaint of a violation of the *Human Rights Act* filed with the Commission as prescribed by the Act.

The Commission is a non taxable entity under the provisions of the federal *Income Tax Act*.

2. Summary of Significant Accounting Policies

Basis of Accounting

These financial statements are prepared in accordance with Canadian public sector accounting standards. Since the Commission has no unrealized remeasurement gains or losses attributed to foreign exchange, derivatives, portfolio investments, or other financial instruments, a statement of remeasurement gains and losses is not prepared.

The following accounting policies are considered significant.

a) Cash

Cash consists of balances on deposit with a financial institution.

b) Accounts Receivable

Accounts receivable are recorded at cost less any specific provision when collection is in doubt.

c) Prepaid Expenses

Prepaid expenses are charged to expense over the periods expected to benefit.

d) Accounts Payable and Accrued Liabilities

Accounts payable and accrued liabilities are recorded for all amounts due for work performed and goods or services received during the year.

e) Tangible Capital Assets

Tangible capital assets are recorded at cost provided the threshold of \$2,000 is met and are amortized on a straight-line basis over the estimated useful life. Tangible capital asset purchases that do not meet the threshold are expensed. No capital assets have been recognized because purchases did not meet the threshold for capitalization.

PRINCE EDWARD ISLAND HUMAN RIGHTS COMMISSION

Notes to Financial Statements
March 31, 2016

2. Summary of Significant Accounting Policies (continued...)

f) Revenues

Revenues from other grants are recognized in the period in which the transaction or event that gave rise to the revenue occurred. Revenues are recorded on an accrual basis, except when the accruals cannot be determined with a reasonable degree of certainty or when their estimation is impracticable.

Transfers from the Province of Prince Edward Island (revenues from non-exchange transactions) are recognized as revenue when the transfer is authorized, any eligibility criteria are met, and a reasonable estimate of the amount can be made.

g) Expenses

Expenses are recorded on an accrual basis in the period in which the transaction or event that gave rise to the expense occurred.

h) Financial Instruments

Financial instruments consist of accounts receivable, accounts payable, and accrued liabilities. They are carried at cost or amortized cost, less any provisions on accounts receivable. Provisions are calculated on a specific basis. Due to their short-term nature, the carrying value of these financial instruments approximates their fair value.

i) Use of Estimates and Measurement Uncertainty

The preparation of financial statements in conformity with Canadian public sector accounting standards requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the period. Items requiring the use of significant estimates include accrued liabilities, sick leave, and allocation of salaries and benefits to projects.

Estimates are based on the best information available at the time of preparation of the financial statements and are reviewed annually to reflect new information as it becomes available. Measurement uncertainty exists in these financial statements. Actual results could differ from these estimates and the difference could be material.

**PRINCE EDWARD ISLAND
HUMAN RIGHTS COMMISSION**

Notes to Financial Statements
March 31, 2016

3. Accounts Payable and Accrued Liabilities

	<u>2016</u> \$	<u>2015</u> \$
Accounts payable	5,498	2,226
Accounts payable - Province of Prince Edward Island	45,901	-
Accrued salaries and benefits	-	5,880
Accrued vacation pay	<u>6,749</u>	<u>8,126</u>
	<u>58,148</u>	<u>16,232</u>

4. Related Party Transactions

The Commission had the following transactions with the Province of Prince Edward Island:

	<u>2016</u> \$	<u>2015</u> \$
Grants from the province	<u>397,000</u>	<u>413,400</u>

Included in salaries and benefits is salary expense of \$112,364 (2015 - \$110,252) and benefit expenses of \$18,819 (2015 - \$18,462) related to staff seconded from the province.

5. Contractual Obligations

The Commission has entered into a number of multi-year contracts which will become liabilities in the future when the terms of the contracts are met. Disclosure relates to the unperformed portion of the contracts.

	<u>2017</u> \$	<u>2018</u> \$	<u>2019</u> \$	<u>2020</u> \$	<u>2021</u> \$
Future operating lease payments	<u>25,445</u>	<u>25,820</u>	<u>25,820</u>	<u>8,570</u>	<u>1,410</u>

6. Commissioner Per Diems

Commissioner per diems include panels of inquiry, reviews, meetings, educational presentations, training and seminars, and other Commission business.

PRINCE EDWARD ISLAND HUMAN RIGHTS COMMISSION

Notes to Financial Statements
March 31, 2016

7. Project - Made in PEI

The Commission entered into grant agreements with the Law Foundation of Prince Edward Island to fund the project entitled "Made in PEI: Rights, Responsibilities, Relationships, and Resources". The first part of the project was for the period December 1, 2013 to November 30, 2014 and the second part from January 1, 2015 to December 31, 2015. Revenue was recognized in accordance with the terms of the agreements. Total revenue recognized for the project during the year and included with other grants was \$22,500 (2015 - \$49,500). Total expenses recognized related to the project were \$48,821 (2015 - \$53,822). The Law Foundation of Prince Edward Island discontinued its funding as of December 31, 2015. The Commission has continued the project with funds from its operations.

8. Employee Benefits

a) Sick Leave

All employees are credited 1.5 days per month for use as paid absences in the year, due to illness or injury. Under existing employment agreements, employees are allowed to accumulate unused sick day credits each year up to the allowable maximum. Accumulated credits may be used in future years to the extent that the employee's illness or injury exceeds the current year's allocation. The use of accumulated sick days for sick leave compensation ceases on termination of employment and there is no obligation to settle these amounts with cash payments. A liability has not been calculated and no accrual has been recorded in these financial statements based on an analysis which indicated the liability was not significant.

b) Pension Benefits

Employees of the Commission participate in a defined contribution pension plan. The Commission makes contributions amounting to 8.09 percent on that part of the salary on which Canada Pension Plan contributions are made and 9.75 percent on salary when Canada Pension Plan contributions are not required. The employee is not required to match or contribute to the plan. These contributions are paid to a Registered Retirement Savings Plan (RRSP) or Registered Disability Savings Plan (RDSP) as selected by the employee.

During the year, the Commission incurred \$21,044 (2015 - \$20,957) in expenses for contributions to these plans.

PRINCE EDWARD ISLAND HUMAN RIGHTS COMMISSION

Notes to Financial Statements
March 31, 2016

8. Employee Benefits (continued...)

c) Retirement Allowance

The Commission provides a retirement allowance to its permanent employees. The amount paid to eligible employees at retirement is equal to one week's pay for every year of service to a maximum of 30 weeks. The benefit costs and liabilities related to the allowance are the responsibility of the Commission but have been assumed by the province. Therefore, no liability has been recognized in these financial statements.

9. Financial Management

The Commission's risk exposure, as a result of the financial instruments on its statement of financial position at March 31, 2016, is limited to liquidity and credit risk. The Commission's financial instruments are not subject to significant market risk.

Liquidity Risk

Liquidity risk is the risk that the Commission will not be able to meet all its cash outflow obligations as they come due. This risk is mitigated by monitoring the level of financial assets in relation to amounts due and implementing fiscal restraint when necessary.

Credit Risk

The Commission is exposed to credit risk with respect to accounts receivable. The Commission mitigates this risk through a regular monitoring process. The Commission has no impaired accounts receivable at March 31, 2016.

10. Budgeted Figures

Budgeted figures have been provided for comparative purposes and were derived from estimates approved by the Commission.

Prince Edward Island Human Rights Commission

The Prince Edward Island Human Rights Commission is an independent body that investigates, attempts to settle and makes rulings on complaints of discrimination that fall under the Prince Edward Island *Human Rights Act*

For more information, please contact us

In Person:
53 Water Street
Charlottetown PE C1A 1A3

By Mail:
Prince Edward Island Human Rights Commission
PO Box 2000
Charlottetown PE C1A 7N8

By Phone:
902-368-4180 or
1-800-237-5031
(toll-free within Prince Edward Island)

By Fax:
902-368-4236

By Email:
contact@peihumanrights.ca

or visit our website:
www.peihumanrights.ca

"It is recognized in Prince Edward Island as a fundamental principle that all persons are equal in dignity and human rights without regard to age, colour, creed, disability, ethnic or national origin, family status, gender expression, gender identity, marital status, political belief, race, religion, sex, sexual orientation or source of income." (preamble to the PEI *Human Rights Act*)