
PRINCE EDWARD ISLAND HUMAN RIGHTS COMMISSION



2017 - 2018 ANNUAL REPORT
Celebrating Reconciliation

Table of Contents

	Page
Letter to the Minister	2
Message from the Chair	3
Message from the Executive Director	5
Education Project Officer's Report	7
Human Rights Day	9
Heritage Fair Award – 2017	14
Outreach	15
Human Rights Fact Sheets	17
Powers and Duties of the Commission	21
Typical Complaint Process	23
Complaint Statistics	24
Complaint Outcomes	25
Mediation/Settlements	27
Panel Hearings and Court Decisions	28
Commissioners (2017-2018)	30
Commission Staff (2017-2018)	33
Audited Financial Statements - March 31, 2018	37

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

September 10, 2018

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

Dear Minister Brown:

Re: *Prince Edward Island Human Rights Commission Annual Report – Fiscal Year 2017-2018*

On behalf of the staff and Commissioners of the Prince Edward Island Human Rights Commission, I am pleased to provide you the Commission's Annual Report for the fiscal year 2017-2018.

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

Tel./Tél.: 902-368-4180 Toll Free/Sans Frais: 1-800-237-5031 Fax/Télec.: 902-368-4236 <http://www.peihumanrights.ca>

Message from the Chair

I am pleased to introduce the 2017-2018 Annual Report of the Prince Edward Island Human Rights Commission. In this report you will find detailed information regarding the various activities of the Commission over the past year. I would like to begin by acknowledging that the work we do takes place on Epekwitk, unceded territory of the Mi'kmaq people.

We chose this year's theme *Celebrating Reconciliation* to recognize the importance of the *Truth and Reconciliation Commission of Canada: Calls to Action*. This theme was the major focus of our outreach work this year, which culminated with our very successful Human Rights Day Celebration at the Confederation Centre in December 2017. The event was also a Canada 150 celebration and it focussed on the diversity within our province and recognized the mistakes our country made with regard to Residential Schools and the 60's Scoop. Many PEI schools and community leaders participated in celebrating Human Rights Day. The benchmark of the day was mutual dignity and respect. Please refer to the education section of this report for further details.

Reflecting on the work of the Commission during the past year, I am reminded of the very important role that education plays in our work. The *Human Rights Act* states that the Commission will:

“ . . . 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 . . . ”

This responsibility is taken seriously by the Commissioners and staff and precipitates our single greatest need: funding which

would enable us to staff the full-time permanent Education Officer position. In this past year, we had to limit our contract Education Project Officer to periods of part-time work and rely on funding from a Canada 150 project to complete our work in the fall leading to Human Rights Day.

It has become abundantly clear that education is an essential element of our work. The demand for education increases annually. More effort must be placed on educating private and public organizations and individuals in all areas of human rights. An informed public will result in a reduction of discrimination and the promotion of dignity and respect for all. As stated by the Canadian Human Rights Act Review Panel in 2000: “when individuals understand their rights and the rights of others they are less likely to violate those rights”. As a Commission, we are committed to these principles.

In his article, *Renewing Human Rights Law in Canada* ((2017) 54 Osgoode Hall LJ 1311), Dominique Clément wrote:

Human Rights Commissions need to reinvigorate their education mandate, which was a cornerstone of the original model. Every inquiry into the enforcement of federal and provincial human rights law in Canada has found that there is an over-emphasis on individual complaints.

A stronger commitment to education will, over time, reduce discrimination and the subsequent demands placed on the system by complaints. Hiring a full-time, permanent Education Officer will enable us to plan more extensively, update current

information, identify areas of concern, and develop proactive strategies to prevent human rights violations. It is imperative that funding for the full-time permanent Education Officer position be reinstated.

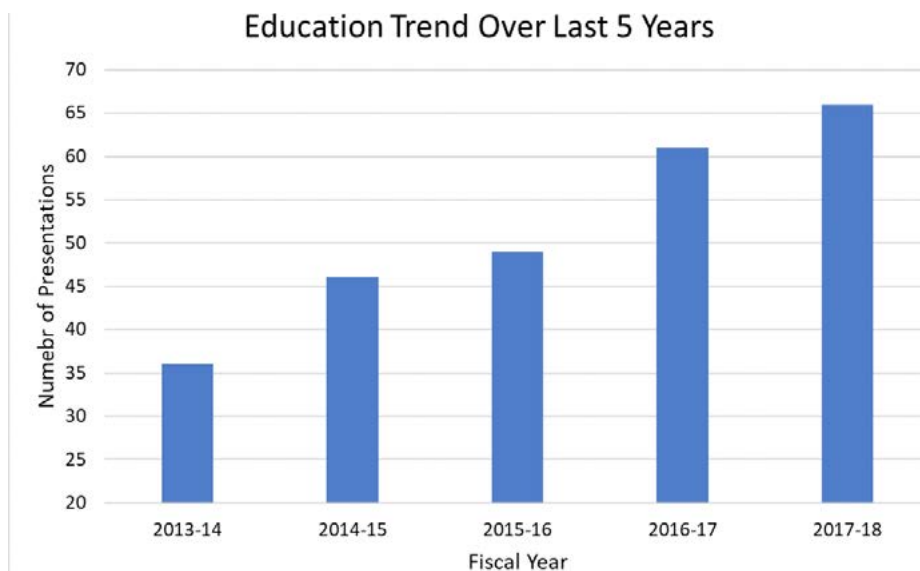
In closing, I want to express my appreciation to our office staff for their dedication and hard work. Our staff members are Brenda Picard Q.C. (Executive Director), Jonathan Greenan (Human Rights Legal Officer), Lorraine Buell (Mediator/Intake Officer), and Thomas Hilton (Education Project Officer).

My appreciation also goes out to Commissioners George Lyle, Maurice Rio, Carmen de Pontbriand, Joanne Ings, and Lori St. Onge. Thank you for your commitment to the advancement of human rights in the province.

Respectfully Submitted,



John Rogers
Chair



Message from the Executive Director

As usual, the past year has been very busy for the Commission. All staff continue to work on addressing human rights complaints. Our most commonplace complaints allege a failure of businesses to accommodate employees who have disabilities. The second most commonplace ground of complaint is sex, which includes such things as treating someone differently because of their sex, sexual harassment, and failure to accommodate or keep work available for women who are pregnant or take maternity leave.

While we strive to find ways to make our complaint process more efficient, education remains a top priority. Education is achieved in many ways. Our inquiry process has seen an increase of 44% (295 to 425) over last year. We received approximately 425 inquiries from individuals, businesses and organizations asking about their rights and responsibilities. We conducted approximately 66 formal education presentations, an increase of 8% (61 to 66) over last year. We noted a significant shift in where that education was directed. We had 57% (512 to 803) more participants in our education sessions to businesses compared to last year.

Inquiries and presentations cover a wide range of topics. Notably we have seen an increase in education requests regarding sexual harassment, service animals, and gender identity.

We have also noted an increase in people calling with concerns about advertisements or practices of landlords which exclude families or set certain age limits on tenants. Landlords need to know they cannot refuse to rent an available apartment to a person because of their age or because the applicant has children unless the landlord can establish doing so would cause undue hardship.

Gender identity and gender expression have been protected under the PEI *Human Rights Act* since 2013. We have been working with school personnel to ensure they understand the rights of transgender students. We made a presentation to the Minister of Health and Wellness regarding access to transgender health care and we supported the efforts of PEERS Alliance and the PEI Transgender Network to encourage government to increase the availability of health care services for trans people. In addition, we have reached out to health care professionals to offer education and assistance to ensure their policies and processes are not discriminatory to trans people.

We have been advised by various community members that the complaint process does not suit everyone's needs. Some people were raised in an environment where distrust of authority figures is essential for survival. Others fear negative repercussions or retaliation either to

themselves or to other family members. For people who are experiencing discrimination but do not use the complaint process, education can help reduce discriminatory behaviour.

With proper support for our education mandate, we will be able to continue our work and engage in additional education activities. Some of our priorities are to:

- Increase awareness and understanding of human rights;
- Create and co-ordinate education through meetings with ethno-cultural groups, municipalities, service agencies and indigenous organizations. These meetings will be designed to identify areas of concern and develop approaches to educate employers and service providers on their responsibilities. Employees and community members will also learn about their rights and responsibilities;
- Support the use of recently-created human rights resources and learning opportunities in schools;
- Promote an environment of learning that is respectful of all students and teachers;
- Develop additional curriculum-based learning resources grounded in human rights principles for all grade levels;
- Involve students and teachers in future Human Rights Day celebrations; and
- Develop and deliver education sessions for medical and legal professionals on the rights of trans people and other relevant grounds of discrimination.

During the summer of 2017, we had the pleasure of working with two students: Kim Dunbar, a paralegal student at Mohawk College (Hamilton, ON) and Nick Peardon, a UNB Bachelor of Arts student studying Law in Society/Sociology. Both worked on a variety of research projects throughout the summer including access to health care for trans people and accessibility of tourism accommodations. We also benefited from research conducted by UNB law students Carson Rhen and Cassey French through the *Pro Bono* Students Canada organization

In May 2017 we welcomed a new Human Rights Legal Officer, Jonathan Greenan, and two new Commissioners Lori St. Onge and Joanne Ings. It has been a pleasure working with each of these people as well as our existing staff, Lorraine Buell and Thomas Hilton, Chair John Rogers and Commissioners George Lyle, Maurice Rio, and Carmen de Pontbriand. I thank each of you for all you give to the Commission and the community.

Respectfully submitted,



Brenda J. Picard Q.C.
Executive Director

Education Project Officer's Report

Research shows that investing in workplace culture makes good business sense. Respected workers are more productive workers and more productive workers increase profitability. The Commission has been very pleased with the increase in businesses requesting education on their responsibilities and the rights of their staff. Over the next few sections of this report you will read the words of some of those businesses, teachers, students and others who participated in our education sessions during this past year.

We applaud employers and organizations that invest time and resources to ensure work environments are free of sexual harassment and discrimination. Widespread media coverage of the #metoo

movement against sexual harassment and sexual assault contributed to the Commission experiencing an increase in participants attending presentations to businesses, community organizations and general public events.

The Commission believes human rights education is central to creating workplaces and schools that both preach and practice human rights. Collaborations with human resources and teacher training programs in post-secondary institutions and current human resource and teaching professionals remain a critical component of our public education strategy.

"iWave is a high-growth, high-tech software company. iWave feels it is paramount to employee engagement and satisfaction that we educate ourselves on the latest and most important labour policies available to ensure a safe and happy workplace for our employees. This is especially true as we increase the size and diversity of our team. A safe work environment is the foundation on which our

high-performance culture is built. The educational session delivered by PEI Human Rights Commission was relevant, thorough and thought-provoking and encouraged our team to open and maintain a dialogue around human rights. "

Jacinta MacLeod,
Executive Admin/Operations Support

 **INFORMATION
SYSTEMS**

"The PEI Human Rights Commission's program of public information and education is a valuable resource that I urge anyone in management to take full advantage of. My students from the Human Resource Management (HRM) Program at Holland College were very fortunate to have the Commission share the important message of every person's inherent right to dignity and a workplace free from discrimination. The Commission's presentation on Human Rights was interactive and

engaging, as well as thoughtful, sensitive and sometimes humorous. The presentation drew students in. It was an excellent presentation!

Thank you for the work you do to help Holland College students and PEI employers realize the myriad of benefits of having diverse and inclusive workplaces!"

Susan L. Bruce, BSc, MHRM, CHRP
Learning Manager - Human Resource
Management Certificate



"I also want to briefly mention that I really enjoyed the Human Rights Commission's presentation. It was like a casual conversation and opened my eyes to what an inclusive classroom really means, something I hadn't yet thought much about. I hope we continue having classes

like this one and meeting and learning about organizations like the Commission. I hope my future elementary students will begin learning these ideas at an earlier age than I did."

Ellen McInnis, Class of 2018, UPEI
Bachelor of Education program



Human Rights Day

Human Rights Day 2017, titled *Mi'kmaq at 12,000+ & Canada at 150: Celebrating a Journey of Reconciliation*, was a well-resourced and more elaborate affair than prior events. A record number of PEI students participated from École François-Buote, John J. Sark Memorial, Montague and Morell Regional High Schools, Stratford Elementary and Queen Charlotte Intermediate. Combined resources allowed for greater collaboration, planning, promotion, and more meaningful interactions over a longer period of time. Students and teachers worked with

people who directly experienced Indian Residential Schooling and the 60's Scoop, Mi'kmaq artists, and pre-service teachers. Thank you to all who participated and thank you to our project partners: Department of Canadian Heritage, Department of Education, Early Learning and Culture, Mi'kmaq Confederacy of PEI, UPEI Faculty of Education, ArtsSmarts and Confederation Centre of the Arts. Your generous contributions helped make Human Rights Day 2017 a true celebration of reconciliation.

"This project has been a very positive learning experience for both the J. J. Sark students and teachers. Because of this project, students were able to experience a hands-on approach when exploring their Mi'kmaq history and culture. We were fortunate enough to cover a variety of topics over a short time frame and the students are very proud of their drum!"

UPEI BED student, Aimee Gillis (pictured right), on her practicum placement



"An incredible day of learning and celebration for all who were there! I am amazed by the human spirit and what can be achieved when you have young people learning about the past, sharing ideas, thoughts and feelings of the present; and planning and creating dreams for the future. Human Rights Day

proves that together our children will find ways to make this world a better, kinder and more humane place."

Vicki Allen-Cook, Arts/Music/
Creativity Leader,
Department of Education, Early
Learning and Culture

"I enjoyed teaching porcupine quilling to the Montague High School students. I think it's important because if students learn about Mi'kmaq culture they are learning about the Mi'kmaq people. The students then can share this knowledge with their peers!"

Elder Marlene Thomas (pictured left), Lennox Island First Nation and Shubenacadie Indian Residential School Survivor



"My family has been treated with respect since arriving in Canada in December 2015. Unfortunately, many Mi'kmaq families cannot say the same. Knowing what I now know, I pledge to be the best Treaty Person I can be. So, imagine my pride next January when I take the Oath of Citizenship and declare that I will faithfully observe the laws of Canada including treaties with Indigenous Peoples!"

Basel Al Rashdan, Grade 7
Queen Charlotte Intermediate

"The ArtsSmarts project has shown me the value of involving students in projects that take place inside and outside the classroom. I found that I could connect with students outside the classroom in a way that is difficult to achieve inside the classroom. The project reminded us of our shared responsibility to respect one another's treaty rights and obligations."

Joseph Doohan, UPEI BEd (pictured right) on his practicum experience at Morell Regional High School





John J. Sark Memorial students drumming the Mi'kmaq Honour Song

Gilbert Sark of Lennox Island First Nation and Hey Cuzzins Drumming Group on the importance of sharing cultural practices:

"I greatly appreciate having worked with J. J. Sark Memorial students to build, paint and play the school's new drum. For me, sharing Mi'kmaq culture is an important component of my ongoing cultural practice. I look forward to continuing to work with Lennox Island students so that our Mi'kmaq youth develop into proud culture keepers!"

"Since the Universal Declaration of Human Rights was signed in 1948, attitudes have been changed and our world has become more accepting of religion, sex, colour and creed. But we have much further to go. We must never forget that change comes from within. Change is fueled by understanding, with respect and most of all, change is fueled by love. One finds love for others and one finds love for Earth when one finds love for self. When you love yourself – you change the world."

Chief Brian Francis,
Abegweit First Nation



"What you learn in books or by browsing the internet is important, but to have a survivor of the 60's Scoop share his experience with my students took my teaching to another level. Now, students can put a name and a face on this dark episode of Canadian history and start working toward the path of reconciliation."

Maxime Duguay, Teacher,
École François-Buote



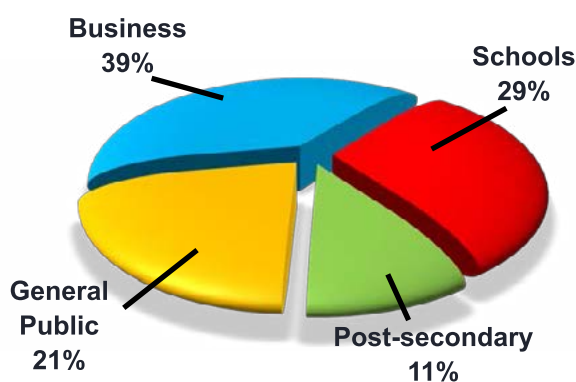
(above)  cole Fran ois-Buote students Noah Blacqui re, Kody Verhulp and Sara Jenkins present their research on the 60's Scoop.



"The Human Rights Day presentations demonstrated how various identities and communities come together to shape the Island's social fabric. Students of John Joe Sark Memorial, Montague and Morell Regional High Schools, Stratford Elementary

School and  cole Fran ois Buote embarked on a Journey of Reconciliation, discovering a society that embraces its diversity and practices reconciliation."

Cecile Arsenault, Coordinator,
ArtsSmarts PEI



Total Participants (2086)
Schools:
610
Post Secondary:
225
Businesses:
803
General Public:
448

The Stratford Elementary Honour Choir has celebrated Human Rights Day with us for the past four years. Four years of performing messages of love and compassion!



2014: 'Gift of Your Acceptance', India Arie



2015: 'I Wish I Knew How it Would Feel to be Free', Nina Simone



2016: 'Little Boxes', Malvina Reynolds



2017: 'Imagine', John Lennon

"The Stratford Elementary School Honour Choir consists of a dozen Grades 4 to 6 students. Members commit to extra rehearsals throughout the school year and to participating in extra-cool opportunities like the PEI Human Rights Commission's Human Rights Day celebrations. This exposure, an enlightening experience, contributing to such an empathetic and celebratory event, has been life-changing. The Honour Choir students have learned about human rights and the need for every human being to be upheld and respected. This message of love and compassion has been at the forefront of the song selections the students have prepared. Honour Choir members are sharing a message with hundreds of people; a message of love and inclusion, and of engaging those of various gender identities, races, religions and sexual orientations. They have also acknowledged in their music that we are all "Treaty People", living in Canada as a result of the treaties made with the original caretakers of this land, and living also with the history of abuses against them. Those atrocities need to be talked about, cried about, and forgiveness and reconciliation sought.

Thank you to the team from the PEI Human Rights Commission, Department of Education, UPEI Faculty of Education and the Public Schools Branch for enabling the Stratford Honour Choir to participate in Human Rights Day celebrations. Your team has educated the Honour Choir students in the most important lessons of human existence. The children have an understanding of human rights. They are hope-filled for positive change. They sing of love. That is perhaps their greatest message."

On behalf of the Honour Choir students,
Ellen Davis, Stratford Elementary School

**What on earth will Stratford Elementary School Honour Choir perform in 2018?
Come to Human Rights Day on Monday, December 10, 2018, and find out!**

Heritage Fair Award - 2017

The Human Rights Commission sponsors an English and a French award for students from Grades 5-9 who prepare a Heritage Fair Project which relates to human rights themes.

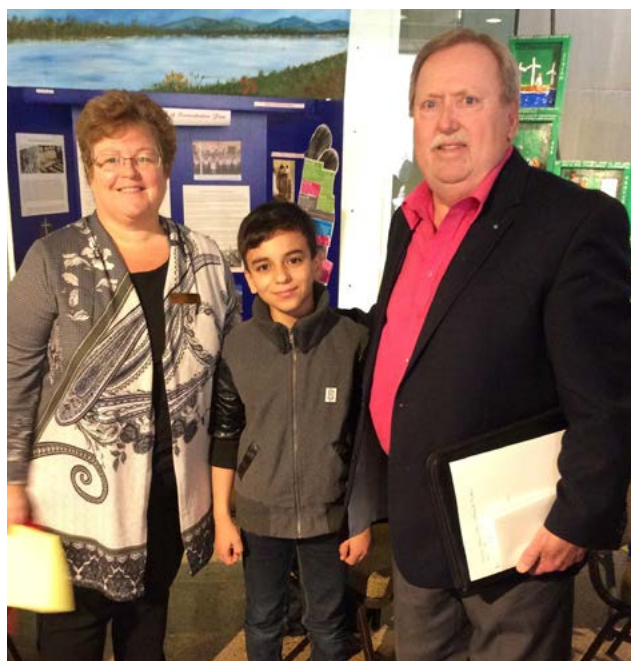
English Award

Student: Basel Al Rashdan

Grade: Six

School: St. Jean Elementary

Project: "As Long as the Rivers of Reconciliation Flow"; focussed on Indian Residential Schooling and Reconciliation.



Additional Awards:

Mi'kmaq Confederacy of PEI - Aboriginal theme.

Newcomers Prize - new to Canada student, whose first language is not English.

French Award

Students: Elena LeClair and
Alexandra Scales

Grade: Five

School: École François-Buote

Project: "Les mères de la Confédération"; focussed on the role and importance of women in history.



Additional Awards:

Parks Canada - for a person, place or event of national historic significance.

Confederation Centre of the Arts - Legacies of Canadian History and Heritage.

Outreach

The Commission believes it is important to let people know about the work we do and to show support to other organizations which are promoting human rights related education and opportunities. Here is a sample of some of the events that the Commission participated in during the year.



Reception hosted by the US Counsel General on the Tall Ship Eagle (June 2017)



Marcia Carroll receives Canada 150 pin from Sean Casey MP

Summer social with Sean Casey where he presented Canada 150 pins to local constituents in honor of their contribution to the community. The Commission was asked to help identify people who have contributed to the community in relation to issues surrounding Diversity and Inclusion. Recipients included Marcia Carroll, Tyler Murnaghan, Basel Al Rashdan, Don Scott and Scott Parsons.



Some of the participants on the PEI HRC Pride Parade Float

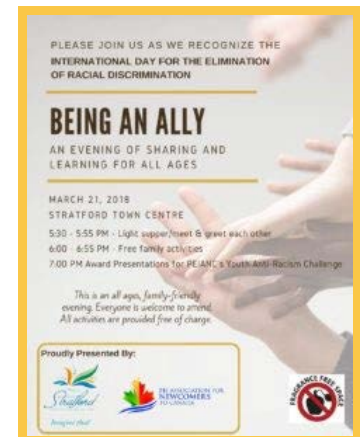
Pride Parade - July 2017 left to right: Jonathan Greenan (on float), Lori St. Onge, Brenda Picard, Tom Hilton, Georgina Francis, Chief Brian Francis, Keegan Bernard, Cathy Archer, Caleb Acorn, Richard Lush, Don MacKenzie, MP Sean Casey just before getting on the float and enjoying the Pride Parade!

Day for the Elimination of Racism - March 2018

The event which was held at the Stratford Town Hall was co-hosted by the Town of Stratford and the PEI Association for Newcomers to Canada.

The Commission also engaged in a number of learning opportunities this year including:

- Improving Results by Enhancing Equity & Inclusion (PEI Coalition for Women in Government)
- Workshop on Unconscious Bias (PEI Association for Newcomers to Canada)
- 11th Annual Indigenous Justice Forum (Mi'kmaq Confederacy of PEI)
- Realizing Rights 2017: Human Rights and Constitutionalism (CASHRA Conference)
- Beyond Labels 2017 Human Rights Symposium (Canadian Human Rights Commission)



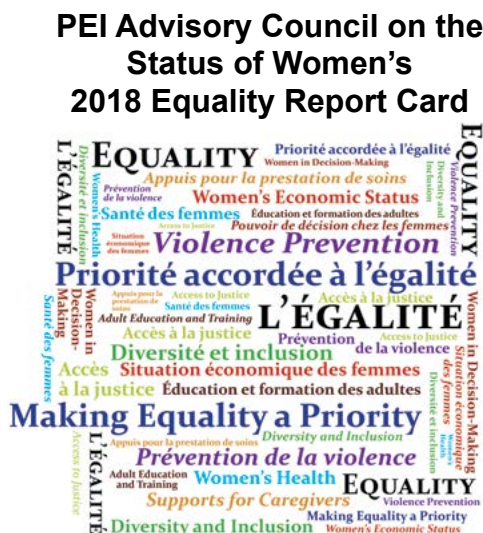
The Commission is mandated to “develop a program of public information and education in the field of human rights to forward the principle that every person is free and equal in dignity and rights”. This past year, we collaborated with various community organizations and private employers to create fact sheets on specific human rights topics that have generated multiple telephone inquiries and education presentation requests. A special thanks to CNIB and CLIA-PEI for helping make our fact sheets plain language and accessible.

[illegible]

Canadian case law is clear that sexual harassment is discrimination on the basis of sex in every area covered by the *Human Rights Act*. Freedom from sexual harassment in employment, accommodations, and services and facilities available to the public is a human right.

"In the midst of the #metoo movement, it is more important than ever for people to know that sexual harassment is discrimination on the basis of sex and gender. It is a violation of human rights, and it is against the law. People on Prince Edward Island need to know how sexual harassment is handled here and who to go to for help. A fact sheet for workplaces is a really good way to let people know the PEI Human Rights Commission is there for you if you experience sexual harassment. The Commission is a safe and supportive place to talk about your experience and take forward a complaint if you choose to."

Jane Ledwell, Executive Director,
PEI Advisory Council on the Status of Women



2. Gender Identity & Gender Expression

The Commission has intensified its public education concerning gender identity and gender expression. We thank our partners for their incredible support: PEI Transgender Network, Gender Creative Kids Canada (PEI Branch) and PEERS Alliance. Employers and service providers including Health PEI, PEI Teacher's Federation and Public Schools Branch initiated human rights education sessions focussing on the full and fair inclusion of transgender people at work, in school, or as customers/service recipients. It is clear that more work remains to be done before all transgender people on PEI are treated with the same dignity and respect as cisgender people. Continued collaborations with community organizations, employers and service providers are key to realizing a future in which gender identity and gender expression are of no consequence beyond reflecting every individual's right to identify and express who they are.



Public Schools Branch

"It is important for our schools to provide and promote safe spaces for all students to learn and reach their potential. The Human Rights Commission has been instrumental in the consultation and educational process, as we move toward improved services for our LGBTQ2 students. The Human Rights Commission has designed numerous professional development sessions for our student services team and all school counsellors. We look forward to more collaborative efforts as we work in the best interest of all students."

Murray MacInnis, Counselling Consultant,
Public Schools Branch



"As a group, gender diverse people have some of the worst wellness outcomes in the LGBTQ2+ community. Trans and non-binary individuals continue to face intense stigma and discrimination, which contributes to ongoing health disparities. PEERS Alliance is committed to working with PEI's Trans community, and allied organizations, for the advancement of Trans visibility and inclusion. This includes working with the Human Rights Commission to offer community-based education opportunities from a human rights perspective. PEERS Alliance is extremely fortunate to be able to work with the Commission in efforts to create more inclusive institutions and communities."

Angele DesRoches, Program Coordinator,
PEERS Alliance

3. Service Animals

The PEI Council of People with Disabilities, Canadian National Institute of the Blind, Water-Prince Corner Shop and Frank Larkin of Charlottetown worked with the Commission to produce this fact sheet. The plain language document is designed to educate employers, service providers and landlords on human rights and their responsibilities regarding the accommodation of handlers and their service animals.



"We were pleased to provide feedback for this fact sheet as it helps individuals who have service animals in knowing their responsibilities and rights. The fact sheet also provides the public with important information so they can support people with service animals in navigating their community. We feel this is a great resource and we thank the PEI Human Rights Commission for taking on this important work and for allowing us to partner on this initiative."

Marcia Carroll, Executive Director,
PEI Council of People with Disabilities

Did You Know?

The Commission offers free education sessions on human rights and responsibilities to employers, service providers and organizations in both English and French? Contact the Commission today to schedule a session.



"As a person with a visual impairment who handles a service animal, I appreciate the work the Commission does to educate members of the public on the duty to accommodate individuals with service animals. In many cases, people are unaware of their legal responsibilities. This comprehensive and plain language fact sheet should address most people's concerns and questions. Let me remind people of one important point: no one should interfere with, pet, feed or distract a service animal without the handler's permission. I cannot stress that enough!"

Frank Larkin, Charlottetown

(Photo: Frank with service animal, Jared, and Water Prince Corner Shop waitress, Maureen Williams)



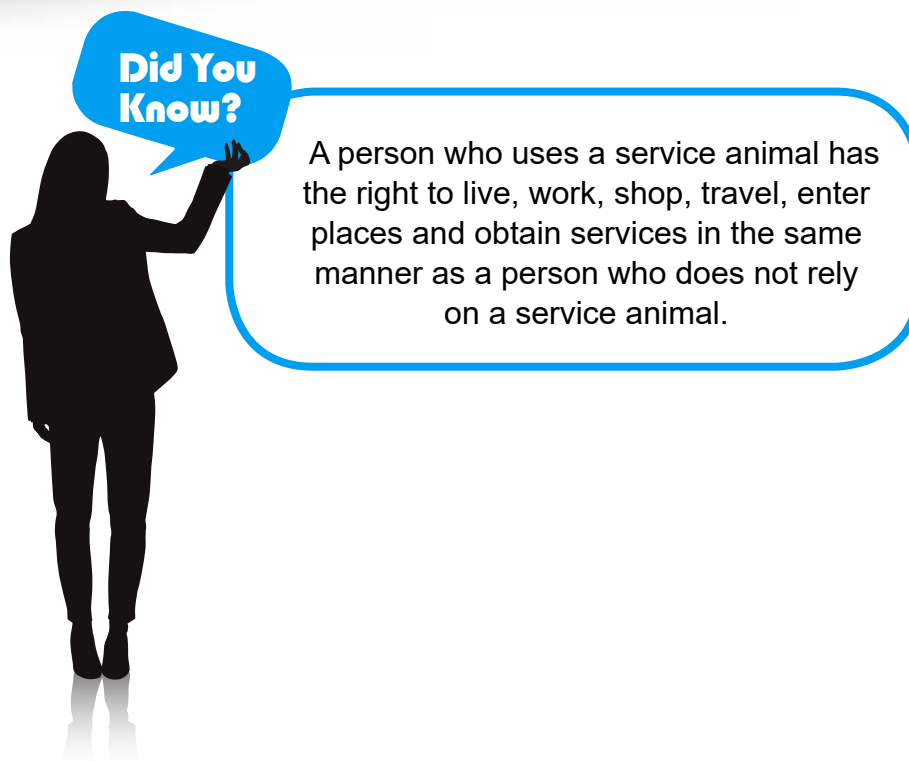
"Water Prince Corner Shop takes its human rights obligations seriously. Yet as a front-line customer service provider, sometimes we are unsure how to properly accommodate diverse groups protected by the Human Rights Act. The service animal fact sheet will help our dedicated team demonstrate respect for the human rights of our customers who rely on service animals. I applaud the Commission for helping the Water Prince Corner Shop promote the practice of equal rights and dignity!"

Codey Campbell, Manager,
Water Prince Corner Shop



"CNIB thanks the Commission for taking the initiative to share this information. Raising public awareness will help ensure the freedom and independence of people with disabilities."

Victoria Nolan,
National Board of Directors, CNIB



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; and
- 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, individual, or entity against whom a complaint of discrimination is made).

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

The Commission's Mediator/Intake Officer assesses the file and, where appropriate, canvasses with the parties to determine if they are interested in discussing mediation or settlement. This option is provided at all stages of the process, including before a response to the complaint is filed. If the matter is not resolved at this stage, the matter is sent to the Executive Director or her delegate (Human Rights Legal Officer) to investigate and make further attempts to settle the matter.

The duties of the Executive Director 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.

In cases where the Executive Director dismisses or discontinues a complaint, the Complainant can request that the Chair of the Commission review the file to determine if the Chair agrees with the decision.

When the Executive Director reports that the parties are unable to settle the complaint, or when the Chair has conducted a review and disagrees with the decision to dismiss or discontinue the complaint, the Chair appoints a Panel made up of one or three Commissioners to hear evidence about the complaint. The Panel then makes the determination as to whether a case of discrimination has been established and, if so, what remedy should be ordered.

The powers of a Human Rights Panel are set out in section 28.4 of the Act:

28.4 (1) A Human Rights Panel

(a) shall, if it finds that a complaint is without merit, order that the complaint be dismissed;

(a.1) may allow the complainant to withdraw a complaint after some evidence has been presented at a Panel hearing; and

(b) may, if it finds that a complaint has merit in whole or in part, order the person against whom the finding was made to do any or all of the following:

(i) to cease the contravention complained of;

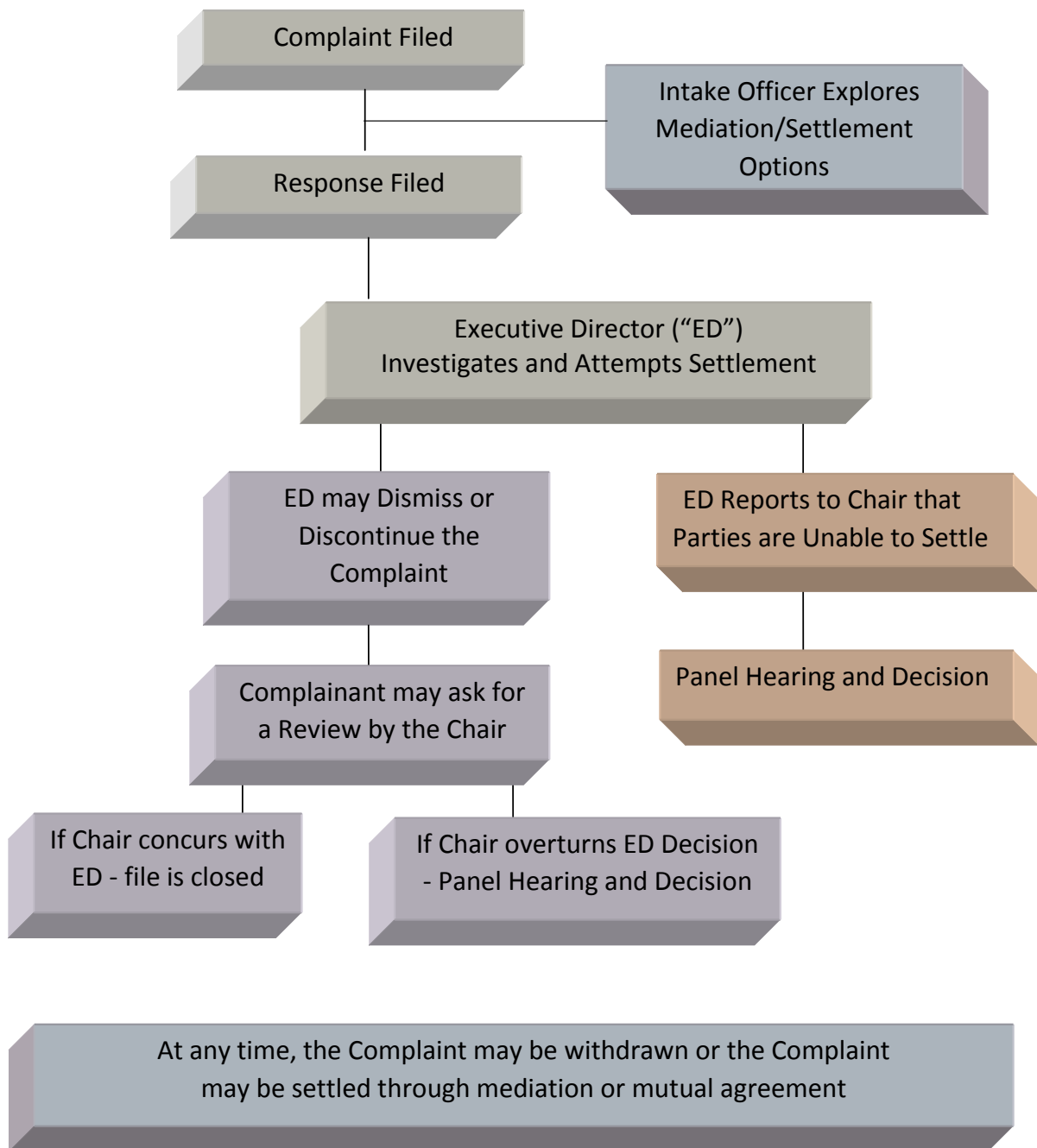
(ii) to refrain in future from committing the same or any similar contravention;

(iii) to make available to the complainant or other person dealt with contrary to this Act, the rights, opportunities or privileges that the person was denied contrary to this Act;

(iv) to compensate the complainant or other person dealt with contrary to this Act for all or any part of wages or income lost or expenses incurred by reason of the contravention of this Act;

(v) to take any other action the Panel considers proper to place the complainant or other person dealt with contrary to this Act in the position the person would have been in, but for the contravention.

Typical Complaint Process



Complaint Statistics

Sixty-nine (69) matters were carried over from previous years and seventy (70) complaints were received in 2017-2018, which resulted in a total of one hundred thirty-nine (139) open files during this fiscal year. In addition to formal complaints, the Commission received hundreds (425) of inquiries (phone, email and in-person) from individuals and organizations seeking information about their rights and responsibilities under the *Act*.

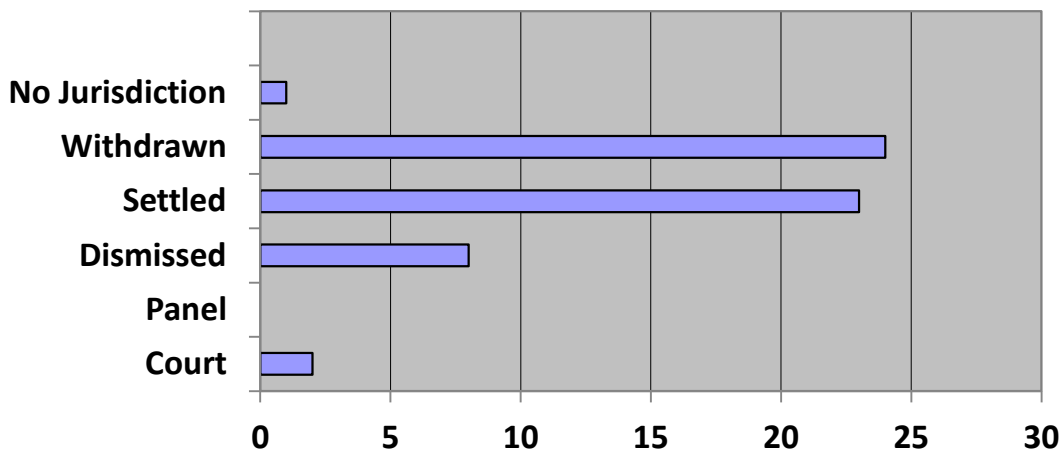
NUMBER OF COMPLAINTS IN AREA AND GROUND							
Ground of Discrimination	Carried over from previous years			Received in 2017-2018			Total
	Employment & Volunteer Work	Services & Facilities	* Other & multiple areas	Employment & Volunteer Work	Services & Facilities	* Other & multiple areas	
Age	1			2	3		6
Association							0
Colour, Race, Ethnic/National Origin	1	3	1	5	1	1	12
Creed/Religion	2	1			1		4
Criminal Conviction	2						2
Disability	16	4	2	16	9	4	51
Family Status	1	1		2			4
Gender Expression							0
Gender Identity		2					2
Marital Status							0
Political Belief				1			1
Sex (including Pregnancy and Harassment)	4		2	5	1		12
Sexual Orientation	1	1				1	3
Source of Income			1	1			2
Filing a Complaint/Giving Evidence	1						1
Multiple Grounds	13	7	2	8	6	3	39
Total Number of Complaints	42	19	8	40	21	9	139

Most complaints arise in the area of employment, while the most common ground of discrimination is disability. The same is true for inquiries received by the Commission.

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

Complaint Outcomes

April 1, 2017 - March 31, 2018



Closed Files (59)

No Jurisdiction: One (1) complaint was dismissed as it was outside the jurisdiction of the PEI Human Rights Commission.

Withdrawn: Twenty-five (25) complaints were withdrawn at various stages by the Complainant or were deemed abandoned.

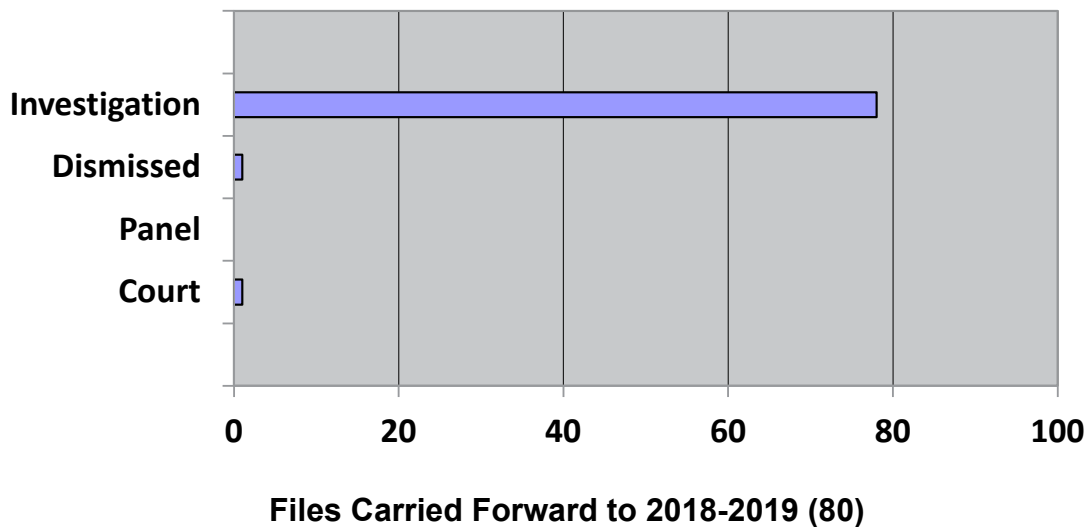
Settled: Twenty-three (23) complaints were resolved through settlement discussions or mediation.

Dismissed or Discontinued: Eight (8) 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 in each.

Panel: No panels were convened this year.

Court Matters: Two (2) matters were closed following a Supreme Court Order. (See Court decisions page 28)

Complaint Outcomes Files Carried Forward to 2018 - 2019



Investigation/Settlement:

Seventy-eight (78) complaints remain open at various stages of the complaint process (i.e.: intake, investigation, settlement negotiations, held in abeyance).

Dismissed or Discontinued:

One (1) complaint was 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 a Request for Review.

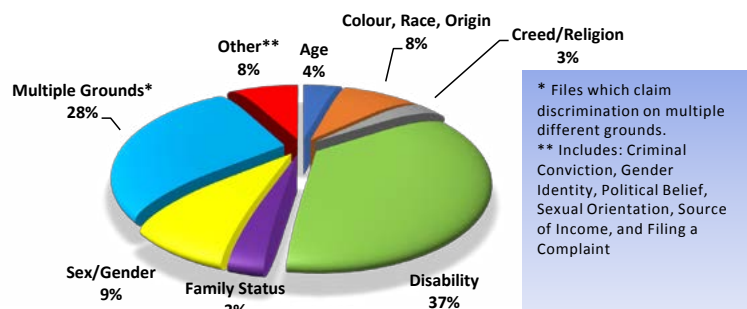
Panel:

There are no matters currently before a panel.

Court Matters:

As of March 31, 2018, there was one (1) matter before the Supreme Court. (See Court Decisions page 28)

Open Files by Grounds of Discrimination



Mediation/Settlements

The Commission encourages parties to attempt to find a mutually agreeable solution to complaints. The Commission's Mediator/Intake Officer 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 settlement or formal mediation opportunities.

Allowing parties to develop their own solutions through settlement discussion is usually more effective and satisfactory to the parties 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 in 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 a 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, twenty-three (23) complaints were settled through mediation or settlement discussions. Fifteen (15) of these related to employment, two (2) related to accommodations and six (6) related to services available to the public. The majority of these complaints named disability as the ground of discrimination.

Panel Hearings and Court Decisions

Panel Hearings in 2017 – 2018

There were no panel hearings held in 2017-18.

Court Files Closed in 2017-2018

King v. Government of Prince Edward Island, 2017 PESC 7; 2018 PECA 3

On February 13, 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. Her daughter attempted to access benefits available under the provincial Disability Support Program. The program excluded people who were disabled by reason of mental illness from accessing supports which were available to people with physical or intellectual disabilities.

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

The panel concluded that the exclusion of mental illness from the child and adult disability support components of the Disability Support Program was discriminatory against individuals who are disabled as a result of mental illness. Accordingly, the Panel found that the Province of PEI discriminated against the Complainant. The panel ordered:

- The province cease excluding people with a disability caused by mental illness

from accessing the full benefits of the Disability Support Program;

- The province 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 province 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 King within six [6] months of it's Order to determine if she had any unmet needs which can be addressed by the program, using an assessment process which properly assesses a person whose disability results from mental illness; and
- The province pay \$15,000 in general damages and \$16,000 in costs to King.

An application for a judicial review was made by the Province. The judicial review was heard on February 1, 2017. On May 3, 2017, the Supreme Court granted the province's request for a review and referred the matter back to a panel. Ms. King filed an appeal of the Supreme Court's decision with the Court of Appeal. The appeal was heard on December 12, 2017. In its decision on February 21, 2018, the Court of Appeal found that the decision of the panel was reasonable. The Court of Appeal

overturned the Supreme Court's decision and reinstated the original panel's decision. The Court ordered the province to pay an additional amount of \$12,000 in legal costs to King.

Cairns v. Eastern School Board & PEIHRC, 2017 PECA 16

On March 7, 2007, the Complainant filed a complaint alleging discrimination in employment on the basis of perceived disability. He alleged that his employer terminated his employment because they perceived he had a disability. The employer alleged that they terminated the employment for other reasons including his refusal to participate in an employer-ordered assessment.

After investigating, the Executive Director dismissed the complaint on August 25, 2011, as he found it to be without merit. The Complainant requested a review by the Chair of the Commission. The Chair Delegate, on February 13, 2012, concurred with the decision of the Executive Director.

The Complainant filed an application for judicial review. The judicial review was heard on February 29, 2016. The Supreme Court issued a decision on August 25, 2016, dismissing the application. The Complainant filed an appeal of the Court's decision. On September 26, 2017, the

Court of Appeal dismissed the appeal. In both cases the courts found that the decision of the Executive Director and the subsequent Chair review decision were reasonable.

Court Files Ongoing 2017-2018

Ayangma v. Eastern School Board & PEIHRC, S1-GS-27578

On October 18, 2013, the Complainant filed a complaint alleging discrimination in the area of employment on the grounds of colour, race, ethnic or national origin, and having laid a complaint or given evidence/assistance under the *Act*.

Following an investigation, the Executive Director dismissed the complaint as being without merit on April 10, 2017. The Complainant requested a review of the dismissal decision by the Chair of the Commission. On August 11, 2017, the Chair issued a written decision concurring with the decision to dismiss the complaint.

The Complainant filed an application for judicial review of both dismissal decisions on August 25, 2017. The matter was heard in the Supreme Court of PEI on June 26, 2018. The decision has not yet been released.

Commissioners (2017 – 2018)

Human Rights Commissioners are appointed by the Legislative Assembly on the recommendation of the Standing Committee on Communities, Land and 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 and his wife Barb live on a seventh-generation family farm in Brae, PEI. He has two grown children, Justin who operates the family farm and Maribeth who is a team leader with the Department of Education, Early Learning and Culture. Mr. Rogers was appointed to the Commission in 2008 and reappointed in 2011, 2014, and 2017. 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 an 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, Mr. Rogers has been employed part-time as a practicum advisor with the Faculty of Education at UPEI. He also works as a helping hand during busy times on 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 and Leard's Pond Environment Project. He recently chaired the O'Leary West Cape Pastoral Charge Joint Search Committee and currently sits on the board of directors for Corinthian Home Seniors' Residence in O'Leary. Mr. Rogers was a recipient of the Queen's Golden Jubilee Medal in 2002. He also received the O'Leary Good Neighbor Award in 2007 for his contribution to the community.

Mr. Rogers is committed to the fundamental principle that "all persons are equal in dignity and human rights" (Preamble, PEI *Human Rights Act*). He will continue to pursue the ideal of fair and equal treatment for all members of 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 Queen's 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.

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 and reappointed in 2017. 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.

Lori St. Onge, Commissioner



Lori St. Onge of Mermaid was appointed to the Commission in May 2017. She has an MBA, BA, Diploma in Public Administration and holds a certificate in Human Resource Management and Conflict Resolution. Ms. St. Onge is the Director of Indigenous Justice for the Mi'kmaq Confederacy of PEI and has been in this position since 2007. She is a strong believer in restorative justice and is a member of Lennox Island First Nation.

Ms. St. Onge sits on numerous committees and boards including the RCMP Commissioner's National Aboriginal Advisory Committee, Atlantic Community Safety Association, RCMP Commanding Officer's Aboriginal Advisory Committee, PEI Justice Policy and Planning Forum, PEI BRIDGE Secretariat, and the RCMP Commanding Officer's Cultural Diversity Committee.

Ms. St. Onge has been involved in many volunteer organizations over the years and most recently as a mentor for the In Business Program: Atlantic Region, a mentorship program for Indigenous youth. In 2007, she was the recipient of the Joan Taavon Award, an international award for her commitment to missing and exploited children.

Joanne Ings, Commissioner



Joanne Ings is a graduate of UPEI with a Bachelor of Arts degree (Political Science) and a Diploma in Public Administration. She has spent most of her working career in the not-for-profit sector as executive director of three different organizations and does contract research, technical writing and training for both private and public sector clients.

Ms. Ings currently serves on the Executive Leadership Team of the Canadian Lung Association and has previously served on the national board of HealthPartners and the Victim Services Advisory Committee of the Department of Justice.

She is a 20 year member of the Rotary Club of Charlottetown Royalty and volunteers with other charitable organizations and national events. Ms. Ings has received the City of Charlottetown Recognition Award, the Premier's Crime Prevention Award, and was recognized as a Founder of the University of Prince Edward Island for her volunteer commitment.

Commission Staff (2017-2018)

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 online 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 Barrister's 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 Queen's 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.

Jonathan B. Greenan, Human Rights Legal Officer



Jonathan Greenan joined the Commission as Human Rights Legal Officer in May 2017.

Born and raised in Summerside, Mr. Greenan is a graduate of Three Oaks Senior High School, the University of Ottawa (Bachelor of Social Sciences, 2000) and the University of New Brunswick (Bachelor of Laws, 2007). He was admitted to the Law Society of Prince Edward Island in June 2008.

Earlier in his legal career, Mr. Greenan worked in private practice with a local and regional law firm and briefly as a sole practitioner. For nearly seven years, he was a legal agent for the Public Prosecution Service of Canada in Prince County, and he has professional experience representing a wide variety of individuals and entities in both the public and private sectors. Mr. Greenan believes in the inherent dignity and equality of all persons under the law.

Outside of work, he has volunteered with many Prince Edward Island organizations including a stint as President of the Greater Summerside Chamber of Commerce. In his leisure time, he enjoys curling and traveling.

B. Lorraine Buell, Mediator / Intake Officer



Lorraine Buell is the Commission's Mediator/Intake Officer. She joined the Commission's team in February 1998. She is an Islander and a member of the Canadian Payroll Association and the Council of Canadian Administrative Tribunals. She is a Commissioner of Oaths and acts as Clerk at Human Rights Panel 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 resides in Stratford with her partner Donnie. She has three children: Scott (Amanda) Tweedy, Nick (Shalin Dennis) Tweedy, Amanda (Ben) Miller, and a step-daughter Vanessa (Mitch Labreche) Martin. She also has six grandchildren: Maxine and Bo Tweedy, Emilyn and Ella-rae Tweedy, and Everly and Levi Miller.

Thomas V. Hilton, Education Project Officer



Thomas Hilton (Tom), a native of Charlottetown, holds a BA from Bowdoin College (Brunswick, ME) and a Master of Education from UPEI. In 2014, Tom received the Governor-General Gold Medal Award for his Master's thesis *'Schooling and Practices of Freedom of 'Out' Queer Youth on Prince Edward Island'*. Tom has worked at the Commission on public education outreach projects since 2011. This past year, Tom worked with the Mi'kmaq Confederacy of PEI, the UPEI Faculty of Education and the Department of Education, Early Learning and Culture on the Canada 150 funded *'Mi'kmaq at 12,000+ & Canada at 150: Celebrating a Journey of Reconciliation'*.



Audited Financial Statements

PRINCE EDWARD ISLAND HUMAN RIGHTS COMMISSION

Financial Statements
March 31, 2018

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

A handwritten signature in black ink, appearing to read 'Brenda J. Picard', written over a horizontal line.

Brenda J. Picard, Q.C.
Executive Director

June 19, 2018



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, 2018, and the statements of operations and accumulated surplus (deficit), 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, 2018, 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 19, 2018

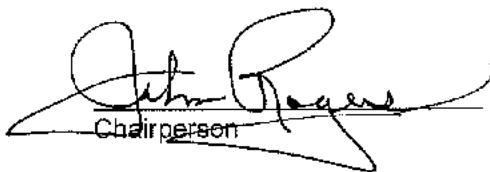
**PRINCE EDWARD ISLAND
HUMAN RIGHTS COMMISSION**

Statement of Financial Position
March 31, 2018

	<u>2018</u>	<u>2017</u>
	\$	\$
Financial Assets		
Cash	45,212	25,001
Accounts receivable	<u>825</u>	<u>731</u>
	<u>46,037</u>	<u>25,732</u>
Liabilities		
Accounts payable and accrued liabilities (Note 3)	<u>45,135</u>	<u>42,087</u>
Net Financial Assets (Debt)	<u>902</u>	<u>(16,355)</u>
Non Financial Assets		
Prepaid expenses	<u>6,110</u>	<u>2,963</u>
Accumulated Surplus (Deficit)	<u>7,012</u>	<u>(13,392)</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 (Deficit)
for the year ended March 31, 2018

	Budget 2018	2018	2017
	\$	\$	\$
Revenues			
Grants - Province of Prince Edward Island	504,470	440,821	412,000
Other grants (Note 7)	-	33,150	3,225
	<u>504,470</u>	<u>473,971</u>	<u>415,225</u>
Expenses			
Commissioner per diems (Note 6)	34,680	17,314	17,692
Conferences and training	6,000	4,058	3,282
Equipment	2,040	2,205	1,370
Hearing expenses	4,000	-	2,166
Dues and fees	3,570	3,873	3,700
Miscellaneous	2,550	1,459	1,601
Office and special projects	10,200	11,870	10,847
Photocopying	4,080	3,459	4,449
Professional fees	510	300	300
Project - Made in PEI	1,020	-	302
Project - Canada 150 (Note 7)	-	30,000	-
Rent	23,460	23,000	22,625
Salaries and benefits (Note 8)	394,000	344,469	357,553
Travel - staff	7,140	3,662	6,045
- commissioners	8,160	5,654	4,819
Telephone	3,060	2,244	2,453
	<u>504,470</u>	<u>453,567</u>	<u>439,204</u>
Annual Surplus (Deficit)	<u>-</u>	20,404	(23,979)
Accumulated Surplus (Deficit), beginning of year		<u>(13,392)</u>	<u>10,587</u>
Accumulated Surplus (Deficit), end of year		<u><u>7,012</u></u>	<u><u>(13,392)</u></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, 2018

	Budget 2018	2018	2017
	\$	\$	\$
Net Financial Assets (Debt), beginning of year	(16,355)	(16,355)	5,041
Changes in year:			
Annual surplus (deficit)	-	20,404	(23,979)
Prepaid expenses	-	<u>(3,147)</u>	<u>2,583</u>
Change in Net Financial Assets (Debt)	-	<u>17,257</u>	<u>(21,396)</u>
Net Financial Assets (Debt), end of year	<u>(16,355)</u>	<u>902</u>	<u>(16,355)</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, 2018

	2018	2017
	\$	\$
Cash provided (used) by:		
Operating Activities		
Annual surplus (deficit)	20,404	(23,979)
Changes in:		
Accounts receivable	(94)	490
Accounts payable and accrued liabilities	3,048	(16,061)
Prepaid expenses	(3,147)	2,583
Cash provided (used) by operating activities	<u>20,211</u>	<u>(36,967)</u>
Cash, beginning of year	<u>25,001</u>	<u>61,968</u>
Cash, end of year	<u>45,212</u>	<u>25,001</u>

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

PRINCE EDWARD ISLAND HUMAN RIGHTS COMMISSION

Notes to Financial Statements
March 31, 2018

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, 2018

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

f) Revenues

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.

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.

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, retiring allowance, and allocation of expenses 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, 2018

3. Accounts Payable and Accrued Liabilities

	<u>2018</u>	<u>2017</u>
	\$	\$
Accounts payable	759	816
Accounts payable - Province of Prince Edward Island	36,095	35,678
Accrued vacation pay	<u>8,281</u>	<u>5,593</u>
	<u>45,135</u>	<u>42,087</u>

4. Related Party Transactions

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

	<u>2018</u>	<u>2017</u>
	\$	\$
Grants from the province	440,821	412,000
Other grants (Note 7)	5,000	-

Included in salaries and benefits is salary expense of \$118,169 (2017 - \$115,714) and benefit expenses of \$20,378 (2017 - \$20,214) 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>2019</u>	<u>2020</u>	<u>2021</u>
	\$	\$	\$
Future operating lease payments	<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, 2018

7. Project - Canada 150

The Commission received funding from the Minister of Canadian Heritage and the Province of Prince Edward Island for a project related to Canada 150 celebrations. 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 \$30,000, of which \$25,000 was from the Minister of Canadian Heritage and \$5,000 was from the province. Total expenses recognized related to the project were \$30,000.

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 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) as selected by the employee. The plan is managed by the employees.

During the year, the Commission incurred \$22,028 (2017 - \$22,855) in expenses for contributions to this plan. This defined contribution pension plan has been terminated as of March 31, 2018 and replaced with the Civil Service Superannuation Fund pension plan, as described in note 10.

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. The province has agreed to fund these liabilities. The Commission has not estimated the liability and no liability has been recognized in these financial statements.

PRINCE EDWARD ISLAND HUMAN RIGHTS COMMISSION

Notes to Financial Statements
March 31, 2018

9. Financial Management

The Commission's risk exposure, as a result of the financial instruments on its statement of financial position at March 31, 2018, 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, 2018.

10. Subsequent Events

Effective April 1, 2018, the Civil Service Superannuation Act General Regulations were amended to include the Prince Edward Island Human Rights Commission as a participating employer to which the Act applies. As a result, beginning April 1, 2018, employees of the Commission will participate in the Civil Service Superannuation Fund pension plan.

11. Budgeted Figures

Budgeted figures provided for comparative purposes have been 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)

