Complaint Process: New Brunswick Human Rights Commission

1. Intake
Intake Officer responds to inquiries (phone, email, etc.) and screens new inquiries, assesses jurisdiction, sends out complaint kits or refers calls to an officer, identifies intakes that may be suitable for pre-complaint intervention.

1a. Pre-complaint Intervention
An intake may be assigned to a Mediator to attempt to conciliate an issue before an official complaint is filed.

2a. Dismissal or Complaint Notification
Once a complaint form is reviewed and/or revised, it may be dismissed at the Director's level or moved to Complaint Notification (CN).

2. Complaint Form review
Complaint created in HRCTS and then an Officer reviews the new complaint forms and deals with revisions.

3a. Early Mediation
If the parties agree to mediate, Mediators are assigned the files for early mediation; assist the parties in reaching a resolution to the matter. Mediation can happen at any time during the process.

3. Complaint Notification
Officer calls the Complainant and Respondent to explain the process, Officer offers mediation and obtains Respondent Responses to the complaint and Complainant Rebuttals.

4. Next Steps Analysis
Legal Team analyzes the file at this point to assess next steps taken with the file. Options: Director dismissal, mid stage mediation or investigation.

5a. Investigation
Files assigned to an Investigator for investigation (conducts interviews, gathers documents and writes the final report).

5. Assignment of File
Head of mediation or investigation assigns the file for either mediation or investigation.

5b. Mid Stage Mediation
File asigned to a Mediator (attempts to assist the parties in reaching a resolution).

6. Commission Meeting
Officer's Reports, Time Limit Extension Requests and Appeals of Director Decisions are presented to the Members at Commission meetings.

6a. Late Stage Mediation
Members can refer the matter to mediation before it is sent to a Board of Inquiry. Mediation team takes on these files.

7. Board of Inquiry
After an investigation, it may be recommended that a Board of Inquiry be appointed. Legal Team takes these files – could include outside counsel.

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