

Nova Scotia Human Rights Commission Settlement Agreement

About Settlement Agreements

Many human rights complaints are settled (closed through an agreement between the parties). When cases settle, there is no decision on whether discrimination happened because only a Board of Inquiry (i.e., public hearing) can do that. Cases settle for many reasons (speed, control over the process, confidentiality, etc.), and each agreement is unique. Settlements do not create “precedent”, meaning they do not influence future Board of Inquiry decisions.

This is an example of a matter that was settled by the parties. The agreement is confidential and therefore any identifying information has been removed or altered.

Area: Employment

Characteristic: Physical disability

Allegation: The Complainant was working as a Sales Manager. He needed to have surgery. His Director was vague about who would be replacing him during his three-week recovery period and then told him that the person would be “staying on” as Sales Manager, so the Complainant would be placed in a Sales Associate position (for a lower salary) upon his return. He contacted the Nova Scotia Human Rights Commission. With the support of the Commission, the parties reached an agreement to resolve the concerns. This agreement includes the following terms:

Individual Terms

- Letter of reference
- Financial compensation for emotional harm
- Financial compensation for lost wages
- Reimbursement of retraining costs (he began a new career)

Public Interest Terms

- Human rights education for all Directors/Managers of the organization
- Posting information on the *Human Rights Act* at the workplace