

**IN THE MATTER OF THE HUMAN RIGHTS ACT, RSNS 1989, c.214 as  
amended SNS 1991, c. 12**

**BETWEEN**

**Kathleen Viner, Complainant**

**- and -**

**Hudson Bay Company (Zellers Greenwood), Respondent**

**NOVA SCOTIA BOARD OF INQUIRY  
UNDER THE HUMAN RIGHTS ACT**

**DECISION OF THE BOARD OF INQUIRY**

This is my Decision for the Board of Inquiry concerning the above-noted matter. This inquiry is mandated to consider an allegation of discrimination under Section 5(1)(i) and (j), the allegation of discrimination due to race and/or colouring. By a Decision dated July 27, 2012, the Board held that neither the Estate of the Late Ms. Viner nor Ms. Viner's heirs were entitled to pursue the complaint following Ms. Viner's death but that the Board retained jurisdiction to inquire into the complaint by reason of the Commission being a party pursuant to Section 33(a) of the *Human Rights Act*.

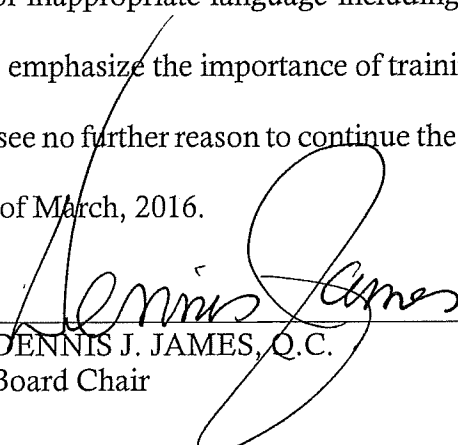
I decided to conclude the inquiry after reviewing the Settlement Agreement presented by the parties and reliance on the Human Rights Commission that it considered the public interest in agreeing to enter into the Settlement Agreement.

The matter was referred to me for conclusion by agreement among all parties pursuant to Section 34(5) of the *Act*. I have reviewed the Settlement Agreement, which is attached to this Decision. I note that the parties have put their mind to issues concerning the importance of

customer, suppliers and employees being dealt with in an honest and ethical manner without tolerance of discrimination, harassment or the use of inappropriate language including but not limited to racial profiling. I note that the parties also emphasize the importance of training.

Based on the recommendation of the parties I see no further reason to continue the inquiry.

DATED at Truro, Nova Scotia, this 3 day of March, 2016.



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DENNIS J. JAMES, Q.C.  
Board Chair