

Pathway of a Complaint



No Reasonable
Grounds for
Complaint

Appeals Process
for Complainant
Registrar & Director

Judicial Review
*Supreme Court
of NS*

Inquiry

1. Determine if **12-month limitation period** has expired;
2. Extension Process – **24 months** – Application to Director
3. Determine whether reasonable grounds exist to believe that a violation of the Act has occurred
4. Provide Complainant with Complaint form and establish expectations of process

Complaint Acceptance

1. No reasonable grounds for Complaint
2. Finalizing the Complaint:
 - Is the information clear and understandable?
 - Is the information sufficient to establish the Commission's jurisdiction under the Act?
 - Is the information sufficient to allow a potential respondent (s) to understand and respond to the allegations?
 - Systemic Discrimination Considerations
3. Finalizing & **signing by Complainant**

Early Resolution

1. Reasonable grounds to believe that a violation of the Act may have occurred
2. Approval from SHRO or MDR
3. Parties understand that no final determination has been made about the inquiry
4. ER HRO facilitation of a **resolution conference & settlement** between parties

Investigation Stage

1. **Recommendation to Director for dismissal** under Sec 29(4)
2. Recommendation of a **Direct Referral to a Board of Inquiry**
 - Complex legal issues that are beyond the scope of investigator
 - Multiple complainants with the same set of issues against respondent
 - Possible conflict of issue situations
 - Any other situation as appropriate
3. Deferring Investigation pending completion of a related proceeding
4. **Administrative Investigation**

Recommendations to Commissioners

1. Recommendation of a **Referral to a Board of Inquiry**
2. **Settlement Agreement**
3. **Dismissal**

Restorative Principles

1. Responsive
2. Collaborative
3. Relational
4. Comprehensive
5. Inclusive
6. Forward Focused