



**News Release:** Manitoba Human Rights Commission  
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How to Handle Harassment Complaints

Although the Manitoba Human Rights Commission rarely comments about complaints which are under investigation, the Commission is concerned that recent press reports regarding sexual harassment complaints filed against the Indian and Metis Friendship Centre of Winnipeg may have left some members of the public with an inaccurate impression of the Commission's procedures.

Janet Baldwin, chairperson of the Commission, stated: "The Commission would not recommend to a party to a human rights complaint that it should undertake its own investigation before the Human Rights Commission would be prepared to consider the matter." Recent media reports implied that this had occurred with regard to the complaints noted above.

The Commission has the legislative mandate to consider complaints of harassment filed under *The Code*. The Commission starts to deal with complaints as soon as they are filed; investigations are not adjourned pending the outcome of other investigations. In fact, a team of investigators was immediately assigned to these complaints.

Ms Baldwin pointed out, however, that "...under *The Human Rights Code*, employers are liable for substantiated complaints of harassment in their workplaces. Therefore, an employer may be well advised to consider undertaking, for its own purposes, an investigation, by an internal investigator, or an independent investigator." The process undertaken by an employer in response to a complaint will be a relevant factor, but the Commission will base its determination of the merits of a complaint on its own investigation.

Ms Baldwin added that, when credibility issues arise during the Commission's investigations, the Board of Commissioners may direct such complaints to a hearing before a human rights adjudicator, who will hear the evidence under oath and make findings of credibility. The fact that the parties do not agree as to what occurred does not automatically result in a complaint being dismissed.

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