

Manitoba Human Rights Commission and Metaser v. Jewish Community Campus of Winnipeg Inc. - March, 2015

[COMPLETE DECISION PDF](#)

SUMMARY:

[1] The Manitoba Human Rights Commission (the "Commission") brought an application for judicial review seeking an order quashing the decision of an adjudicator appointed under *The Human Rights Code*, C.C.S.M., c. H175 (*The "Code"*) and sending the issue back for redetermination by another adjudicator.

[2] The adjudicator had been appointed to determine a complaint brought by Etabezahu Metaser (the "complainant") against her employer, the respondent, Jewish Community Campus of Winnipeg Inc. (the "JCC").

[3] Prior to the hearing of the complaint, the JCC made a written settlement offer to the complainant, which she rejected. The JCC then requested that the adjudicator determine under s. 37.1 of *The Code* whether the offer was reasonable.

[4] The adjudicator held a hearing on the issue and rendered his decision on September 25, 2013, in which, for the reasons that will be described herein, he found that the settlement offer was reasonable and accordingly terminated the adjudication. See *Metaser v. Jewish Community Campus of Winnipeg Inc.*, 2013 MHRBAD 6, 2013 CanLII 61017 (MB HRC).

[5] The Commission has applied to this court for judicial review of the adjudicator's decision.