

**MANITOBA HUMAN RIGHTS COMMISSION  
BOARD OF COMMISSIONERS' POLICY**

**POLICY # G-8  
version 1.0**

**SECTION: General**

Effective date: April 6, 2016

**SUBJECT: REPRISAL**

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**Purpose:**

This policy is intended to assist in the interpretation of reprisal, which is referred to in Section 20 of *The Human Rights Code (The Code)*. Where there is any conflict between this policy and *The Code*, *The Code* prevails.

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**Context:**

Section 20 of *The Code* protects individuals from acts of reprisal for participating in the enforcement of their rights under *The Code* in the context of employment, housing, services and contracts.

*The Code* prohibits retaliation or reprisal against any person who has:

- filed or may file a complaint under *The Code*; or
- laid or may lay an information under *The Code*; or
- made or may make a disclosure concerning a possible contravention of *The Code*; or
- testified or may testify in a proceeding under *The Code*; or
- participated or may participate in any other way in a proceeding under *The Code*; or
- complied with, or may comply with, an obligation imposed by *The Code*; or
- refused or may refuse to contravene *The Code*.

In examining complaints of reprisal, the Commission adopts the approach set out in *First Nations Child and Family Caring Society of Canada et al v. Attorney General of Canada (for the Minister of Indian and Northern Affairs Canada)* 2015 CHRT 14, which establishes that there must be a sufficient link between **the alleged act of retaliation** and the **enforcement of the complainant's rights** under *The Code*.

APPROVED BY

"Yvonne Peters"  
Chairperson

April 6, 2016  
Date