

The Effects of COVID-19 on Human Rights Complaints in Manitoba: A  
Study of the Manitoba Human Rights Commission

By: Natasha Tomchuk

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**Abstract:**

This paper aims to understand the effects of the COVID-19 pandemic on human rights complaints received by the Manitoba Human Rights Commission. It should be noted that there is not currently any published research available studying the effects of the pandemic on provincial territorial, or federal Canadian human rights tribunals and commissions. As each human rights jurisdiction in Canada follows the applicable provincial or territorial acts, this paper first looks at human rights legislation in Manitoba, applicable legal tests and the investigation process used by the Commission. The paper also aims to understand current research barriers and what is being done to resolve these by the MHRC and other actors. There have been multiple strategies implemented to respond to these barriers, with varying success. To understand the effects of the pandemic on human rights complaints, this paper looks at two separate three-year periods from 2017-2019 and 2020-2022 and studies the complaint data registered by the Commission during these pre- and post-COVID periods. This allows for the comparison of important information such as: types of complaints, protected characteristics and areas of discrimination complaints were filed under, as well as the number breakdowns of complaints each year. The importance of this research is also discussed, explaining not only why the research is needed, but also looks at potential uses for said research.

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This paper is dedicated to my grandmother Olga Tomchuk and my brother Art V. Serov.

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The Manitoba Human Rights Commission (MHRC) is “an independent agency of the Government of Manitoba and is responsible for administering *The Human Rights Code*” (The Code), which is the provincially applicable human rights legislation for Manitoba (MHRC, n.d.a). Generally, the Commission’s role is to accept complaints, investigate the allegations, and either dismiss the complaint or send it for adjudication based on the results of the investigation. It accepts complaints within its jurisdiction related to provincially regulated areas, including: employment, services, housing, contracts, and signs and statements (The Code, 1987, S. 13-20). With the COVID-19 pandemic came many new and often changing public health orders relating to policies for wearing protective masks and vaccination requirements; which in turn raised questions of human rights related to individual versus collective rights, the hierarchization of rights and protected characteristics, protected exemptions from public health orders, as well as access to public spaces, housing, and employment as an exempted individual (PSC, 2021). Through their *Discrimination Based on COVID-19* guidelines, the Commission recognizes that the Code “prohibits unreasonable discrimination or harassment ... related to COVID-19 when it is connected to a characteristic protected by The Code” (MRHC, 2020a, pp. 5 and MHRC, n.d.b).

This paper aims to understand how COVID-19 affected the Manitoba Human Rights Commission and its administration of the Code by studying the complaints it received, as well as examining annual Commission data and precedent cases from 2017 through 2022. It also aims to understand institutional problems which were exacerbated by the pandemic and the steps the MHRC is taking to eliminate these issues. An important underlying theme in this paper is the way in which government policies and health orders affected the rights of individuals in Manitoba, notably the balance of respecting individual rights, while also ensuring the protection of the greater public, particularly those belonging to vulnerable groups, during a pandemic. This research is important, as to date there has not been any analysis of the effects of COVID-19 on Canadian human rights commissions or tribunals. To complete the analysis, this paper will first present the Manitoban Human Rights Code and its relevant sections, as well as the main legal tests used to determine if a complaint should be sent for adjudication, to help establish the parameters for the Commission’s work. Next, this paper will explain why a full analysis is not currently possible and examine the considerations and barriers to analysis that are present and what is being done to address them. Afterwards, the paper will look at the annual reporting data related to complaints received by the Commission from 2017 through 2022, which shows the complaints received by the MHRC and breaks down the numbers based on factors such as the number of complaints received, the types of complaints received, the areas of discrimination, and the protected characteristics involved. This allows for the comparison of pre and post COVID-19 complaint information through an examination of changes to the complaint data over a six-year period. Finally, the paper will examine why this research is necessary and what benefits it could offer once completed.

## The Human Rights Code (The Code) and the Investigation Process

Canadian human rights commissions function as “‘arm’s-length’ statutory agencies charged with administering human rights legislation through public education, research, policy development, communications, and formal complaint processes.” (CASHRA, n.d.). The MHRC is “responsible for promoting human rights principles and educating the public about the right and responsibilities of [the Code]” (MHRC, n.d.a). It reports annually to the Minister of Justice via the Crown Law Division and serves as the public administrator of human rights legislation in Manitoba. It publishes annual reports on finance and administration matters which are available to the public (MHRC, 2020). The MHRC accepts and investigates complaints of discrimination while also providing human rights training and educational presentations. A large part of their work involves consulting with the public in order to learn about emerging human rights issues, which allows them to gather information and develop educational documents. These are then used to teach the public, employers, service providers, housing providers, and government about current issues and raise awareness among Manitobans (MHRC, n.d.a). The Commission is also a member of the Canadian Association Statutory Human Rights Agencies (CASHRA). This umbrella association is made up of the federal, provincial, and territorial human rights commissions with the goal of facilitating the exchange of human rights laws information between members. It also “undertakes public education projects that promote and advocate for human rights in Canada and abroad (CASHRA, n.d. and MHRC, n.d.a).

The MHRC is “responsible for enforcing the rights and responsibilities in the Code through a complaints process” (MHRC, 2017, pp. 1). It has the responsibility of investigating an act of discrimination when it occurs in the province of Manitoba, if the complainant can demonstrate that the discrimination is related to one or more of the protected classes listed in the Code. This is applicable to both the public and private sectors. These protections are outlined in section 9 and include: ancestry, nationality, ethnicity, religion, age, sex, gender identity, sexual orientation, mental and/or physical disability, marital or family status, political belief, source of income, and social disadvantage (MHRC, 2014, pp. 1 and The Code, 1987). Complaints can also be filed on an unspecified or analogous ground; however, the complainant must be a member of a group suffering social, economic, political or legal disadvantage; for example, individuals with criminal records (MHRC, 2022c, pp. 1-2). Other key sections of the Code include: section 13 which covers discrimination in services, section 14 which covers discrimination in employment, section 15 which covers discrimination in contracts, section 16 which covers discrimination in rental services, section 17 which covers discrimination in the purchase of property, section 18 which covers discrimination in signs and statements, section 19 which covers harassment and section 20 which covers reprisals (The Code, 1987).

If a complainant cannot establish that the act of discrimination happened in Manitoba or if they cannot show that it is related to one or more protected characteristics, their complaint will be dismissed due to a lack of jurisdiction (MHRC, 2022c, pp. 1-2). To further elaborate on questions of jurisdiction, the Commission has released procedure documents and precedent case decisions. In one of its procedure documents, the MHRC confirmed that it does not consider the validity of legislation which is allegedly discriminatory, however it is able to assess whether the

actions of a person applying the provisions of any law are discriminatory (MHRC, 2022b, pp. 2). Through a case, known commonly as the *Horrocks* case, it was established that the Commission does not have jurisdiction to investigate a complaint which has already been the subject matter of a grievance filed with the complainant's union. However, an individual does have the ability to file a complaint related to rights issues not covered under their collective agreement. This precedent setting case was appealed to the Supreme Court of Canada and stems from a complaint originally filed with the MHRC after the complainant was fired from her employment due to a mental disability. The Supreme Court found that "disputes concerning the termination of unionized workers do fall within the exclusive jurisdiction of a labour arbitrator, even when there are allegations of human rights violations" (SCC, 2021).

When investigating a complaint, the main legal tests used by the Commission are the *Meiorin* and the *Grismer* tests, which are both used to establish *bona fide* justification and reasonable cause or requirement for discrimination, based on the sections of the Code that each test is applicable to (MHRC, 2013, pp. 1 and MHRC, 2002, pp. 1). The *Meiorin* Test is used to assess whether there are reasonable and bona fide occupational requirements or qualifications which could be used to justify discrimination based on section 14(1) of the Code. This test stems from the Supreme Court of Canada in *British Columbia (Public Service Employee Relations Comm.) v. B.C.G.E.U.* (1999), 35 C.H.R.R. D/257 ("*Meiorin*") case (MHRC, 2013, pp. 1 and *The Code*, 1987). When using this test, if a standard, policy or rule has been deemed discriminatory on the basis of any of the grounds listed in the Code, the employer must show that the measure was rationally connected to job performance, that it was adopted with an honest and good faith belief that it was necessary in the fulfilment of legitimate work purposes, and that the standard, policy or rule is reasonably necessary to accomplish legitimate work-related purposes. In addition to these considerations, the MHRC will examine whether the employer adopted any measures to assess accommodation, and either what measures were offered or why the employer did not offer accommodations (MHRC, 2013, pp. 1-2).

Similarly, the *Grismer* Test also originates with a case heard by the Supreme Court of British Columbia, known as *British Columbia (Superintendent of Motor Vehicles) v. British Columbia (Council of Human Rights)* (1999) 36 C.H.R.R. D/129 ("*Grismer*"). This test also considers if a bona fide and reasonable case exists to excuse discrimination. However it is applied to cases which occur in "the provision of services ordinarily available to or accessible by the public or a section of the public," by examining if the measure found to be discriminatory is rationally in connection to the provision of the service, if the standard, policy or rule was introduced in an honest and good faith belief that it was necessary in the provision of the service and if the measure is reasonably necessary in the provision of the service (MHRC, 2002, pp. 1). This test applies to complaints which are filed under section 13(1) of the Code (*The Code*, 1987). When considering if the policy, standard or rule is reasonably necessary, the Commission will examine whether it excludes members of a particular group on impressionistic assumptions, whether it treats a particular group more harshly than others without justification, whether alternative approaches were investigated or considered, and if the measure was designed to minimize the burden on the service users who are required to comply with it (MHRC, 2002, pp. 2). Further, when considering undue hardship, the MHRC will address if "it is necessary that all

service users meet the standard established by the policy or comply with the single policy for the service provider to accomplish its legitimate purpose, [if] the legitimate purpose can be accomplished through less discriminatory ways of providing the service, [and] if the service provider has searched for potential accommodations and considered them” (MHRC, 2002, pp. 2).

The process for complaint investigation begins when the Commission is contacted by a member of the public wanting to file a complaint. They first speak with an Intake Officer, who will ask the member of the public about the situation and provide them with information about their rights and the MHRC complaint process. Before registering a complaint, the Commission may attempt to resolve the matter through pre-complaint mediation. If this fails, the Intake Officer will assist the member of the public with drafting and registering their formal complaint under the Code (MO, 2020, pp. 5). For the complaint to be registered by the Executive Director, the Commission must have jurisdiction to investigate and the alleged discrimination must have occurred within the last year of when the complaint is filed, though certain extensions can be offered. If the complaint has already been determined by another administrative tribunal or is being considered in another process, including through union grievance or the judicial process, the Commission will decline to consider the complaint. This allows the MHRC to ensure that a complainant is not having to navigate multiple legal processes at once, as well as avoiding multiple investigations into the same matter (MHRC, 2020a, pp. 10-11). Once the complaint is received and registered, it will be served on the respondent. When the respondent has received the complaint, the Commission will again attempt mediation between the parties. If this is unsuccessful, the respondent will be asked to submit a written response to the complaint and respond to the allegation of discrimination. A Human Rights Officer will then collect evidence and conduct interviews with the parties and any witnesses to determine if there has been a breach of the Code (MHRC, 2020a, pp. 11). Once the investigator has reviewed all of the evidence, they will draft a report summarizing all of the information relevant to the complaint. The report will make a recommendation as to whether the complaint should be dismissed or referred to the Adjudication Panel for a public hearing. Both parties can submit written responses to the investigation report before the Executive Director makes their decision based on the investigation report and all submitted documentation (MHRC, 2020a, pp. 11).

When a complaint is recommended for adjudication, but before it is forwarded to the Adjudication Panel, the respondent can request a Reasonable Settlement Offer review by the Executive Director. The review would look at the respondent’s settlement offer, the reason why the complainant rejected the offer, the details of the complaint, the response to the complaint (if provided), the investigation report, and any submissions in response to the investigation report. This can only be requested after the complainant has rejected the respondent’s final offer, there are no further negotiations between the parties and the MHRC mediator has closed mediation (MHRC, 2021c, pp. 2). The Executive Director will examine the evidence and determine whether the offer was reasonable. If it was deemed reasonable, the Commission will give the complainant one final chance to accept the offer before their complaint is dismissed (MHRC, 2021c, pp. 2). If the complaint proceeds to adjudication, the complaint will be referred to a member of the Adjudication Panel to make a final decision, following a public hearing. During adjudication, the Commission lawyers “represent the public’s interest in eliminating

discrimination” (MHRC, 2020a, pp. 12). During the public hearing the Commission will present the evidence it collected to the Adjudication Panel in order to substantiate the complaint and allow the adjudicator to award a remedy. The goal of awarding a remedy to the complainant is to help put them in the position they would have been in had the discrimination not occurred. It is also meant to stop discrimination, by ensuring that the respondent does not engage in similar discrimination going forward (MHRC, 2020a, pp. 12).

### Important Considerations for Analysis

It is essential to consider issues which may serve as a barrier to conducting an analysis of the effects of COVID-19 on the MHRC. An important consideration is the wait time currently experienced by parties involved in the complaint process with the MHRC. The current wait time for a complaint to be assigned for investigation is 24 months, dependent on the order the complaint was received in and if mediation is attempted (MHRC, 2022a, Data). Prior to COVID-19, the average wait time to investigate a complaint, measuring from the time the complaint was assigned to an investigator until the investigation report was drafted, peaked in 2014, with an average of eleven months. By 2017, the average wait time was reduced to six months (MHRC, 2017, pp. 10). The wait time in 2018 dropped to five and a half months, before increasing to six months again in 2019 (MHRC, 2020a, pp. 11). However, in 2020 the average wait time went up to eight months (MHRC, 2020a, pp. 11). It must be noted that these are only the average wait times for an investigation to be completed. There are further wait times for the complaint to be assigned to an investigator, mediation, and adjudication. These times can be much longer than the average investigation wait times. For example, in 2018, there was a 23 month wait for a complaint to be assigned to an investigator (Finebilt, 2018, pp. 6). The average wait times for a file to be assigned to an investigator for 2021 and 2022 is 24 months (MHRC, 2022a, Data).

These delays in investigation mean that any potential precedent cases which may arise from COVID-19 related cases have not yet been heard by the Adjudication Panel in a public hearing, and it could be a few years before any precedents are established. This means that any cases filed in the between time may not benefit from potential new precedents, which have yet to be established, but have already been raised as issues in existing complaints. It also means that a full investigation into the effects of COVID-19 on human rights in Manitoba will not be possible until all the cases from 2020 through 2022 are addressed, either through mediation, limited investigation, dismissal, or adjudication (MHRC, 2022a, Data). Limited investigation occurs when “the information provided by the complainant suggests that an alleged incident is not a violation as defined by [the Code],” which means that the Commission is not required to collect extensive evidence to analyze the complaint (MO, 2020, pp. 7). Presently, the Commission has 504 files awaiting assignment, reduced from 614 files since the beginning of 2022. It anticipates that this number will be further reduced to approximately 450-470 files awaiting assignment to an investigator by the end of 2022. By April 1, 2023, the MHRC aims to have that number further reduced to 409 files awaiting assignment to an investigator. This will allow them to meet their target of eliminating wait times by 2025 (MHRC, 2022a, Data).

In 2017, 51% of active complaints in the MHRC system had been carried over from previous years, which led to the Commission introducing initiatives to help reduce wait times that same year, including: selecting a new chairperson, hiring more staff, utilizing technology and media in the complaint process, and strengthening and stabilizing the Commission (Khan, 2017 and MHRC, 2017, pp. 10). Additional measures which were implemented included “applying greater scrutiny at complaint registration, tightening up time lines in mediation, triaging complaints, utilizing [Intake Officers] to support limited investigation, and better use of support staff” (Finebilt, 2018, pp. 6). In 2018, a review of the MHRC and Adjudication Panel was conducted by Allan Finebilt, where he identified inefficiencies in the MHRC investigation and adjudication processes (Finebilt, 2018). Finebilt (2018, pp. 6-7) found that the major problem is how complaints must be investigated as per the Code, saying:

“Some complaints are clearly outside the jurisdiction of the MHRC. Some are clearly frivolous. Some, even if everything in the complaint were true, do not amount to a breach of the Code... Some are in the process of being addressed in another forum, or have already been adjudicated elsewhere. Yet, each of these complaints is approached using essentially the same process as is used to investigate the most serious Code breaches.”

He went on to suggest solutions, including: the early dismissal of complaints in particular circumstances, streamlining decision-making, creating a review process to allow for appeals, increased mediator participation, and the removal of legal work responsibilities from the Executive Director to better ensure impartiality (Finebilt, 2018, pp. 8-14).

Many of these suggestions were implemented when changes to the Code entered into force in 2022. While the Code originally assented in July of 1987, the current version came into effect in January 2022, with important changes aimed at ensuring that the complaint system operates more efficiently by streamlining some of the Commission’s processes (MHRC, 2021b, pp. 2). Most of the introduced changes are based on the independent review into the Commission and Adjudication Panel conducted by Finebilt, while the rest were implemented by the Provincial Government (Finebilt, 2018 and MHRC, 2021b, pp. 2). With the changes, as of January 1st, the Commission’s Board of Directors is no longer responsible for making decisions as to whether complaints are dismissed, sent for a public hearing, or terminated; this is now done by the Commission’s Executive Director. The Executive Director is also now responsible for assessing settlement offers made prior to adjudication to decide if they are reasonable (MHRC, 2021b, pp. 1-2). This assessment allows a respondent to request a review of their final settlement offer rejected by the complainant. If it is deemed reasonable, the complainant is given a final chance to accept the offer, otherwise their complaint will be closed by the Commission (MHRC, 2021d, pp. 1-2).

In addition to the new responsibilities assigned to the Executive Director, the changes to the Code allow for complaints to be dismissed, in whole or in part, without investigation if the complaint is found to meet one of the new reasons for early dismissal. These include: if a complaint is found to be frivolous or vexatious by law, if the allegations are not a violation of the Code, if the Commission does not have jurisdiction to investigate, if the issues raised are being dealt with or have been dealt with appropriately under another Act, or if continuing the

complaint process would not be beneficial for the person who experienced the alleged discrimination (MHRC, 2021b, pp. 1-2). If there are concerns that one of these dismissal reasons is possibly applicable to a complaint, the Early Assessment Team will consider the available information and decide if the complaint should be dismissed without investigation. The team is able to request additional information or documents from the parties when conducting their assessment (MHRC, 2021c, pp. 1). Their recommendation is presented to the Executive Director, who will make the final decision. However, before a decision is made, both parties to the complaint will receive a copy of the team's recommendation and are provided with the opportunity to provide a written response to the recommendation. Once the Executive Director has made the final decision, a letter outlining their decision is sent to both parties (MHRC, 2021c, pp. 1-2). If the complaint is dismissed without investigation, the file with the Commission will be closed. Complainants who are not satisfied with the dismissal of their complaint can apply to have the Board of Commissioners review the decision or they can apply to the Court of Queen's Bench for a judicial review (MHRC, 2021c, pp. 2).

These changes to the Code were implemented with the ascent of Bill 26. The Commission not only accepted, but encouraged most of the changes included in the bill, as they built upon the recommendations from Finebilt. However, it expressed deep concern with the possible ramifications of section 43(2.1) of the bill, which aimed to cap damages for injury to dignity, feelings, and self-respect at \$25,000.00 (MHRC, 2021e, pp. 1). The Commission stated that this change was not part of Finebilt's recommendations and was introduced without "any public consultation or analysis process examining the implications of this amendment" (MHRC, 2021e, pp. 1). It further explained that "human rights legislation in all Canadian jurisdictions reflects broad, public policy objectives namely the recognition and rectification of discrimination in society. To achieve this end, human rights legislation takes a remedial rather than punitive approach" (MHRC, 2021e, pp. 1-2). This is supported by the Supreme Court of Canada decision in Ontario (Human Rights Commission) v. Simpsons Sears [1985] 2 S.C.R. 536, which found that the Code's main approach is not to punish those found to have discriminated against another, but rather to provide relief and remediation to the victims of discrimination, which should be determined based on the result or effect of the discriminatory action. Another example provided was the Alberta Court of Appeal decision in Walsh v. Mobil Oil Canada, 2013 ABCA 238, where the court found that "the remedial authority under human rights legislation not only addresses the impact of the discrimination on the complainant, but also protects against future discrimination and serves as a 'deterrent and an educational tool'" (MHRC, 2021e, pp. 2).

These remedial monetary awards are commonly known as damages for injury to dignity, feelings, and self-respect. These damages consider factors like the humiliation and hurt feelings experienced by the complainant, a complainant's loss of self-respect, dignity, self-esteem, and confidence. They also consider the vulnerability of the complainant, the experience of their victimization, and the seriousness, frequency, and duration of the discriminatory treatment (MHRC, 2021e, pp. 2-3). The amount of money awarded to a complainant depends on factors such as financial loss, the effects of the discriminatory treatment, as well as instances of willful misconduct, malice, or recklessness on the behalf of the respondent. The Commission is also able to award non-monetary remedies in order to "end the discriminatory behaviour, secure

future compliance with the law and reinstate any opportunities or privileges lost or denied as a result of the discrimination” (MHRC, 2021e, pp. 2). In the case of *Walsh v. Mobil Oil*, the Alberta Court of Appeal found that “remedial awards that do not provide appropriate compensation can ‘minimize the serious nature of the discrimination, undermine the mandate and principles that are the foundation of human rights legislation, and further marginalize a complainant’” (MHRC, 2021e, pp. 3). Within the Manitoban context, in the case of *Vetricek v. 642518 Canada*, 2010 HRTO 757, the Manitoba Human Rights Adjudication Panel found that “the quantum for damages should not be too low, as it would ‘trivialize the importance of the Code by effectively creating a “license fee” to discriminate’” (MHRC, 2021e, pp. 3).

Presently, there are only two other jurisdictions outside of Manitoba which have caps on awards for injury to dignity, feelings, and self-respect: Canada and Saskatchewan. In the federal human rights legislation, there are caps of \$20,000.00 each for damages for pain and suffering as well as compensation for malice, willful misconduct, and disrespect. In a review of The Canadian Human Rights Act conducted in 2000, Justice La Forest recommended that the caps for damages be removed; however, this recommendation was not implemented and the caps remain (MHRC, 2021e, pp. 3). Provincially, Saskatchewan also has a cap of \$20,000.00 each in place to compensate for injury to dignity, feelings, and self-respect, as well as for cases of willful misconduct or malice. Ontario previously had a similar limit under its provincial human rights legislation; however, it was removed when the Ontario Human Rights Code was introduced in 2008 in order to better uphold the broader policy objectives of their commission and in order to provide appropriate restitution to a complainant (MHRC, 2021e, pp. 3-4). The MHRC argued that a cap on awards for injury to dignity, feelings and self-respect is not necessary in Manitoba, as the median award is \$9,906. The highest award ordered in this category was \$75,000, which was awarded in order to reflect the “particularly egregiousness of the conduct, the vulnerability of the respective complainant, the frequency and duration of the discrimination, and reinforced the importance that employers uphold their human rights obligations” (MHRC, 2021e, pp. 4).

Based on the previous decisions of the Adjudication Panel, the MHRC did not believe that there was any evidence to support that a cap on the awarding of damages was necessary, as the median award was less than half of the proposed cap. The awards falling outside of the suggested limit were outliers and responded to particularly flagrant or long-term discrimination (MHRC, 2021e, pp. 4-5). The Commission stated that its main reasons for opposing the cap on awards for injury to dignity, feelings and self-respect are as follows: capping damages may act as a deterrent to filing human rights complaints, as some complainants may choose to file their allegations of discrimination with the courts in order to pursue higher awards for damages. Further, it explained that a legislated cap may impede the ability of the adjudicators to account for inflation in the future or to address particularly egregious, long-term, or serious cases of discrimination. The Commission also noted that not all complainants experience financial loss or other damages which can be addressed through remedial hearings with a financial limit. In particular, the cap may have a notable impact on the rights of persons with disabilities requiring accommodation, as employers may be encouraged not to pursue accommodation as the potentially awarded damages would be less than the costs of the required accommodations (MHRC, 2021e, pp. 4-5). Instead, the MHRC offered many suggestions to address the cap

presented in the amendment. The Commission proposed that section 43(2.1) be changed to a higher limit in order to account for the most egregious cases of discrimination or that the cap be eliminated altogether. It also suggested that the cap could be implemented by regulation instead of statute to allow for easier and more timely reviews and changes, or that the cap be left as it is, but section 51(1) be increased to allow for higher exemplary damages, in order to make up for the cap on injury to dignity, feelings, and self-respect (MHRC, 2021e, pp. 5-6). These suggestions were not accepted, and Bill 26 was implemented without change to section 43(2.1) or section 51(1) (MHRC, 2021b, pp. 2).

### Annual Numbers

Since the year 2000, the Manitoba Human Rights Commission has released an annual report, detailing among other information their yearly number of complaints, as well as a break down of the details of those complaints (MHRC, n.d.b). Based on this data, the pre-COVID inquiry and complaint numbers were relatively stable, with a yearly average of 4,129 people contacting the Commission to request information, and an average of 487 people being referred to other agencies for assistance between 2017 and 2019 (MHRC, 2017, 2018, 2019, pp. 9-10). In comparison, between 2020 and November 21, 2022, there was a yearly average of 3,642 people who contacted the MHRC to request information, with an average of 868 people being referred to another agency for assistance (MHRC, 2020a, pp. 9-10 and MHRC, 2021a and 2022a, Data). Over the three-year pre-COVID period, there was an average of 909 people who felt that they had been discriminated against, which resulted in an average of 448 complaint files being opened and an average of 299 formal complaints being registered each year (MHRC, 2017, 2018, 2019, pp. 9-10). Comparatively, during the three-year post-emergence of COVID (post-COVID) period there was a yearly average of 927 people who felt they were the victim of discrimination, resulting in an average of 338 complaint files being opened and 224 complaints being formally registered (MHRC, 2020a, pp. 9-10 and MHRC, 2021a and 2022a, Data).

This information shows that post-COVID there was a decrease in the amount of people contacting the Commission to request information, as well as in the amount of complaint files opened and the number of formal complaints registered. Interestingly, at the same time, there was an increase in people requesting information who were referred to another agency, and in the number of people who contacted the Commission believing they had experienced discrimination. Presumably, if the number of people contacting the MHRC for information was lower in the post-pandemic period, then the number of people referred to other agencies should have gone down as well. Furthermore, if there was an increase in the amount of people who felt they were discriminated against post-pandemic, the average number of complaints opened should have not have been half that of pre-COVID numbers. The number of people who felt discriminated against could be higher post pandemic as human rights were an important topic in relation to COVID-19 public health orders and requirements related to masking and vaccination (MHRC, 2020b, pp. 3). Further research should be done to understand these discrepancies. Despite an average of 927 people believing that they experienced discrimination, less than a quarter of these contacts resulted in formal complaints being registered. This would suggest that the public would

benefit from additional education in relation to their human rights generally, as well as during a pandemic or in relation to health orders more specifically (MHRC, 2022a, Data).

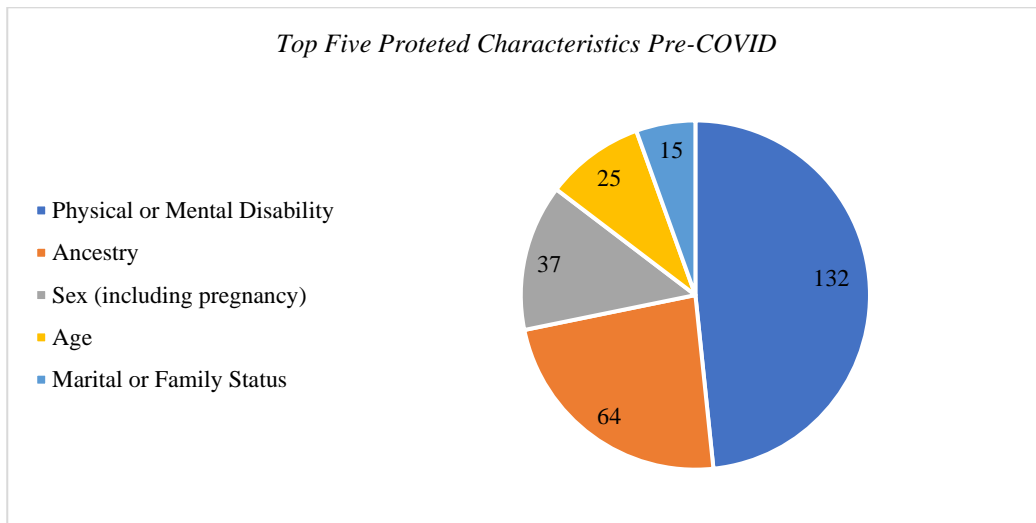
Among the registered complaints from 2017, 141 were filed for discrimination based on physical or mental disability, 64 complaints were filed on the basis of ancestry, nationality or ethnic background, 35 complaints were filed on the basis of sex (including pregnancy), 31 complaints were filed for discrimination based on age, and 17 complaints were filed on the basis of marital or family status. Six complaints were filed for discrimination based on source of income, six complaints were also filed based on unspecified discrimination, four complaints were filed for discrimination based on sexual orientation, four complaints were also filed on the basis of political belief, one complaint was filed on the basis of social disadvantage and another was filed on the basis of gender identity (MHRC, 2017, pp. 8). It is important to note that a complaint can be filed on the basis of more than one protected characteristic and multiple types of discrimination (MHRC, 2020a, pp. 12). In 2018, the majority of complaints were filed due to physical or mental disability, with 131 complaints registered based on that characteristic. Approximately 60% were filed based on physical disability while approximately 40% were filed on the basis of mental disability (MHRC, 2018, pp. 10-11). There were another 63 complaints filed for discrimination based on ancestry, nationality, or ethnic background, 46 complaints filed on the basis of sex (including pregnancy), 22 complaints filed based on age, and 15 complaints filed on the basis of marital or family status. Five complaints were filed based on social disadvantage, four complaints were filed based on religious belief, with another four complaints filed on the basis of gender identity, three complaints were filed on the basis of source of income, two complaints were filed based on unspecified discrimination and one complaint was filed on the basis of political belief (MHRC, 2018, pp. 10). In 2019, there were 124 complaints filed based on physical or mental disability, with 58% of these complaints being filed due to physical disability and 42% being filed on the basis of a mental disability. For the rest of the complaints, 65 were filed for discrimination based on ancestry, nationality, or ethnic background, 30 were filed based on sex (including pregnancy), 23 were filed on the basis of age, and 12 were filed based on marital or family status. Nine were filed based on gender identity, six were filed based on religious belief, four were filed on the basis of unspecified discrimination, three were filed based on sexual orientation, two were filed on the basis of social disadvantage and one was filed based on political belief (MHRC, 2019, pp. 10).

Comparatively, in 2020, there were 141 complaints filed on the basis of physical or mental disability (with an even split between the two), followed by 65 complaints filed for discrimination based on ancestry, nationality or ethnic background, 25 complaints filed on the basis of sex (including pregnancy), 18 complaints filed on the basis of age, and 17 complaints filed based on religious belief. A further 11 complaints were filed based on marital or family status, seven complaints were filed for discrimination based on social disadvantage, five complaints were filed based on unspecified discrimination, four complaints were filed based on source of income, three complaints were filed on the basis of gender identity, and two complaints were filed for discrimination based on political belief (MHRC, 2020a, pp. 10). In 2021, 167 complaints were filed for discrimination based on physical or mental disability, 85 complaints were filed based on ancestry, nationality or ethnic background, 40 complaints were filed on the

basis of sex (including pregnancy), 26 complaints were filed based on age, and 14 complaints were filed on the basis of marital or family status. Another 13 complaints were filed on the basis of religious belief, nine complaints were filed based on unspecified discrimination, seven complaints were filed on the basis of sexual orientation or gender identity, five complaints were filed on the basis of social disadvantage, and three complaints were filed based on political belief as well as source of income (MHRC, 2021a, Data). In 2022, 109 complaints were filed on the basis of physical or mental disability, 54 complaints were filed for discrimination on the basis of ancestry, nationality or ethnicity, 29 complaints were filed based on religious belief, 23 complaints were filed on the basis of sex (including pregnancy), and 14 complaints were filed based on age. Additionally, 13 complaints were filed for discrimination on the basis of family or marital status, seven complaints were filed on the basis of unspecified discrimination, three complaints were filed for discrimination based on social disadvantage and sexual orientation (including gender identity) respectively, and two complaints were filed on the basis of political belief as well as source of income respectively (MHRC, 2022a, Data).

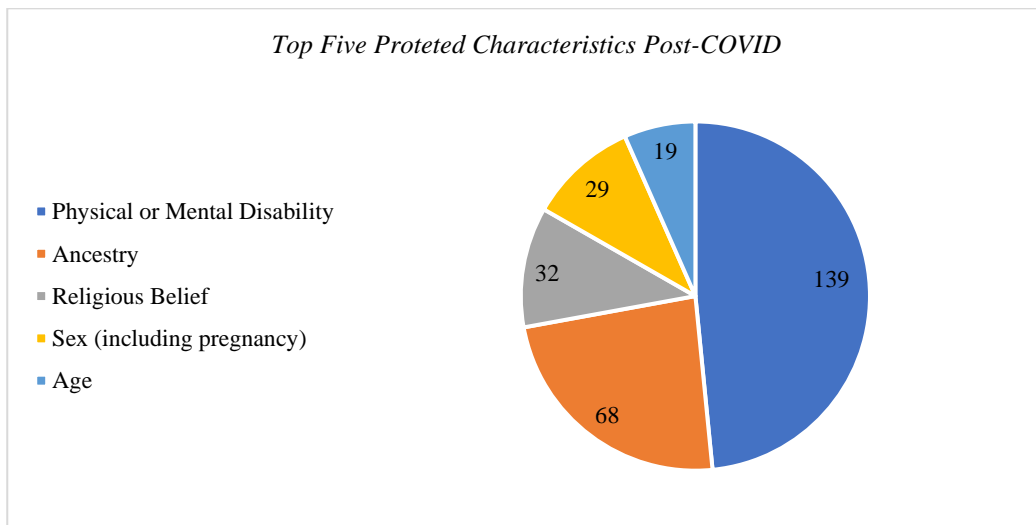
The order of the top five protected characteristics that complaints were filed under was the same for every year in the pre-COVID period, which was: physical or mental disability, followed by ancestry, sex, age and marital or family status, in that order. Each year 44% of complaints registered were filed on the basis of physical or mental disability, while the numbers for the rest of the top five protected characteristics were similar but slightly different. Complaints related to ancestry accounted for between 20-23% of registered complaints, while 11-15% of complaints were related to sex, 7-10% of complaints were related to age and 4-5% of complaints were related to family or marital status (MHRC, 2017, 2018, 2019, pp. 9-10). During this period there was an average of 132 complaints filed on the basis of physical or mental disability, 64 complaints filed on the basis of ancestry, 37 complaints filed on the basis of sex, 25 complaints filed on the basis of age, and 15 complaints filed on the basis of marital or family status (MHRC, 2017, 2018, 2019, pp. 9-10). Post-COVID, the top five protected characteristics that complaints were filed under changed slightly. In 2020, the top characteristics were: physical or mental disability, ancestry, sex, age and religious belief, in that order. The next year, the order returned to the same pre-pandemic order with physical or mental disability, ancestry, sex, age and marital or family status accounting for the top five protected characteristics. Based on the available 2022 data, there is a notable difference in the protected characteristics, with the top five being physical or mental disability, ancestry, religious belief, sex and age (MHRC, 2020a, pp. 9-10 and MHRC, 2021a and 2022a, Data).

**Figure 1**



*This figure shows the top five protected characteristics between 2017 and 2019.*

**Figure 2**



*This figure shows the top five protected characteristics between 2020 and November 21, 2022.*

This change is interesting as it shows that religious belief may become a more common characteristic for discrimination complaints. Once the cases from 2020 through 2022 are investigated, the Commission should determine if there was a link between the increase in complaints related to religious belief and COVID-19 measures. This would allow them to determine if religious belief was a factor in the increase of people who felt they were victims of discrimination after the start of the pandemic. The MHRC should also establish whether there was a reciprocal increase in the number of complaints based on religious belief found to have merit. By examining the details of those complaints, the Commission could determine what role, if any, the pandemic public health orders may have played in the increase of religious

discrimination complaints. However, this analysis will not be possible for a few years due to the current wait times (MHRC, 2021a and 2022a, Data).

The percentages of the protected characteristics post-COVID changed. There was an average of 60-67% of complaints filed based on physical or mental disability, 30-31% of complaints filed under ancestry, 12-14% of complaints filed on the basis of sex, and 8-9% of complaints filed under age. Complaints filed under religious belief varied between 8 and 16% for 2020 and 2022 respectively, while in 2021 marital and family status complaints accounted for only about 5% of registered complaints (MHRC, 2020a, pp. 9-10 and MHRC, 2021a and 2022a, Data). These changes to the distribution of the top five protected characteristics merit further investigation, and particular attention should be paid to understanding why complaints related to physical or mental disabilities went up 16-23% each year post-pandemic (MHRC, 2021a and 2022a, Data). A likely cause of this increase is the COVID-related masking and vaccination requirements; however, the details of these complaints could prove valuable in analyzing the government pandemic response and amending the established policies and procedures in order to make them more accommodating in future emergency situations. Once the backlog of complaints is investigated, the MHRC should also investigate if these changes carried over to substantiated complaints forwarded for adjudication or whether the increase was solely in complaints filed but not upheld (MHRC, 2021a and 2022a, Data). Understanding this would confirm if the changes were due to an increase in discriminatory practices or if there was a lack of understanding among the general public of their rights, particularly in relation to pandemic health orders.

The types of discrimination referenced in complaints throughout the pre-COVID period remained consistent, with the most complaints being filed because of differential treatment, followed by failure to accommodate, harassment, sexual harassment and reprisals. During this period there was a yearly average of 142 complaints related to differential treatment, 127 complaints related to reasonable accommodation, 19 complaints related to harassment, approximately 16 complaints related to sexual harassment and approximately five complaints related to reprisals being filed (MHRC, 2017, 2018, 2019, pp. 9-10). Complaints related to differential treatment consisted of 46-49% of the complaints, while complaints related to failure to accommodate comprised 39 or 49% of the registered complaints. Complaints related to harassment accounted for 5-8% of the complaints, while sexual harassment made up 5-6% of complaints. Complaints related to reprisals only accounted for 1-2% of the complaints registered during this period (MHRC, 2017, 2018, 2019, pp. 9-10). Post-COVID the types of discrimination referenced in complaints had slight deviations from pre-pandemic complaints, particularly in 2020 and 2022. In 2020, the order for the top five areas of complaint was: differential treatment, failure to accommodate, harassment, reprisals and then sexual harassment. In 2022, there were no complaints registered due to sexual harassment (MHRC, 2020a, pp. 9-10 and MHRC, 2022a, Data).

Between 2020 and November 21, 2022 there was an average of 168 complaints related to differential treatment, 150 complaints related to failure to accommodate, 20 complaints related to harassment, and five complaints related to reprisals and sexual harassment respectively each year. During this period, complaints related to differential treatment accounted for 73-78% of

complaints, while complaints related to failure to accommodate comprised 48-59% of complaints. Harassment related complaints made up 8-10% of registered complaints, while sexual harassment related complaints consisted of 4-5% of complaints. Complaints related to instances of reprisal accounted for only 1% of complaints. Some complaints were filed in reference to multiple types of discrimination (MHRC, 2020a, pp. 9-10 and MHRC, 2021a and 2022a, Data). Post-pandemic there was a notable increase in complaints filed due to differential treatment, failure to accommodate and harassment, as compared to the pre-COVID numbers. Once the complaints from 2020 through 2022 have final decisions, the Commission should investigate further to determine if these increases remain consistent with the substantiated complaints or not (MHRC, 2022a, Data). If not, then it should study whether these increases possibly exist due to a misunderstanding of these areas of complaint among the general public, which could merit the MHRC drafting further educational documents outlining the rights and responsibilities from the Code.

The areas of complaint from the pre-pandemic period were consistent, with an average of 206 complaints being filed under employment, 82 complaints being filed under services and 11 complaints being filed under housing each year between 2017 and 2019. Complaints filed under employment accounted for 68-70% of registered complaints, while complaints filed under services made up 25-30% of complaints, and complaints filed under housing consisted of 2-4% of registered complaints (MHRC, 2017, 2018, 2019, pp. 9-10). Between 2020 and November of 2022 there were some changes, notably that there were complaints filed under contracts in 2021 and 2022, where as there had not previously been any registered in the three-year pre-COVID period. Post-COVID, there was an average of 115 complaints filed under employment, 94 complaints filed under services, 16 complaints filed under housing and one complaint filed under contracts each year. Complaints filed under employment accounted for 49 or 56% of complaints, while complaints filed for services comprised 37 or 44% of registered complaints. Complaints filed under housing made up 6-7% of complaints registered, and complaints filed under contracts consisted of 1% of complaints (MHRC, 2020a, pp. 9-10 and MHRC, 2021a and 2022a, Data). The sharp decline in employment-related complaints post-COVID is likely a direct effect of the pandemic, when many businesses were forced to implement work from home programs for their employees. Furthermore, the increase in service-related complaints is likely reflective of the health orders affecting service providers, which required them to temporarily close, or reduce operational capacities due to stay at home orders, as well as masking and vaccination requirements (PSC, 2021). The increase in housing-related complaints during this period also requires further investigation, however, it is likely related to the temporary amendments made to the Residential Tenancies Act, which were enacted after the start of the pandemic in 2020. These amendments prohibited landlords from charging late fees, restricted their ability to evict tenants and revoked any rent increases that were scheduled to take place on April 1, 2020 or later (RTB, 2020, pp. 1-2). These changes remained in place from March of 2020 until June of 2022 (Residential Tenancies Amendment Act, 2020 and Residential Tenancies Act, 2022). While the one complaint filed under contracts each year in the post-COVID period is negligible, the MHRC should still study the details, as this area of complaint is remaining consistent post-COVID. Understanding this new emergence could identify a new trend for complaints, which may or may not be related to the pandemic.

MHRC investigators completed 123 investigation reports in 2017, as approximately 40% of opened files were resolved through mediation prior to an investigation or they were not pursued. Of those 123 investigation reports, there were 109 complaints that were dismissed, with 10% of them requiring only limited investigation (MHRC, 2017, pp. 9). The remaining 14 complaints were substantiated. There were five complaints related to physical or mental disability, five related to sex (including pregnancy), two that were related to unspecified discrimination, one related to source of income and another that was related to ancestry, nationality, or ethnic background. Eleven of the substantiated complaints were filed due to differential treatment, one complaint was filed due to harassment, another was filed due to sexual harassment and the last was filed because of a failure to reasonably accommodate (MHRC, 2017, pp. 9-10). Ten of the substantiated complaints were forwarded for adjudication. Of these, three complaints were resolved before proceeding to an adjudication hearing. In 2017, there was a total of three public hearings held by the Adjudication Panel (MHRC, 2017, pp. 10-11 and 23).

In 2018 there was a total of 270 investigations completed, a 120% increase compared to 2017. This was made possible by the initiatives introduced by the Commission in 2017, including: hiring more staff, utilizing technology and media in the complaint process, and strengthening and stabilizing the Commission (Khan, 2017 and MHRC, 2018, pp. 11). Of the investigated complaints, seven were resolved through directed mediation, 28 were substantiated and 184 were dismissed, with 40% requiring limited investigation (MHRC, 2018, pp. 11-12). Of the complaints that were substantiated, 17 were filed due to differential treatment, eight were filed due to a failure to reasonably accommodate, four were filed due to harassment, another four were filed due to sexual harassment and one was filed due to reprisal. Most complaints were filed on the basis of physical or mental disability, with 17 complaints being filed on those grounds. There were also eight complaints filed based on sex (including pregnancy), three complaints filed on the basis of unspecified discrimination, two complaints filed based on sexual orientation, one complaint filed on the basis of marital or family status, one complaint filed on the basis of gender identity, one complaint filed based on political belief and the last complaint was filed on the basis of religious belief (MHRC, 2018, pp. 12). Twenty of the substantiated complaints were referred to the Adjudication Panel for a public hearing, while eight were resolved through mediation. Three of the referred complaints were settled before proceeding to a hearing, four hearings were held and five decisions were issued for files opened in 2017 and 2018 (MHRC, 2018, pp. 26).

In 2019, there were 140 complaints investigated, with 131 of them being dismissed. Of these, 40% of the complaints required limited investigation and 33 complaints were dismissed without investigation as the Board of Commissioners declined jurisdiction because the matters were either currently being pursued or had already been settled in another legal forum. This resulted in nine substantiated complaints (MHRC, 2019, pp. 11). The nine substantiated complaints were filed on the basis of multiple protected characteristics and types of complaints, as there were 17 complaints filed due to differential treatment, five complaints filed for failure to reasonably accommodate, three complaints filed for harassment and one complaint filed due to sexual harassment. There were three complaints filed on the basis of marital and family status, another three filed based on sex and a further three filed for discrimination on the basis of

disability. Additionally, two complaints were filed on the basis of political belief and one was filed for each of the following protected characteristics: social disadvantage, religious belief, age, ancestry and source of income (MHRC, 2019, pp. 12). Four of the substantiated complaints were forwarded to the Adjudication Panel, while the other five were resolved through mediation, settlement or the complainant no longer wished to pursue the complaint. In 2019, seven public hearings were held and 14 decisions were issued by the Adjudication Panel (MHRC Annual Report, 2019, pp. 12).

In 2020, there were 132 investigation reports completed, resulting in 121 complaints being dismissed. Of the dismissed complaints, 40% required limited investigation and 33 complaints were not investigated as the Board of Commissioners declined jurisdiction. There were 11 substantiated complaints, of which six complaints were filed due to differential treatment, three were filed for sexual harassment, two were filed for a lack of reasonable accommodation and one was filed due to harassment (MHRC, 2020a, pp. 11-12). At this time, complaints from 2020 through 2022 are still being investigated, so there are no final totals available for the investigation reports nor are there statistics related to substantiated complaints. Because of this, comparisons related to substantiated complaints, Adjudication Panel findings and precedent setting cases are not possible at this time. Once the investigations for 2020 through 2022 are completed, the data should be compiled and compared to the pre-COVID information detailed above (MHRC, 2021a and 2022a, Data).

### Why is This Research Important?

At the time of writing this article, there is no published or peer-reviewed research examining the effects of COVID-19 on any Canadian human rights commission or tribunal on the provincial, territorial, or federal levels. Completing this research would not only allow the Commission to better understand the effects COVID-19 had on its investigations and the precedents established through pandemic related complaints, but also to compare the effects of COVID across Canadian jurisdictions. Based on the available information, there were some interesting changes which occurred to MHRC complaints registered post-COVID. Notably, there was a decrease in the amount of complaint files opened and the number of formal complaints registered with the Commission, yet, at the same time, there was an increase in the number of people who contacted the Commission believing they had experienced discrimination (MHRC, 2020a, pp. 9-10 and MHRC, 2021a and 2022a, Data). It would be interesting to see if other Canadian human rights commissions or tribunals experienced similar or differing changes to the complaints they received and the ones that were substantiated. Once the investigation backlog is eliminated, the research in Manitoba can be completed and the data compared to similar research conducted in other Canadian jurisdictions in order to confirm if COVID-19 had similar effects on human rights across the country, or if it differed between jurisdictions and why (MHRC, 2022a, Data). This would of course require that similar research is carried out in other jurisdictions, including provincially, territorially, and federally. Additionally, as public health orders related to the COVID-19 pandemic varied across Canadian jurisdictions, this research would allow for Canadian human rights commissions and tribunals to compare government policies and health

orders established during the pandemic with the effect they had on human rights, particularly the protection of individual rights, while also ensuring the protection of the greater public, particularly those belonging to vulnerable groups (PSC, 2021). The MHRC's membership to CASHRA should facilitate the sharing of pandemic-related analyses across Canada (CASHRA, n.d. and MHRC, n.d.a).

Furthermore, this research would also allow the Commission to expand upon the second part of its mandate, "promoting human rights principles and educating the public about the rights and responsibilities in the Code" (MHRC, 2020b, pp. 2). During the 2020 through 2022 period, the Commission released many documents related to COVID-19 and human rights, including: *A Human Rights Based Approach to the COVID-19 Pandemic: Principles and Actions*, *Letter to Justice Officials on the Human Rights Related Implications of Recent Changes to the Justice System, December 2020 Update: A Human Rights Based Approach to the COVID-19 Pandemic: Principles and Actions*, and *Letter to Manitoba Health Regarding Human Rights and Triage Protocols During the COVID-19 Pandemic* (MHRC, n.d.b). Many of these documents were drafted and released with the goal of educating the public, including individuals, government, employers, service providers and housing providers, in order to ensure that they are aware of their rights and their responsibilities in relation to COVID-19, as well as domestic and international human rights obligations. The Commission noted that not only had the pandemic touched all Manitobans in some way, but it also inspired unprecedented government responses, including "public health campaigns, restrictions on social interaction and freedom of movement, and economic stimulus" (MHRC, 2020b, pp. 3-4).

In the document titled: *December 2020 Update: A Human Rights Based Approach to the COVID-19 Pandemic: Principles and Actions*, the Commission attempted to address many issues raised by community members in relation to their experiences during the pandemic, including: the disproportionate effects of COVID-19 on Indigenous peoples in Manitoba, an erosion of human rights for those living in congregate living facilities, ensuring that protocols and decisions related to critical care services respect the Code, and establishing that enforcement measures do not disproportionately affect racialized communities, people experiencing houselessness and poverty, as well as people with disabilities and those using substances (MHRC 2020c, pp. 4-5). In this release the MHRC looked at the issues identified by community members, and discussed them as they related to the pandemic and at-risk populations. Additionally, the document looked at government decisions in relation to the pandemic and areas such as public health measures, the distribution of vaccines, and disaggregated data on COVID-19 and equity indicators (MHRC, 2020c, pp. 6-16).

Through the release of their pandemic related documents, the Commission aimed to ensure the protection of human rights in areas such as health care, the justice system, care homes, disability, Indigenous rights, domestic abuse, poverty, substance use, employment, services, racism, and housing (MHRC, 2020b, pp. 2-5). With a full examination of the effects of COVID-19 on the Commission these documents could be updated to describe the effects of the pandemic in areas such as government agencies and departments, employers, public service providers and housing. The Commission could also do further follow up with community actors to confirm the

long-term effects of the previously identified areas of concern, which could lead to further updates for existing COVID-related documents. All updated documents could then be distributed to provincial government agencies, employers, service providers and housing providers to ensure that they amend their pandemic or emergency situation-related policies as needed to ensure that they are respectful of international and domestic human rights obligations, with a particular focus on addressing and preventing the issues identified by community actors. The documents could also be used to inform future decisions and policies created during new emergency situations, particularly in relation to government restrictions or suspensions of rights, and policies or decisions affecting at-risk communities.

In 2020, the COVID-19 pandemic raised important human rights questions, particularly with the introduction of public health orders, including: stay at home orders, masking requirements and vaccination requirements. These orders and accompanying policies were tasked with balancing the protection of the greater public during a health emergency, while also respecting the individual rights of Manitobans (MRHC, 2020a, pp. 5 and PSC, 2021). This paper outlines why it is essential that the Commission conduct research in order to understand the full effects of COVID-19 on their work. The complaints received by the MHRC between 2017 and 2022 should be examined through the annual reporting data and precedent cases from each year. This paper outlined the available reporting data, which showed changes in the areas of complaint, types of complaints and protected classes listed in complaints in the post-COVID period which warrant further investigation. In addition to the fluctuations in complaint data pre- and post-COVID, there were interesting changes in terms of the number of people who felt they had experienced discrimination compared to the number of registered complaints received between 2020 and 2022 (MHRC, 2017, 2018, 2019, 2020a, pp. 9-10 and MHRC, 2021a and 2022a, Data). However, at the time of writing, the data for 2022 was only available from January 1st through November 21st, so a full comparison of the data is not possible. Additionally, due to known investigation delays, files from 2020 through 2022 are still being investigated (MHRC, 2021a and 2022a, Data). The Commission is currently working to reduce the backlog and has a target to eliminate wait times by 2025 (MHRC, 2022a, Data). Recent changes to the Code are part of this initiative to reduce the backlog through various means, including: allowing for the dismissal of a complaint with limited or no investigation if certain conditions are applicable, dismissals are now decided by the MHRC Executive Director rather than the Board of Directors, and the Executive Director can now assess reasonable settlement offers (MHRC, 2021b, pp. 1-2). Other changes were implemented, though they do not have much bearing on reducing wait times; rather they impose limits on remedial monetary awards available to complainants, which deeply concerned the Commission (MHRC, 2021e, pp. 1). Conducting the suggested research outlined in this paper would allow the Commission to better understand how the pandemic affected and influenced the complaints it received between 2020 and 2022. Conducting further research would allow the Commission to understand the effects of the pandemic on its investigations and human rights in Manitoba, as well as to expand upon and update their COVID-19 related documents to assist the public, government agencies, employers, service providers and housing providers to understand their rights and obligations in future emergency situations (MHRC, n.d.b). The conclusions of the research could also be shared with other governmental human rights bodies in Canadian jurisdictions to assess if COVID-19 had a similar effect on human

rights across the country or if it differed and why. The Commission's membership to CASHRA should help with sharing information and comparing data across jurisdictions (CASHRA, n.d. and MHRC, n.d.a).

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