

HUMAN RIGHTS COMMISSION

(709) 729-2709
729-2326
1-800-563-5808
Fax: 729-0790

P.O. Box 8700
St. John's, NF
A1B 4J6

For Further Information Contact

Gladys Vivian
Executive Director
Human Rights Commission
P. O. Box 8700
St. John's, Newfoundland
A1B 4J6
Phone: 729-2709
Toll Free: 1-800-563-5808

FOR IMMEDIATE RELEASE

The Human Rights Commission is pleased to report that Chief Adjudicator Judy Morrow has ordered Corner Brook Pulp and Paper Limited to employ Betty Randell of Corner Brook into the Casual Pool for Local 242 and/or Local 64.

In a decision dated May 1, 2002, Chief Adjudicator Morrow rules that Corner Brook Pulp and Paper Limited and/or Douglas Kendrick retaliated against Betty Randell contrary to Section 15 of the *Human Rights Code* in relation to the Locals 242 and/or 64 Casual Pool competition 2000. In addition to ordering Corner Brook Pulp and Paper to employ Ms. Randell with a seniority ranking of fifth for the year 2000, Chief Adjudicator Morrow further orders that Corner Brook Pulp and Paper pay Ms. Randell employment income retroactive to the date of 2000 Casual Pool hirings as if she had been employed on that date with a ranking of fifth on the seniority list, together with payment of all employee benefits accruing from that date. Corner Brook Pulp and Paper and/or Douglas Kendrick have also been ordered to pay Ms. Randell \$3,500 general damages for non-pecuniary loss.

Betty Randell filed a complaint with the Human Rights Commission in January 2000 alleging discrimination in the hiring practices at Corner Brook Pulp and Paper on the basis of sex and age. A second complaint was filed in October 2000, alleging retaliation against Corner Brook Pulp and Paper and Douglas Kendrick, Manager of Administration with Corner Brook Pulp and Paper. The complaint was filed after Ms. Randell received correspondence from Mr. Kendrick advising her that her application for employment with Corner Brook and Paper had been placed on hold because of concern about unsubstantiated allegations contained in the Investigation Report concerning the January 2000 complaint. While Chief Adjudicator

Morrow dismissed the discrimination complaint, she upheld the retaliation complaint.

The decision notes there are no defences outlined in the *Code* to retaliation and Counsel for the Respondents were unable to provide the Board with a submission of any common law defences available. In upholding the retaliation complaint, Chief Adjudicator Morrow states “it is absolutely imperative that a Complainant feel free to speak openly and candidly to the Human Rights Specialist during an investigation of a complaint under the *Code*”.

May 6, 2002