



**THE COMMISSION DES DROITS DE LA PERSONNE
ET DES DROITS DE LA JEUNESSE
TAKES PEOPLE TO HEART**

Declaration of Services to Citizens

Declaration adopted at the 458th sitting of the Commission
held on March 28, pursuant to resolution COM-458-2.1.1

ONE MISSION, TWO MANDATES

The Commission ensures that the principles set forth in the *Charter of Human Rights and Freedoms* are protected and upheld. In addition, it is responsible for the administration of the Act respecting equal access to employment in public bodies. The Commission is also responsible for ensuring that the interests of children are protected and that their rights recognized by the *Youth Protection Act* or the *Young Offenders Act* are respected.

The Commission, whose members are appointed by the National Assembly, is independent of the government and carries out its mission for the sole benefit of citizens, taking all appropriate measures in such regard.

The direct services it offers to citizens throughout Québec include reception, investigation and judicial-representation services, information, cooperation and rights-education services, as well as services related to the establishment and implementation of affirmative action programs. In certain cases, upon request, it may also issue opinions and recommendations.

The Commission's office hours are between 8:30 a.m. and 4:30 p.m. from Monday to Friday.

A GUIDING PRINCIPLE: MUTUAL RESPECT

The Commission provides services that are respectful of people. In view of this principle, the Commission's personnel members:

- ❑ are courteous and attentive in their relations with you;
- ❑ identify themselves clearly when they address you;
- ❑ take into account cultural or socio-economic differences or your special needs and endeavour to take reasonable measures to adapt the Commission's services accordingly;
- ❑ take into account the specific needs of children and adolescents who use the Commission's services; and
- ❑ provide the information required in clear language that is adapted to your situation.

Among other things, the Commission's personnel members:

- ❑ to the extent possible, return messages within a maximum of two (2) working days;
- ❑ refer you clearly to another person, by voice-mail greeting messages, if they are absent; and
- ❑ acknowledge receipt of mail containing requests made to the Commission within five (5) days of receipt, specifying the name and contact information of the person responsible for responding in full to the request, as well as the time allotted for the response.

OUR RECEPTION SERVICES

The objective of the Commission is to respond quickly and professionally to your requests for information on your rights and on the Commission's mission and activities. In view of this objective, the Commission's personnel members:

- ❑ exercise active listening to determine whether the situation you describe falls within the Commission's mandate;
- ❑ if the situation described falls within the Commission's mandate, clearly explain to you the procedure applicable; and
- ❑ endeavour to direct you to the appropriate resources if the situation described does not fall within the Commission's mandate.

OUR INVESTIGATION SERVICES

The Commission may make an investigation into any situation that appears to constitute a case of discrimination, exploitation of an aged or handicapped person or reprisals within the meaning of the *Charter of Human Rights and Freedoms*. The Commission may also make an investigation when it has reasons to believe that the rights of a child or a group of children recognized by the *Youth Protection Act* or the *Young Offenders Act* have not been respected. The Commission's investigation services are free of charge.

The Commission undertakes to ensure that the investigation is made impartially. Hence, the person responsible for the investigation in your case must:

- ❑ contact the complainant or the petitioner within seven (7) days of receipt of the application for investigation and clearly explain his role, the powers granted to him by law, as well as the purpose and procedure of the investigation;
- ❑ furnish documentation and information useful in the drafting of the complaint pursuant to the *Charter of Human Rights and Freedoms*;
- ❑ upon request, assist the complainant in drafting the complaint;
- ❑ seek appropriate evidence to enable the Commission to render a decision on the complaint;
- ❑ act impartially with regard to all persons involved in the investigation; and
- ❑ preserve the confidentiality of information obtained during the investigation in respect of persons who are not parties to the investigation.

Since a wide variety of situations may be investigated by the Commission, it is difficult to specify a fixed time for each investigation. In all cases, our objective is to complete the investigation **within the shortest time possible** considering the **urgency** and **priority** of the situation. In general, notwithstanding exceptional situations related to the complexity of certain cases, the Commission aims to inform you of its decision within a **maximum** of fifteen (months) of a complaint concerning the *Charter of Human Rights and Freedoms* and six (6) months of a complaint concerning the *Youth Protection Act* or the *Young Offenders Act*.

You are entitled at all times to be informed of the progress of your case. If inevitable delays occur, the Commission will notify you accordingly and specify the expected duration of the delay.

During the investigation, the person responsible for your case must:

- ❑ foster satisfactory settlement for all complainants pursuant to the *Charter of Human Rights and Freedoms*, when such a settlement is possible;
- ❑ endeavour, to the extent possible, to remedy the situation alleged in the complaint under the *Youth Protection Act*.

This means that the person responsible for your case must:

- ❑ offer you the opportunity to seek arbitration or mediation, and explain the procedure to you, in the case of an investigation made pursuant to the *Charter of Human Rights and Freedoms*;
- ❑ consult the persons concerned regarding the measures required to remedy the situation disclosed, in the case of an investigation made pursuant to the *Youth Protection Act*; and
- ❑ **endeavour to create a climate of respectful, constructive dialogue between you and the other persons concerned, in order to foster a satisfactory settlement or a correction of the situation.**

OUR JUDICIAL-REPRESENTATION SERVICES

If the Commission decides to act on your behalf and represent you before a tribunal, it undertakes to accompany you during the process, meaning that:

- ❑ you will receive a letter from the Commission indicating the name and contact information of the lawyer responsible for your case;
- ❑ the lawyer will explain to you the various steps in the judicial process and the legal issues applicable to your case;
- ❑ the lawyer will prepare you adequately for your testimony;
- ❑ the Commission will take all legal means required to assert your rights, within the context and the limits of its decision to act on your behalf; and
- ❑ the Commission's judicial-representation services are free of charge.

OUR INFORMATION, COOPERATION AND RIGHTS-EDUCATION SERVICES

The objective of our information, cooperation and rights-education services is to share information and expertise that meets your particular requirements with regard to human rights and freedoms and youth rights. Accordingly, the Commission:

- ❑ provides accessible, reliable and up-to-date information;
- ❑ uses clear language that is adapted to the participants in each information, cooperation and rights-education activity.
- ❑ endeavours to respond to the needs you have identified to us as well as those we have identified;
- ❑ uses a variety of educational approaches to facilitate the sharing of knowledge and values;
- ❑ uses various appropriate means (support instruments);
- ❑ receives and evaluates cooperation projects proposed by persons or organizations and promptly indicates to them whether or not the Commission intends to participate;
- ❑ receives and evaluates requests for opinions made by persons or organizations and promptly indicates to them whether or not the Commission intends to comply; and
- ❑ evaluates each information, cooperation and rights-education activity in light of your comments and suggestions.

SERVICES PERTAINING TO OUR AFFIRMATIVE ACTION PROGRAMS

The Commission assists organizations that devise and implement affirmative action programs. In this regard, the Commission:

- ❑ provides relevant, reliable and up-to-date information concerning affirmative action programs to the organizations and persons concerned, within two (2) days of the request;
- ❑ offers training modules adapted to the particular requirements of the organizations and groups concerned;
- ❑ provides the technical assistance required to devise affirmative action programs, in particular to the bodies to which the *Act respecting equal access to employment in public bodies* applies;
- ❑ ensures the confidentiality of any information or document furnished voluntarily for the purpose of devising, implementing or complying with an affirmative action program; and
- ❑ aims to produce the "availability analysis" within three (3) months following the date of receipt of your organization's "workforce analysis" and to produce a written evaluation of the equal access employment program proposed by your organization within six (6) months of the date of receipt of the proposed program.

If these times must be exceeded, the Commission will notify you accordingly, specifying to you the reasons and the additional time required.

IMPROVING OUR SERVICES

The Commission strives to continuously improve its services and processes its customer-service complaints with this aim in mind.

If you are not satisfied with the services provided by a member of the Commission's personnel, you are required to address your complaint to the immediate superior of that member. If you are not satisfied with the answer you receive from the immediate superior, you may communicate verbally or in writing with the Office of the President of the Commission at:

Office of the President

Commission des droits de la personne et des droits de la jeunesse

360 Saint-Jacques Street, 2nd Floor

Montreal, Quebec H2Y 1P5

Telephone: (514) 873-5146 or 1 800 361-6477

Fax: (514) 864-1562

To the extent possible, your complaint will be processed within a maximum of thirty (30) days. If this time must be exceeded, the Commission will notify you accordingly, specifying the reasons and the additional time required.

Note: The *Charter of Human Rights and Freedoms* does not provide for any internal mechanism enabling the Commission to review the decisions of a complaints committee made following an investigation. Nor does the *Youth Protection Act* provide for any internal mechanism by which to review the Commission's investigation findings; however, the decision **not to** hold an investigation under the *Youth Protection Act* may be reviewed.

YOUR ROLE IS IMPORTANT, TOO

You can help us offer you better services by:

- providing all information required to process your application within the time required;
- indicating whether you require assistance;
- indicating any change in your address or contact information;
- complying with the conditions established with you for the holding of our information, cooperation or rights-education activities or notifying us of problems encountered in relation thereto before the activity is held.

The Commission's personnel undertakes to treat you with respect. Thank you for your trust and for treating us with respect in return.