YUKON HUMAN RIGHTS COMMISSION

Annual **Report**









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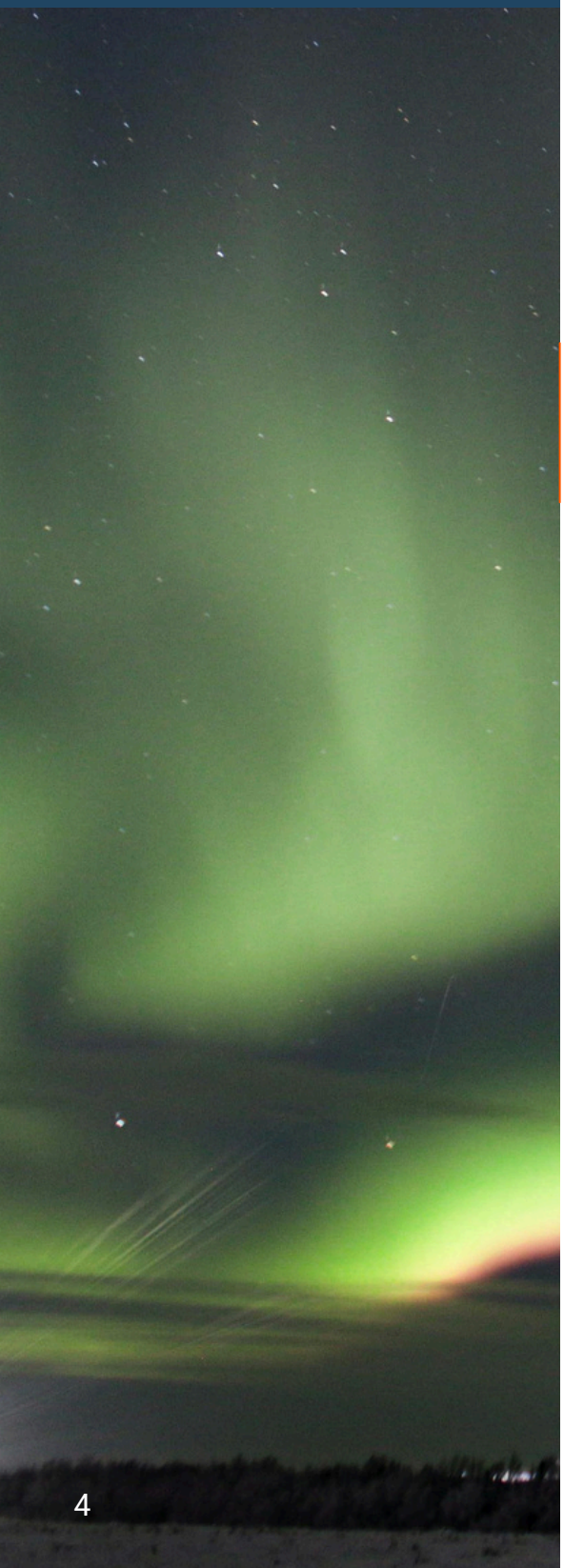
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Chair's **Message**



The Yukon Human Rights Commission (the "Commission") gratefully acknowledges that we live and work on the traditional lands of fourteen Yukon First Nations and transboundary peoples. As we do so, we recognize that we serve all people in Yukon through our commitment to societal reconciliation. This remains a central pillar to our mission.

This annual report seeks to convey to the Yukon Legislative Assembly, and through it to all Yukoners, the important efforts and achievements of our valued staff and partners during our 2025–2026 reporting year. The key principle that these actions promote is that every Yukoner is free and equal in dignity and rights.

Keeping access to justice principles at the forefront of our work means that more people than ever before are accessing the Commission's inquiry and complaint processes to help defend their rights. Despite financial constraints that prevent full staffing, the dedicated team members continue to ably meet this growing challenge.

The Commission is not alone. Yukoners can and should uphold human rights. Together with the actions of government and community partners, all foster justice across the territory. While governments hold the legal responsibility for human rights, regulatory agencies like ours, along with the court system, enforce the law as a part of what Ron Ellis refers to as a "statutory rights enterprise".[1] The deeds of these witnesses instigate real change every day.

[1]Ron Ellis, *Unjust by Design: Canada's Administrative Justice System*, UBC Press, 2013, p. 135.

Discrimination was woven into the fabric of society where I grew up. One sunny summer afternoon many years ago, teenage friends and I arrived at the local swimming complex. The vendor in the ticket booth informed our group that all of us were welcome except for the one of us who had a darker skin colour. Without hesitation we told him, “All of us or none of us.” Even as teenagers we knew that our actions must support our beliefs.

Authoritarianism and conflict continue to foster human rights abuses around the world. People everywhere are feeling the intensification of anti-human rights demagoguery and active discrimination. This darkness, these forces seeking to erode our collective human rights advances, will not succeed. As our 31st Governor General, Louise Arbour, has stated, “We are witnessing an irreversible globalization of human rights expectations.” We must remain hopeful and resolute. Witnesses to injustices here in Yukon are called on to continually stand-up in defence of human rights.

On behalf of all Commission Members, I would like to sincerely thank all our staff whose dedicated service drives the Yukon Human Rights Commission forward.

Michael **Dougherty**
Chair



Director's **Message**



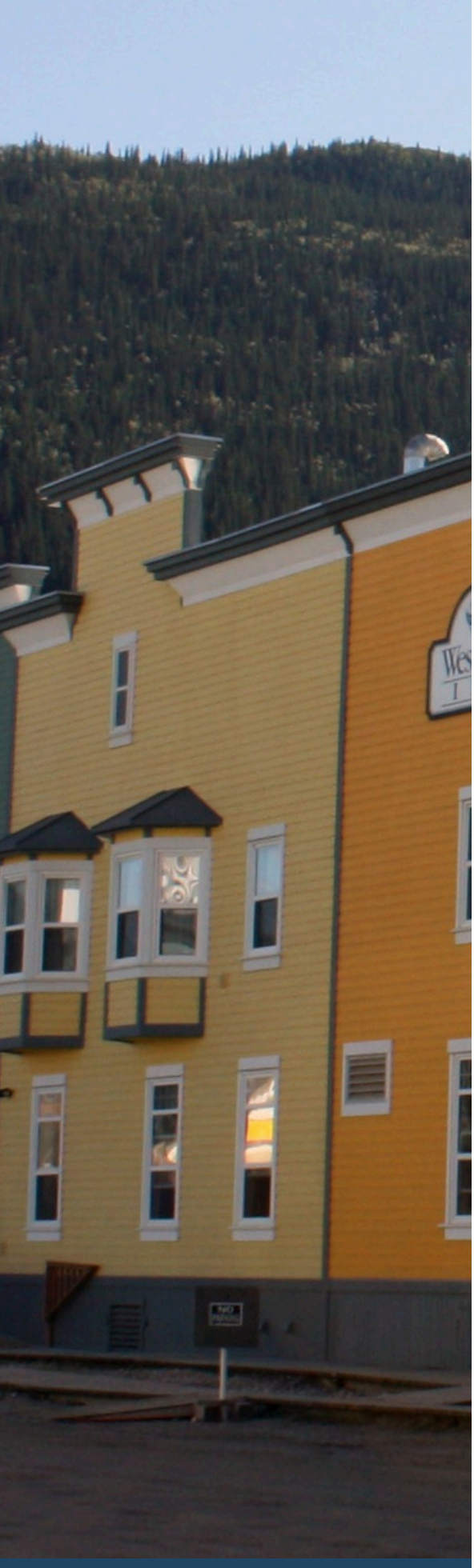
Human rights are at the core of our collective socio-economic realization and encoded in laws with paramountcy over most territorial legislation. The *Human Rights Act* and *Regulations* capture the state's most staunch promise to people: that where we live, our employment, how we access goods and services, and how we engage across the most important areas of human life will not be jeopardized because of who we are. As operating conditions grow increasingly challenging, the Yukon Human Rights Commission (the "Commission") remains firm in our commitment to oversee the enforcement mechanism established by the law and to provide free, accessible information to all who need it.

This year, the Commission completed all five of the Ombudsman's recommendations[2] from the 2024 Investigation Report, including the adoption of three new operational policies. We successfully argued against human rights violations at two seminal hearings. On the education front, we concluded a two-year partnership with the Canadian Race Relations Foundation, shared essential information with community change-makers at Yukon Women in Mining's Mining Camp and Community Safety Forum, and reached beyond Whitehorse at the Yukon Public Legal Education Fair in Watson Lake.

The new Residential Tenancies Act came into force on September 1, 2025, highlighting the heavy lifting done by the Commission to eliminate discrimination in

[2]Three recommendations were also made to the Government of Yukon.





Yukon. We provided information on accommodation and assistive animals without the guidance of disability legislation. We monitor pay equity in the private sector without pay equity legislation. We provide community-level support without a counterpart human rights clinic of any kind. We are a process of last resort when investigative offices, unions, and even specialized tribunals fall short.

"Human rights are not a slogan for good times. They are a duty at all times."
— António Guterres

Throughout the year we advocated for adequate funding, safeguards to our independence, and amendments to the legislation. Internally, as with our policies and practices, the team itself continued to evolve. In August, we welcomed Emma Dickson to the role of Legal Counsel. Thank you to former Legal Counsel Caroline Grady for her steely support throughout 2024–25 and 2025–26, Vida Nelson for many years of service, and Ivy Hsu for spending a short while on the front lines. Sofia Gonzalez has stepped into the essential role of Administrative Officer. I hold my hands up to our staff for all that they do in the service of justice.

Karen **Moir**
Director



About the **Commission**

The Commission is located in Whitehorse at 215-305 Main Street. Operating hours are 8:30 AM to 4:30 PM, Monday to Friday.

The Yukon Human Rights Commission (the "Commission") is an independent body established in 1987 under the Yukon *Human Rights Act* (the "*Act*"). The Commission's mandate is to:

- promote the principle that every individual is free and equal in dignity and rights;
- promote the principle that cultural diversity is a fundamental human value and a basic human right;
- promote education and research designed to eliminate discrimination;
- promote a settlement of complaints in accordance with the objects of the *Act* by agreement of all parties; and
- cause complaints which are not settled by agreement to be adjudicated, and at the adjudication adopt the position which in the opinion of the Commission best promotes the objects of the *Act*.

The Commission is composed of 5 members appointed by the Legislative Assembly of Yukon (the "Commission Members"). The Commission Members are Michael Dougherty (Chair), Aja Mason, Helena Tlen, Nathan Cross, and Leonard Wall. Administration and operations are led by the Director of Human Rights and carried out by staff.

The Commission is a regulator that serves a gatekeeping role in screening complaints referred to the Yukon Human Rights Panel of Adjudicators (the "YHRPA") for hearing. The YHRPA is the independent administrative law tribunal also established by the *Act*.

The Commission is a member of the Canadian Association of Statutory Human Rights Agencies ("CASHRA"), which brings member agencies together to improve and promote human rights in Canada, including providing opportunities for members to exchange information about human rights laws.



Commission Roles and Responsibilities

Commission Members*
Decide if complaints should proceed to the Yukon Panel of Adjudicators

Director
Responsible for the administration of the Commission and enforcement of the *Act*

Legal Counsel
Facilitate settlements, provide Commission with legal analysis and review of complaint decisions

Senior Investigator
Investigates complaints and provides strategic advice to management

Human Rights Officers
Take public inquiries, conduct research, and investigate complaints

Administrative Officer
Supports day-to-day operations through administrative and financial services

*Appointed by the **Legislative Assembly**



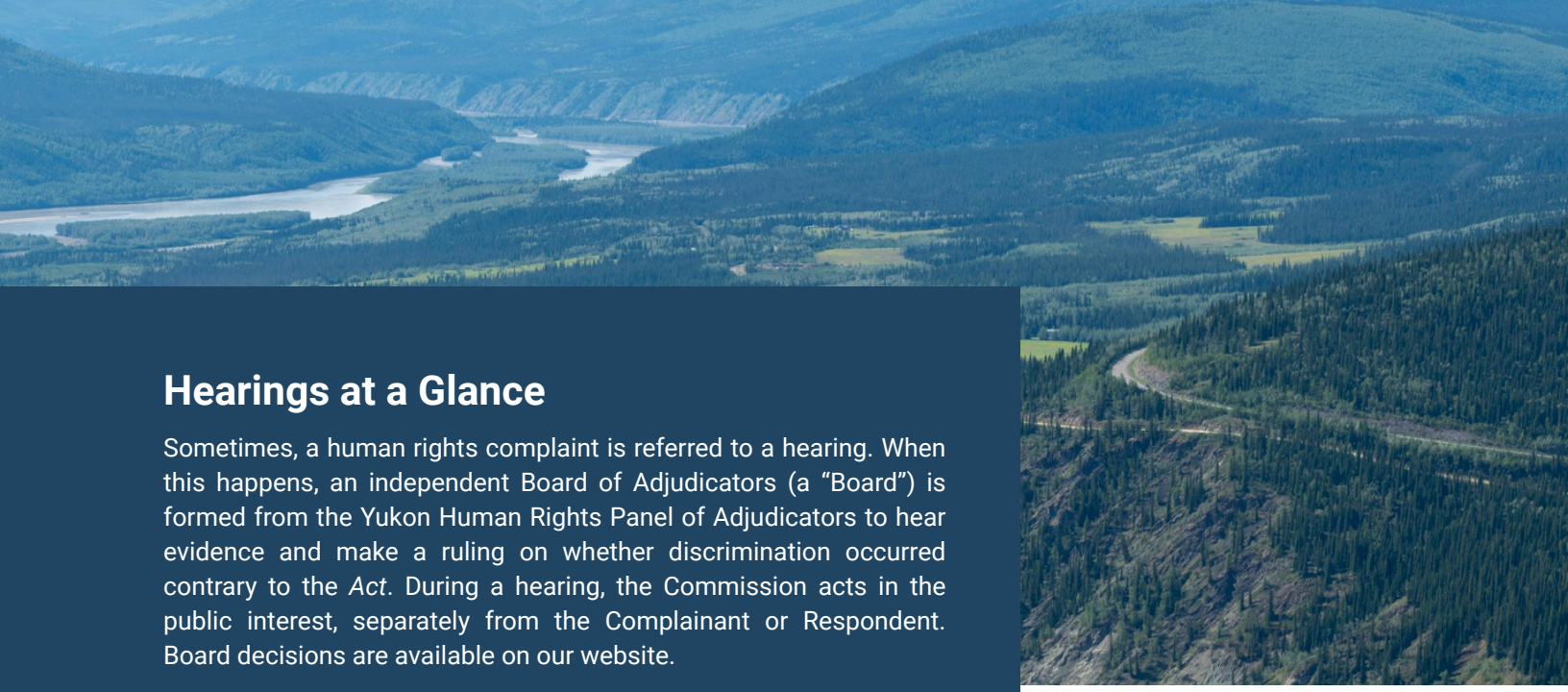
Commission **News**

Fairness First

In 2024, the Ombudsman recommended that the Yukon Human Rights Commission (the "Commission") make five changes to improve fairness. This year, the Commission completed **all** recommendations by introducing an electronic case management system, providing advice to the Government of Yukon's Department of Justice to amend the *Human Rights Act* (the *"Act"*) and *Regulations*, developing additional policies around section 20(1) of the *Act* concerning settlement and stopping or suspending complaints, and finally, adjusting how key tasks of the complaint process are assigned within the Commission.

Accessibility for All

The Commission updated its complaint form to improve the process of collecting the information needed to start a complaint, relying on trauma-informed best practices. This form was then used as the basis for the creation of an electronic complaint submission portal available in both English and French. The goal of this initiative was to lower barriers to submitting complaints. The portal can be accessed 24 hours a day, even when the Commission is closed. Important updates were also made to the Commission's website to help the public better understand their rights and the role of the Commission.



Hearings at a Glance

Sometimes, a human rights complaint is referred to a hearing. When this happens, an independent Board of Adjudicators (a "Board") is formed from the Yukon Human Rights Panel of Adjudicators to hear evidence and make a ruling on whether discrimination occurred contrary to the *Act*. During a hearing, the Commission acts in the public interest, separately from the Complainant or Respondent. Board decisions are available on our website.

2 hearings
occurred this fiscal year.

Walsh v. 16142 Yukon Inc.

In 2022, Robbie Walsh filed a human rights complaint against his employer 16142 Yukon Inc. (Northern Environment Services), alleging discrimination on the basis of disability. Walsh alleged he was fired after he was unable to board a flight to commence work because the airline required a doctor to certify his COVID-19 vaccine medical exemption. A hearing took place over two days in October 2025. The Board concluded that his employer discriminated against him by dismissing him due to his inability to be fully vaccinated against COVID-19. The Board further concluded that his employer failed to provide evidence that the vaccine requirement was a bona fide occupational requirement. The Board awarded Walsh $7,500 for injury to dignity, feelings, and self-respect and $10,000 for financial loss due to lost wages.

Cooke v. Government of Yukon

In 2021, Marsha Cooke filed a complaint against the Government of Yukon. Cooke alleged systemic discrimination and discrimination on the basis of sex, including pregnancy, resulting from the Government's midwives regulation. Cooke, who had previously relied on a private midwife, was unable to access midwifery services for the delivery of her third and fourth children due to gaps in service, which she alleged were due to the regulation's licensing and registration requirements and the absence of a public midwifery program. A hearing took place over five days in November 2025. The Board concluded that the Government discriminated against Cooke on the basis of sex when it denied access to midwifery services; and, that there was not reasonable cause for the denial or suspension of access to services. However, the Board declined to make a finding of systemic discrimination. Cooke was awarded $35,750 in damages for injury to dignity and self-respect, representing the highest award for such damages made in Yukon to date.

Complaint Services

Human rights are the fundamental rights which every person in the world is inherently entitled to. They include the rights to liberty, dignity, and respect, and to live free from all forms of discrimination and harassment. The Yukon *Human Rights Act* (the *"Act"*) promotes and protects human rights here in Yukon.

If you have been discriminated against in the territory, you may be able to seek a remedy through the Yukon Human Rights Commission (the "Commission"). Discrimination, for the purposes of the *Act*, occurs when a person or group is treated unfavourably because of a protected personal characteristic (also known as a "protected ground") in an area such as employment, housing, services, public contracts, or membership in unions or professional associations. There are 14 **protected grounds** under the *Act*:

- Ancestry, including colour and race
- National origin
- Ethnic or linguistic background or origin
- Religion or creed
- Age
- Sex, including pregnancy
- Gender identity or gender expression
- Sexual orientation
- Physical or mental disability
- Criminal charges or criminal record
- Political belief, association, or activity
- Marital or family status
- Source of income
- Actual or presumed association with other individuals or groups who identify with the grounds above

Who is Involved in a Complaint?

1

The Complainant
The person making a human rights complaint to the Yukon Human Rights Commission.

2

The Respondent(s)
The person, business, organization, and/or association that a complaint is against.

3

The Commission
A neutral regulatory body that facilitates the human rights complaint process.

The Complaint **Process**

A — Make an Inquiry

Inquiries are free, confidential, and optional, but strongly recommended. A staff member will listen and provide information on next steps, which could be to submit a complaint.

B — Submit a Complaint

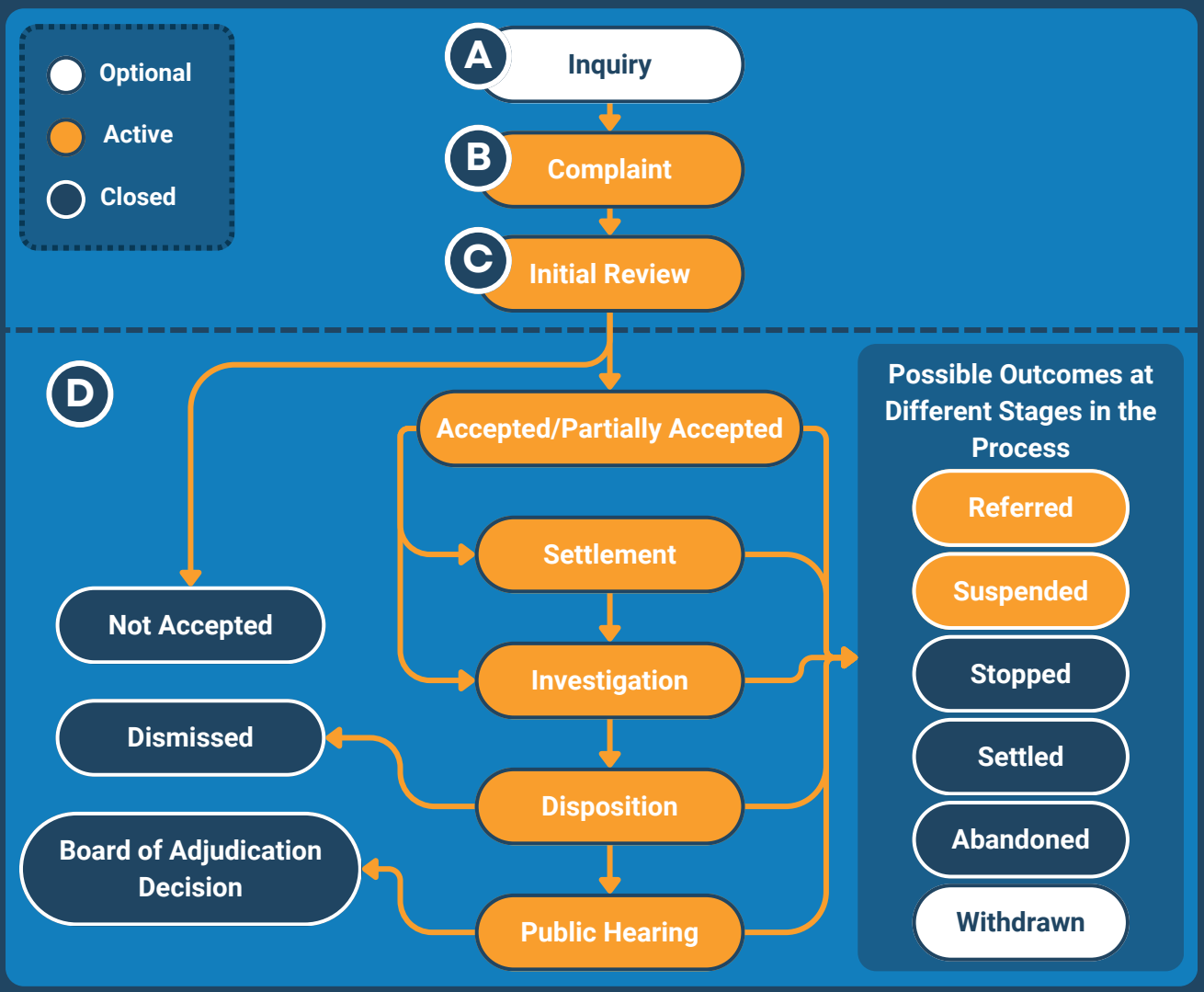
Prepare your complaint by completing the complaint form. This form can be submitted online, by email, or in-person. It is free to submit a complaint.

C — Await Initial Review

Before a human rights complaint is accepted for investigation by the Commission, it must pass an initial screening phase. Each complaint is reviewed carefully.

D — Continue to Conclusion Based on the Facts and Circumstances of Your Complaint

Every complaint is unique. How it proceeds and concludes depends on many factors. The chart below (D) shows how most complaints progress through the human rights process.



By the **Numbers** | 2025–26

The Commission is mandated to respond to inquiries with free legal information and to manage a human rights complaints process. Inquiries are confidential consultations with staff. Anyone from the public can request information about human rights in Yukon. Human rights complaints must be submitted by the individual who experienced the alleged discrimination. The form is available in English and French, through the website and in fillable PDF or paper copy. Human rights complaints are a process of last resort and the timeline for resolution is highly variable. Processing times are often dependent on the nature and complexity of the complaint. This fiscal year, the Commission received **238** inquiries (-25% compared to last fiscal year) and **80** complaints (+25% compared to last fiscal year).

238 **INQUIRIES** RECEIVED	**80** **COMPLAINTS** RECEIVED	**141** **COMPLAINTS** CARRIED OVER FROM PREVIOUS FY
16 **COMPLAINTS** ACCEPTED	**6** **COMPLAINTS** WITHDRAWN	**1** **COMPLAINT** ABANDONED
4 **COMPLAINTS** STOPPED	**6** **COMPLAINTS** SETTLED	**11** **INVESTIGATIONS** COMPLETED
12 **DISPOSITIONS** HELD	**2** **HEARINGS** HELD	**183** **COMPLAINTS** OPEN AT END OF FY

Accepted **Complaints** | 2025–26

By Area*

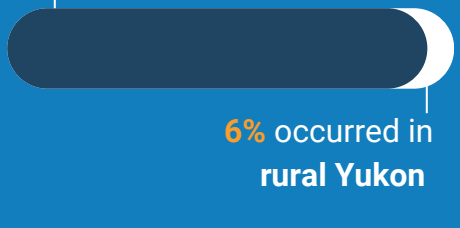
8 complaints related to **employment**

4 complaints related to **receiving goods and services**

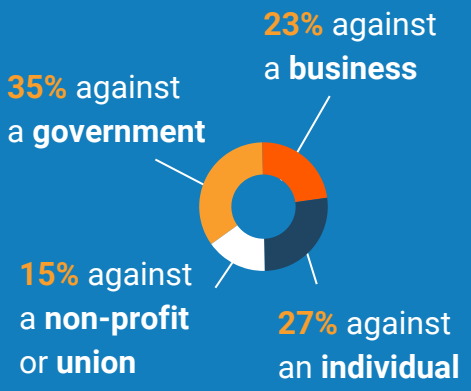
3 complaints related to **housing, leasing, or renting**

1 complaint related to **public contracts**

By Location



By Respondent Sector

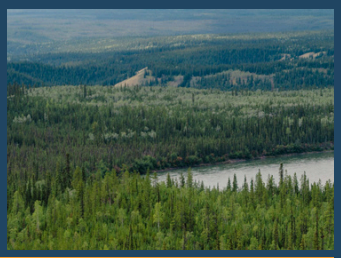


By Ground*

Physical or mental disability	8	Sex, including pregnancy	2
National origin	4	Age	1
Sexual orientation	4	Gender identity or gender expression	1
Actual or presumed association	2	Martial or family status	1
Ancestry, including colour and race	2	Source of income	1
Ethnic or linguistic background/origin	2	Criminal charges or criminal record	0
Political belief, association, or activity	2	Religion or creed	0

*Complaints can be accepted on multiple areas and grounds

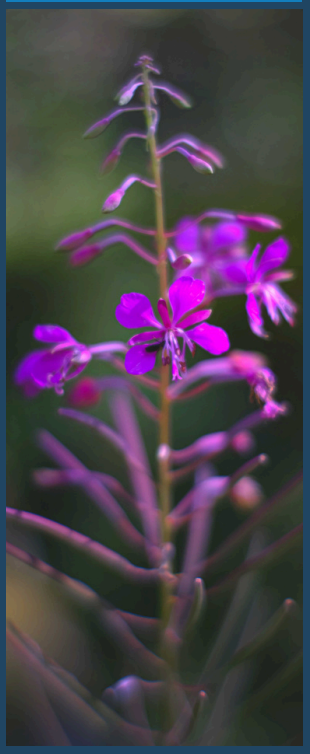
In 2025–26, the Yukon Human Rights **Commission**:



trained **220+** people

facilitated **11** trainings

provided **30** hours of training

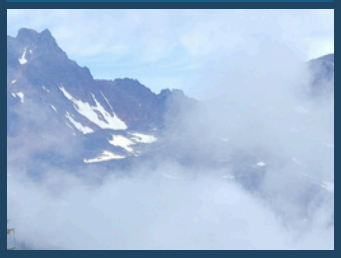




served **9** organizations

facilitated **2** rural trainings

facilitated **1** settlement-mandated training



Rights **Promotion**

The Yukon Human Rights Commission (the "Commission") promotes human rights to eliminate discrimination through accessible resources, materials, and trainings for businesses, associations, organizations, and governments.

This year, the Commission facilitated 11 trainings, covering topics like the duty to accommodate, workplace sexual harassment, and human rights 101.

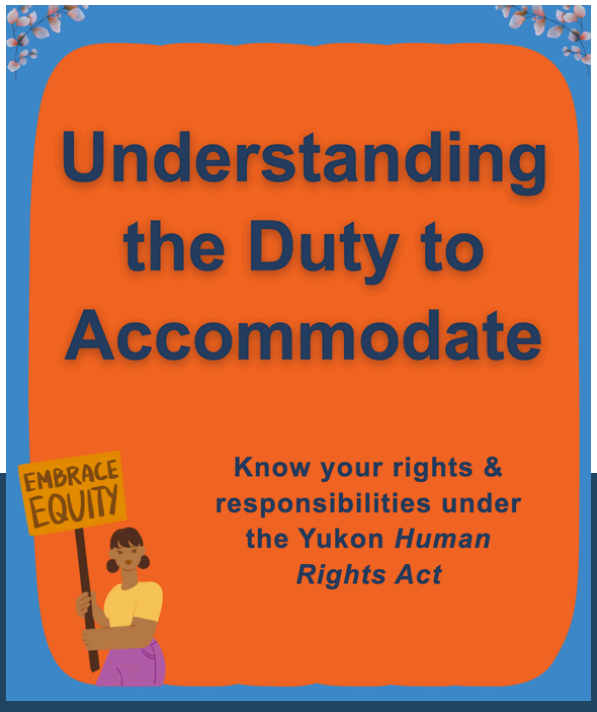
Legal Information Fair

The Commission travelled to Watson Lake, with support from the Canadian Race Relations Foundation ("CRRF"), to participate in the Yukon Public Legal Education Association's ("YPLEA") Legal Information Fair. Alongside other community and government partners, the Commission had a booth at the YPLEA Legal Information Fair where residents could visit, ask questions, and access legal information. The Commission provided information to community members about the Yukon *Human Rights Act* (the "*Act*"), and information about filing race-based complaints. The Commission also hosted a public education session in Watson Lake to further support community awareness and understanding of Yukon's human rights protections and processes.



Accommodation Zine

The Commission created a zine about the duty to accommodate called "Understanding the Duty to Accommodate". A zine is a small booklet or magazine. While the Commission's website provides information on the duty to accommodate, the zine takes an in-depth look at this legal concept, which is enshrined under subsection 8(1) of the *Act*. The zine discusses topics such as the difference between equality and equity, what constitutes a disability under human rights law, legal elements of the duty to accommodate, what undue hardship means, the duty to inquire, and best practices. The zine also provides examples and scenarios related to the duty to accommodate. The zine is available in hard copy as well as digitally to members of the public.



Commission

Budget

Revenue	2025–26	2024–25
Government of Yukon	$1,276,948	$1,073,928*
Canadian Race Relations Foundation	$66,000	$44,000
Interest and other income	$1,986	$6,250
Total Revenue	**$1,344,934**	**$1,124,178**

Expenses	2025–26	2024–25
Advertising and promotion	$1,418	$3,406
Amortization	$10,186	$8,501
Annual report	$3,697	$3,560
Bank charges	$710	$898
Board liability insurance	$4,212	$7,478
Case investigation	$108,240	$168,395
Commission Members - honouraria	$13,024	$13,984
Employee travel and training	$7,418	$12,648
Events and catering	$272	$11,117
Insurance	$9,974	$9,046
Janitorial	$4,800	$4,944
Memberships	$1,000	$1,000
Office	$6,371	$8,392
Other contract services	$86,026	$49,058
Penalties and interest	$15	$2,454
Professional fees	$6,000	$6,000
Rental	$125,000	$122,500
Repairs and maintenance	$28,321	$22,398
Salaries and wages	$868,567	$769,664
Subscriptions	$36,908	$30,198
Telephone and internet	$10,232	$9,505
Website	$6,588	$9,032
Total Expenses	**$1,338,979**	**$1,274,178**

*An additional $150,000 was allocated from historical surplus. This eliminated the Commission's emergency fund and increased Government of Yukon revenues in 2024–25 to $1,223,928.

Discussion

The Yukon Human Rights Commission (the "Commission") was established in 1987 by the Yukon *Human Rights Act* (the "*Act*") and reports to the Legislative Assembly. The Commission has long been funded through the Department of Justice. A Funding Transfer Agreement (the "FTA") was adopted as the funding vehicle in 2008–09.

Independence is an essential function of statutory human rights agencies. Adequate funding is at the foundation of independence according to the principles relating to the Status of National Human Rights Institutions (the "Paris Principles").[3] Canada endorsed these in 1993. The FTA allocation did not meet the minimum operational requirements, nor was it comparable to other organizations or jurisdictions.

The Commission spares no effort in ensuring that it has the funding required to meet its statutory obligations to the public. This includes: making its Annual Budget submission prior to each fiscal year, preparing and submitting 12 quarterly reports required by the FTA, complying with three additional financial controls, making project and supplementary funding requests when needed (9 submissions in this and the previous fiscal years), and securing external support for projects. The base funding provided by the FTA for this fiscal year was insufficient, and after emergency cost-saving measures, supplementary funding was finally received in January 2026.[4]

Entering 2026–27, the situation is unchanged. This is not consistent with the Paris Principles nor does it permit sustainable and independent practices or long-term planning required for a mandate as complex as that created by the *Act*. If the Commission is to be subject to the internal budget deliberations of the Department of Justice and Management Board, it requires a voice in the process. If the Commission does not have a say, it should be funded through the Legislative Assembly. This impacts all human rights in Yukon. Change is needed now.

[3] See "2. The national institution shall have an infrastructure which is suited to the smooth conduct of its activities, in particular adequate funding. The purpose of this funding should be to enable it to have its own staff and premises, in order to be independent of the Government and not be subject to financial control which might affect its independence." : https://www.ohchr.org/en/instruments-mechanisms/instruments/principles-relating-status-national-institutions-paris

[4] Supplementary funding for 2024–25 was received in March 2025.

YUKON HUMAN RIGHTS COMMISSION

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