

**MANITOBA HUMAN RIGHTS COMMISSION  
POLICY AND PROCEDURES MANUAL**

POLICY # L-19  
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SECTION: Legislation

Effective date: February 6, 2002

SUBJECT: GUIDELINES FOR REQUESTS FOR RECONSIDERATION OF COMPLAINTS

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Upon being notified of a decision of the Board of Commissioners in relation to a complaint, on some occasions a complainant or respondent has brought forward a request for the Board to reconsider the decision made; in effect, to “appeal” the Board’s decision.

There is no provision in *The Human Rights Code* for reconsideration of complaints or for appeals of Board decisions. As a result, once the Board has made a decision, that decision must stand unless it can be shown by the complainant or the respondent that there now exists **new and different material information** that was not available when the complaint was originally considered. If, subsequent to the Board’s original decision, a complainant or respondent comes into possession of such material information, the Executive Committee of the Board may, in its sole discretion, review this information and determine whether the Board might have reached a different conclusion had this information been before it at first instance. Only if the Executive Committee concludes that this new and different material information may have changed the Board’s original decision, will it refer the complaint back to the Board for possible reconsideration.

If a request for reconsideration of a complaint is being made, but is not accompanied by new or different material information that was unavailable when the complaint was originally considered, the party making the request for reconsideration will be advised as follows:

1. they can contact the Ombudsman, who has jurisdiction to review the Commission’s processes;
2. they may wish to consider seeking independent legal advice in order to determine whether there is a basis to seek judicial review of the Board’s decision.

APPROVED BY:

*Original Signed By*

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“Janet Baldwin”  
Chairperson

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16 April 2002  
Date