

SUPREME COURT OF NOVA SCOTIA

Citation: Brant v. Nova Scotia (Human Rights Commission), 2013 NSSC 56

Date: 20130215

Docket: Bwt. 398760

Registry: Bridgewater

Between:

Raymond James Brant

Applicant

v.

Nova Scotia Human Rights Commission and
Nova Scotia Power Inc.

Respondents

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Judge: The Honourable Justice C. Richard Coughlan

Subject: Administrative law - Judicial Review - Human Rights -
Procedural Fairness - Decision - Standard of Review

Summary: Mr. Brant responded to an employment posting by Nova Scotia Power. He was given a job interview. He was not successful in obtaining a position. Mr. Brant considered his physical disability was a factor in his not being hired. Following a resolution conference a Human Rights Officer recommended the complaint be dismissed as it raised no significant issue of discrimination. The Director and CEO dismissed the complaint. Mr. Brant sought Judicial Review of the decision on the basis he was denied procedural fairness and the decision did not meet the required standard of review.

Issue: Was Mr. Brant denied procedural fairness and if he was accorded procedural fairness did the decision meet the appropriate standard of review?

Result: Mr. Brant's complaint was treated with procedural fairness. The standard of review for a decision whether to refer a complaint to a board of inquiry is reasonableness. The decision was reasonable. The application is dismissed.

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