

Standing Committee on
Government Operations



Report on the Review of the 2024-2025 Annual Report of the Northwest Territories Human Rights Commission

20th Northwest Territories Legislative Assembly

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**STANDING COMMITTEE ON
GOVERNMENT OPERATIONS**

**REPORT ON THE REVIEW OF THE 2024-2025 ANNUAL REPORT OF THE
NORTHWEST TERRITORIES HUMAN RIGHTS COMMISSION**

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STANDING COMMITTEE ON GOVERNMENT OPERATIONS

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INTRODUCTION

The Standing Committee on Government Operations (Committee) has reviewed the *2024-2025 Annual Report of the Northwest Territories Human Rights Commission* (Annual Report).¹

The *Human Rights Act* requires the Northwest Territories Human Rights Commission (Commission) to prepare an annual report.² The 2024-2025 report highlights the Commission's focus on community outreach, resolving complaints filed under the *Human Rights Act*, and continuing advocacy for accessibility legislation.

Committee is providing three recommendations to the Government of the Northwest Territories (Government) regarding the implementation of legislation that improves accessibility for the people of the Northwest Territories (NWT). In addition, Committee is providing one recommendation regarding the proclamation of October as Disability Employment Awareness Month.

The Commission has reiterated its recommendations several years in a row. Committee would like to note the important role of the Commission, including its role to monitor and assess the effectiveness of the administration of the *Human Rights Act* and report as it considers necessary to the Legislative Assembly. Committee urges the Government to act upon the Commission's recommendations.

ABOUT THE NWT HUMAN RIGHTS COMMISSION

The Commission works to promote equality human rights and protect individuals and groups from discrimination under the NWT *Human Rights Act*. The Act creates a human rights system that is independent from the territorial government.

The human rights system in the NWT is committed to using a restorative approach and is guided by the principles of flexibility, inclusion, remediation and participatory solutions to issues. It is against the law to discriminate against anyone based on a protected ground in any of the following areas:

- Employment, including membership in professional organizations
- Access to public services like hospitals, schools, and stores
- Tenancy, including business leases
- Published material such as signs, newspapers, or other advertising.

The NWT *Human Rights Act* protects 22 grounds: age, disability, race, colour, ancestry, place of origin, ethnic origin, nationality, sex, sexual orientation, gender identity, family status, family affiliation, marital status, social condition, religion, creed, political belief, political association, pardoned criminal conviction, or record suspension.

OBSERVATIONS

Outreach Activities

Committee is pleased to see the extensive community outreach that the Commission conducted over the 2024-2025 year, including travel throughout the NWT, attendance at community events, and targeted campaigns to increase awareness of the *Human Rights Act* and related topics. Committee commends the Commission for its continued strong advocacy work, including interjurisdictional collaboration and promotion of the restorative dispute resolution process.

Accessibility Legislation

Accessibility means full and equal participation for all peoples in our communities, with the physical, information, attitudinal, and systemic barriers removed so people can participate in day-to-day activities or participate in opportunities available to all citizens. An accessible and inclusive territory benefits all of us.

In 2024-2025, 54% of all new complaints included an allegation of discrimination based on a disability, making it the most common ground cited when filing a complaint of discrimination.³

The NWT does not have its own building code, nor does it have comprehensive legislation to help identify, remove, and prevent barriers experienced by persons with disabilities. In addition to the federal government's *Accessible Canada Act* (2019), eight provinces currently have accessibility legislation in place.⁴

For years, both the Commission and Committee have repeatedly called on the GNWT to develop accessibility legislation. While existing human rights laws, such as the *NWT Human Rights Act* and the *Canadian Charter of Rights and Freedoms* allow people to make individual complaints when their rights are violated, they often have limited ability to address systemic problems. Therefore:

Recommendation 1: The Standing Committee on Government Operations recommends that the Government of the Northwest Territories develop accessibility legislation that identifies, removes, and prevents barriers encountered by people with disabilities in their daily lives through the development, implementation, and enforcement of accessibility standards.

Accessibility standards should provide guidance about best practices for accessibility, including desired accessibility outcomes. Standards should cover a variety of areas including service delivery, employment, the built environment, information and communication, and transportation.

Committee was pleased to learn that the GNWT is undertaking work around improving accessibility in the built environment:

1. Through the 2025-2026 Business Planning Process, Committee understands that the GNWT is committed to begin work on a building standards framework that will include an accessibility provision. Committee looks forward to the introduction of a Building Standards Act bill in 2026-2027. Committee strongly believes that accessibility legislation could create mechanisms, such as accessibility standards and regulations, to address systemic barriers.
2. The 2020 National Building Code (NBC:2020) was adopted through amendments to the *Fire Prevention Act* regulations in October of 2024. NBC 2020 includes some updated accessibility requirements to reduce barriers related to anthropometrics, plumbing facilities, signage, entrances, and elevators.⁵

However, Committee is concerned that the government's plans do not go far enough to address existing accessibility issues in the built environment. Building codes often do not align with requirements to make a building accessible, nor will the adoption of NBC:2020 address building accessibility for private owners, private builders, or within municipalities.

CSA B651:23 – Accessible design for the built environment⁶ is recognized as the most comprehensive description of accessible building practices in Canada. The standard describes the technical requirements for designing and constructing new facilities or exterior environments or modifying existing facilities or exterior environments. Integrating CSA B651:23 into legislation to make buildings and the exterior built environment safe for those with physical, sensory, or cognitive disabilities could help ensure that builders, private owners, and municipal governments are protected from discrimination claims. Therefore:

Recommendation 2: The Standing Committee on Government Operations recommends that the Government of the Northwest Territories integrate CSA B651:23 into the relevant accessibility legislation.

Genetic Characteristics as a Protected Ground

The Commission has advocated for inclusion of genetic discrimination as a ground in the NWT *Human Rights Act*. The Commission first made this recommendation in 2013-2014.

Experts have also called on the provinces and territories to amend their laws to address genetic discrimination in areas under their jurisdiction, such as employment, insurance and health care.

The Canadian *Human Rights Act* includes genetic discrimination as a protected ground making it illegal to deny goods, services, employment, or contracts based on a person's genetic characteristics or their refusal to undergo testing or disclose genetic information. The *Genetic Non-Discrimination Act* prohibits compelling individuals to take genetic tests or reveal their results as a condition for these services, and employers and service providers cannot collect or use genetic information without the individual's written consent. Therefore:

Recommendation 3: The Standing Committee on Government Operations recommends that the Government of the Northwest Territories consider adding genetic discrimination to the NWT *Human Rights Act*.

Proclaiming October Disability Employment Awareness Month

The Commission recommends in its Annual Report that the GNWT demonstrate its support for workplaces as diverse as our communities by formally proclaiming October Disability Employment Awareness Month. Committee highlights this as an opportunity to recognize and to talk about employment inclusion and to collaborate to increase inclusive hiring.

One in five working-age Canadians in the labour force experiences some form of disability amounting to 21% of the workforce, or 3.2 million workers.⁷ As of 2022, there are more than 8,000 NWT residents over the age of 15 with some form of disability, representing 25.7% of the population.⁸

Disability Employment Awareness Month was first proclaimed in Canada in 2010 by Manitoba. The NWT is now the only province or territory to not have done so. Therefore:

Recommendation 4: The Standing Committee on Government Operations recommends that the Government of the Northwest Territories consider proclaiming October Disability Employment Awareness Month.

CONCLUSION

This concludes the Standing Committee on Government Operations *Report on the Review of the 2024-2025 Annual Report of the Northwest Territories Human Rights Commission*.

Recommendation 5: The Standing Committee on Government Operations recommends that the Government of the Northwest Territories provide a response to the recommendations contained in this report within 120 days.

ENDNOTES

¹ Report on the Review of the 2024-2025 Annual Report of the Northwest Territories Human Rights Commission. Available at: <https://www.ntlegislativeassembly.ca/file/2024-2025-annual-report-nwt-hrceng>

² *Human Rights Act*. Available at: <https://www.justice.gov.nt.ca/en/files/legislation/human-rights/human-rights.a.pdf>

³ Report on the Review of the 2024-2025 Annual Report of the Northwest Territories Human Rights Commission, page 17. Available at: <https://www.ntlegislativeassembly.ca/file/2024-2025-annual-report-nwt-hrceng>

⁴ BDO Canada. Available at: <https://www.bdo.ca/insights/accessibility-legislation-standards-and-regulations-in-canada>

⁵ National Building Code of Canada 2020. Available at: <https://nrc-publications.canada.ca/eng/view/ft/?id=515340b5-f4e0-4798-be69-692e4ec423e8&dp=2&dsl=en>

⁶ CSA/ASC B651:23. Available at: <https://www.csagroup.org/store/product/CSA-ASC%20B651%3A23/>

⁷ Disability Employment Awareness Month. Available at: <https://www.supportedemployment.ca/initiatives/disability-employment-awareness-month/#proclaim>

⁸ Canadian Survey on Disability, NWT Bureau of Statistics. Available at: https://www.statsnwt.ca/health/disabled/Canada_NWT_2022_Table%201_by%20Severity%20and%20Type%20of%20Disability.xlsx.