

**CANADIAN HUMAN RIGHTS TRIBUNAL TRIBUNAL CANADIEN DES
DROITS DE LA PERSONNE**

ALAIN PARENT

Complainant

- and -

CANADIAN FORCES

Respondent

RULING

MEMBER: Athanasios D. Hadjis 2007 CHRT 14
2007/05/01

[1] The Respondent has requested that the hearing into the present complaint be bifurcated. In the first phase of the hearing, the Tribunal would hear evidence regarding the Complainant's allegations of discrimination. If the Tribunal finds that the complaint is substantiated, a second hearing would be conducted regarding the remedial measures being sought by the Complainant.

[2] The Respondent suggests that the evidence to be led regarding remedial issues would be considerable and time-consuming. This argues for the proposition of holding two separate hearings, given that if the Complainant is unsuccessful in the first phase, evidence on remedy will be unnecessary.

[3] I note, however, that the anticipated testimonies of most of the Respondent's scheduled witnesses, as set out in the witness summaries, deal at least in part with issues relating to the Complainant's allegations of discrimination. From the Statements of Particulars of both parties, it is apparent that questions regarding the Complainant's career progression do not just relate to remedy; they also relate to his claims of discrimination.

[4] Furthermore, one must always keep in mind the provision, in s. 48.9(1) of the *Canadian Human Rights Act*, that the Tribunal conduct proceedings as informally and

expeditiously as the requirements of natural justice and the rules of procedure allow. The present complaint relates to incidents dating back to 2000. The complaint was filed in 2002, and the Complainant's subsequent dismissal took place almost four years ago, in June 2003. Given the time that has elapsed since these events, any further delay to the final resolution of all the issues arising in this case is unwarranted and would not be in keeping with the objectives of the *Act*.

[5] I therefore direct that this case not be bifurcated. All issues, including those relating to remedy, will be adjudicated at the hearing scheduled to commence on May 28, 2007.

"Signed by"

Athanasios D. Hadjis

OTTAWA, Ontario
May 1, 2007

PARTIES OF RECORD

TRIBUNAL FILE:	T934/5404
STYLE OF CAUSE:	Alain Parent v. Canadian Forces
RULING OF THE TRIBUNAL DATED:	May 1, 2007
APPEARANCES:	
Josée Potvin	For the Complainant
Pierre Lecavalier	For the Respondent