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

# cris basudde - and -SHIV CHOPRA

**Complainants** 

# - and - CANADIAN HUMAN RIGHTS COMMISSION

Commission

## - and -HEALTH CANADA

Respondent

## **RULING**

MEMBER: Dr. Paul Groarke 2005 CHRT 20 2005/05/27

#### I. AMENDMENT OF THE COMPLAINTS 1

### I. AMENDMENT OF THE COMPLAINTS

- [1] Counsel for the Complainants has requested that the complaints filed by Dr. Chopra be amended. The other parties have consented. I have reviewed the amendments and am satisfied that they are properly before the Tribunal.
- [2] The Tribunal accordingly orders that the underlined words which follow be added to the complaint dated January 12, 1999:
- [3] Health Canada has discriminated against me by treating me in an adverse differential manner in the course of my employment by denying me promotional opportunities based on my race, colour and national or ethnic origin (East Indian) contrary to sections 7 and 10 of the *Canadian Human Rights Act*, and by harassing me, contrary to section 14 of the *Canadian Human Rights Act*.
- [4] The Tribunal similarly orders that the underlined sentence which follows be added to the "Additional Allegations" dated June 27, 1999:
- [5] I allege that the department has taken actions which constitute retaliation against me because of having filed my Human Rights Complaint this year, in that I am qualified for these positions and have been bypassed because of the harassment complaint I have filed.

These actions constitute retaliation under section 14.1 of the Canadian Human Rights Act,

[6] I would direct the parties to enter the amendments into the record at the outset of the hearing, along with the other originating documents.

"Signed by"

Dr. Paul Groarke

OTTAWA, Ontario

May 27, 2005

### PARTIES OF RECORD

TRIBUNAL FILE: T901/2104

STYLE OF CAUSE: Cris Basudde and Shiv Chopra v. Health Canada

DATE AND PLACE OF HEARING: May 10, 2005

Ottawa, Ontario

RULING OF THE TRIBUNAL DATED: May 27, 2005

APPEARANCES:

David Yazbeck On behalf of the Complainants

Philippe Dufresne On behalf of the Canadian Human Rights

Commission

David Migicovsky On behalf of the Respondent