

Case In Point

HRTO Decision Granting Significant Remedies Upheld on Appeal

Date: October 15, 2014

The [Divisional Court](#) has upheld a [decision of the Human Rights Tribunal of Ontario](#) in which the Tribunal ordered significant damages against the Hamilton-Wentworth District School Board and also ordered reinstatement of an employee after an almost decade-long absence from the workplace. The Court agreed with the applicant's submission that "the goal of the remedial provisions of the *Code* ought not to be thwarted because of the passage of time that was largely beyond the control" of the applicant. The Vice-Chair's decision was held to be "intelligible, transparent and with justification" and within the range of reasonable expectations.

This case demonstrates the potential breadth of remedies that may be available in the human rights context. The School Board is currently seeking leave to appeal from the Court of Appeal for Ontario.