

June 08, 2023

Complaint #: N2023/06/0192

Registered Mail

Royal LePage - The Realty Group Ltd.

Dear Primary Agent for Service:

Re: Casandra Aegard v. Royal LePage - The Realty Group Ltd.

The Alberta Human Rights Commission has received a Human Rights Complaint concerning the above named party, whom we call the Respondent. A copy of the Complaint accepted under the *Alberta Human Rights Act* (the *Act*) is enclosed. Please note that **only those parties named above on this letter are considered Respondents to the Complaint.**

This Complaint is accepted on the following Area(s) and Ground(s):

Area(s): Employment refused and terms of employment;
Ground(s): Mental disability; Physical disability;

The Commission's Bylaws require that Respondents to Complaints provide us with a written Response **within 30 days of the date they receive this letter.** We enclose a form for you to use to provide the Response. We ask that the Response be limited to a **maximum of 20 pages, single-sided and unbound.** At this time, please list the documents that you can provide but **do not attach documents unless/until we request them.**

Next steps for the Complaint

The Commission will share the Response with the Complainant, after which the Commission will assess the Complaint and Response and do one of the following:

1. **Send the Complaint to the Office of Director for a decision under section 21 of the *Alberta Human Rights Act* (the *Act*).** Under section 21 of the *Act*, the Director can:

- Dismiss the Complaint if she considers that it is without merit, has no reasonable prospect of success, is made in bad faith, or is more appropriately dealt with in another forum or under other legislation. The Director can also dismiss the Complaint if she is of the opinion that the Complainant has not accepted a proposed settlement that is fair and reasonable.
 - Determine that the Complaint should proceed, and refer it to the Chief of the Commission and Tribunals for resolution by a Human Rights Tribunal.
2. **Try to resolve the Complaint.** In some cases, a Human Rights Officer may contact the parties after a review of the Complaint and Response to see if an early resolution is possible. The Officer may also decide that the Complaint should await conciliation service where a Conciliator will help the parties resolve the Complaint. If Complaints do not resolve through early resolution or conciliation, they will be forwarded to the Office of the Director for a decision under section 21.
3. **Defer the Complaint.** If the same issues raised in the Human Rights Complaint are addressed in another forum or under other legislation, the Director may defer the Complaint pending the outcome in the other forum. The Commission normally only defers those Complaints proceeding through the grievance and arbitration process, where dates are set for an arbitration hearing within approximately four months.

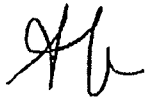
Communication with the Commission

You are responsible for informing us in writing of any change in your contact information, including your email address. If we are not able to contact you, we may proceed with the Complaint without further information from you. We prefer to receive and send communication by email. Where possible, please communicate with us at ahrc.registrar@gov.ab.ca.

If you are the authorized representative for the Respondent, it is your responsibility to inform the Respondent of this information and of all future communication from the Commission.

Information about the Commission and our processes for Complaint Resolution is on our website at www.albertahumanrights.ab.ca. If you have any questions not answered by the website about this letter, the process, or the Commission itself, please feel free to contact the Commission using the email address above.

Yours truly,



AHRC Registrar

Human Rights Complaint

Inquiry # (fill in only if you have an existing number)

For office use only

Date received

RECEIVED

- CALGARY -

Feb 09 2023

**ALBERTA HUMAN
RIGHTS COMMISSION**

Section A

Who is making this complaint?

We call you the "complainant."

First name Casandra	Last name Aegard
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Do you have someone representing you for this complaint?

This could be an authorized representative, lawyer, or litigation guardian.

This person must fill in an additional form. See page 2 of the guide for details.

First name	Last name
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Section B

Who are you making this complaint about?

We call this the "respondent." The respondent may be a person, group of people, or an organization. Their contact information is essential for the complaint process.

Use the organization's name if you are making a complaint about your employer.

Business, organization, association, or person's name Royal LePage - The Realty Group, Angie Peters		
Street or mailing address 9601 107 St. #101		
Town or city Grande Prairie	Province Alberta	Postal code T8v 6S5
Telephone number (with area code) 780 539 5771		
If there is more than one respondent, mark this box <input type="checkbox"/>		
Add names and contact information of additional respondents on an attached page.		

Section C

When and where did the possible discrimination happen?

The Commission can only accept complaints that are connected to Alberta and are received within a year of the last time you believe you were discriminated against.

To confirm that the Commission can accept your complaint, please tell us the date of the most recent event of possible discrimination and briefly describe the situation.

Date and brief description of most recent event

On Feb 6 2023 during a meeting with Angie Peters I was informed of my termination. She gave me a letter and a verbal explanation of past drug use as her reason. I was very upset as I had been upfront about this part of my past. Feb 7th I recieved texts from coworkers stating they heard that I was let go because of drug use. Before Feb 6th I was not made aware of any problems. I am drug free.

Confirm the events you are making this complaint about happened in or are connected to Alberta. See page 3 of the **guide** for more details.

City, town, or place where the discrimination happened

Grande Prairie

Section D

Is your complaint a human rights issue under Alberta law?

The *Alberta Human Rights Act* (we call it the "Act" in the rest of this document) governs human rights law in Alberta. For the Commission to accept a complaint, it must fall within specific categories defined in the Act. If someone has treated you negatively or unfairly **and** it is based on at least one of the following areas **and** at least one of the following grounds, your issue may fall under the Act. See page 3 and 4 of the **guide** for detailed descriptions of the categories.

Part 1: Protected areas

The possible discrimination must have happened in one (or more) of these areas of life or work. The Act calls these **protected areas**. Mark the areas that apply in your complaint.

☒ employment practices, applications, and advertisements

☐ equal pay based on your gender

☐ goods, services, accommodation, or facilities

☐ membership in a trade union, employers' organization, or occupational association

☐ tenancy

☐ statements, publications, notices

Part 2: Protected grounds

The possible discrimination must have been based on one (or more) of these grounds. The Act calls these **protected grounds**. Mark the grounds that apply in your complaint.

- ☐ age
- ☐ ancestry
- ☐ colour
- ☐ family status
- ☐ gender (also includes sexual harassment, pregnancy)
- ☐ gender expression
- ☐ gender identity
- ☐ marital status
- ☒ mental disability
- ☒ physical disability
- ☐ place of origin
- ☐ race
- ☐ religious beliefs
- ☐ sexual orientation
- ☐ source of income

Note: Not all negative treatment is discrimination under the Act. If your concern matches at least one **protected area** *and* one **protected ground**, the Commission will review your complaint for acceptance. You can find more information about protected areas and grounds on page 3 and 4 of the **guide** or on our website.

Use a separate form for particular types of complaints under Section 10 of the Act

You can also make a complaint if you believe you were retaliated against because you were involved in a human rights complaint or issue. You can also make a complaint if you believe someone made a frivolous or vexatious complaint against you.

If one of these situations applies to you, visit albertahumanrights.ab.ca/forms for a **different** form.

Section E

What happened?

Use this section to explain how someone discriminated against you because of the protected grounds you marked in Section D.

Part 1: Main points

Explain the main, high level points about your complaint here in Part 1.
Describe details and a timeline in Part 2 on the next page.

- How were you treated poorly or differently than other people?
- How does this treatment relate to the protected grounds?
- Who was involved?
- What was said or done?

Add extra pages if you need more space, up to the 20-page limit explained in the instructions.

It is Angie Peters perception that I have a disability related to alcohol and drug use. She believes I was and am still an addict. Because of this she terminated my employment with her company February 6th, 2023 as I'm "not a right fit for the company at this time" according to my termination letter.

I had addiction issues in the past that I attended counselling for. A coworker informed my boss, Angie Peters, of this. December 17th, I attended our company Christmas party that alcohol was served at. It wasn't my intention to drink so much. I behaved inappropriately when I spoke about drug use with my coworker but I was not under the influence of any drugs. I recalled my behavior the next day and was embarrassed. It was not brought to my attention that this was an issue.

January 10, 2023, Angie and myself had a meeting to sign my employment papers. She confronted me of my past before we signed the papers. I assured her it is no longer an issue and apologized for the inappropriate conversation I had with a coworker and for having too much to drink that night. Her response was belittling and humiliating. She accused me of being an alcoholic and that I should just stop drinking because "it's easy to stop". She then went on to suggest counselling. I told her I attended in the past but no longer need it. I am sober from drugs and am working on quitting drinking. We then signed the employment papers.

Feb 6th 2023, one day before my 3-month probation period was up, Angie came into my office at the end of my shift to inform me I no longer have a job with her company. I asked why and she replied "because of the drug use". I assured her again I do not use drugs and would take a drug test.. She said this has been bothering her ever since our discussion January 10th. I pleaded with her to let me stay and that she is mistaken with her accusations. I made her aware that according to Corrie Sams, the one I was hired to assist with her workload, I was doing a great job. None of this mattered to her.

I never had a chance after she was informed of my past. I feel like my sobriety is being judged without cause. I've never gone to work under the influence. I've worked so hard to be a member of the team. Other than bad judgement on my part at the Christmas party I've never given any reason for her to believe my past affects my present.

Part 2: What happened and who was involved

List dates and details of events based on the protected grounds you checked off in Section D. List events in the order they happened. The *Act* specifies a one-year limit. You may list events from more than one year ago, but they may not be considered as part of the complaint.

List supporting documents (if you have any) that confirm the facts or give a record of events. These might include:

- emails or texts
- medical documents or notes
- minutes of meetings
- termination letters or a Record of Employment (ROE)
- Workers' Compensation Board (WCB) documents, with case number

Add extra pages if you need more space, up to the 20-page limit explained in the instructions. **Do not send the documents**, just list them here. If needed, you will have an opportunity to provide documents later in the complaint process.

Date (dd/mm/yyyy)	What happened	List supporting documents (if any)
07/11/2022	Hired by Angie Peters at Royal LePage - The Realty Group	Hiring package
10/01/2023	Meeting with Angie Peters to sign paperwork	Signed paperwork
06/02/2023	Terminated and her reasons for termination	Letter of termination, texts
07/02/2023	Emailed Angie and received an email back	Emails
07/02/2023	I received text messages from coworkers stating they were aware of Angie's decision to terminate me for past drug use.	Texts

Section F

How do you think the issue could be reasonably resolved?

You and the respondent will be expected to consider reasonable settlement offers.

See page 6 of the **guide** for more information about possible remedies and resolutions.

Compensation.

Grounds: Physical and mental disability (Addict)

The discrimination: During my 3 month probation period. I told my employer, Angie Peters, about my past substance use. The employer does not want an addict working for her company. Peters stopped associating with me and stopped answering my daily emails. This destroyed our employment relationship.

Vulnerability: I had left an abusive relationship in November and was struggling mentally. With no place for me and my son to go she offered one of the Royal LePage rental units for us to move into. I needed financial benefits to assist with me fleeing abuse. I moved in December and was going through mental anguish. My ex-fiancé was in the hospital for psychiatric reasons February 6 to the knowledge of the staff. She fired me that day. I have a counselling appointment on the 24th of February that now I cannot attend because I won't have the benefits I was entitled to after the 3-month probation period on February 7th.

Effect: The discrimination has affected me emotionally and financially. My sobriety was judged and I am fighting to keep sober. I've lost confidence in my ability to work in the Real Estate sector. I am disappointed I never received a legitimate reason for my termination other than Peters believing I am an addict. I feel like my honesty has cost me a job I was excited about.

Section G

Have you taken other actions related to this complaint?

Have you taken any other legal or formal action about this complaint (or about basically the same issues this complaint raises)? For example, have you filed a union complaint (called a grievance) or legal action in court?

If you have:

- Explain the other action you have taken.
- List documents from the other action taken, including documents that started the action, responded to it, or made a decision on it. You may attach a maximum of 10 pages about the other action. Do not count these pages as part of the 20-page limit for your complaint.

I emailed Angie Peters February 7, 2023 asking her to provide a reasonable explanation for my termination. Her response email:

Hello Casandra,

We will just leave it as you not being the right fit for our company.

Your work was well done and as you state, you were very good about attendance. Any reference requests regarding your work will reflect that.

angie

Section H

Signature and checklist

To the best of my knowledge, the information in this complaint form is complete and accurate.

09/02/2023

Complainant's signature

Date (dd/mm/yyyy)

- ☒ Please check this box to represent your signature if you are submitting this form electronically. You must also fill in the date above.

Final check

Confirm that you have:

- ☒ filled in all sections of the form that apply to you, including your contact information
- ☒ signed, dated, and numbered any pages you added
- ☒ listed the total number of pages you are sending us here: 8
- ☒ signed the form on the Complainant's signature line above or checked the electronic submission box

Remember, the Commission may not accept the form if it is missing essential information or is not signed.

Our office use only	Date originally filed
Protected area(s) and section number(s)	Complaint #
Protected ground(s)	Human Rights Officer