



Procedural Accommodations at Administrative Tribunals: Accommodations in the Human Rights Tribunal of Ontario (HRTO)

I am a self-represented Applicant at the Human Rights Tribunal of Ontario. I have a hearing coming up, but I need disability-related accommodations to participate in the hearing meaningfully. What are my rights?

What does the law say?

- The Human Rights Tribunal of Ontario (the Tribunal) is required to provide disability-related accommodations to the point of undue hardship to parties accessing the human rights application process.
- Undue hardship means that the accommodation would cause health and safety issues for other people, or that it would cost the Tribunal too much money.
- Some examples of accommodations include documents in large print, extra breaks during the hearing, Real Time Captioning, recording the hearing, ASL interpretation, or alternative locations of the hearing.
- You may be required to provide some medical documentation to support your request for accommodation. You do not have to provide your specific diagnosis, but you are required to provide information about your disability-related needs and why the accommodation is required.
- The Tribunal may deny your request for accommodation if it would cause undue hardship, or if it creates unfairness for the other parties.
- The Tribunal may work with you to determine an accommodation that meets your needs and that also makes sure that the process is fair for the other parties.

In practice – How do I make a request for accommodation?

- Make requests for accommodation to the Registrar of the Tribunal as soon as possible to avoid delay.
- Email your request to the Registrar of the Tribunal at HRTO.Registrar@ontario.ca.

- In your email, tell the Tribunal that you have a disability and explain why your accommodation is necessary for your disability-related needs.
- Do not send your request for accommodation to the other parties. If the Tribunal decides that your request for accommodation may have an impact on the fairness of the hearing for the other parties, the Tribunal may give the other parties an opportunity to make comment on the accommodation.

In practice – Are requests for accommodation private?

- Your request may not be kept private by the Tribunal. Your request and the supporting medical documents might form part of the “Record” of your case at the Tribunal.
- This means that some or all of your medical documents may be accessed by the public, if the public files a request to the Tribunal.
- If you have concerns about the privacy over your medical documents, talk to a lawyer or a paralegal about whether you can get a Confidentiality Order over those documents, or if you can only use your initials in the case, instead of your full name.

For more information:

Persons with disabilities who live in Ontario can call ARCH for free, confidential summary legal information and advice. To find out about the kind of legal advice ARCH provides and how to book an appointment, go to: <https://archdisabilitylaw.ca/services>

For more information about accessibility and accommodations at the Tribunal, go to: <http://www.sjto.gov.on.ca/hrto/accessibility-and-accommodations/>