HUMAN RIGHTS TRIBUNAL OF ONTARIO

B E T W E E N:

Kevin Huggins

Applicant

-and-

United Steelworkers, Local 7135

Respondent

DECISION

Adjudicator: Aulaire O'Malley

Date: May 13, 2026

File Number: 2025-64052-I

Citation: 2026 HRTO 740

Indexed as: **Huggins v. United Steelworkers, Local 7135**

WRITTEN SUBMISSIONS

Kevin Huggins, Applicant	)	Self-represented

INTRODUCTION

[1] On November 10, 2025, the applicant filed an Application alleging discrimination on the basis of race, ancestry, place of origin, colour, ethnic origin, disability, and reprisal with respect to employment; membership in a vocational association; goods, services, and facilities; and contracts contrary to the *Human Rights Code*, R.S.O. 1990, c. H.19, as amended (the "*Code*"). In the Application, the applicant describes the respondent to be the "opposing lawyer", however, it appears that the respondent is a union, of which the applicant was a member.

[2] On February 17, 2026, the Tribunal sent the applicant a Notice of Intent to Dismiss (the "Notice") and advised the applicant that the Application appeared to be outside of the Tribunal's jurisdiction as follows:

> a. The Application states that the last event of alleged discrimination occurred during the one-year period before the Application was filed, however, it appears that there was no new incident of alleged discrimination that occurred that year. An event or interaction that merely continues the effect of an earlier action of a respondent is normally not considered a new and discrete act of discrimination within the meaning of the *Code*. The Tribunal can consider a late application only if the applicant has provided a "good faith" explanation for the delay in filing and no person affected by the delay would be substantially prejudiced.
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> b. The actions and events described in the Application do not appear to be prohibited by the *Code*, because the applicant's description of events is not clear and precise enough for the Tribunal to determine that the Application contains any allegation within its jurisdiction. The Tribunal cannot determine whether an application is within its jurisdiction if it is unclear, incoherent, or lacks specific information about exactly what happened to the applicant and how the respondent's conduct violated the *Code*. With respect to each allegation the applicant wants to advance, the applicant should provide all the important details, including the specific dates, places and people involved, and a description of how the respondent's actions violated the applicant's rights under the *Code*.
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> c. Some of the allegations in the Application appear to be subject to the doctrine of absolute privilege which prohibits legal proceedings that are based on statements set out in pleadings or affidavits, or statements made by an adjudicator, counsel or witness in a legal proceeding

[3] The Tribunal directed the applicant to provide additional written submissions addressing these jurisdictional issues and cautioned the applicant that once it received the submissions, it would take one of several actions, including dismissing the Application, in whole or in part.

[4] The applicant filed submissions as directed. After reviewing the Application, the applicant's submissions in response to the Notice and the other materials provided by the applicant, I have determined that the Application is outside the Tribunal's jurisdiction for the reasons discussed below.

[5] This Decision was made following receipt of written submissions. The Tribunal need not hold an oral hearing on the issue of its jurisdiction: see *Wu v. Toronto Ombudsman*, 2023 ONSC 6192.

PRELIMINARY ISSUE

Respondent's Form 2 (Response)

[6] While the applicant submits that the respondent breached their responsibility to file a Response on time, this does not affect the Tribunal's determination that the Application is outside of its jurisdiction. In this case and as noted above, I have only considered the applicant's version of the events and found that the Tribunal has no jurisdiction over the applicant's allegations even assuming that they were true.

[7] That said, I find that the respondents have filed their Response in a timely manner. The applicant notes in his Reply and other submissions that the respondent did not serve him their Response and did not provide a Form 23 (Statement of Delivery). As such, the applicant believes that the Tribunal erred in processing the Response.

[8] I am not persuaded by the applicant's submissions. As indicated in Rule 8.1 of the Tribunal's Rules of Procedure, the respondent does not need to deliver the Response to the other parties. Pursuant to Rule 8.4, a Response that is accepted by the Tribunal for

processing will be sent by the Tribunal to the applicant and any other respondent of affected person identified in the Response.

[9] In this case, the respondent filed their Response with the Tribunal on December 22, 2025, which is within the deadline provided by the Tribunal. However, this issue does not affect the Tribunal's determination that it does not have jurisdiction over the Application. As noted above, only the applicant's version of events, taken at its highest, have been considered.

ANALYSIS

[10] To proceed in the Tribunal's process, an application must fall within the Tribunal's jurisdiction. An adjudicative body either has jurisdiction or it does not: see *G.-L. v. OHIP (General Manager)*, 2014 ONSC 5392.

[11] In order for the Tribunal to be able to determine if it has jurisdiction, the onus is on the applicant to give sufficient details of their allegations and articulate a link to the *Code* ground(s) being claimed to enable the Tribunal to determine whether the *Code* is engaged: see *Czyzewska v. Cowan*, 2022 HRTO 604; *Kennedy v. Ontario Securities Commission*, 2021 HRTO 726; and *Grujicic v. Stevenson*, 2026 HRTO 211.

[12] To come within the Tribunal's jurisdiction, the narrative setting out the incidents of alleged discrimination must provide some factual basis which links the respondent's conduct to the applicant's *Code* grounds. A bald assertion that the adverse treatment the applicant received was owing to their Code grounds is not enough to provide the required factual basis: see, for example, *Groblicki v. Watts Water*, 2021 HRTO 461, *Forde v. Elementary Teachers' Federation of Ontario*, 2011 HRTO 1389, and *Mehedi v. Mondalez Bakery*, 2023 ONSC 1737.

[13] In this case, the applicant's allegations simply lack facts or particulars that could support a finding that he received adverse treatment at the hands of the respondent and that his *Code* grounds could have been a factor in the adverse treatment he alleges. While

the applicant specifies his *Code* grounds, he does not specify what adverse treatment he experienced at the hand of the respondent. He does not provide enough details of any alleged discriminatory incident for the Tribunal to determine whether it has jurisdiction over the Application.

[14] Based on the Application, the last event of alleged discrimination occurred on November 6, 2025, when the "respondents again attempted to undermine my rights by obstructing my ability to address earlier wrongdoing and attempting to legitimize fabricated allegations". The applicant further states that November 6, 2025, is when "new actions were taken that relied on or extended the original fabricated allegations and directly harmed my ongoing legal rights".

[15] In a document titled "January 12 Reply", the applicant alleges that the adverse treatment he received has "originated in employment (fabricated allegations, discipline, termination)", "continued after termination through reliance on those fabricated allegations", "escalated when the applicant challenged discrimination and misconduct", and "directly affected the applicant's employment-related rights, credibility, and legal standing". None of these statements provides factual details of what adverse treatment the applicant received from the respondents or how the respondent's conduct relates to his *Code* grounds.

[16] In the Notice, the Tribunal directed the applicant to provide all the important details, including the specific dates, places and people involved, and a description of how the respondent's actions violated the applicant's rights under the *Code* with respect to each allegation the applicant wants to advance. Despite these directions, it is still not possible to discern the substance of the applicant's allegations of discrimination against the respondent.

[17] In his response to the Notice, the applicant merely states that the November 6, 2025, conduct is "new reliance on discriminatory fabrications", "new retaliatory obstruction" and "new harm to legal rights".

[18] The applicant also filed a "Supplemental Submission" which includes a copy of an email dated August 28, 2023, from the respondent's counsel. He states that there is evidence of ex-parte chat during the related OLRB hearing. He also states that there was evidence withheld, fabricated notes that led to his termination, obstruction of grievance processes, and retaliatory disciplinary steps. However, these appear to be from around 2022, when the applicant was terminated by the employer. He then alleges that the respondent's "refusal to disclose the acknowledged recording is an additional adverse procedural act that prevented meaningful representation and fair process". None of these provides clear details of any alleged incident of discrimination committed by the respondent.

[19] Even taken at its highest, the applicant failed to provide details, including specific dates, places, and people involved, and a description of how the respondent's actions violated the applicant's rights under the *Code*, as directed in the Notice. The Tribunal still has insufficient information on what the respondents did to "undermine" the applicant's rights or to "obstruct" his ability to address wrongdoing, or what "new actions" were taken by the respondent relating to "fabricated allegations".

[20] I do acknowledge that the applicant is a self-represented party. Although the Tribunal may direct a self-represented applicant on the requirements of a properly pleaded claim under the *Code*, it is not the role of the Tribunal to absorb their evidence and convert it into a properly pleaded claim on their behalf. That would cross the line and place the Tribunal in the position of being their advocate: see *Rivette v. Children's Aid Society of Windsor and Essex County*, 2020 ONSC 4973 at para. 7.

[21] The applicant was advised of the deficiencies in his application by the Tribunal's Notice. Rather than providing a clear and precise description of the alleged events, or addressing the jurisdictional issues raised, the applicant's submissions in response to the Notice consisted of, it would appear, AI generated legal advice or submissions, on how to prove his claim before the Tribunal. To be clear, the applicant has not been asked to prove his claim at this stage, but merely to plead facts that could support a finding that he had received adverse treatment at the hands of the respondent and a finding that his

Code-protected grounds could have been a factor in his treatment. His submissions contained no additional information in that regard.

[22] Because the applicant has not provided a coherent narrative explaining the applicant's allegations or how those allegations could engage the *Code*, it is plain and obvious that the Application does not advance an allegation that falls within the Tribunal's jurisdiction. Therefore, the Application must be dismissed as outside of the Tribunal's jurisdiction.

ORDER

[23] The Application is dismissed.

Dated at Toronto, this 13th day of May, 2026.

"Signed by"

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Aulaire O'Malley
Vice-chair