

## **SCHEDULE B – APPENDIX 5**

### **IDENTIFICATION OF PREVIOUS CLAIMS**

1. The Claimant will complete and submit to the Office of the Assessor the Claim Form in Schedule B – Appendix 1 of this Agreement, including the answer to question 12 relating to prior court action or administrative proceeding for compensation for gender or sexual orientation based discrimination and/or harassment in the workplace by any Regular Member, Special Constable, Cadet, Auxiliary Constable, Special Constable Member, Reserve Member, Civilian Member, Public Service Employee, including Temporary Civilian Employee, working within the RCMP, male or female, that is directed at and offensive to another Regular Member, Special Constable, Cadet, Auxiliary Constable, Special Constable Member, Reserve Member, Civilian Member, Public Service Employee, including any Temporary Civilian Employee working within the RCMP.
2. The Claimant will complete and submit to the Assessor the Certification of No Prior Compensation form in Appendix 9 to Schedule B.
3. Canada will provide to the Assessor a list of individuals who have been paid compensation further to a civil claim, grievance or harassment complaint, including a complaint to the Canadian Human Rights Tribunal, or who have otherwise resolved a civil claim, grievance or harassment complaint, including a complaint to the Canadian Human Rights Tribunal. The list will include the name, date of birth and regimental number, if available, of the individual.
4. The Assessor will verify the truthfulness of the statements made by the Claimant, when, and in the manner in which he deems necessary, by, including, but not limited to:
  - (a) checking the list provided by Canada further to paragraph 3 above;
  - (b) seeking further information from the Claimant by telephone call;
  - (c) seeking further information from and discussing the response with the Claimant in the interview, where applicable;
  - (d) seeking information necessary to properly determine the attestation regarding no prior compensation from third parties, including the RCMP.
6. If the Assessor believes there may have been a prior civil claim, grievance or harassment complaint, including a complaint to the Canadian Human Rights Tribunal, made by a Claimant with respect to the same event(s) and injury(ies) as claimed in the Claim Form, he may in his discretion request information and documents from the RCMP regarding the previous claim and the outcome, including but not limited to any pleadings, complaint or application forms, statements, decisions rendered, settlement documents and releases.
7. If the Assessor determines that a previous civil claim, grievance or harassment complaint, including a complaint to the Canadian Human Rights Tribunal, has been resolved by a Claimant for compensation for gender or sexual orientation based discrimination and/or harassment with respect to the same event(s) and injury(ies) as claimed in the Claim Form, the Assessor will deny the Claim, state the reason for the denial in his Decision, confirm in his

Decision that the Claimant attested to the Assessor that she has not already been paid, and advise the Claimant.