

## ***Pasternak v. Manitoba High Schools Athletic Association Inc.***

[COMPLETE DECISION PDF](#)

*The Manitoba Court of Queen's Bench upheld the Adjudicator's finding of discrimination on the basis of sex.*

### SUMMARY

Two sisters filed complaints against the respondent high school athletic association under section 13 of *The Human Rights Code* alleging discrimination on the basis of sex because they were not permitted to try out for the men's hockey team.

The Adjudicator made a preliminary decision with respect to jurisdiction and determined that (1) the respondent was correctly named as a party as it makes provincial athletic competition available to high school students, (2) the complainants were entitled to file a complaint whether or not the respondent's internal appeal process had been exhausted and (3) the services provided are available to the public within the meaning of *The Code*. Accordingly, the Adjudicator was found to have jurisdiction to hear the complaints.