

# Human rights complaint over Anmore non-hire

Village's request to dismiss action was turned down

By Gary McKenna

THE TRI-CITY NEWS

A Human Rights Tribunal complaint against the village of Anmore will move forward after the municipality's request to dismiss the action was denied last month.

In documents filed with the tribunal, Rory Mandryk alleges that he was discriminated against on the grounds of physical and mental disability when he applied for a job as chief administrative officer of the village and was not hired.

He claims that when he applied for the job, he was the village manager at Lions Bay but was on medical leave because he suffered from a depressive disorder. He alleges that he was the most qualified candidate for Anmore's CAO position but was not given the job because of his medical condition.

None of the claims have been proven in court or at a tribunal.

Anmore denies the allegations and sought to have the complaint dismissed without a hearing on the grounds it has no reasonable prospect for success, an application that was denied in March by tribunal member Murray Geiger-Adams.

"The material before me is sufficient to take Mr. Mandryk's allegations beyond the realm of conjecture," he wrote in his decision. "In these

circumstances, I am not able to determine that his complaint has no reasonable prospect of success."

The issues date back to December 2011, when the village began its search for a new CAO, which is the highest staff position in Anmore. Mandryk, who was on leave from Lions Bay at the time, was informed by the outgoing Anmore CAO Howard Carley of the position and encouraged to apply.

According to his complaint, Mandryk went for his first interview before Anmore councillors in March 2012 and was later contacted to discuss salary and benefits, according to court documents. In April he was again interviewed for the position.

Tim Laidler, who was a councillor at the time, told *The Tri-City News*

that at this point in the process, four councillors agreed that Mandryk was the most qualified person for the job over the objections of Mayor Heather Anderson.

But the documents claim that during an in-camera meeting, the lawyer for Anmore, who also represents Lions Bay, informed councillors that he "knew all the details of [Mandryk's] disability and absences." He urged staff to check the candidate's references closely, according to the complaint.

Based on this information, Mandryk claims that two of the four councillors who had initially supported his bid, changed their position.

Last year, Laidler resigned his council position over the CAO hiring, a position that eventually went to Tim Harris.

Laidler, who is mentioned in the tribunal documents, told *The Tri-City News* at the time that the process was flawed and that the person who was hired was not the best candidate for the job.

On Wednesday, he repeated some of those comments and said he had no regrets over resigning.

"They selected a person that, in my opinion, was not qualified for the job," he said. "However, Mr. Mandryk was a highly qualified candidate with a lot of experience."

Mayor Anderson did not return a request for an interview by *The Tri-City News*.

gmckenna@tricitynews.com

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