



HUMAN RIGHTS AND EQUITY OFFICE

PERIODIC REPORT

May 1, 2006 – April 30, 2010

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EXECUTIVE SUMMARY

During the period addressed in this report, the Human Rights and Equity Office (“HREO” or “the Office”) has undertaken numerous activities ranging from broad strategic initiatives of committee and policy work to individual case resolution. This report outlines achievements and challenges, including cases in which successes uncovered further challenges.

The Office continued to engage the community -- with almost universally positive feedback -- through orientation initiatives and training. These activities allowed the Office to build partnerships with administrative units, employee groups, student organizations and external bodies. Despite developing and refining these relationships and success in raising awareness of human rights issues, the Office needs to continue efforts to establish name recognition among all students, staff and faculty outside of organization executives or management levels.

A review of the University’s employment equity work by Human Resources and Skills Development Canada created an opportunity to assess, plan and implement additional employment equity initiatives. The University passed the intensive Federal Contractors Program review and prepared clear equity goals for the next five years. With several departments having successfully implemented employment equity goals, the remaining challenge is to promote implementation of employment equity more evenly across the University.

The HREO co-ordinated activities intended to help the University meet its obligations under the Accessibility for Ontarians with Disabilities Act (AODA). Key University units collaborated to meet requirements of the Customer Service Standard. This standard is the first of five and upcoming standards appear to require even greater contribution and effort to implement measures that will impact University operations and communications. The HREO, in partnership with other units, is now preparing to meet these new requirements.

The number of individual human rights matters brought to the HREO is roughly the same as in previous years. More than 75 per cent came from individuals proactively seeking information, advice and guidance to address a situation involving a human rights issue. The remaining matters were concerns addressed through [*Human Rights at the University of Guelph*](#) (the University’s Human Rights Policy and Procedures) using mediation, informal or formal resolution processes.

These four years have been very active ones for the Office. The Office will work to sustain its momentum and build on successes.

I. INTRODUCTION

This report outlines the activities of the Office within the University, including its regional colleges, research stations and Guelph-Humber, from May 1, 2006, to April 30, 2010. Readers with questions or comments about this report should contact the Human Rights and Equity Office at 519-824-4120, Ext. 54713.

II. PURPOSE OF THE OFFICE

The role of the Human Rights and Equity Office is to help maintain an environment in which all persons, regardless of their personal characteristics, feel that they are treated with dignity and respect. The Office's staff, together with many interested University community members, works toward meeting the University's commitments to protecting and upholding the human rights of every individual, to providing special programs to end the effects of historical disadvantage and to achieving equity in all areas of University life.

Advancing human rights is a community responsibility. The Office engages community members in protecting and extending human rights. The goal of the Office is to help the community act on its own behalf in adopting and applying the highest values of human interaction. The HREO contributes to making the University of Guelph a welcoming and inclusive place for living, learning and working.

III. GOALS AND ACHIEVEMENTS

The HREO focuses its efforts in eight key areas, as described below along with several achievements in each area.

1. Engaging Environment

The Office seeks the participation of students, staff and faculty members in promoting a respectful and equitable climate at the University. In pursuit of this goal, individuals with supervisory responsibilities have played a key role in monitoring and resolving human rights and employment equity issues. Members of the University and the larger community have noted that the efforts of University community members to uphold human rights principles have helped promote a positive climate at the University.

The Office created a poster series on human rights matters including religious accommodation, anti-racism and disability awareness to communicate a message of respect and inclusiveness. The anti-racism poster series -- completed along with the Ontario Human Rights Commission and several universities and colleges -- has been identified as a "best practice" model by staff of the Ministry of Training, Colleges and Universities (MTCU).

The University's Human Rights Policy prohibits discrimination and harassment and provides procedures for addressing human rights issues. However, the Policy does not explain the social phenomenon of discrimination and harassment or provide community members with information about the discourse surrounding particular areas and forms of discrimination. In 2009, the Office produced a series of explanatory pamphlets about racialization, disability, discrimination and harassment, and heterosexism, homophobia and transphobia. The pamphlets are available online at the [HREO website](#).

The Office manages the women's campus safety fund, an annual grant provided by the MTCU. During the period of this report, four safety grants were used to enhance women's safety at the University. A list of the projects funded by the Women's Campus Safety Initiatives Committee

through a public grant process for [2006/07](#), [2007/08](#), [2008/09](#) and [2009/10](#) is available on the HREO website. Key achievements during this period include provision of training, education and resources on safety for women and improvements to physical safety on campus, including the installation of emergency phones and security cameras at several key locations.

2. Education, Awareness and Training Programs

The Office is committed to engaging all community members in maintaining human dignity. The HREO designed and successfully delivered education and training sessions on human rights, employment equity and accessibility to faculty, staff and students.

The Office delivered numerous sessions on human rights and responsibilities, including completing half-day sessions for University staff begun during the previous reporting period on a “Respectful and Equitable Workplace.”

In 2007, the Customer Service Standard of the AODA came into effect. The Standard requires that the University train all employees, students and volunteers who provide services on its provisions. In order to meet this legislated requirement, the HREO has developed and implemented face-to-face training sessions, an e-learning course and a resource pamphlet on accessible service provision. During the reporting period, several thousand employees and other service providers have participated in the face-to-face sessions and the online course. The Office continues to enroll new employees and service providers.

The HREO also provided orientation to faculty search committees on fair and equitable recruitment and selection practices that promote human rights and employment equity. During the four-year period of this report, the Office delivered 217 training and education sessions to about 4,300 students, staff and faculty at the University of Guelph and its regional campuses.

3. Strategic Human Rights and Equity Work

The HREO participates at all levels of the institution, from the President’s Executive Council to various advisory and ad hoc committees. Thus, the Office to remains apprised of University issues and initiatives and their implications for the HREO’s mandate and for their impact on University life. Case work and educational and training initiatives deepen the Office’s understanding of the concerns of staff, faculty, students and managers. These initiatives enable the Office to comment on strategic matters affecting University life.

The Office participates in and occasionally co-ordinates the work of several committees, including:

- President’s Executive Council;
- Employment Equity Committee;
- Accessibility for Persons with Disabilities Advisory Committee;
- Human Rights Advisory Group;
- Women’s Campus Safety Initiatives Committee;
- Employment Accommodation Fund Committee;
- Accessibility Awareness Day Planning Committee;

- Advisory Committee on the Code of Ethical Conduct;
- Hate Activities Subcommittee;
- Orientation Week Advisory Committee;
- Guelph Inclusiveness Alliance (community-based);
- Media Monitoring Committee;
- Recruitment and selection committees.

4. Identification and Removal of Discriminatory Policies, Procedures and Practices

The HREO plays an important role in identifying human rights-based systemic issues embedded in the University's policies, procedures and practices. These matters can come to light through a complaint or concern and often appear as behaviours or practices that negatively affect climate. The Office advises on the creation or amendment of policies, procedures and practices to prevent direct and adverse impact discrimination.

For example, the Office collaborated with the Human Resources department to create a conflict-of-interest policy for staff. Through disclosure and remediation, this policy is intended to curb potential, apparent and actual conflicts of interest in recruitment processes. The policy helps foster an environment conducive to successful implementation of the employment equity goals in the University's Employment Equity Plan. Also working with the Human Resources department, the HREO stated principles for accommodating persons with disabilities in the "Accommodation Partnership Program." The Office also developed an Accessible Service Provision policy to guide units and individuals in implementing the provincial Accessibility for Ontarians with Disabilities Act.

5. Employment Equity

In 2007, the University learned that its employment equity program would be reviewed for compliance with the requirements of the Federal Contractors Program. The University was among the first institutions to undergo a new, more rigorous review process for federal contractors. Following a thorough review process lasting about 18 months, the University was found to comply with program requirements.

During the review period, with the assistance of the Employment Equity Committee the University's 2008-2012 Employment Equity Plan was established. Both numerical and [qualitative goals](#) were established and implementation of the goals is underway. The Employment Equity Committee will monitor progress toward achieving these goals.

The University is required to establish short-term (one to three years) and long-term (four to five years) numerical hiring and promotion goals. These goals are reasonable targets intended to address under-representation and concentration in the workforce in a reasonable time period. They reflect the conclusions of a workforce analysis and an employment systems review. In 2006, the HREO gave pertinent workforce analysis data and templates to help in goal-setting to each University vice-president. At the time of this report, the University had achieved its quantitative goals for recruiting both female and visible minority faculty.

Work toward achieving qualitative goals during this period included the following:

- an employment systems review;
- orientation of faculty search committees to principles of equitable recruitment and selection;
- applicant tracking of individuals applying for faculty positions in order to determine the composition of applicant pools;
- a pilot program to implement applicant tracking of certain staff positions.

6. Countering Hate Activity

The HREO monitors and responds to incidents of hate activity on campus. During this four-year reporting period, the Office together with Campus Community Police responded to 42 incidents of hate activity, mainly graffiti. A total of 49 incidents had been reported during the three-year period in the previous report. In 2008, the highest rate of police-reported hate crimes for a Census Metropolitan Area occurred in Kitchener-Waterloo-Cambridge (17.9 incidents/100,000) and the second-highest rate occurred in Guelph (17 incidents/100,000) (M. Dauvergne and S. Brennan, "Police-Reported Hate Crime in Canada," 2009, *Juristat.*). The authors said these rates can reflect higher reporting levels prompted by better understanding of the definition of hate or by a heightened sense of civic responsibility. They also said that, in 2009, the number of incidents across Canada increased and "occurred largely among non-violent offences, predominantly mischief (e.g., graffiti, vandalism to religious property), which accounted for more than half (54 per cent) of all hate crime incidents in 2009."

Virtually no detectable signs of hate activity at the University of Guelph go unreported, including graffiti in stairwells or other locations; reporting vigilance in such cases is remarkable. University community members are committed to quickly alerting Campus Community Police for investigation and to ensuring that graffiti are promptly removed by Physical Resources staff. Although hate activities continue, the community has strongly and loudly denounced such activity and reaffirmed community values.

In early fall of 2006, the Office, together with the Multi-Faith Centre, Residence Life staff and others, organized an anti-hate rally prompted by an increase in hate incidents over the same period a year earlier. The rally attracted many community members. Speakers, including the U of G President, stressed the need to counter hate messages with messages of peace, respect and inclusion.

In 2009, the HREO developed and launched a new poster series encouraging respect for diversity and specifically addressing hate based on creed (anti-Semitism and Islamophobia), sexual orientation (homophobia) and gender (transphobia). The Office remains committed to addressing hate activities and to fostering a respectful and equitable community.

7. Disability Accommodation and Accessibility

The HREO worked with the Accessibility for Persons with Disabilities Advisory Committee (APDAC), which gathered and reported on University-wide disability-related initiatives and generated and disseminated ideas. The committee vetted the University's annual accessibility

plans drafted by HREO staff. Readers may view plans for the reporting period of this HREO report as follows: [2006](#), [2007](#), [2008](#) and [2009](#). The most recent accessibility plan appears on the home page of the [accessibility website](#).

For disability accommodation and accessibility issues, the HREO has focused on planning and working with community partners to meet the requirements of the AODA regulations. HREO staff participated in several conferences on these standards, including those held by the Council of Ontario Universities; the Ontario Ministry of Agriculture, Food and Rural Affairs; and the Ontario Universities Employment Equity Network. The HREO has co-ordinated the University's response to the draft AODA standards (customer service, information and communication, employment, built environment and the integrated standard). The Office also developed and implemented a strategic approach to training as required by the AODA Customer Service Standard. Anticipating the release of additional standards under the AODA, the Office has developed a unified strategy to assess policies, procedures and practices for employment equity and accessibility.

Implementing recommendations from the accessibility plan has been an HREO priority. During the past four years, the HREO and community organizations have worked together on significant initiatives, including the following:

- hold an annual Accessibility Awareness Week/Day;
- host the Accessibility Conference, the only accessibility-related information event for post secondary institutions in Canada;
- establish an award to promote accessibility at the University and to recognize contributions of community members who remove barriers and create an inclusive environment;
- increase the presence of people with disabilities in University publications;
- produce an edition of *The Peak* (a student newspaper) about disability-related issues, including articles contributed by numerous students with disabilities.

During the period under review, APDAC worked with the Department of Physical Resources and others in designing and retrofitting several Guelph campus buildings to improve accessibility. APDAC and its working groups assessed accessibility-related needs and recommended strategies to meet these needs, particularly in information resources, adaptive technologies and accessibility of campus communications. APDAC's Information Resources and Adaptive Technology Working Group -- along with community partners, Teaching Support Services, the Office of Open Learning, and Computing and Communication Services -- introduced the [accessibility conference](#).

To further support and promote disability accommodation, the HREO administers the Employment Accommodation Fund, which provides funding to employees and departments for disability supports. Funding is allocated by a committee comprising staff from the HREO, the Human Resources department and the Centre for Students with Disabilities. Funded accommodations include: anti-slip grip for a ramp; FM hearing system; flat-screen monitors for people with vision and mobility difficulties; sign language interpretation; help to create vision accessibility to PowerPoint slides; a sit-stand stool; height-adjustable computer tables and monitor arms; hearing aids; and electric door openers and door-hold openers.

8. Implementation and Review of the Human Rights Policy and Procedures

The Human Rights Policy articulates the University's commitment to, and frames the context for, the work of the Office. The HREO works proactively with University community members to foster an environment in which the human rights of all community members are upheld and in which behaviours counter to human rights principles are addressed using due process. The Human Rights Policy and its Procedures were reviewed between 2006 and 2009. Gaps identified during its implementation in 2002 were addressed in consultation with stakeholders, and the revised policy and procedures were approved by the Board of Governors on Oct. 7, 2009.

A significant change to the procedures was the removal of a hearing *de novo* on a matter that has already been investigated. The implementation of the procedures since 2002 clearly demonstrated that there was no need for a second hearing on the same matter. Laying out a clear path to address systemic discrimination complaints has increased accountability for vice-presidents and the HREO in following up formal complaints and has established a more robust process for addressing potential conflicts of interest in complaint processing.

The HREO continues to engage volunteers who serve as human rights resource persons (support persons for respondents and complainants) and fact-finders who help to implement the complaint procedures. During the period under review, the Office facilitated recruitment of a new cohort of volunteers from among University students, staff and faculty, and provided training to help these new volunteers engage in the complaints and concerns processes. Addressing issues before they become a source of contention and working to resolve complaints involves community effort and clearly demonstrates the commitment of volunteers and other University community members to human rights.

Statistics May 1, 2006, to April 30, 2010

During this four-year period, the HREO addressed 466 human rights and related matters, or an annual average of 116 matters compared to 90 for the previous reporting report. This increase may reflect increased community understanding of the Office's role in fostering these rights, perhaps resulting in more referrals to the HREO and more individuals seeking guidance with matters before they become a cause for concern.

Of the total for this reporting period, 322 matters were resolved by providing information and advice to the concerned party or to a third party (often a supervisor). A third party is an individual not directly affected by a human rights matter who seeks information and advice or help with a concern, dispute or complaint on behalf of another individual. The remaining 144 matters were addressed through processes for dealing with human rights issues under the Human Rights Policy and Procedures (see below).

In order to meet its responsibility of advocating for human rights principles, the HREO gives individuals the necessary guidance and support to address issues proactively and to prevent violations. The scope of this work is broad and includes providing information and advice on matters such as creating scholarships for historically disadvantaged groups; planning and holding

accessible events; delivering accessible services; and accommodating creed, disability, family status and gender. The Office also helps colleagues from other universities on similar issues.

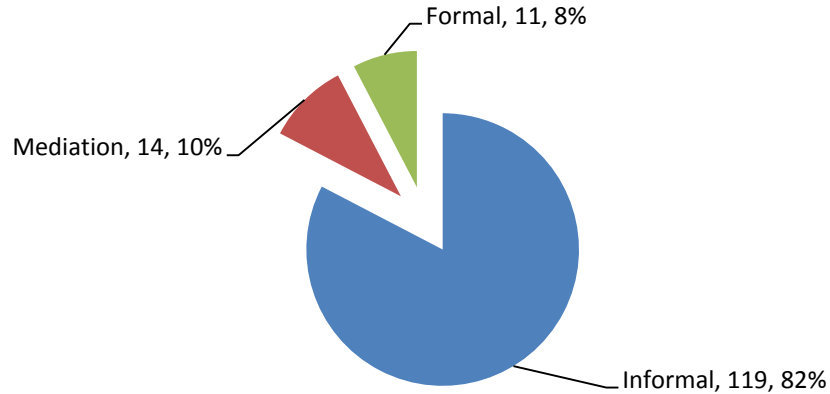
Concerns, Disputes and Complaints

The Human Rights Policy outlines three distinct processes for addressing human rights issues:

- i. informal resolution of a human rights concern;
- ii. mediated resolution of a human rights dispute;
- iii. formal complaints process.

Of the 144 matters mentioned above, 119 matters were addressed through informal resolution, 14 disputes were mediated and 11 formal complaints were investigated.

Concerns, Disputes, Complaints by Process 2006-2010



Information and Advice, Concerns, Disputes and Complaints by Ground

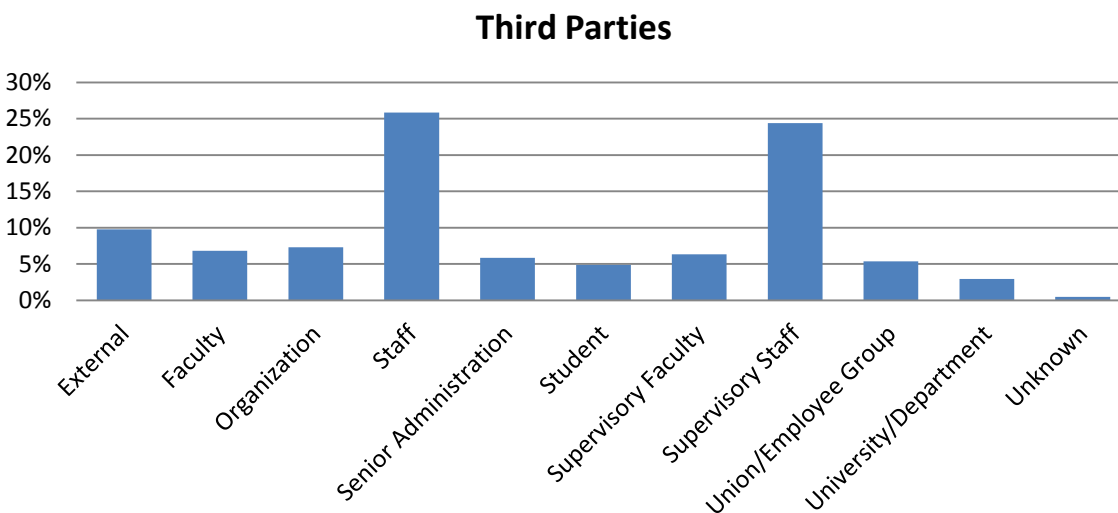
The Human Rights Policy mirrors provisions of the Ontario Human Rights Code and lists 15 prohibited grounds. No discrimination is permitted against community members covered by the Policy on any one or more of these grounds. Table 1 shows the distribution of the human rights matters raised by ground. As with the previous periodic report, disability remained the most cited ground and creed the second-most cited.

Table 1 Information and Advice, Concerns, Disputes, Complaints by Ground		
Ground	Total No.	%
Age	6	1%
Citizenship	0	0%
Colour	0	0%
Creed	78	16%
Disability	101	21%
Ethnic Origin	6	1%
Family Status	8	2%
Marital Status	1	0%
Place of Origin	6	1%
Race	46	9%
Receipt of Public Assistance	0	0%
Record of Offences	2	0%
Sex-Based Discrimination	51	10%
Sexual Assault	2	0%
Sexual Harassment	21	4%
Sexual Orientation	23	5%
General Human Rights Matters	3	1%
Not Grounds Based	135	28%

The distribution of matters among grounds broadly mirrors the distribution of complaints filed with the Ontario human rights system.

Parties

During this reporting period, 205 (44 per cent) of the human rights and related matters were raised by third parties. The majority of third parties were staff (26 per cent), followed by supervisory staff (24 per cent).

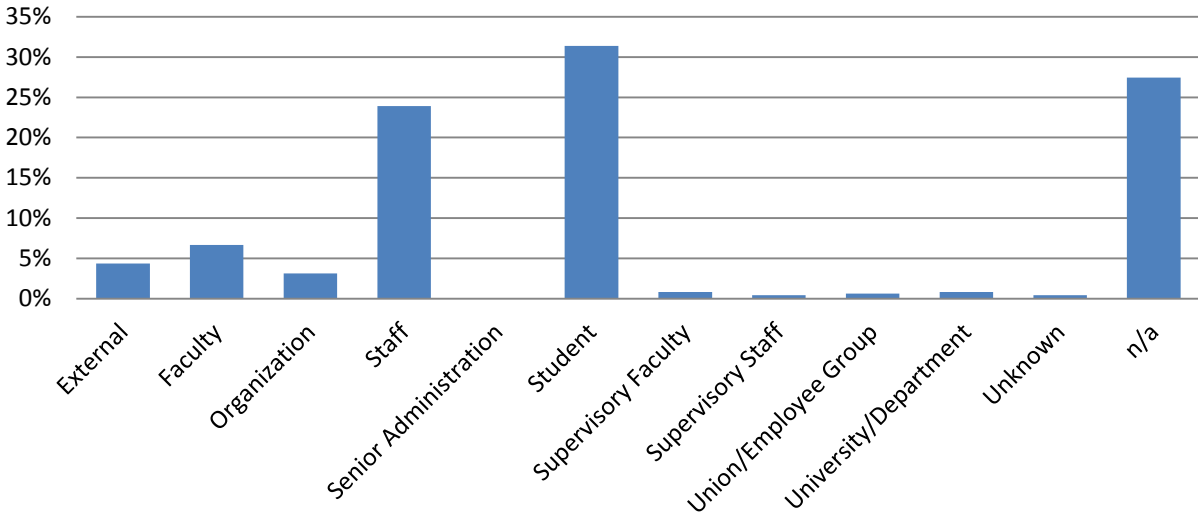


Included among third parties are individuals referred to as “external,” these are persons who are not members of the University of Guelph community. In some cases involving third parties, the

concern could be resolved by speaking with HREO staff. In other cases, information and advice would be given over a protracted period.

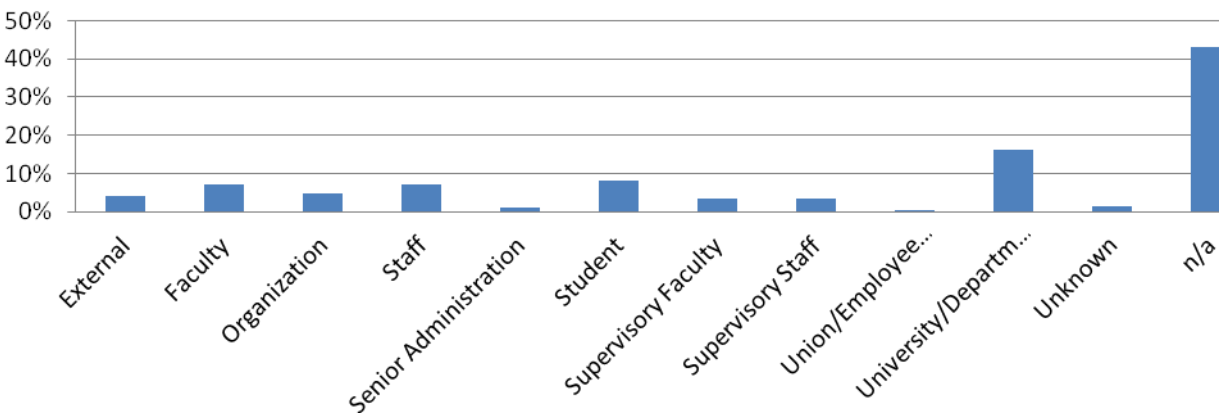
Among all matters brought to the Office, the largest number of concerned parties were students (31 per cent), followed by staff (24 per cent). Where a concerned party status is not identified, the status is noted as unknown. The status of 27 per cent of the concerned parties was not applicable because the matter was raised by a third party and no concerned party was identified.

Concerned Parties



University departments are cited most often (16 per cent) as the other party, or the party about whom the concern was raised. Where the status of the other party was not identified, it is noted as unknown. The status of other parties is not applicable where the matter was raised by a third party and the other party was not identified.

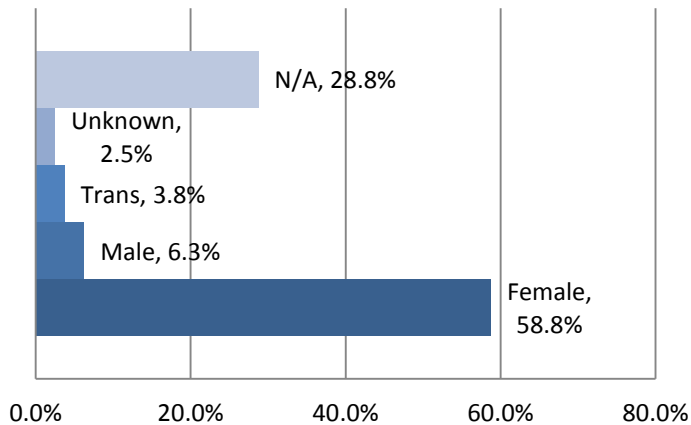
Other Parties



Gender-Based Issues

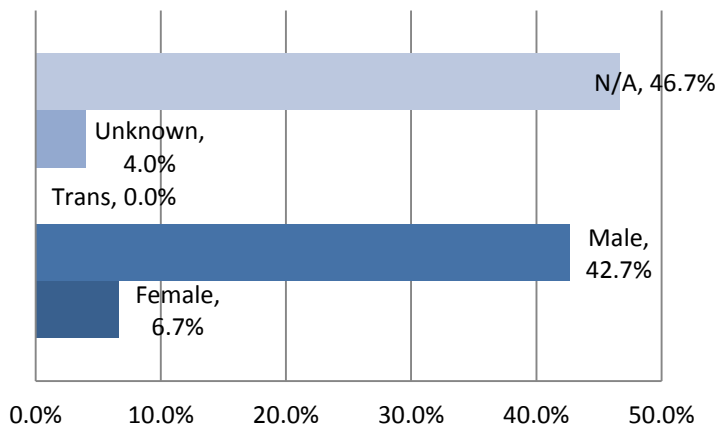
Of the 74 gender-based issues raised with the Office, 51 were sex-based discrimination, 21 were sexual harassment and two were sexual assault. Gender-based issues were raised mainly by women (58.8 per cent). In the following two charts, N/A denotes cases in which no concerned party was identified and a third party sought information and advice.

Gender of Concerned Party in Gender-Based Issues



The following chart shows that, in cases where the other party was identified, they were mainly men (42.7 per cent).

Gender of Other Party in Gender-Based Issues



Resolution

Out of the 322 matters handled by the HREO through provision of information and advice (Table 2), the majority (80 per cent) were resolved. In the remaining 16 per cent of these cases, the Office referred individuals to more appropriate internal or external processes. The HREO could not address the remaining four per cent of these cases because they lacked discernible ground, because the HREO lacked jurisdiction to address the matter, or because the matter was not raised in a timely manner.

Table 2 Information & Advice by Resolution		
	Total	%
Information and advice only	259	80%
Referral	50	16%
No grounds	9	3%
No jurisdiction	3	1%
Beyond the time limit	2	1%
	322	100%

Of the 119 informal concerns brought to the HREO during this four-year period, 91 (76 per cent) of them were resolved (Table 3).

Table 3 Informal Concerns by Resolution		
	Total	%
Resolved	91	76%
Unresolved	7	6%
Active	4	3%
No grounds	7	6%
Withdrawn	10	8%
	119	100%

Of the 14 disputes brought to the HREO, 11 (79 per cent) of them were resolved (Table 4).

Table 4 Mediated Disputes by Resolution		
	Total	%
Resolved	11	79%
Active	2	14%
Unresolved	1	7%
Terminated	0	0%
	14	100%

Of the 11 formal complaints investigated by fact-finding teams, six were substantiated, two are active, two were withdrawn and one was stayed when an alternative proceeding began (Table 5).

Table 5 Formal Complaints by Resolution		
Resolution	Total	%
Unsubstantiated	0	0%
Substantiated with hearing	1	9%
Substantiated	5	45%
Active	2	18%
Stayed	1	9%
Withdrawn	2	18%
	11	100%

During the reporting period, 144 human rights concerns, disputes and complaints were addressed at the HREO and handled through the University’s Human Rights Policy and Procedures. Three human rights complaints were filed externally.

IV. CONCLUSION

The Office will continue to fulfill its mandate by fostering community engagement in human rights matters. Learning and skill development and handling of human rights issues are the Office’s principal means to advance human rights at the University of Guelph.

With an increasingly diverse student body and employee population, both employment equity and accessibility are priorities for the Office. The Office will continue to provide training and educational opportunities to employees and students in areas such as accessible service provision and equitable and respectful workplaces.

The Office will continue to support managers in implementing established employment equity goals. To date, University managers have demonstrated their commitment to achieving employment equity through their willingness to engage in planning and implementation of equity strategies and through the changes they are making in the University workforce. Achieving employment equity necessitates barrier removal and the diversification of the workforce. Thus, the Office will continue to track progress in changes to the workforce and report that progress to managers. Hiring authorities among both faculty and staff deserve thanks for their diligence in working with the Office to ensure that search committees participate in orientation aimed at implementing equity hiring strategies.

The revised Human Rights Policy and Procedures have strengthened the Office’s ability to deal with systemic complaints and will speed up the formal complaint process. These two significant changes will continue to enable the Office to address human rights matters speedily and fairly.

The HREO will continue to work with University students, staff and faculty members to monitor and respond to hate activities and to foster understanding and support for a respectful and equitable University community.

The Office renews its commitment to:

- engaging in activities that support a University climate conducive to fostering the human rights of all community members;
- using the strengthened Human Rights Policy and Procedures to address human rights and equity-related matters;
- developing and implementing initiatives and special programs that enhance accessibility, that address systemic barriers for designated group members and that foster an equitable learning, living and working environment.

The Office acknowledges the support and deep commitment of University constituencies in furthering human rights at the University of Guelph.

APPENDIX

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