



HUMAN RIGHTS AND EQUITY OFFICE

REPORT

May 1, 2010 - April 30, 2013

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I. EXECUTIVE SUMMARY

During the period addressed in this report, the Human Rights and Equity Office (“HREO” or “the Office”) was engaged in a range of activities from broad strategic initiatives to individual case resolution. This report outlines both achievements and challenges. Three major factors impacted the Office during the period of the review.

The first challenge was the departure of Pat Case (director) at the beginning of 2012 after devoting 13 years to the Office. The success of the Office is a direct reflection of his passion for the work, and the University is appreciative of his commitment to raising the profile of the Office, both on and off campus. During the period from January 2012 to May 2013 before the new director Jane Ngobia was hired, the office was short staffed. Brenda Whiteside was appointed interim director; however, this appointment was in addition to her other responsibilities as Associate Vice-president, Student Affairs. As such, her ability to focus attention to the Office was limited. The University is indebted to the efforts of the HREO team, who devoted extra time and effort to keep abreast of the issues during this time. Thank you to Mahejabeen Ebrahim, Laurie Arnott, and Fernande Allen.

The second factor was an external review of the HREO’s operations. Pat’s departure coincided with the 15 year anniversary of the HREO and, as such, it was an opportune time to pause and reflect on the outcomes to date and consider opportunities for the future. The University welcomes intensive reviews, as it is from such reflection that we both celebrate our accomplishments as well as identify areas for improvement. After an extensive search and interview process, the University employed the *Institute on Governance* to undertake a 3rd party review of the HREO. This was a thorough review that included a campus-wide survey, interviews with many key stakeholders and open forums. The final report was released in the summer of 2012 and will help to shape the work of the Office for the next number of years.

The final major factor impacting the Office was the Accessibility for Ontarians with Disabilities Act (AODA). The purpose of this Act is “to benefit all Ontarians by developing, implementing and enforcing accessibility standards in order to achieve accessibility for Ontarians with disabilities with respect to goods, services, facilities, accommodation, employment, buildings, structures and premises on or before January 1, 2025”. The focus the past two years has been on the second standard that was passed through legislation during the period of this report. The Integrated Accessibility Standards Regulations (IASR) has numerous requirements and deadlines that will require extensive attention and resources over the next few years. The HREO has been involved in a coordinating fashion to help ensure the University meets compliance.

Although these three challenges added significant work to the Office, the day to day matters of dealing with questions and providing advice continued. The HREO provided consultation and advice on 293 human rights and related matters. As will be noted in the statistics provided in this report, this approach of asking questions and requesting advice reflects the commitment of stakeholders to foster equity and inclusion at the University.

The Office also seeks to engage community members proactively to foster a climate of respect and equity. Toward that end, a number of education and training initiatives were conducted.

II. INTRODUCTION

The University attracts students, faculty, and staff of the highest quality. It is animated by a spirit of free and open inquiry, collaboration, and mutual respect. It asserts the fundamental equality of all human beings and is committed to creating for all members of its community an environment that is hospitable, safe, supportive, equitable, pleasurable, and above all, intellectually challenging (University Mission Statement).

The Human Rights and Equity Office supports this mission by helping to create and maintain an environment within which all persons, regardless of their personal characteristics, are treated with dignity and respect. The work of advancing and supporting human rights is a community effort – the Office sees its role as a champion and providing support and advice to individuals and units to this end. As such, the Office works closely with all members of the University community on policy and programming in support of this vision. Together, we are all making the University of Guelph a welcoming and inclusive place for living, learning and working.

This report outlines the activities of the Office from May 1, 2010 to April 30, 2013. Individuals with questions or comments about this report should contact the Human Rights and Equity Office at 519-824-4120, Ext. 53000.

III. GOALS AND ACHIEVEMENTS

1. *FOSTERING A RESPECTFUL AND EQUITABLE ENVIRONMENT*

a) External Consultant's Report

The University established the Human Rights and Equity Office in 1996 to coordinate its initiatives in the area of discrimination and employment equity. During its time, the HREO has been successful in working with partners to develop a Human Rights Policy, design and deliver training programs, facilitate resolution of complaints, and engage in awareness raising campaigns. The Office is recognized externally as being an effective unit in supporting Human Rights initiatives. It is important that as organizations evolve, they continue to assess their operation to ensure it is staying current and meeting the needs of its stakeholders. This is true as well for organizations that are seen to be leaders. As such, the University employed the services of the Institute on Governance to undertake a 3rd party review of the HREO. This was an extensive review that included a campus-wide survey, interviews with many key stakeholders, and open forums.

The [final report](#) was tabled in July 2012 and posted on the President's website. The report was generally very positive. As noted in the Executive Summary:

“Overall, the review found that the University’s discharge of its responsibilities under its current human rights and equity policies meets high standards, given the breadth of the mandate and resources allocated. The University’s track record on human rights and equity are held in high regard within the institution by students, faculty and staff alike and the culture of the University is broadly supportive of greater understanding, awareness and progress. HREO’s hallmarks of impartiality, fairness and timeliness of the complaints process, as required in the mandate, are by and large, recognized positively. The University of Guelph’s processes and achievements compare favourably to similar sized institutions in Ontario that were reviewed.”

While positive, there were a number of recommendations for improvement. These recommendations were shared with the Human Rights Advisory Group (HRAG) and will be addressed on a phased-in basis.

b) Training, Education and Awareness Raising Initiatives

The HREO provided education and training sessions to campus stakeholders on a variety of equity-related topics based on identified needs, legislative imperatives and strategic priorities. Training programs were focused in three broad areas: accessible service provision; equitable hiring practices and fostering respectful and equitable working, learning and living environments. During this period, the office engaged approximately 5,565 registrants in 267 training, education and orientation sessions.

**Table 1
Training, Education and Orientation Sessions**

	2010-11	2011-12	2012-13	Total
AODA related training sessions	44	6	20	70
Orientations to equitable hiring	28	45	30	103
Other equity related training sessions	25	32	37	94
	97	83	87	267

Training, education or orientation was provided to approximately 1855 registrants each year, significantly higher than the 1075 registrants per year during the previous four year period. The use of on-line training helped to increase the reach of the training. To encourage practices that support equity, the sessions were designed to include both educational as well as skill development components. In addition, in an effort to further build capacity, HREO worked with Human Resources and Faculty and Academic Staff Relations on a “train the trainer model”. As a result, orientations to equitable hiring are now offered primarily by staff in these units. The training statistics above reflect the sessions in which the HREO staff were engaged; as such, the numbers underestimate the actual training occurring on campus. The HREO also worked in collaboration with community partners to organize awareness raising activities to foster respect and inclusion.

c) Campus Safety Initiatives

i) Women’s Campus Safety Initiatives Fund

The University of Guelph receives an annual grant from the Ministry of Training, Colleges and Universities (MTCU) for the purpose of promoting the safety of women on campus. The HREO facilitates a public grants process with the assistance of the Women's Campus Safety Initiatives Committee (WCSI). WCSI funding has been a vital infusion of dollars into initiatives that address the safety needs of women. Funding is used to support programs, services and initiatives that address issues of women's safety, sexual harassment and violence against women. A number of important safety projects were funded through this process. Each year, the requests outweigh the funding available and difficult decisions have to be made. In 2010-11, 13 projects were funded; in 2011-12, there were 10 projects funded; and in 2012-13, 11 initiatives were funded. These projects included safety audits; installation of emergency phones, poles and door locks; self-defense courses for women; and materials to raise awareness regarding women’s safety. Details on actual projects funded can be found at: [2010/11](#), [2011/12](#), [2012/13](#).

ii) Sexual Assault

Significant work was done in this area during the reporting period. The Office worked actively with the Awareness of Sexual Assault and Prevention Committee (ASAP). During this period, the HREO, working in consultation with ASAP drafted a [Sexual Assault Protocol](#), and developed a [Sexual Assault Pamphlet](#) and a [Sexual Assault Guide](#). These documents were distributed widely on campus. In addition to these policy initiatives, numerous programs were offered on campus including: a poster campaign to raise awareness about sexual harassment; a coaster campaign to raise awareness about consent; a session on the construct of masculinity called “Behind the Masc”; and a talk on empowerment and action, “SlutWalk the Talk”. In addition, after a successful pilot program, the “Can I Kiss You” session on consensual sexual relations is now a required session offered annually at Orientation for incoming students.

iii) Hate Activity

The HREO plays a leadership role on the Hate Activities Sub-Committee on responding to hate activity. Working closely with Campus Police, the HREO facilitates responses to incidents of hate activity on campus. During this reporting period, the Office, together with Campus Community Police responded to 37 incidents of hate activity as follows:

**Table 2
Hate Activity**

	2010-11	2011-12	2012-13
No. of Hate Incidents	10	15	12

Reported hate activity remains fairly constant and continues to be comprised almost entirely of graffiti. It is encouraging that hate graffiti is actively reported on campus. Guelph's vigilance in such cases is remarkable and reflects the community's commitment to addressing such acts. Upon receiving complaints, Campus Community Police investigate, record the incident and ensure that graffiti is promptly removed by Physical Resources staff. If the incident occurred in residence, all residents in the area are informed, and residence life staff members use the opportunity for educational house meetings. Although hate activities continue, the community has strongly and loudly denounced such activity and reaffirmed community values. The University receives less than a handful of reports of verbal harassment each year; however, anecdotal evidence suggests that such activity may be more widespread. The Office will be reviewing with the Hate Activities Committee ways to encourage more reporting in this area.

2. POLICY WORK

a) Accessibility for Ontarians with Disabilities Act (AODA)

The HREO has been actively involved in coordinating activities to help the University meet its obligations under the AODA.

The purpose of this Act is “to benefit all Ontarians by developing, implementing and enforcing accessibility standards in order to achieve accessibility for Ontarians with disabilities with respect to goods, services, facilities, accommodation, employment, buildings, structures and premises on or before January 1, 2025”. The Accessibility Standards for Customer Service was the first standard to be passed through legislation, resulting in the Customer Service training module being developed by the University. This module continues to be offered to new faculty, staff and student leaders.

The second standard, the Integrated Accessibility Standards Regulations (IASR), passed through legislation during the period of this report. The IASR has a number of specific requirements and deadlines each year for the next three years that will require serious attention and resources. Responding to this legislation will require a campus-wide response. The HREO helps to coordinate the work to ensure we meet our compliance requirements.

To manage effectively this process, an AODA Steering Committee was formed, chaired by the Acting Director of Human Rights and Equity as well as subcommittees tasked with reviewing specific areas identified in the standard: Employment subcommittee; Library subcommittee; Web Accessibility subcommittee and the Educators subcommittee. In addition, specific attention was directed to the University's purchasing policy. The University of Guelph was also active at the provincial level with representatives sitting on numerous COU working groups: one looking at strategies regarding accommodation for mental health disabilities; one examining provincial options for responding to web accessibility requirements; and one tasked with developing tip sheets for the [Educator's Accessibility Resource Kit](#).

Specific policies/guidelines drafted during the period of this report include:

- [Accessible Service Provision Policy](#)
- [Web Accessibility Guidelines](#)
- [Individualized Employee Emergency Planning Protocol](#)
- [Statement of Organizational Commitment to Accessibility](#)

In 2010, the first phase of the AODA was implemented with the Customer Service Standard. The HREO developed an [accessible service provision policy](#) and implemented face-to-face and online training for all faculty, staff, and volunteers. Follow up continues with new employees and volunteers and with existing service providers who have yet to complete training.

Beginning July 1, 2011, work began on the implementation of phase two of the AODA, which includes accessibility standards for employment, information and communication, and transportation. The HREO is working with community partners to respond. The HREO collaborated with the Human Resources and Faculty and Academic Staff Relations departments to review our employment policies for compliance. We are well situated to meet the 2014 deadlines.

The University has been rolling out on accessible instruction orientation program for faculty which began with a letter from the Provost directing all faculty to resources and “how to” information. Next, the HREO and Open Education began face to face training at departmental meetings. An on-line module is currently being created and will be made available to all instructors for fall 2013.

With respect to AODA web requirements, the HREO participated in the development of web accessibility guidelines (one for website developers and one for content developers). These guidelines were distributed broadly and are housed on the [Web Accessibility Website](#). The HREO also worked with partners to develop a strategy for a website accessibility audit and remediation process. The HREO is pursuing a strategy to caption web videos, another web requirement. The Office also revised the University’s [Accessibility Website](#) to help community members better understand and respond to the AODA requirements.

The HREO also created and implemented a strategy to ensure emergency protocols are available in accessible format as well as ensuring employees with disabilities have individualized employee emergency plans, as per the protocol. The Office worked with Purchasing Services to ensure that the [Purchase Order Terms and Conditions](#) included a requirement that companies meet the AODA requirements. Finally, the Office worked with the Office of Registrarial Services regarding the accessibility of student records.

b) Accessibility and Disability Accommodation

In May 2011, the Senate passed the revised [Policy on Academic Accommodations for Students with Disabilities](#), as well as revised [Guidelines and Procedures on Academic Accommodations for Student with Disabilities](#). The revisions streamline the process for students and faculty, helping to improve our support for students with disabilities. Guelph continues to be seen as a leader in the province for its supportive and welcoming environment for students with disabilities. In 1991, 75 students registered with the Centre for Students with Disabilities (CSD). In 2011/12, 1,427 students registered with the CSD, 599 of who had learning disabilities, and 363 with psychological disabilities. In 2011/12, the Exam Centre scheduled 10,277 exams for students with disabilities.

During the period of this report, the University focused on workplace accommodation policies. The HREO Accessibility website highlights a number of [policies related to employment](#). These include the Accessible Service Provision Policy, the Accommodation Partnership Program, and Individualized Employee Emergency Planning Procedures.

The HREO reported on University-wide disability related initiatives through the University's annual accessibility reports in [2010](#) and [2011](#). In 2012, the HREO developed a [multi-year accessibility plan](#) to fulfill new AODA requirements.

The HREO participated on the University's Annual Accessibility Conference Committee and provided funding to help host the conference. The conference was sold-out and based on popularity it will likely need to increase the capacity next year to accommodate the excess demand.

c. Code of Conduct for Ethical Purchasing

In June 2012, the Board of Governors approved a revised [Code of Ethical Conduct for Suppliers and Subcontractors in Relation to Working Conditions and Employment Standards](#) (Code of Conduct). The Code of Conduct Committee is now turning its attention to the preparation of educational materials that will be distributed in the 2013/14 academic year. The goal will be to educate those engaged in purchasing about the importance of ethical buying, to explain the procedures and to provide guidance on ethical suppliers.

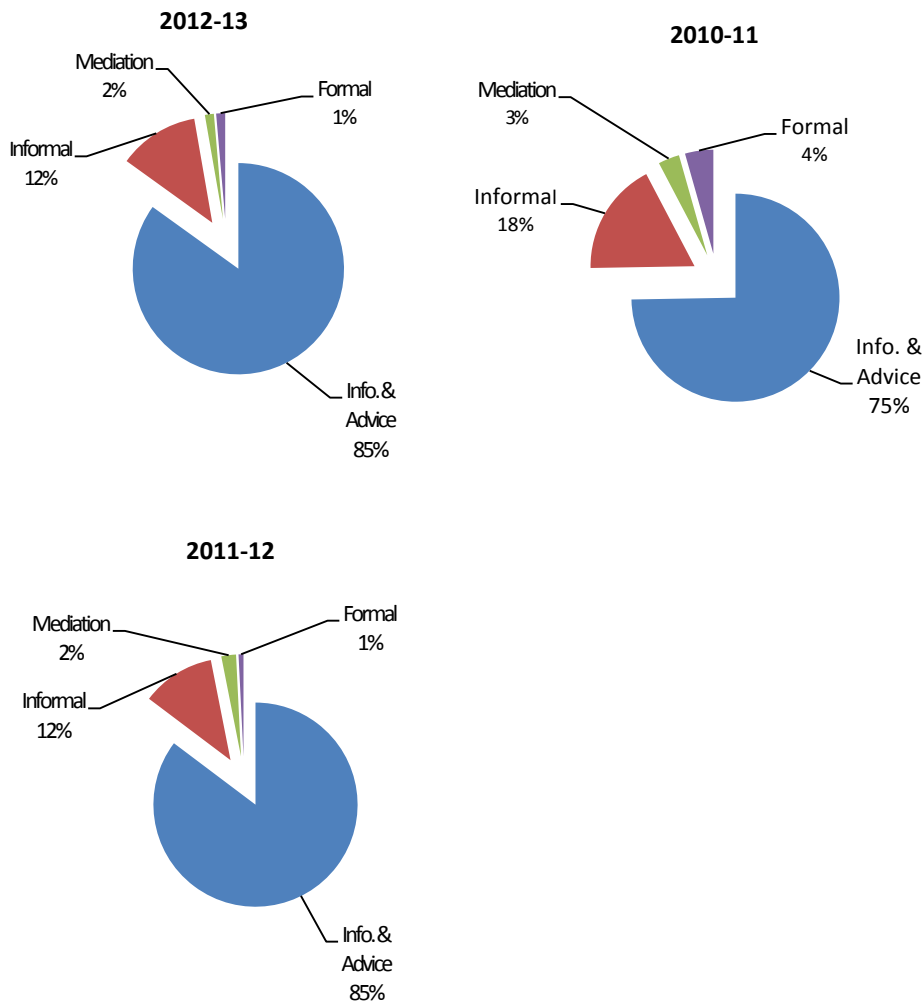
The HREO was also a member of the team that put forward an application for the University to be designated a Fair Trade Campus. Guelph was the first university in Ontario to receive this designation. Beginning in the fall, educational material will be available at many of the food outlets to better inform customers regarding fair trade purchasing.

3. IMPLEMENTING HUMAN RIGHTS POLICY AND PROCEDURES

During the three year period of this report the HREO addressed a total of 293 human rights and related matters: 91 in 2010-11; 129 in 2011-12; and 73 in 2012-13. The number of matters brought to the Office declined from an average of 116 matters each year during the previous reporting period to an average of 97 matters each year during this reporting period.

During all three years, the majority of issues brought to the office were addressed by providing information and advice, 75% in 2010-11; 85% in 2011-12 and 85% in 2012-13 (see Charts A-C). As evidenced by the data, very few cases get to the level of a formal complaint (just 1% in 2 of the three years, and only 4% at its highest in 2010-11. This has been a positive trend – during the last reporting period 2006-2010), on average 8% of the cases went to a formal complaint. During the same reporting period 10% went to mediation. It is clear that there is an increasing desire to address concerns informally and have them resolved at the lower level.

Charts A-C



The HREO deals with matters pertaining to the 15 enumerated grounds articulated in the University's human rights policy. As noted by the highlighted sections, disability and creed remain the most cited grounds (Table 3). This was true as well in the previous reporting period; creed comprised 16% of the cases, and disability 21%. One area of change is the reduction in sex-based discrimination, which averaged 10% the previous report, and appears to be on the decline during this three year period.

Table 3
Information and Advice, Concerns, Disputes, Complaints by Ground

Ground	2010-11		2011-12		2012-13	
	No.	%	No.	%	No.	%
Age	1	1%	0	0%	0	0%
Citizenship	0	0%	0	0%	0	0%
Colour	0	0%	0	0%	0	0%
Creed	13	14%	11	8%	14	18%
Disability	23	24%	32	23%	22	28%
Ethnic Origin	4	4%	0	0%	2	3%
Family Status	4	4%	2	1%	1	1%
Marital Status	1	1%	1	1%	0	0%
Negative Environment	2	2%	4	3%	0	0%
Place of Origin	2	2%	2	1%	1	1%
Race	10	10%	9	6%	6	8%
Receipt of Public Assistance	0	0%	0	0%	0	0%
Record of Offences	0	0%	0	0%	0	0%
Sex-Based Discrimination	10	10%	9	6%	4	5%
Sexual Assault	0	0%	1	1%	0	0%
Sexual Harassment	6	6%	15	11%	4	5%
Sexual Orientation	2	2%	4	3%	2	3%
Not Grounds Based	18	19%	49	35%	22	28%

Table 4 illustrates the constituencies of parties who brought forward concerns in cases where they were identified. As noted by the highlighted section, the largest number of concerns is raised by students, followed by staff. This is consistent with the previous reporting period: 32% students and 24% staff.

Table 4
Constituencies of Concerned Parties

	2010-11	2011-12	2012-13
	%	%	%
Alumnus	2%	0%	0%
EG	0%	1%	0%
External	8%	9%	0%
Faculty	11%	7%	13%
Organization	0%	1%	0%
Organization Staff/Vol	3%	7%	2%
Staff	19%	30%	34%
Student	56%	43%	51%
Supervisory Faculty	2%	1%	0%
Volunteer	0%	1%	0%

Table 5 illustrates the constituencies about whom concerns were raised, in cases where this information was provided to the HREO. In 2010-11 and 2011-12, University departments were most often cited as the other party, as was also seen in the previous report. However, in 2012-13 individual faculty and staff were most often identified as the other party. It is too early to make conclusions regarding this shift – it could simply reflect that HREO is achieving the goal of serving as a resource, with individuals asking how to deal with specific behaviours.

Table 5
Constituencies of Other Parties

	2010-11	2011-12	2012-13
	%	%	%
External	13%	11%	9%
Faculty	16%	12%	25%
Organization	13%	4%	5%
Organization Staff/Vol	0%	5%	5%
Sr. Admin	0%	2%	2%
Staff	4%	13%	25%
Student	22%	16%	5%
Supervisory Faculty	0%	4%	5%
Supervisory Staff	4%	9%	2%
University/Dept.	29%	24%	18%

The majority of informal concerns raised were resolved as were the majority of mediated disputes. This shows the effectiveness of the informal process in addressing concerns.

Table 6
Informal Concerns by Resolution

	2010-11	2011-12	2012-13
	%	%	%
Resolved	88%	100%	89%
Unresolved	0%	0%	0%
Active	0%	0%	11% ¹
No Grounds	6%	0%	0%
Stayed	0%	0%	0%
Withdrawn	6%	0%	0%

The majority of mediated disputes were resolved as shown in Table 7.

Table 7
Mediated Disputes by Resolution

	2010-11	2011-12	2012-13
	%	%	%
Resolved	67%	100%	100%
Active	0%	0%	0%
Unresolved	33%	0%	0%
Terminated	0%	0%	0%

During this period, the HREO conducted fact-findings into six formal complaints. In all cases the complaints were substantiated, but in one case the fact finding was completed the following year. (Table 8)

Table 8
Formal Concerns by Resolution

	2010-11	2011-12	2012-13
Resolution	%	%	%
Unsubstantiated	0%	0%	0%
Substantiated	100%	100%	100%
Stayed	0%	0%	0%
Withdrawn	0%	0%	0%

¹ Note – cases still active reflect the timing of the complaint and the writing of the report. Cases held over from one period to the next are reflected in the year in which the case was brought forward to the Office.

Based on the statistics, it is worthwhile noting that the majority of issues brought to the HREO were dealt with by the provision of information and advice, as was seen in previous years. The concerns, disputes and complaints were resolved using a variety of remedies consistent with human rights practice and supported by unions and employee groups where possible. Disability is the most cited ground. Training and education about both the provision of accommodation and accessibility is offered by HREO and departments have found this proactive approach useful. The HREO continues to assist stakeholders with the early resolution of matters.

IV. FUTURE GOALS

To establish goals and priorities for the year 2013/14 and beyond, the new director is engaging stakeholders across the University including the regional campuses. However, there are some issues that have been identified in the Consultant's Report that will form part of the priority.

a) Review of the Policy on Human Rights

The policy needs to be reviewed, at a minimum to address the two sunset clauses that were added during the last policy review. The opening of the policy may result in others changes.

b) Improve Outreach

The review concluded that the HREO is highly effective, and given the breadth of the mandate and the resources allocated, it meets high standards. . However, many are not aware of the Office. Steps need to be taken to reach out to constituents to better communicate the activities of the Office, and, on the whole, raise the HREO's profile on campus.

c) Enhance Community Engagement and Partnerships

Human Rights work is not the responsibility of an Office, but of all members of the community. It is important that the Office work closely with units on campus to fulfill its mandate of creating and maintaining an environment within which all persons, regardless of their personal characteristics, are treated with dignity and respect.

V. CONCLUSION

The Office continues to fulfill its mandate by fostering community engagement in equity. The Office renews its commitment to:

- Facilitate equity and inclusion in learning, living and working environments;
- Using the 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;
- Offering necessary training and education sessions to foster equity.

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