

ANNUAL REPORT

Equity, Diversity and Human Rights Office

For the period:

May 1, 2016 to April 30, 2017

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Laurentian University

Equity	Équité
Diversity	Diversité
Human Rights	Droits de la personne



Executive Summary

This Annual Report is mandated by Laurentian University's Policy and Program on a Respectful Workplace and Learning Environment. The report provides details as to the number, type, and disposition of cases. A copy of this report is available to the members of the Laurentian University community by contacting the Equity, Diversity and Human Rights Office (EDHRO) or on our website.

This year marked the first full reporting period for the EDHRO, which formally opened on April 1, 2016. Led by Noël A. J. Badiou, Assistant Vice-President, Equity, Diversity and Human Rights, the EDHRO saw many exciting new developments in 2016-17 including the establishment of a more robust online presence, a new and more visible office space, and various important policy and administrative updates.

The Equity, Diversity and Human Rights Office

The mandate of the EDHRO is to lead the Laurentian University community in fostering an inclusive and respectful learning and working environment for all students, staff and faculty by providing expertise, guidance and counsel to members of the University community in order to ensure compliance with the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA), the anti-harassment sections of the *Occupational Health and Safety Act, 1990* (OHSA), the *Ontario Human Rights Code, 1990* (Code), Laurentian University's Policy on a Respectful Workplace and Learning Environment, Policy on Response and Prevention of Sexual Violence, Policy on Accessibility Standards for Customer Service and any other related policies.

The key functions of the EDHRO during the 2016-2017 fiscal year included:

- 1) Assisting individuals with complaints of harassment, discrimination, sexual harassment, sexual violence and bullying to understand the range of options available for responding, and help them to pursue a resolution;
- 2) Providing information and training to the community to increase awareness about the importance of promoting a respectful workplace and learning environment;
- 3) Administering the Policy and Program on a Respectful Workplace and Learning Environment on campus, and the Policy on Response and Prevention of Sexual Violence.

Case Resolution Services

The EDHRO's primary mandate is to assist individuals with complaints of harassment, discrimination, sexual harassment, sexual violence and bullying to understand the range of options available for responding, and help them to pursue a resolution.

Case resolution services were streamlined by the EDHRO in 2016-17, with new standardized forms and case resolution processes. A significant increase in complaints, consultations and enquiries was noted this year. Specifically, case load increased from an annual average of approximately 70 cases from 2010 through to 2016, up to a total of 343 cases reported in the 2016-17 fiscal year.

Case Composition

Each case reported to the EDHRO can be broken down into the following three (3) categories:

- (1) **Complaint:** a written complaint received by the EDHRO;
- (2) **Consultation:** providing guidance and/or direction on possible complaints, concerns, questions and/or possible complaints in relation to issues covered under the EDHRO mandate;
- (3) **Enquiry:** a quick clarification, reference or provision of information.

There were 343 total cases reported to the EDHRO in 2016-17. These cases were comprised of 114 complaints, 189 consultations, and 40 enquiries. Cases were also categorized by complaint type, as illustrated, below in Figures 1(a) and 1(b).

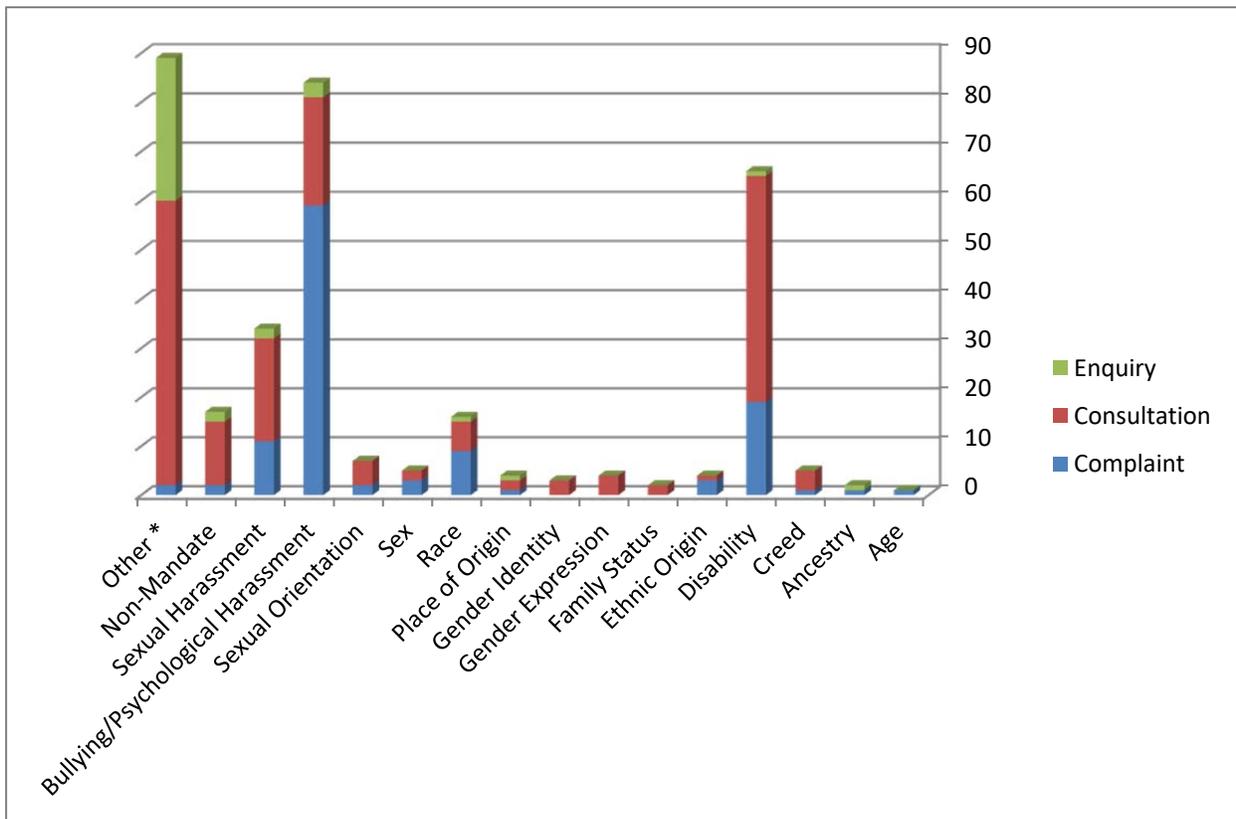


Figure 1(a) – Case Composition Chart

*Other includes general policy complaints, consultations and enquiries

Case composition	Complaint	Consultation	Enquiry
Age	1	0	0
Ancestry	1	0	1
Creed	1	4	0
Disability	19	46	1
Ethnic Origin	3	1	0
Family Status	0	2	0
Gender Expression	0	4	0
Gender Identity	0	3	0
Place of Origin	1	2	1
Race	9	6	1
Sex	3	2	0
Sexual Orientation	2	5	0
Bullying/Psychological Harassment	59	22	3
Sexual Harassment	11	21	2
Non-Mandate	2	13	2
Other *	2	58	29

Figure 1(b) – Case Composition Data

*Other includes general policy complaints, consultations and enquiries

Cases by Constituency Groups

The complainants and respondents in each case are broken down into seven (7) constituency groups as follows:

- (1) **Faculty:** this group includes all members of the Laurentian University Faculty Association (LUFA) on the Sudbury and Barrie campuses as well as department Chairs/Directors (who are members of LUFA);
- (2) **Faculty Unit/Department:** this group includes cases brought forward on behalf of a faculty unit or department as a whole and not by any one individual.
- (3) **Employees:** this includes all employees other than Faculty. Included are members of the Laurentian University Staff Union (LUSU), graduated teaching assistants represented by the Canadian Union of Public Employees (CUPE), and members of the Laurentian University Administrative and Professional Staff Association (LUAPSA) who do not fall into the leadership group personnel category listed below as well as all other employees who do not belong to a union or association;
- (4) **Staff Unit:** this group includes cases brought forward on behalf of a staff unit or department as a whole and not by any one individual.
- (5) **Students:** this group includes all students at Laurentian University and the federated Universities;

- (6) **Leadership group personnel:** this category includes all leadership personnel including Executive Team members, Associate Vice-Presidents, Deans and Directors. It does not include Chairs of departments as they are included as members of Faculty, as noted above, and;
- (7) **“Other”:** Included in this category are cases where either there was no respondent named and/or cases where the complainant did not wish to reveal the name of the respondent. The individual attending the office is looking for advice or strategies on how to deal with a specific issue or incident.

Complaints

The majority of complaints were brought forward by Students at 49%, followed by Faculty at 26% and Employees at 18%. The “Others” group accounted for 4% and The Executive Team, Deans and Directors group accounted for 3% of complaints.

Consultations

Conversely, consultations were brought forward mostly by the Executive Team, Deans and Directors group accounting for 30% of all consultations. This was followed by Employees at 19%, Staff Units at 16%, Faculty at 12%, “Others” at 11%, Students at 9% and Faculty Units at 3%.

Enquiries

Enquiries were brought forward somewhat consistently by all groups. Faculty accounted for 23% while the Executive Team, Deans and Directors group as well as the Student and “Others” group accounted for 18% each while Staff Units accounted for 13% and Employees accounted for 10%.

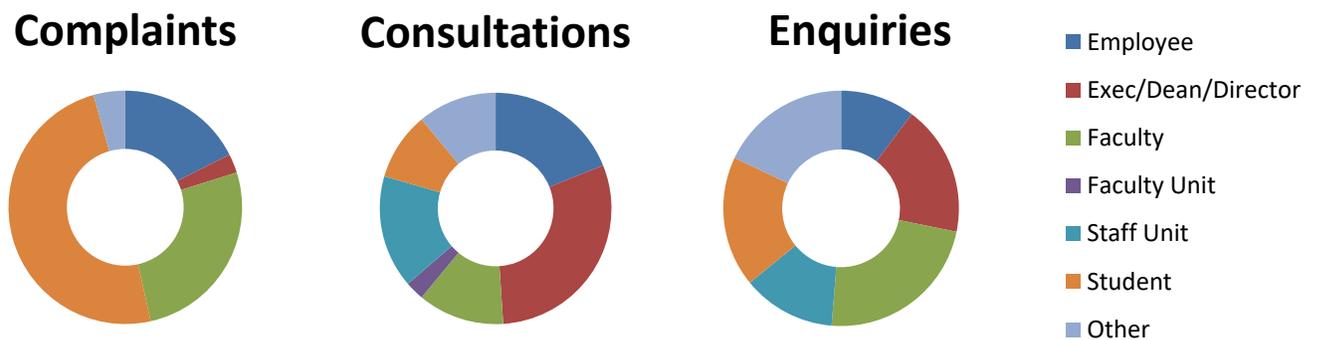


Figure 2 – Cases by Constituency Groups

Resolution of Cases

Of the 114 complaints made in 2016-17 and 16 brought forward from 2015-16, there were a total of 85 complaints resolved in 2016-17 and 45 brought forward to 2017-18. Of the 85 resolved cases:

- 18 cases were resolved by way of informal resolution using various mediation/ADR techniques;
- 8 cases were addressed through a formal resolution process which entailed the appointment of an independent external investigator which resulted in 4 investigations;
- 20 cases were either abandoned or withdrawn;
- 6 cases were not substantiated or not within the EDHRO mandate; and
- 33 cases required no further action or follow-up*.

* Please note that many of these cases involved the clarification of information and once the clarification was made, no further action or follow-up was necessary.

Education and Training Services

There were few educational activities and initiatives that had previously been developed under the former Human Rights Office, and the existing ones were out of date. With the new and restructured EDHRO, new and updated materials and training needed to be developed. This assessment was confirmed through consultation with the academic, administrative and student leaders across the Laurentian University community.

The legislated and regulated educational requirements under the relevant and applicable legislation related to the EDHRO mandate were reviewed during 2016-2017 and, as noted above, recommended changes were made to the mandatory D2L training module.

It should be noted, however, that the demand for education and training far exceeded the available capacity of the EDHRO during this fiscal year. It is expected that with the addition of a Manager, Community Engagement and Human Rights, the EDHRO will be in a much stronger position to deliver more educational and training opportunities in 2017-18.

The following educational and awareness initiatives were taken in this past fiscal year:

- Five brochures were created on: 1) Sexual Harassment, 2) Sexual Violence, 3) Accessibility, 4) EDHRO mandate/services and 5) Contractor responsibilities;
- Black History Month posters put up in EDHRO windows at end of February;
- International Women's Day posters were up in EDHRO windows for first two weeks of March;
- International Day for the Elimination of Racism posters were featured in mid-March;
- Continual posting of sexual violence prevention materials in the EDHRO windows on a rotational basis using a variety of existing materials from provincial and national campaigns.

The EDHRO also hired a Work-Study student to help raise its social media profile through Twitter. A Graduate Student was also placed with the EDHRO and provided invaluable research support on the critical areas of accessibility and accommodations. These students helped to further the promotion of the EDHRO's vision and goals.

Policies and Procedural Guidance

In 2016, Bill 132, the Province of Ontario's new *Sexual Violence and Harassment Action Plan Act, 2016*, was carefully reviewed and the implications for the Policy and Program on a Respectful Workplace and Learning Environment were noted and included in the revised policies. In addition, the EDHRO made some substantive changes to the Program to provide additional language to help the preliminary intake assessment of complaints. Additionally the language was revised and edited for consistency. The updated Policy and Program were approved in June of 2017.

The new Policy on Response and Prevention of Sexual Violence was also created in 2016-17. This student-focused policy was created in consultation with the Laurentian University community including Laurentian students. Along with the creation of this new policy, a new web presence on the Laurentian website and brochures were developed with respect to the response and prevention of sexual harassment and sexual violence and distributed to the Laurentian University community.

Also in 2016-2017, support was provided to the Accessibility Services Office to help them ensure that their procedures and processes were up to date and in compliance with the OHRC letter mandating new procedures for accommodating students with a mental health disability and related educational requirements. Much progress has been made regarding the creation of Guidelines for Accommodations for Students with Disabilities which have been approved by the Teaching and Learning Committee. The EDHRO has also created a companion Senate Policy which will be brought forward to the Senate in the next fiscal year for approval with a concurrent recommendation to rescind the existing 1994 Policy.

Recent AODA policy/regulation updates were reviewed and included in updates to the Laurentian University Policy on Customer Service Standards for compliance. In addition, the EDHRO reviewed the D2L mandatory module and submitted required changes to bring it up to date and in compliance with the legislation.

The Policy on Workplace Violence Prevention was reviewed and two substantive changes were recommended in order to ensure its full compliance with legislated requirements and also to align it more closely with the Policy on a Respectful Workplace and Learning Environment, the Policy on Response and Prevention of Sexual Violence and the Code of Student Conduct (Non-Academic).

Administration

An EDHRO business plan was drafted and submitted to Vice-Presidents Academic and Administration in August, 2016. In implementing this business plan, the EDHRO created a new vision for the office and updated and enhanced its mandate and guiding principles.

As part of the implementation of its business plan and operationalizing the new office, the following was initiated and/or completed by the EDHRO in 2016-17:

- More robust filing system created using best practices modeled on governmental and other post-secondary systems. All files from 2010 forward were reorganized and included in the new system;
- The Annual report for 2015-16 was completed with a shorter reporting period (September 2015-April 2016) in order to align the EDHRO reporting period with University's fiscal year;
- Worked with Information Technology to create a customized database that will greatly reduce the need for paper files and enhance the EDHRO's ability to report on statistics in a more robust manner. The new database will also help recognize trends and identify problem areas. This will also be used in determining needed education and training for the Laurentian University community;
- Template intake forms, authorization forms and service letters created;
- Relocated in September 2016 to the new office space in the Bowling Alley which brings much greater visibility to the EDHRO. In order to address any concerns about privacy and confidentiality, several multi-entrance spaces were identified across campus that the EDHRO could use to meet complainants in a very confidential manner;
- A Work-Study student was hired who has a communication studies background and this assisted with the EDHRO's communications/social media presence especially on Twitter with the Ontario Human Rights Commission becoming a follower early on. The EDHRO currently has over 100 followers;
- A Graduate Student from the School of Social Work was assigned to the EDHRO for a placement and the student helped with research on a variety of human rights related topics including accessibility and the AODA to help ensure that the EDHRO was following best practices and was up to date on latest requirements;
- A new Manager, Community Engagement and Human Rights position was created in accordance with the EDHRO Business Plan and it was assessed and approved. A recruitment process was initiated and the EDHRO was very fortunate to attract a highly skilled and knowledgeable candidate. The new Manager, Community Engagement and Human Rights will greatly enhance the EDHRO's capacity in continuing to address complaints in an effective and timely manner as well as more intentionally launch the educational/training/awareness obligations and responsibilities outlined in the AODA, the Code, OHSAA and Bill 132 as included in the EDHRO mandate.

Each of the above accomplishments have contributed to a more effective and efficient Equity, Diversity and Human Rights Office in the fulfilment of Laurentian University's goal of organizational excellence.