

# ANNUAL REPORT

EQUITY, DIVERSITY AND HUMAN RIGHTS OFFICE

**For the period:**

**May 1, 2018 to April 30, 2019**

<b>Equity</b>	<b>Équité</b>
<b>Diversity</b>	<b>Diversité</b>
<b>Human Rights</b>	<b>Droits de la personne</b>

## EXECUTIVE SUMMARY

This Annual Report is provided in accordance with Laurentian University's Policy and Program on a Respectful Workplace and Learning Environment, Policy on Response and Prevention of Sexual Violence and Code of Student Rights and Responsibilities. The report provides details as to the number, type, and disposition of matters brought forward to the Equity, Diversity and Human Rights Office (EDHRO). A copy of this report is available to the members of the Laurentian University community by contacting the EDHRO or on our website.

During the 2018-19 fiscal year, the EDHRO saw many new developments including the departure of Noël A. J. Badiou, Assistant Vice-President, Equity, Diversity and Human Rights as well as significant changes to the Policy on Response and Prevention of Sexual Violence as well as the Code of Student Conduct (Non-Academic).

It should be noted that although the Code of Student Conduct (Non-Academic) was renamed the Code of Student Rights and Responsibilities in March 2019, the majority of cases handled during the 2018-19 fiscal year were processed under the Code of Student Conduct (Non-Academic) and will be reported as such in this report.

## 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, the Code of Student Conduct (Non-Academic) and Responsibilities and any other related policies.

The key functions of the EDHRO during the 2018-19 fiscal year included:

- 1) Assisting individuals with complaints of harassment, bullying, discrimination, sexual harassment, sexual violence and student conduct 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) Providing information and training to the community to increase awareness about sexual violence, disclosure, response and bystander training.

Administering the Policy and Program on a Respectful Workplace and Learning Environment, the Policy on Response and Prevention of Sexual Violence and the Code of Student Conduct (Non-Academic).

## RESOLUTION SERVICES

The EDHRO's primary mandate is to receive concerns/complaints of harassment, discrimination, bullying, sexual harassment and sexual violence as well as concerns/complaints under the Code of Student Conduct (Non-Academic) and assist in understanding the range of options available for responding, and help pursue a resolution.

Not only does the resolution function minimize the potential for the externalization of complaints, the service also informs, in part, the EDHRO's education agenda. In turn, the abilities of the EDHRO staff to address areas of vulnerability across the institution based on the evidence from case services reduces the potential for unmanaged conflict.

### *Case Contacts*

A case contact is an individual who brings forward a complaint, consultation or enquiry to the EDHRO. In this context, the case contact does not need to have made a complaint to be named as such. "Case contact" is simply the term used for the individual who initially makes contact with the EDHRO, which includes contact for the purpose of an enquiry, consultation, or complaint.

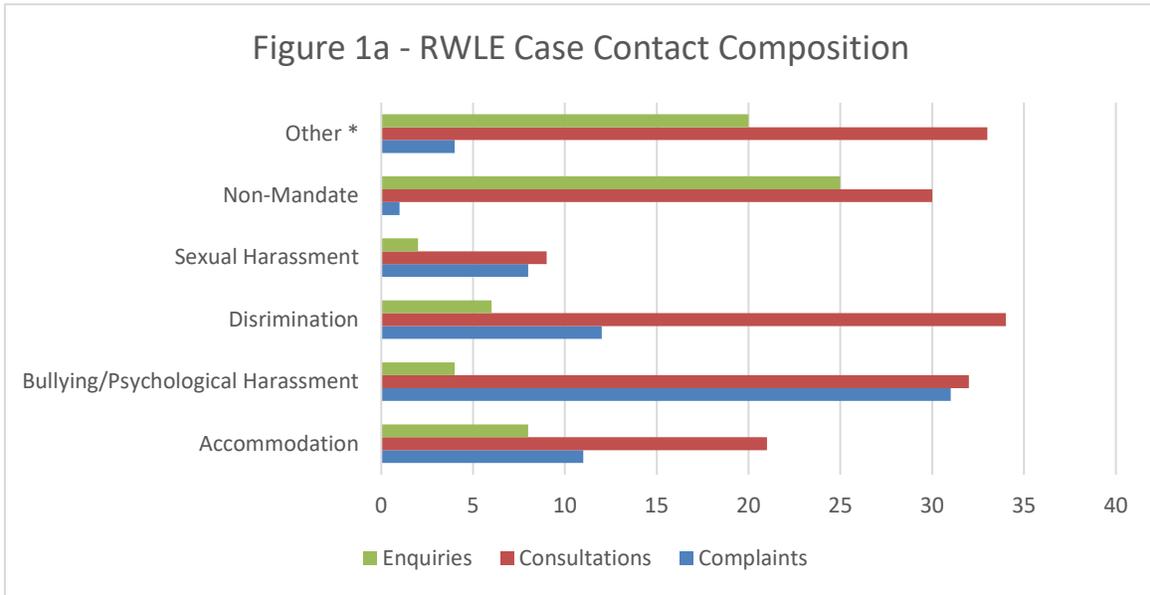
### Case Contact Composition

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

- (1) **Complaint:** a written complaint received by the EDHRO by an individual who believes that they have been subjected to behaviour that may breach one of the policies under the EDHRO mandate. Note that once the EDHRO receives a written Case Resolution Request Form, the case is categorized as a complaint. Complaints may be addressed both through formal and informal resolution processes;
- (2) **Consultation:** guidance and/or direction provided by the EDHRO on concerns, questions or potential complaints. Consultations may include (but are not limited to) requests for assistance or clarification from members of the Laurentian University community, including academic or administrative leaders (i.e. those with the authority or responsibility to address concerns), requests for information and/or assistance by third parties (i.e. friends, co-workers seeking assistance to support others), or the provision of information with appropriate guidance. Typically, this would entail a longer interaction or more than one meeting to address a possible concern relating to a matter falling under the EDHRO mandate. Some consultation services may also require follow up with other individuals or administrative or academic units. Consultations also include the provision of support and accommodations to survivors under the Policy on Response and Prevention of Sexual Violence as a follow up to a report of sexual violence;
- (3) **Enquiry:** a basic clarification, reference or provision of information.

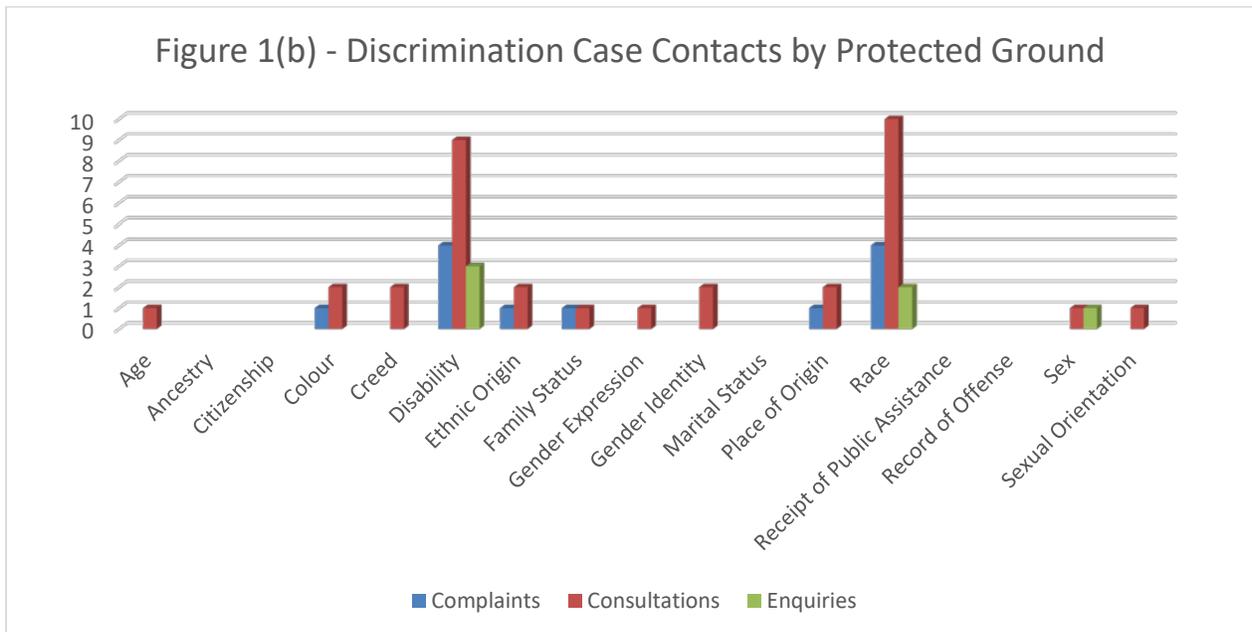
**Respectful Workplace and Learning Environment**

There were 291 case contacts with the EDHRO in 2018-19 that were dealt with under the Policy and Program on a Respectful Workplace and Learning Environment. These case contacts were comprised of 67 complaints, 159 consultations, and 65 enquiries. All case contacts were also categorized by type, as illustrated, below in Figures 1(a) and 1(b).



**Figure 1(a) – Case Contact Composition Chart**

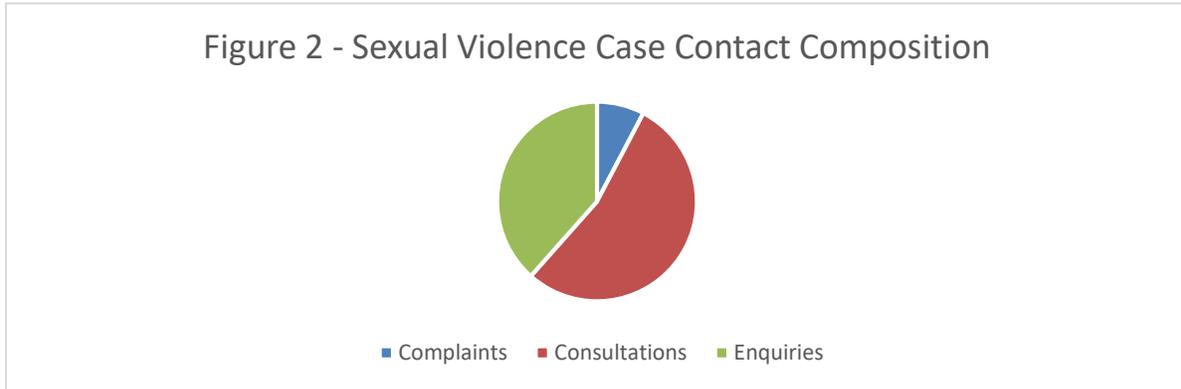
\*Other includes general policy complaints, consultations and enquiries



**Figure 1(b) – Discrimination case contacts by protected ground**

**Response and Prevention of Sexual Violence**

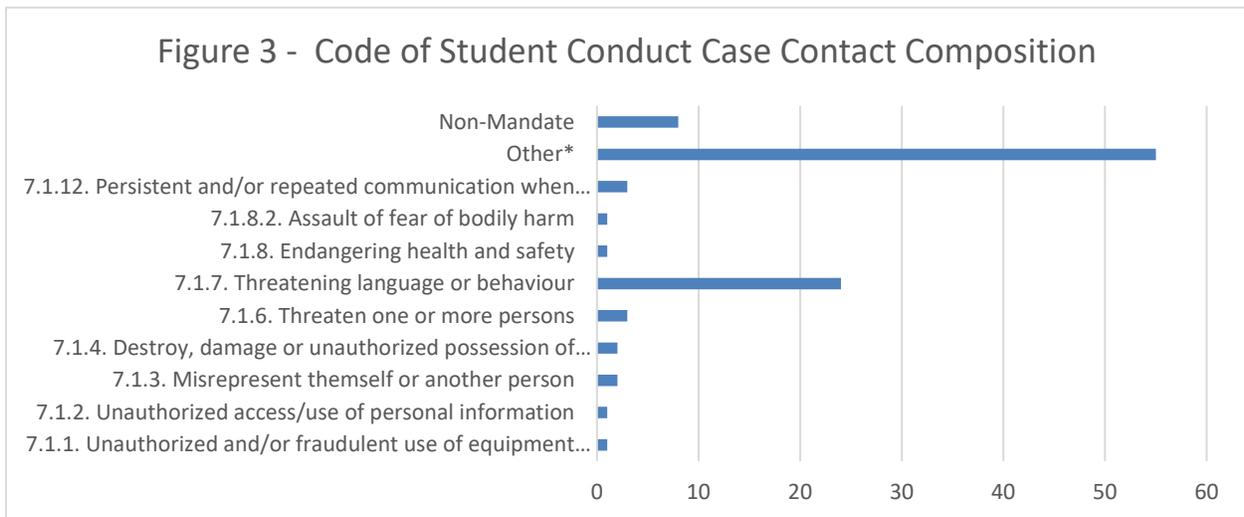
There were 26 total case contacts with the EDHRO in 2018-19 that were dealt with under the Policy on Response and Prevention of Sexual Violence. These case contacts were comprised of 2 complaints, 14 consultations, and 10 enquiries.



**Figure 2 – Case contacts dealt with under the Policy on Response and Prevention of Sexual Violence**

**Code of Student Conduct (Non-Academic)**

There were a total of 98 case contacts with the EDHRO in 2018-19 under the Code of Student Conduct, Non-Academic. These case contacts were comprised of 17 complaints, 57 consultations, and 24 enquiries. Case contacts were also categorized by type, as illustrated below in Figure 3. It should be noted that only the offenses, which were categorized in a 2018-19 student conduct file, are included in the figure below. A complete list of possible offenses can be found under section 7 of the Code of Student Conduct (Non-Academic).



**Figure 3 – Case contact composition of files dealt with under the Student Code of Conduct (Non-Academic)**

\*Other includes general code of conduct complaints, consultations and enquiries

## Constituency Groups

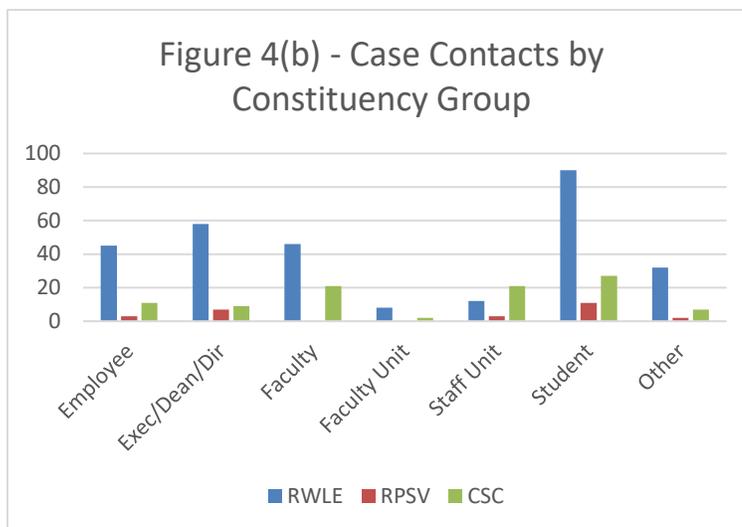
The case contacts and respondents in each file are broken down into seven (7) constituency groups as follows:

- (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 including the federated Universities and the Northern Ontario School of Medicine;
- (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 the respondent was either not a member of the Laurentian University community or 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.

The following is a breakdown by constituency group of case contacts to the EDHRO under the Policy and Program on a Respectful Workplace and Learning Environment (RWLE), the Policy on Response and Prevention of Sexual Violence (RPSV) and the Code of Student Conduct (Non-Academic) (CSC).

CASE CONTACTS	RWLE	RPSV	CSC
Employee	45	3	11
Exec/Dean/Dir	58	7	9
Faculty	46	0	21
Faculty Unit	8	0	2
Staff Unit	12	3	21
Student	90	11	27
Other	32	2	7

**Figure 4 (a) – Number of case contacts based on constituency group**



**Figure 4(b) – Percentage of case contacts based on constituency group**

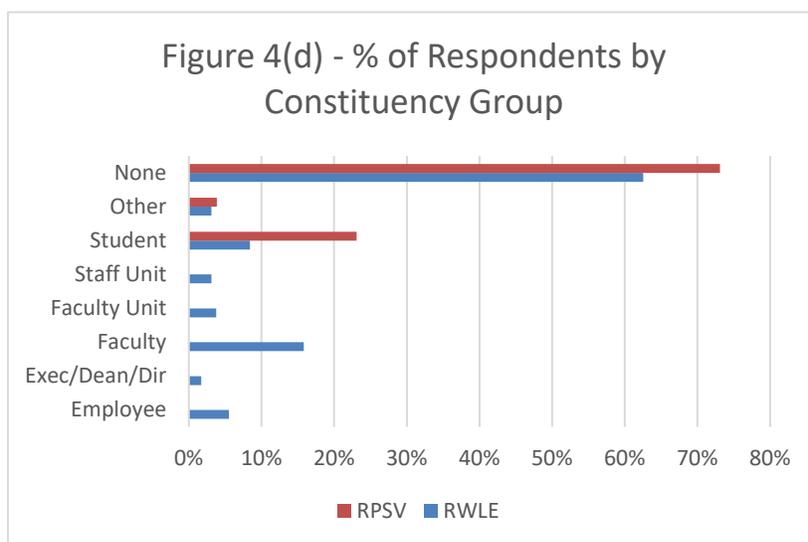
### Respondents

A respondent is an individual and/or department who has had a written complaint made against them or whose information has been brought forward to the EDHRO through a consultation and/or enquiry. Please note that in many cases, the case contact is simply looking for general policy guidance and/or information and in such cases, there is no respondent information.

The following is a breakdown of respondent information only for the Policy and Program on a Respectful Workplace and Learning Environment as well as the Policy on Response and Prevention of Sexual Violence. The Code of Student Conduct allows only for students to be named as respondents and as such, a breakdown of these respondents is not required.

RESPONDENTS	RWLE	RPSV
Employee	16	0
Exec/Dean/Dir	5	0
Faculty	46	0
Faculty Unit	11	0
Staff Unit	9	0
Student	13	6
Other	9	1
None	182	19

**Figure 4 (c) – Number of respondents Based on constituency group**



**Figure 4(d) – Percentage of respondents based on constituency group**

## **Resolution of Complaints**

### **Respectful Workplace and Learning Environment**

Of the 67 complaints made in 2018-19 under the RWLE and 43 brought forward from 2017-18, there were a total of 93 complaints resolved in 2018-19 and 19 brought forward to 2019-20. Of the 93 resolved complaints:

- 11 complaints were resolved by way of informal resolution using various mediation/ADR techniques;
- 16 complaints were addressed through a formal resolution process which entailed the appointment of an independent external investigator;
- 35 complaints were either abandoned or withdrawn\*;
- 22 complaints were not substantiated or not within the EDHRO mandate; and
- 9 complaints required no further action or follow-up\*.

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

### **Policy on Response and Prevention of Sexual Violence**

Of the 2 complaints made in 2018-19 under the Policy on Response and Prevention of Sexual Violence and 9 brought forward from 2017-18, there were a total of 10 complaints resolved in 2018-19 and 1 brought forward to 2019-20. Of the resolved complaints, 9 were resolved by way of investigation and 1 was abandoned.

### **Code of Student Conduct (Non-Academic)**

Of the 17 complaints made in 2018-19 under the Code of Student Conduct and 3 brought forward from 2017-18, there were 15 resolved during this period and 5 brought forward to 2019-20. Of the 15 resolved cases:

- 5 complaints were resolved by way of informal resolution using various mediation/ADR techniques;
- 2 complaints were either abandoned or withdrawn; and
- 5 complaints was not substantiated, not within the EDHRO mandate or required no further action; and
- 3 complaints were resolved by way of an investigation.

## EDUCATION AND TRAINING SERVICES

It should be noted that the demand for education and training again far exceeded the available capacity of the EDHRO during this fiscal year. The caseload in 2018-19 was such that training was delivered to the LU community on an as needed basis.

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

### Spring/Summer 2018

- May 14<sup>th</sup> – Presentation to field students at Metal Earth on the Policy and Program on a Respectful Workplace and Learning Environment
- May 15<sup>th</sup> and 17<sup>th</sup> – Facilitated two sexual violence prevention workshops led by Victoria Kannen
- May 18<sup>th</sup> – Presented at the Faculty of Health Deans and Directors meeting on the Code of Student Conduct and accessibility
- May 23<sup>rd</sup> – Presented to the Administrative Leadership Group regarding sexual violence disclosure/by-stander training
- June 12<sup>th</sup> – Presentation to Grad Council re: accommodating students with disabilities
- June 21<sup>st</sup> - Workshop for LU Leaders regarding the Policy/Program on a Respectful Workplace and Learning Environment
- June 27<sup>th</sup> - Presentation to CAE staff re: accommodating students with disabilities
- June 28<sup>th</sup> - Presentation to School of Environment Faculty on EDHRO mandated policies
- August 16<sup>th</sup> - Training session for Residence Advisors
- August 21<sup>st</sup> - Student Athlete training session
- August 23<sup>rd</sup> – Facilitated training session led by Centre Victoria pour femmes on campus in French regarding consent

### Fall 2018

- August 27<sup>th</sup> - Set up a table at the International Students Services Fair
- August 28<sup>th</sup> - Presentation at New Faculty Orientation
- August 29<sup>th</sup> - Half day training session with Residence Advisors and Peer Mentors
- August 30<sup>th</sup> - Orientation presentation to Midwifery first year students
- September 2<sup>nd</sup> - Orientation presentation to all first year residence students
- September 3<sup>rd</sup> - Introduction by EDHRO at SGA sexologist event. Also handed out sexual violence prevention/response materials at the event
- September 4<sup>th</sup> - Participated in the Amazing Race Orientation for graduate students
- September 4<sup>th</sup> - Introduction of the EDHRO at French nursing student orientation
- September 4<sup>th</sup> – RWLE, Code of Student Conduct, sexual violence and anti-hazing training session for student athletes
- September 5<sup>th</sup> - Attended introductory session with first year social work students at the ISLC
- September 11<sup>th</sup> - Set up a table at the Indigenous Student Affairs Orientation
- September 11<sup>th</sup> - Training session with varsity coaches
- September 14<sup>th</sup> - Orientation presentation to SPAD students
- September 18<sup>th</sup> - EDHRO table at the services fair in the Atrium
- September 18<sup>th</sup> - Midwifery second year student orientation
- September 18<sup>th</sup> - Presentation to the Alumni Board
- Three sexual violence workshops facilitated by Victoria Kannen. One for Faculty on September 25<sup>th</sup> and two for staff on September 26<sup>th</sup> and 27<sup>th</sup>

- Participation in the Race, Racism and Equity Reading group in Fall 2018
- October 16<sup>th</sup> - Upstander training session for PHED 3507 – Community Health
- October 17<sup>th</sup> - Facilitated Upstander Train the Trainer Session
- October 23<sup>rd</sup> – Facilitated “Loin du Coeur”, consent based play in French held in the Alphonse Raymond Theatre
- YWCA Montreal on campus October 25<sup>th</sup> and 26<sup>th</sup> presenting the “Consent in 360 – Virtual Reality Experience – Can I Kiss You”
- October 26<sup>th</sup> – Facilitated “Far from the Heart”, consent based play in English offered in West Residence

#### Winter 2018/19

- November 29<sup>th</sup> - Upstander training session for Midwifery Students
- January 9<sup>th</sup> - Attended the Student Services Fair promoting EDHRO services
- February 15<sup>th</sup> - EDHRO policy winter student athlete training session
- January 22<sup>nd</sup> - EDHRO policy training session with security guards
- February 14<sup>th</sup> - Presentation entitled “Where is black history in our Syllabus? An invitation to all faculty teaching in the arts, sciences and professions at Laurentian University.”
- February 14<sup>th</sup> - Presentation – École des sciences infirmières faculty members on EDHRO policies
- Ontario Black History Society poster exhibit on “black history and the military” displayed on February 27<sup>th</sup> and 28<sup>th</sup>
- March 8<sup>th</sup> - Training sessions on EDHRO policies with the Office of the Registrar
- March 22<sup>nd</sup> - Upstander Pilot training session with the support of student lead
- March 27<sup>th</sup> – Training session with second year students in the École des sciences infirmières on unconscious bias
- April 15<sup>th</sup> - Training re: grade appeals and the EDHRO

#### Ongoing

- Twitter account is active and continually updated with awareness and informational links
- Facebook account is active and continually updated with awareness and informational links
- Sexual Violence Prevention posters are being rotated on the EDHRO windows with other human rights awareness raising initiatives such as Accommodations, Black History Month and Anti-Racism posters applicable for university settings
- Participation in COU Reference Group on Sexual Violence
- Participation on the Senior Equity Officer’s Reference Group – a gathering of counterpart Directors/Executive Directors/AVPs and VPs from other Ontario Universities responsible for human rights and equity compliance
- Participation in the President’s Advisory Council on the Status of Women
- Participation in Sexual and Gender Diversity Committee Meetings
- Participation in AODA Coordinator sub-group committee meetings
- Participation in Outcome #23 committee – i.e Task Force on Safe Place to Work and Study
- Participation in committee working on Freedom of Expression (Speech) Policy
- Participation in Truth and Reconciliation Task Force Meetings

## POLICIES AND PROCEDURAL GUIDANCE

This year the EDHRO completed an early revision of the Policy on Response and Prevention of Sexual Violence. To accord with best practices adopted by other Ontario post-secondary institutions, and the expectations of the Federal Government in its 2018 Budget, the Policy on Response and Prevention of Sexual Violence was expanded to apply to all members of the Laurentian University community. This ensured that the University's approach to sexual violence response and prevention was consistent for all members of the community, and accorded with Laurentian University's commitment to a safe and healthy campus as well as its commitment to provide support to all members of the University community directly affected by sexual violence.

The Code of Student Conduct (Non-Academic) was also revised in 2018-19. It was renamed the "Code of Student Rights and Responsibilities" to reflect the spirit and intent of the Code as a shared responsibility of all student members of the Laurentian University community to promote the rights of others to learn and work in a safe, positive and welcoming working and learning environment. Other notable revisions included the change in mandate of the administration of the Code to the Equity, Diversity and Human Rights Office as well as the inclusion of procedures and clauses that align this policy more closely to that of other EDHRO complaints processes.

Since the last annual review, the Policy and Program on a Respectful Workplace and Learning Environment were further reviewed with a view to update position titles which have changed, and update the names of other policies/programs.

2018-19 also saw the departure of the Assistant Vice-President, Equity, Diversity and Human Rights (AVP, EDHRO), Noël A. J. Badiou, in March of 2019. Although short staffed, the EDHRO continues to strive to meet the same scale of excellence as previously maintained under the leadership of Mr. Badiou. The two existing EDHRO Managers have taken on the AVP, EDHRO responsibilities in the interim with a view of having a new AVP, EDHRO named in 2019-20. We thank Mr. Badiou for his pivotal role in establishing the EDHRO in 2016 and fostering an inclusive and respectful learning and working environment for all Laurentian University community members.

## ADMINISTRATION

The following was initiated and/or completed by the EDHRO in 2018-19:

- The Annual report for 2017-18 was completed;
- A Work-Study student was hired who has a communication studies background and this assisted with the EDHRO's communications/social media presence on Twitter and Facebook. The student position also created new posters on topics such as accommodation, sexism and racism to post in the in the windows of the office;
- The EDHRO maintained legislative reporting compliance regarding Bill 132 and the AODA;
- The EDHRO completed the 2018-23 Multi-Year Accessibility Plan

Each of the above accomplishments have contributed to a more effective and efficient Equity, Diversity and Human Rights Office and the fulfilment of Laurentian University's goal of organizational excellence and Strategic Plan Outcome 23, to foster inclusion, acceptance and respect for the diversity that exists within our campus community.