

Office of the Diversity and Human Rights Advisor

Annual Report

For the period May 16, 2016 – March 31, 2017

INTRODUCTION

The Diversity and Human Rights Advisor (DHRA) is a newly created position, reporting up through the Chief Human Resources Officer. The DHRA provides services that are confidential and impartial to all members of the Brandon University Community. The main responsibilities of the DHRA are:

- Promoting Human Rights principles and practices through the implementation of policies related to preventing and addressing discrimination and harassment.
- Implementing diversity and inclusion Programs.
- Providing Education and Training to the campus community.
- Conducting investigations, workplace assessments, audits and reporting on progress.

In this first year of the position, the main focus of the DHRA has been on the review of existing policies and procedures, and the development of a new model for addressing concerns in the work and learning environment. The DHRA has also engaged in consultations and response to complaints, committee work, community engagement efforts and various learning and development activities.

POLICY DEVELOPMENT

Discrimination and Harassment Policy and Procedures

The DHRA has been working throughout this period to update policies and procedures around Human Rights related issues at the university. The current *Respectful Environment Policy* (last update August 2011) includes information and procedures about formal and informal resolutions for conflict as well as discrimination and harassment. It also includes policies and procedures around workplace violence, sexual harassment and reasonable accommodations. This policy is seen by many as being unwieldy, and with new legislation such as the *Accessibility for Manitobans Act* and the *Sexual Violence Awareness and Prevention Act* being enacted, it is timely to create separate policies and procedures for some of these issues.

The approach of the DHRA is to focus on education and prevention initiatives and to encourage the early resolution of conflict through effective communication. It is important that the line between conflict and true harassment and discrimination be clearly communicated to the campus through policies, procedures and guidelines so that the response is appropriate to the actual issue. The new *Discrimination and Harassment Prevention Policy and Procedures* will address only issues that appear to fall into these categories as defined by legislation. Where the issue seems to be conflict the parties will receive information and coaching on resolving the issue either on their own or with support.

The new *Discrimination and Harassment Prevention Policy and Procedures* have been created with input from a committee with representation from all of the bargaining units, the students' union and human resources. Spring consultations with staff and faculty are being planned, and they will go before the Board of Governors for approval in June 2017. When they are rolled out in the fall of 2017 they will be accompanied by a *Guide to Resolving Conflict at Brandon University* and a *Guide to Internal Investigations at Brandon University*. As student consultation over the summer months is unlikely to be successful, the DHRA commits to gathering student feedback through town halls and other methods during the 2017-18 academic year and revising these documents in the spring of 2018 based on the feedback received if necessary.

Brandon University Sexualized Violence Policy and Protocol

The DHRA has been an active participant in Sexual Assault Advisory Group (SAAG) meetings throughout the year, contributing to discussions on the policy and protocol, assisting in the writing of both documents, and co-facilitating the town hall feedback sessions.

Human Resources Policies and Procedural Guides

The DHRA has assisted with the revisions to *A Guide to Faculty Recruiting* available on the Human Resources web page, reviewing the guide to ensure that it includes compliance with human rights law and best practices. The DHRA has also reviewed and provided input into several of the Brandon University Accessibility Policies and Procedures.

COMMITTEE INVOLVEMENT

Diversity and Inclusion Advisory Committee

The DHRA has formed a new Diversity and Inclusion Advisory Committee (DIAC) which has as its mandate to advise the DHRA on plans and initiatives to support our commitment to diversity, inclusion and employment equity, and to communicate and promote these initiatives. This committee, chaired by the DHRA, has developed a terms of reference, engaged in outreach to ensure that its membership is diverse and inclusive, and has begun long term planning for activities to be carried out in the 2017-18 academic year.

Sexual Assault Advisory Group

As a member of SAAG, the focus of the DHRA has been human rights issues, fairness, transparency and due process. The DHRA will be the principal internal investigator, and the point of contact for external investigators engaged by the university when there are complaints of sexualized violence under the Brandon University Sexualized Violence Policy.

Status of Women Review Committee

The DHRA sits on the Status of Women Review Committee (SWRC), providing updates on the activities of the SAAG group, the DIAC and other activities of the office. The DHRA has also assisted the SWRC with events such as the Women's History Month event honouring Brandon University's female faculty, and the International Women's Day event which recognizes exceptional female students at Brandon University.

Manitoba Post-Secondary Institutions Working Group on Bill 15

The DHRA, along with the Chief Human Resources Officer, has represented Brandon University on the PSI working group for Bill 15; the *Sexual Assault Awareness and Prevention Act*. This working group consists of representatives from Manitoba's Post-Secondary institutions who plan to share resources and develop training and systems together to satisfy the requirements under the Act.

EDUCATION AND COMMUNITY AWARENESS ACTIVITIES

Diversity and Inclusion

During this period, the Diversity and Inclusion Advisory Committee organized a library display, supported by website and communications posts, to recognize Black History Month in February, and initiated a social media campaign to recognize International Day for the Elimination of Racial Discrimination.

The first large community event put together by a working group of the committee in partnership with Westman Immigration Services and the Brandon Islamic Centre, was the "Walking Forward with Muslims" event held in Harvest Hall on March 24, 2017. The event drew more than 150 participants to hear the presentation and panel discussion on the topic of Islamophobia. The committee will also be asked to review and provide input on any new policies and procedures developed which relate to diversity, inclusion and employment equity.

New Employee/Faculty Orientation

The DHRA is involved in orienting new staff and faculty to human rights and employment equity issues.

Equity Data Collection and Reporting

The DHRA has reviewed the data currently being collected on the Employment Equity Self Declaration questionnaires, and the requirements under the Federal Contractors Program. Working with IT support and Human Resources, planning is underway to get the data entered into Avanti in the 2017-18 academic year and identify the current state at Brandon University. This is a necessary first step prior to identifying gaps in representation throughout the university ranks and setting goals and developing strategies to close these gaps.

CONSULTATIONS AND COMPLAINT RESOLUTION

The following page gives details of the types of services provided to individuals and groups at Brandon University in the areas of conflict resolution, responding to difficult behaviour and responding to complaints of discrimination and harassment.

Of the 4 internal complaints addressed during the 2016-17 academic year, one case resulted in disciplinary action taken against the respondent and one case resulted in education for the respondent. The other two cases were found not to reach the threshold of discrimination or harassment. In both cases the respondent was provided with an opportunity to better understand the university's policies, and related legislation such as the Manitoba Human Rights Code.

Of the three external complaints addressed during the 2016-17, all were Manitoba Human Rights code Complaints. Two of these files were active in the previous academic year; one was filed during the 2016-17 academic year. Two of the complaints allege discrimination in the area of employment based on race, the third complaint alleges discrimination in the area of employment based on sex. One complaint was abandoned by the complainant, and is therefore closed. The other two are ongoing pending investigation by the Manitoba Human Rights Commission.

Office of the Diversity and Human Rights Advisor Consultation/Complaint Dashboard		May 16, 2016-March 31,2017			
Total number of Consultations/Complaints					
Carried over from previous period		2			
Received during the period		28			
Closed During the period		25			
Open at the end of the period		5			
Type of Activity		Number of Cases			
Consultations – in these situations the DHRA provides support and guidance to community members on ways to address their concerns directly		21			
Group assessments – these are used in instances where it is perceived that there is more than one source of conflict in an area or there is a need for a systemic change		2			
Internal Complaints – in these situations a member of the university community has submitted a complaint in writing against another member or members of the university community in order to request an investigation and institutional action		4			
External Complaints – in these situations there has been a complaint lodged with an external body such as the Manitoba Human Rights Commission or the Manitoba Ombudsman which the University must respond to		3			
Total		30			
Complaint Type (only includes internal and external complaints)		Respondent Type (only includes internal and external complaints)			
Personal Harassment	2	Student	1	Faculty	2
		Staff	1	Institution	3
Sexual Harassment	1	Complainant type (only includes internal and external complaints)			
Discrimination/harassment based on race	3	Student	1	Faculty	5
		Staff	1		
Discrimination/harassment based on sex	1	Client type (includes all who accessed the office for complaints/consultations)			
		Student	4	External	1
		Staff	8	Faculty	17