



Stand Together

The Canadian Human Rights Commission's
2019 Annual Report to Parliament



Canadian
human rights
commission

Commission
canadienne des
droits de la personne

**Canadian Human
Rights Commission**
344 Slater Street, 8th Floor
Ottawa, Ontario K1A 1E1

Toll Free: 1-888-214-1090
TTY: 1-888-643-3304
Fax: 613-996-9661
www.chrc-ccdp.gc.ca

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Chief Commissioner's message

As we look to the start of a new decade, and a new session of Parliament, I believe there is an opportunity for Canada to renew its commitment to the principles of equality, dignity and respect.

As Canadians, we can be proud of how we have woven these values into the rich fabric of our society. Study after study confirms that, for the vast majority of Canadians, human rights are a large part of our national identity. We are caring and compassionate people who step forward to help others in times of need and show support in times of tragedy. It is who we are.

These values continue to influence the creation of strong and progressive human right laws. The new *Pay Equity Act*, the *National Housing Strategy Act*,

and the *Accessible Canada Act* are all examples of how Canada continues to lead the way in creating an inclusive and just society.

We are optimistic that these new laws will address inequality in Canada and bring about positive change for people across the country. We are honoured and excited that Parliament has made the Commission a central player in all three of these new regimes.

However, celebrating our accomplishments and our diversity can make it easy for some to overlook the inequality experienced by many who call this country home.

Indifference threatens to unravel our accomplishments, compromise our values and stall our progress.

It is easy for some to take their rights for granted or to look the other way in the face of injustice because they do not think it affects them. This could not be further from the truth.

When people are denied the opportunity to participate and contribute to society, it touches us all. It limits the peace and prosperity within our communities and it shapes the world we will leave to our children. If one group of people's rights are at risk, everyone's rights are at risk.

We must acknowledge that hatred, intolerance and aggression targeting vulnerable members of our communities is on the rise. Women, children, Indigenous peoples, people with disabilities, racialized individuals, religious groups, and individuals with diverse sexual orientations or gender identities all continue to experience discrimination in Canada every day.

History has shown us that meaningful change happens when we stand together with a common purpose and common vision. I believe that, as Canadians, we must and can do more to advance equality so that every single person in this country is safe, valued, and included.

We must work towards meaningful reconciliation with Indigenous peoples and address the lasting legacy of colonialism. We must address the systemic discrimination and violence against Indigenous women and girls, including those who are members of the 2SLGBTQI+ community. We can put an end to the inequitable funding to Indigenous communities and ensure equal access to safe drinking water, adequate housing, education, healthcare, and child and family services.

We must acknowledge that racism — whether overt or unconscious — remains a pervasive and deeply rooted influence within our society.

We can take meaningful action to ensure that no one is made to feel like a second-class citizen because of the colour of their skin, what they believe or where they are from.

History has shown us that meaningful change happens when we stand together with a common purpose and common vision.

We must ensure that people with disabilities are able to move through life without barriers — inclusive design and accessible infrastructure and services are the future and will benefit us all.

We must stand together and oppose any law that violates the human rights of minorities. Together, we can denounce Islamophobia and Antisemitism as well as all forms of xenophobia aimed at demonizing immigrants and refugees.

We must address the systemic barriers facing trans, non-binary, and gender-diverse people in employment, housing, healthcare, immigration, safety and security, and access to identity documents. We can do more to promote acceptance and counter the discrimination, exclusion, hostility and violence that is still a part of their daily lives.

We must shut down online hate and hold accountable those who spread it. We can bring together all levels of governments, telecommunication

and internet providers, social media platforms, and civil society as an important first step.

Looking back at 2019, we can be encouraged by the efforts that were taken to advance human rights in Canada. We can be proud of how Canada continues to strive to live up to our reputation as a country that stands for diversity, freedom and inclusion. We can hear it in our discourse, and we can now see it more and more in our laws.

It is now time for concrete action. It is now time to push even harder for a society where everyone feels included, safe and valued. It is time to renew our commitment to equality, dignity and respect for everyone in Canada.

In short, it is time to stand together.



Marie-Claude Landry, Ad. E.
Chief Commissioner
Canadian Human Rights Commission



PHOTO: Kenya-Jade Pinto

New human rights protections in Canada

In 2019, the Commission was mandated with several new responsibilities under three new laws: the *Pay Equity Act*, the *National Housing Strategy Act*, and the *Accessible Canada Act*.

These laws will advance equality and human rights in Canada by eliminating barriers and preventing discrimination.

This means the Commission will experience growth as these new laws are implemented. Two new Commissioners will now be part of the Commission — the Federal Pay Equity Commissioner, and the Federal Accessibility Commissioner. The Federal Housing Advocate will also be housed here at the Canadian Human Rights Commission.



The Pay Equity Act – the Pay Equity Commissioner

The *Pay Equity Act* establishes a proactive pay equity regime that applies to federally-regulated employers with 10 or more employees.

While the principle of equal pay for work of equal value has been enshrined in the *Canadian Human Rights Act* since 1977, the burden has always been on employees to file pay equity discrimination complaints with the Commission. Under this new legislation, employers will now be required to proactively develop pay equity plans and take action to address and prevent systemic gender-based discrimination in the workplace.

In 2019, the Commission began preparing for the Act to come into full force. This work includes transitioning from the former complaint-based regime to the new proactive pay equity





system, both within the Commission and across federally-regulated workplaces. Also in 2019, Canada's first Federal Pay Equity Commissioner, Ms. Karen Jensen, was appointed to the Commission by Governor in Council to administer and enforce the new law. The Pay Equity Commissioner will be responsible for providing guidance to employers in developing their pay equity plans, undertaking compliance and enforcement activities, and resolving disputes.

With the passage of the *Pay Equity Act*, Canada joins leaders around the world taking action to ensure that gender equality is fully realized.

The National Housing Strategy Act – the Federal Housing Advocate

Canada has recognized that the right to adequate housing is a fundamental human right affirmed in international law.

In 2019, Parliament passed the *National Housing Strategy Act*, which applies a human rights-based approach to the housing policy of the Government of Canada. The federal government estimates that over the next decade, this Act will assist 530,000 families with housing needs and cut chronic homelessness by 50%.

The Federal Housing Advocate will be a Governor in Council appointment, and will be supported and housed by the Canadian Human Rights Commission. Once appointed, the





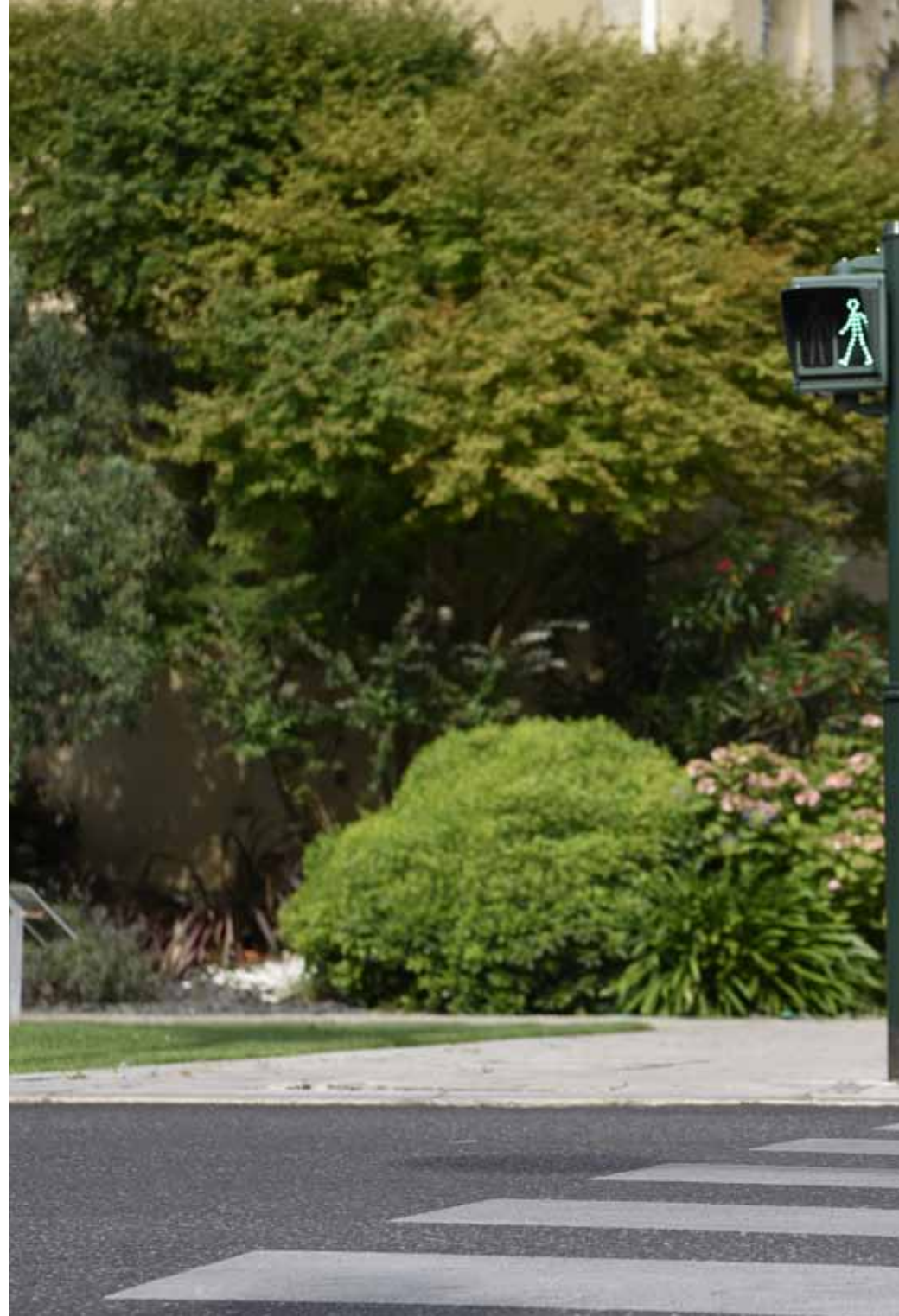
Housing Advocate will monitor the implementation of federal housing policies, including the National Housing Strategy, and assess their impacts on people who are members of vulnerable groups, including those who have lived experience of housing need and homelessness. Applying a human-rights lens, the Housing Advocate will also be responsible for monitoring and reporting on housing rights and systemic housing issues in Canada. This work includes analyzing and conducting research, initiating studies, and consultations. The Advocate will also receive submissions from the Canadian public on systemic housing issues.

The Accessible Canada Act – the Accessibility Commissioner

The *Accessible Canada Act* will make Canada a world leader in disability inclusion.

The Act is a critical step forward that enables Canada to better meet its human rights obligations under the United Nations Convention on the Rights of Persons with Disabilities, and the *Canadian Human Rights Act*.

The Act will require employers and service providers under federal jurisdiction to take proactive measures to identify and remove barriers for people with disabilities and to prevent the creation of new barriers. It will require federally-regulated entities to develop and publish an Accessibility Plan in consultation with the disability community, introduce a feedback mechanism and report on progress annually.





Once in force, the Act establishes a new complaints process. The Accessibility Commissioner will be responsible for receiving and resolving complaints filed by individuals who have been negatively affected as a result of a federally-regulated organization's failure to comply with the Act.

With the passage of the *Accessible Canada Act*, the Commission was also designated as a body responsible for monitoring the Government of Canada's compliance with the Convention on the Rights of Persons with Disabilities in accordance with article 33.2 of the Convention.

The National Monitoring Mechanism

The Commission, along with many other stakeholders, has long advocated for Canada to designate a monitoring mechanism in line with its obligations under the United Nations Convention on the Rights of Persons with Disabilities.

On June 21, 2019, this designation was made official with the passage of the *Accessible Canada Act*, which contained amendments to the *Canadian Human Rights Act*.





As the National Monitoring Mechanism (NMM), the Commission's objective will be to monitor progress and report on whether the Government of Canada is doing all it can to meet its human rights obligations outlined in the Convention.

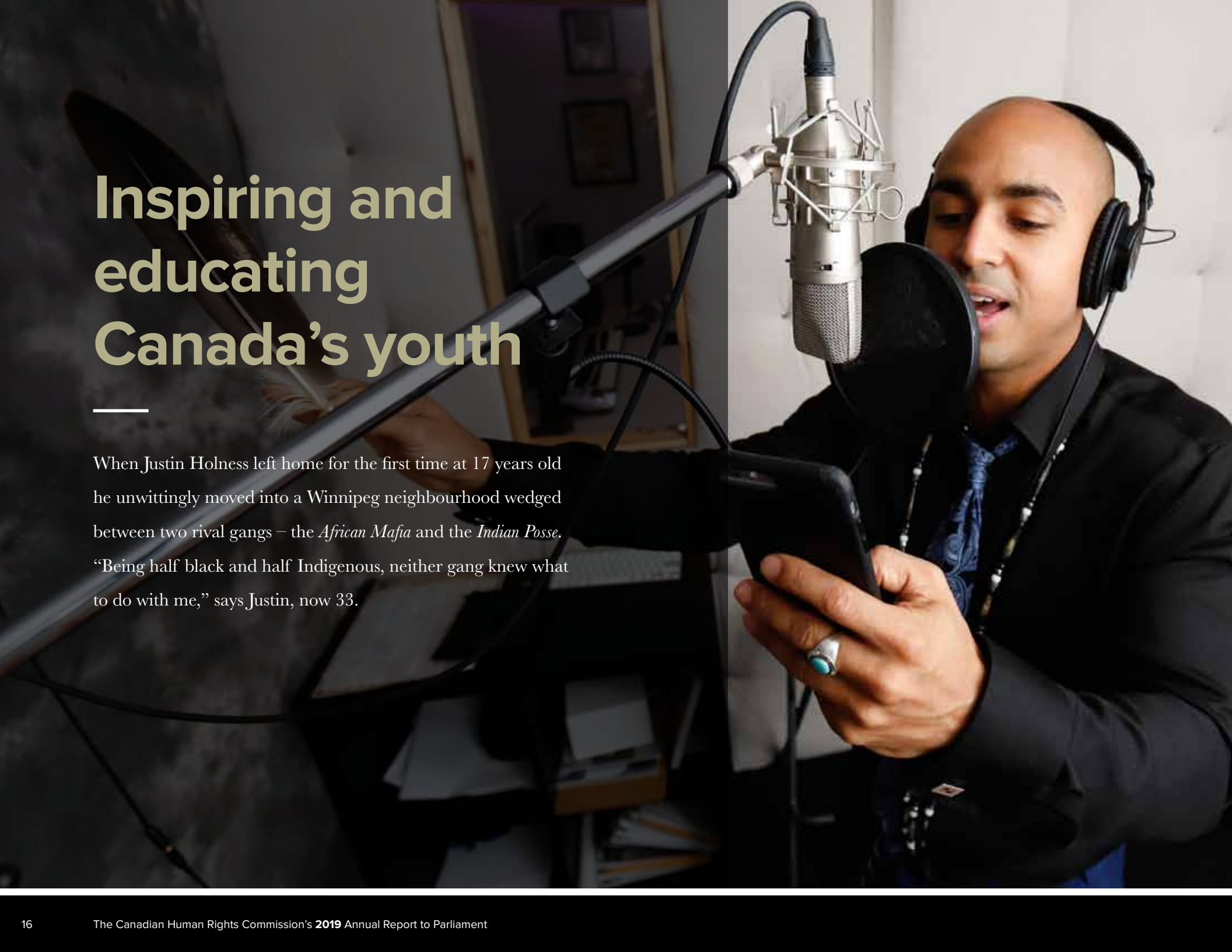
In our role as NMM, we will ensure that people with disabilities and their representative organizations are actively engaged and involved throughout the process.

Standing Together



These are the inspiring stories of people who are finding their own ways to bring people together, to open doors and to help create a Canada where everyone feels safe, valued, and included.



A man with a shaved head, wearing a black suit, a blue patterned tie, and large black headphones, is speaking into a professional silver microphone. He is holding a black smartphone in his left hand. The background is a blurred indoor setting, possibly a studio or office.

Inspiring and educating Canada's youth

When Justin Holness left home for the first time at 17 years old he unwittingly moved into a Winnipeg neighbourhood wedged between two rival gangs – the *African Mafia* and the *Indian Posse*. “Being half black and half Indigenous, neither gang knew what to do with me,” says Justin, now 33.

Reeling from his parents' recent divorce and struggling to find his place in the world, Justin got caught up with the wrong crowd. "I hit my own rock bottom." And then his brother called. Justin was going to be an uncle.

"It was a wake-up call. I felt so embarrassed because I was so street involved. That's when I had to face my problems head on. Who am I for my little niece to look up to? What do I have to offer?"

Now, just over a decade later, Justin is Jah'kota – an Ottawa-based successful hip-hop recording artist and entrepreneur, and a role model and mentor to Indigenous youth trying to break into the music industry. "I can honestly say that it was music that helped save my life."

The stage name Jah'kota is a nod to both Justin's Jamaican and Nakota heritage. His music speaks out against the enduring effects of colonialism on the Indigenous community. There is pain and anger in Jah'kota's lyrics, but there is also pride and hope.

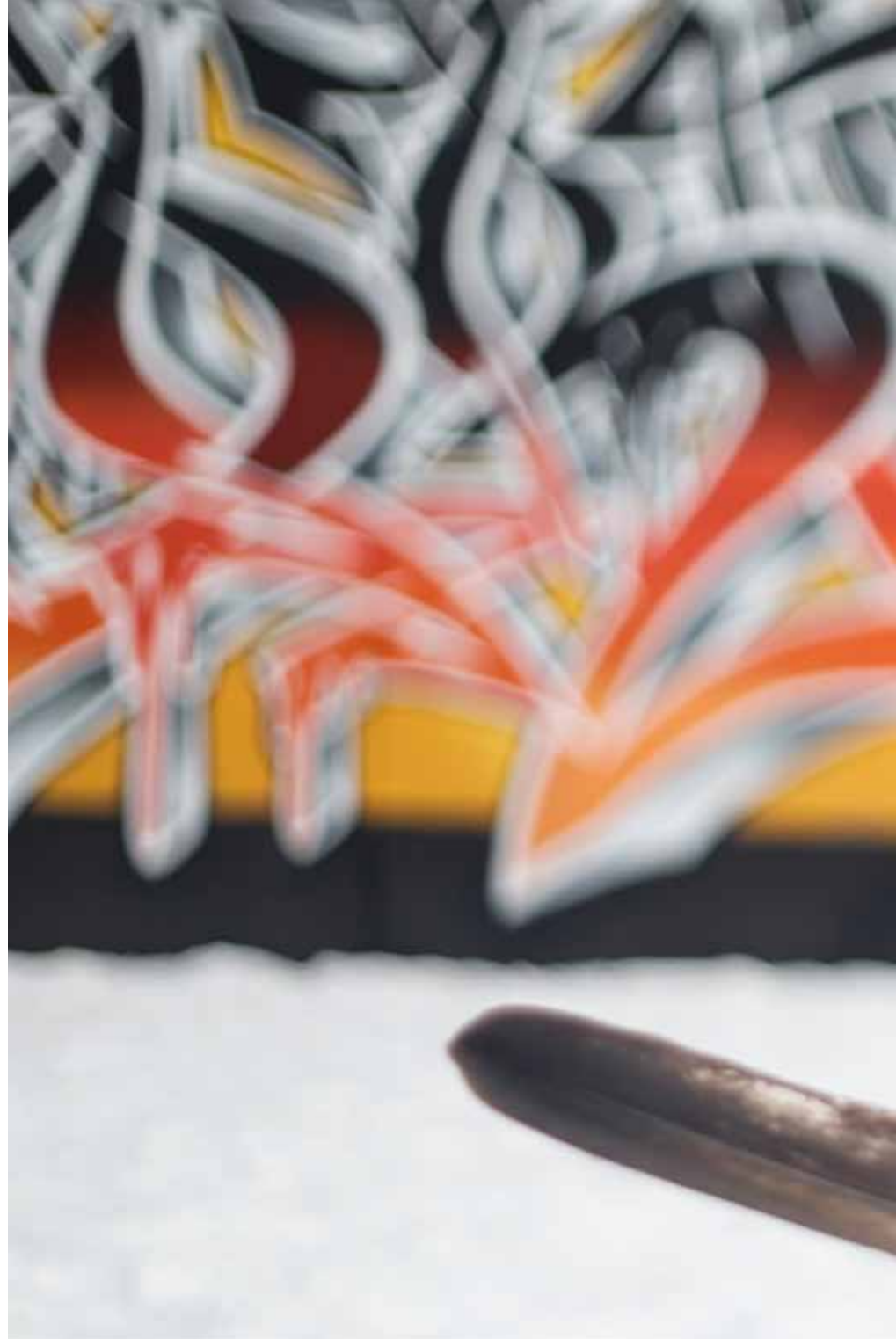
"Woke is a track inspiring people to understand their identity, understand their history and understand that we're in a time of resurgence, where young people are growing up with their traditions, their ceremonies. They're growing up learning their languages. They're graduating. They're becoming entrepreneurs. There are so many amazing things that are happening."

Inspiring and educating young people through music is Justin's passion, but he does more than just sing about it. He brings his message directly into high schools and speaks to kids about Canada's historical treatment of Indigenous peoples.

"I can honestly say
that it was music that
helped save my life."

Jah'kota's presentation is a rapid-fire history lesson using images, video and music, the school auditorium transformed into a hip-hop concert. He talks about his grandmother who was forced into residential school as a child, and then went on to become the first Chief of the first all-female band and council of Ocean Man First Nation in Saskatchewan. He explains the significance of the medicine wheel, shows TV news footage from the Oka Crisis and then he breaks the tension with music. He encourages the kids to sing along with him and they belt out "Wake up! Wake up! Wake up! Woke!" in time to the driving beat. At every school presentation, Jah'Kota shares the spotlight with young Indigenous performers like nine-year-old Kaid, a hoop dancer from Kitigan Zibi First Nation who lit up the stage in Gatineau.

"Being able to speak to the kids in their language [through music] helps them learn and understand the truth about our history," says Justin. "Instead of just being talked at, they feel





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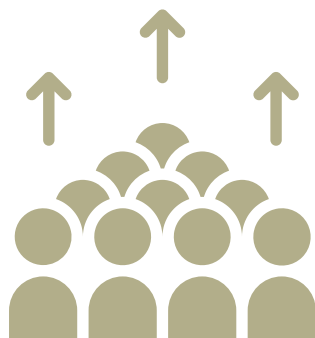


involved. The non-Indigenous kids want to share my music and that helps them feel like they are doing something to make a difference.”

In 2018, Justin received the CBC Trailblazer Award for TRIBE Music, as the owner and founder of this first Indigenous-owned profit sharing streaming platform. The site promotes Indigenous artists and gives back financial support through subscriptions. The platform will soon feature Jah’kota’s third album *Resurgence*. “My last couple albums were all me being mad at Canada and releasing that anger through my music. *Resurgence* will be about resilience this time.”

Justin’s spirit name is *owicagiyesa* which means “the one who helps” in Nakota. Through his high school tours, his music, and profit sharing platform, Justin tries to live by that code.

“Being Indigenous and being proud of who you are is a form of activism. I’m just trying to be the best version of myself to inspire young people to be the best version of themselves.”



The number of
Indigenous youth
is growing

Up
39%
compared to
6%
for non-Indigenous youth.



77% of youth aged 15 to 34 use the Internet
to follow news and current affairs.



 **96%** of youth aged 15 to 24 use
social networking sites

14%

of youth in Canada have
experienced some form
of social isolation.

Statistics Canada. (2018). *A Portrait of Canadian Youth*. Statistics Canada Catalogue no. 11-631-X.

Spreading love, not hate

In January 2019, two men wearing badges with the Arabic word for “infidel” or “non-believer” entered Canada’s oldest place of Muslim worship, just as Friday prayers were beginning. The men walked through the Al Rashid Mosque in northwest Edmonton, entering the women-only section and bathrooms. Other members of their group — reported to be the anti-immigrant Wolves of Odin — stood on the sidewalk outside the mosque, confronting congregants with provocative questions about their religion and beliefs.



Five days later, in southeast Edmonton, the Markaz UL Islam Mosque received anonymous hate-mail: “On behalf of real Albertans, we would like to advise you that you and your religion don’t belong in Alberta.”

Lindsey Jorgensen-Skakum, a pastor at the Holy Spirit Lutheran Church in the Malmo Plains neighbourhood of Edmonton, knew they had to do something. It was a harsh reminder for Lindsey of 2017 white supremacist rallies in Charlottesville, Virginia. Lindsey is still haunted by the images of hundreds of people marching through the streets of the southern U.S. city, chanting racist, Antisemitic, homophobic slogans. “Something broke in me,” Lindsey recalls.

Lindsey decided to post an open-ended question on Facebook: *how can we help?* Various members of Edmonton’s Muslim community responded with suggestions. One was to write letters to elected officials, expressing concern for rising levels of intolerance. But another kind of letter came to Lindsey’s mind — less political, more personal, expressing a central tenet of their faith: “love letters,” addressed directly to the victims of these hateful incidents.

On a bitterly cold Friday evening in January, as the mercury dipped below minus 40°C and the snow drove down, Lindsey opened the doors of the church to anyone and everyone who wanted to express support for their Muslim neighbours. They called the campaign *Spread the Love*. Roughly 70 people showed up, sat down and wrote letters to the local Parliamentarian, the mayor of Edmonton, the police, and directly to members of Edmonton’s Muslim community.

The letters were then sent to their various addressees: 90 to public offices, and 25 to the Al Rashid Mosque and its affiliated

“The last thing you want is to bring up a child in a place where they feel humiliated or afraid.”

Edmonton Islamic Academy, a private school that offers Islamic education to students from Kindergarten through Grade 12.

“It meant the world to me, especially as a parent,” says Sadique Pathan, the outreach imam of the Al Rashid Mosque, whose three children attend the academy. “The last thing you want is to bring up a child in a place where they feel humiliated or afraid,” he says. “These were beautiful free-form letters, full of words of support.”

Sadique, who grew up in Edmonton, is alarmed by the increasingly “outward” and “bold” expressions of intolerance towards Muslims. He says the Al Rashid Mosque is vandalized frequently and that each incident is a reminder of a bigger





“We have to acknowledge extremism and bigotry where it exists. And we have to rally together.”



picture that, in the recent past, has included horrific attacks on Muslim worshippers in Québec City, Norway and New Zealand.

Sadique sees Islamophobia as an expression of fear and alienation that can only be overcome through dialogue. In his work as an outreach imam, he is constantly inviting people from the broader community into the mosque to interact with its members and ask questions. He is delighted to now know a Lutheran pastor who believes just as strongly in the power of bridge-building.

“Canada is generally an amazing place of warmth and acceptance,” he says. “But we have to acknowledge extremism and bigotry where it exists. And we have to rally together.”





Canadians are more likely to harbour negative stereotypes about Muslim Canadians. **14%** of Canadians described Muslims as “violent,” versus only **3%** for Christians and **2%** for Jews.

Canadians are far less comfortable welcoming a Muslim into their family. **31%** were uncomfortable with a family member getting engaged to a Muslim, compared to **12%** for other faiths.

Canadian Muslim Forum and Canadians for Justice and Peace in the Middle East. (2018). *A Grave Problem: EKOS Survey on Islamophobia in Canada*

Association for Canadian Studies and Canadian Race Relations Foundation. (2019). *Canadians Views on Hate*.

Statistics Canada. (2020). *Police-reported hate crime, 2018*.

Statistics Canada Catalogue no. 85-002-X.

Nearly
3 in 4

Canadians agree that government should prevent people from engaging in hate speech against certain groups in public.

Hate crimes targeting religious groups accounted for

36%

of all hate crime in Canada in 2018

Hate crimes targeting the Muslim population accounted for

10%

of all hate crimes in Canada in 2018.



Mapping accessibility in Canada

Maayan Ziv has vivid childhood memories of her kindergarten playground, but they're not happy ones of fun and games. They are memories of all the things she was not able to do — skip, run, jump, and climb — like the other children.



Maayan was born with muscular dystrophy. Now 29, she has only ever known the world from the perspective of a wheelchair. Instead of allowing her disability to relegate her to the fringes of a world designed for the able-bodied, she has set out to make that world more accessible to people like her. “My parents never saw my disability as a negative,” she says, acknowledging that their attitude was both exceptional and formative. “They just said: ‘tell us what you need.’ ”

She did. As the only visibly disabled student at her elementary school, in a northern suburb of Toronto, Maayan remembers watching her parents help build a wooden ramp from the kindergarten playground into the classroom. At her next school, she watched them help build a much more significant ramp from the first to the second floor.

“I learned at a very early age that either I needed to adapt to my environment, or it needed to be adapted to me,” she says. As an adult, another realization took hold: that things don’t have to be this way; that if accessibility were a priority and not an afterthought, she wouldn’t need to constantly ask for help.

While Maayan was studying photography at Ryerson University, she applied for a job at a local agency. She was invited to an interview, but the agency was unable to get her upstairs to its offices. She had to do the interview on a busy sidewalk in downtown Toronto. It occurred to her that this kind of experience was avoidable.

If accessibility were
a priority and not an
afterthought, she
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constantly ask for help.

With the help of some tech-savvy friends, Maayan set up a simple interactive website that mapped her environment — Toronto — with accessibility in mind. Anyone using the site could add pins to the map, indicating accessibility-friendly places, steps, obstacles, alternative entrances, braille signage. The feedback was overwhelming and positive.

Maayan's idea — which she called AccessNow — was accepted into Ryerson's Digital Media Zone incubator, and with crowdfunding and the help of more friends, she was able to convert the website into an app. That was in 2015. Today, AccessNow employs six staff members at its office in downtown Toronto and the app features ever-expanding maps for urban centers in 34 countries.

There is much to be learned from them: where to find the key to the accessible bathroom in Berlin's trendiest nightclub; the name of a particularly helpful lifeguard on Tel Aviv's Gordon Beach; how to navigate Toronto's Union Station if the elevator breaks down. And, as the prevalence of red thumbs-down pins suggest, there is also much to be improved.





She says the most motivating aspect of her work is the gratitude of users, who often write to her.



These challenges spur Maayan on. She says the most motivating aspect of her work is the gratitude of users, who often write to her. They explain how empowered they feel by a tool that has been designed specifically for them; something that reduces anxiety as they navigate the world and makes them feel part of a larger community.

While her first passion remains photography, Maayan doesn't feel she's sacrificing anything by devoting herself to entrepreneurship and advocacy. AccessNow enables her to travel and her camera always travels with her.

"I won't stop as long as I feel that I'm making a difference," she says, pointing out that what she is fighting for — equality — is a basic human right.

"We're not there yet, but a lot of organizations are raising the bar," she says. In her frequent speaking engagements, Maayan asks audiences to reconsider the way they think about accessibility: not as a technical fix, but a change in mindset from which everyone stands to gain. "When people see it as a competitive advantage, they buy in."

1 in 5

Canadians (6.2 million) aged 15 years and over had one or more disabilities that limit their daily activities.

90%

of Canadians agree that accessibility for people with physical disabilities is a human right.



People with disabilities earn less than those without disabilities, and are more likely to live in poverty.

12%

less for those with milder disabilities

51%

less for those with more severe disabilities

90%

of Canadians feel that Canada should make it a priority to ensure that everyone can fully participate.

59%

of Canadians with disabilities aged 25 to 64 are employed compared to

80%

of those without disabilities.

Statistics Canada. (2018). *Canadian Survey on Disability, 2017*. Statistics Canada Catalogue no. 89-654-X

Rick Hansen Foundation and Angus Reid Institute. (2015). *Canadian Mindsets on Disability and Accessibility*.

Building inclusive workplaces

Like many people, George Parsons' depression descended on him in his teens. He didn't complete high school and found himself in the working world at a young age, first in kitchens and then providing technical support at a computer store in Halifax.



Work was more about getting by than it was about fulfillment. “Maintaining,” is what George calls the mode he was in for two decades. “Keeping a roof over my head and food on the table. Fighting off the depression. Trying not to let it get the better of me.”

According to Statistics Canada’s most recent community health survey, 11% of Canadian adults experience major depression at some point in their lives. Often minimized, misunderstood, or a source of shame, depression can end up existing in the shadows, leaving people to battle it alone. Undiagnosed or untreated, depression can have cascading, sometimes devastating consequences.

In his mid-40s, George felt himself sliding deeper into his depressive cycle. He lost his job at the computer shop. He stopped going out. He stopped talking to people. He couldn’t pay rent.

“I knew I had to find a way out,” he says. “I needed to get on a sustainable path to something interesting.”

George found a therapist and an employment counsellor, who pointed him to Lake City Woodworkers, an organization in nearby Dartmouth, Nova Scotia, that offers skills-building programs for people with mental health issues. George started working in its woodworking shop, assembling wine racks. For

For George, the work itself — cutting, sanding, drilling — was fine, but what made the experience exceptional was the workplace culture.

George, the work itself — cutting, sanding, drilling — was fine, but what made the experience exceptional was the workplace culture.

“In the regular working world, the focus is usually on getting the job done, regardless of everything else,” he says. “Here, the emphasis is on supporting the people doing the work. It’s a bottom-up approach and it really works.”

At Lake City Woodworkers, which was established in 1972, clients with mental illness work alongside full-time professional woodworkers. The clients gain work experience and are paid a stipend. Ideally, the program acts as a stepping stone to full-time employment elsewhere.

For George, the step only took a year and didn’t involve moving on, thanks to changes in the global waste market. Halifax has been contending with serious plastic disposal challenges ever since China — previously a major buyer of Canadian recycling — tightened its purchasing standards. Rather than send its

plastics to out-of-province landfills (Nova Scotia does not allow plastics in its own), a local recycling company proposed a partnership with Lake City Woodworkers, in which it would convert the waste into plastic lumber to be made into fence posts and patio furniture. George was asked to join this new team as a full-time employee.

George’s voice brightens as he describes his work and the premise of the project: turning garbage into something useful.

“It’s a strange feeling,” he says, of the prospect of a solid income, a job he looks forward to, and the very fact that life has taken a turn in his favour.

George is not at all concerned about working in a new setting. The year at Lake City Woodworkers boosted his confidence. It didn’t take much — just a sympathetic supervisor who was available to chat if George wanted to, and knowing that he could take a few minutes off without being asked why. “Where I could be myself,” he says, “acknowledging that I face barriers,



“Where I could be myself,” he says, “acknowledging that I face barriers, but realizing they don’t have to be obstacles to my goals.”



but realizing they don't have to be obstacles to my goals." In that environment, George found he didn't have to worry about the challenging "moments" he sometimes has. He also found himself having less and less of those moments.

The plastics workshop has already produced a few prototype picnic tables, destined for municipal and provincial parks. George says they are made from 100% recycled material, and are recyclable, durable, and will be easy to maintain. As the tables sit outside, being tested for weathering, the calls keep coming in from prospective buyers.

"I'm super-excited to be making change in more than one way," says George, who feels he's found that sustainable path.

1 in 5

Canadians experience a mental health problem or mental illness each year. With a workforce of just over 18 million people, this means that 3.6 million working Canadians have experienced, or will experience, some form of a mental health concern this year.

72%

say they felt their mental health issue will hurt their career potential.



70%

of Canadians reported that their work experience affected their mental health.

55%

do not tell their workplace about their mental health issue.

Mental health problems and illnesses account for approximately 30% of short- and long-term disability claims and are rated one of the top three drivers of such claims by more than 80% of Canadian employers.

34%

say stress was a main reason for their mental health issue.

Mental Health Commission of Canada. (2016). *Making the Case for Investing in Mental Health in Canada*.

Globe and Mail and Morneau Shepell. (2017). *The Mental Health Experience in Canada's Workplaces*.

Diversity on Bay Street: Beyond the head-count

For a long time, those working on Bay Street in Toronto, the epicenter of finance in Canada, were a fairly homogenous group: white, male and senior. Dennis Mitchell belongs to a new Bay Street. Black and in his 40s, he rose quickly to the executive level of the investment management world and is now CEO of Starlight Capital, a Toronto-based asset management company. And from where he now stands, Dennis is working to break through the exclusivity that has defined his industry for so long.



Dennis grew up in the west Toronto neighbourhood of High Park “before it was cool.” His mother was a nurse, his father a truck driver and Dennis had ambitions to play professional football until several knee surgeries killed that dream. A long-time admirer of Warren Buffett, he decided to set his sights on a new goal: a career in asset management.

It wasn’t clear how to get there and Dennis had no inside track — no relatives or friends or contacts in the industry. A business degree from Wilfrid Laurier University was not enough to set him apart in the fierce competition for jobs, so he decided “to tip the odds in my favour.” While finishing his Chartered Financial Analyst designation, he also completed an accelerated MBA at York University’s Schulich School of Business, making himself more employable.

It worked. Once hired by an investment company, he took ten years to grow a real estate fund with \$8 million in assets into one with \$1.5 billion in assets. Then he was on the map.

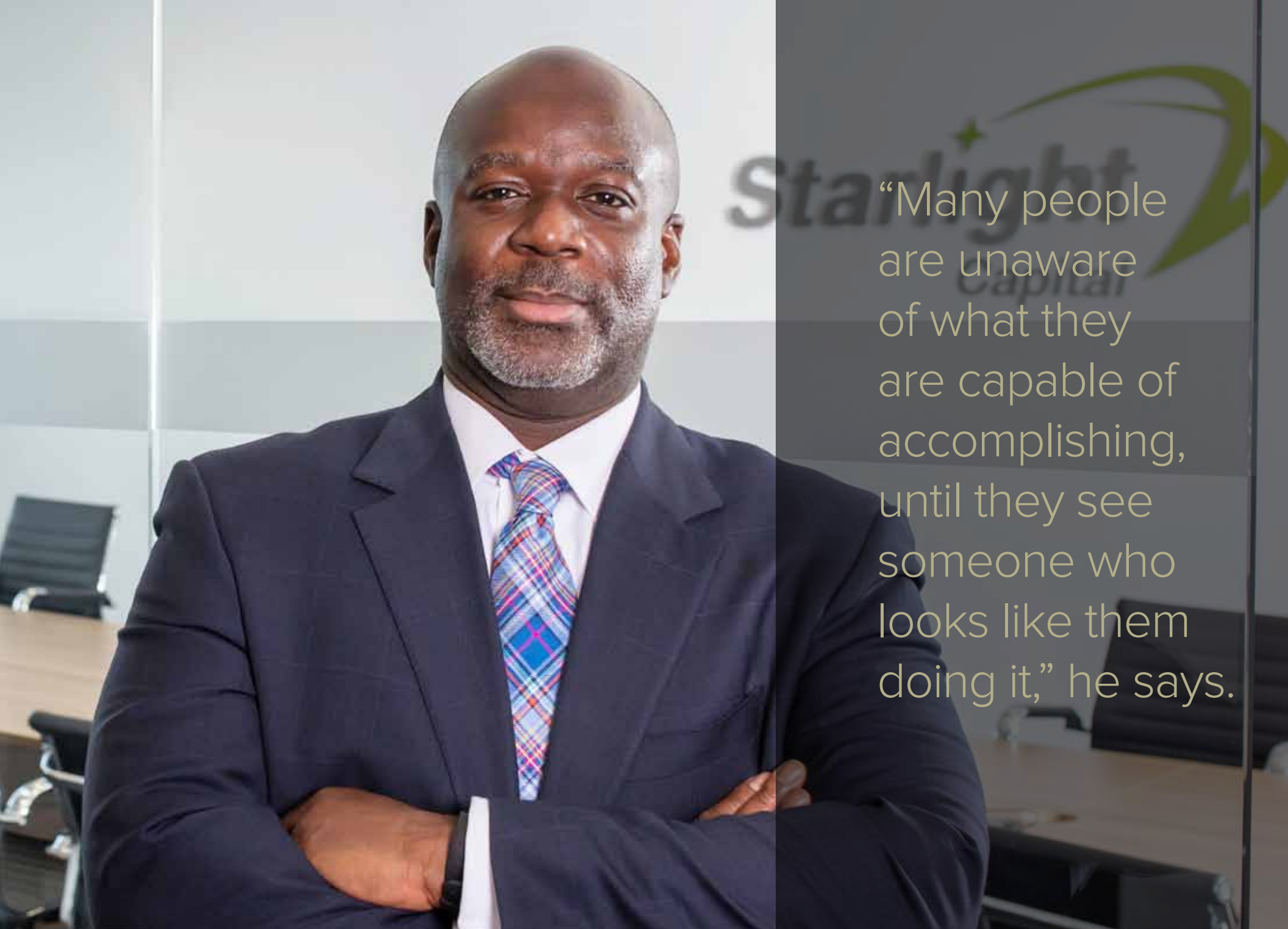
Having proven himself as a top portfolio manager, Dennis now wants to make a point about hiring practices. Drawing from the

“You can’t always choose the people who cross the finish line first,” he says, pointing out that the starting line is staggered: that some people, by the pure accident of birth, have a head start.

world of football, he advocates for a “modified” Rooney Rule, referencing a policy introduced in the National Football League in 2003 by Dan Rooney, then owner of the Pittsburgh Steelers, who objected to the fact that most players in the league were black while coaches and owners were largely white. The Rooney Rule mandates that a certain number of applicants for senior positions be people of colour. If it’s applied simplistically, Dennis feels the rule doesn’t work: “You can’t just parachute some black dude in” for the sake of ticking a box. Rather, Dennis believes in cultivating diversity at all levels of a company. When senior positions come open, the pool of eligible candidates is already diverse by design: “You create candidates internally.”

In assembling his team at Starlight Capital, Dennis has looked beyond the “echo chamber” of private schools and university programs that typically feed into Bay Street, mining social media and personal networks in search of fresh faces that reflect the broader world in which his business operates.





“Many people are unaware of what they are capable of accomplishing, until they see someone who looks like them doing it,” he says.



“You can’t always choose the people who cross the finish line first,” he says, pointing out that the starting line is staggered: that some people, by the pure accident of birth, have a head start.

By prioritizing diversity in Starlight Capital’s 19-member staff, Dennis feels he has both enhanced the collective knowledge of his company and created beacons for other members of the financial community who might feel marginalized. “Many people are unaware of what they are capable of accomplishing, until they see someone who looks like them doing it,” he says.

Dennis sees Bay Street changing slowly but surely, thanks less to quotas than the simple fact that more diverse workplaces perform better. As investors pay more attention to a company’s values — its approach to sustainability, social responsibility, and the diversity of its workforce — Dennis is optimistic that the marketplace will reward those that are doing the right thing and penalize those that are not. And that ultimately, the world of finance will look more like the world around it — and serve it better.

78¢ / \$1

Men from racialized groups earn 78 cents for every \$1 that Caucasian men make.

Women from racialized groups earn 87 cents for every \$1 that Caucasian women make.

87¢ / \$1

66¢ / \$1

Men who identify as Black have lower average incomes than other men. They earn 66 cents for every \$1 that non-racialized men earn.

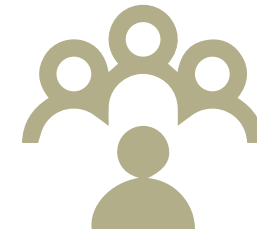
Of those who experience racism, nearly

40%

said the incidents occur “on the street” and another

40%

said they experience racial discrimination at work.



Canadian Race Relations Foundation and Environics Institute. (2019). *Race relations in Canada 2019: A survey of Canadian public opinion and experience*.
Canadian Centre for Policy Alternatives. (2019). *Canada's Colour Coded Income Inequality*.

Complaining to the Commission

Each year, the Canadian Human Rights Commission helps thousands of people find the most efficient way to address their human rights concerns or find information about their rights. In many cases, the Commission helps people resolve their issues quickly and informally, or helps them find the appropriate process to resolve their issue.

Helping people find help

The Commission tries to help each and every person who asks for help — no matter how that request reaches us.

This starts with determining whether a person has the basis of a human rights complaint and if so, whether the Commission is the right organization to help them.

In most cases, we are able to help people find the answers or solutions they need without them filing a formal discrimination complaint with the Commission. In many instances, we are able to help the person resolve their issue quickly and informally. In other cases, we direct the complainant to the appropriate organization. For example, sometimes a complainant's concern



Our commitment to those we serve

A human approach

We treat everyone with respect and dignity, recognizing the inherent humanity of the people we deal with, and listening actively and with empathy to the people we serve.

A flexible, case-by-case approach

We offer tailored services, remaining sensitive, using common sense when responding to and accommodating individuals' needs, and adapting processes so that they are less bureaucratic.



is best addressed by provincial or territorial human rights Commissions, or other organizations that have been given the authority to resolve complaints. Only a fraction of the thousands of people who contact the Commission end up needing to file a discrimination complaint.

Each person is treated individually, frequently requiring follow-up and one-on-one conversations with a human rights officer. In cases when someone is in a vulnerable situation, the Commission takes measures to ensure they are helped as quickly as possible.

By the numbers

The Commission reviews every complaint it receives, and tries to resolve as many as possible informally and quickly. In many cases, we refer the complaint to the appropriate dispute resolution process.

The statistics outlined in this section break down those complaints in 2019 that the Commission was able to mediate, investigate or litigate because they met the criteria outlined in *Canadian Human Rights Act*.

Throughout the process, Commission staff tailor the services they provide to best meet the needs of those asking for help. Whenever possible, the Commission encourages people to try to resolve their discrimination complaint informally and at the earliest opportunity. This often involves mediation.

When warranted, the Commission can refer the case to the Canadian Human Rights Tribunal for a hearing. In some cases, the Commission will participate in the hearing to represent the public interest.

The following numbers are related to complaints that met the requirements outlined in *Canadian Human Rights Act*.

**36,000
people**

contacted the
Commission to
complain in 2019.



Most were helped without
needing to file a complaint.

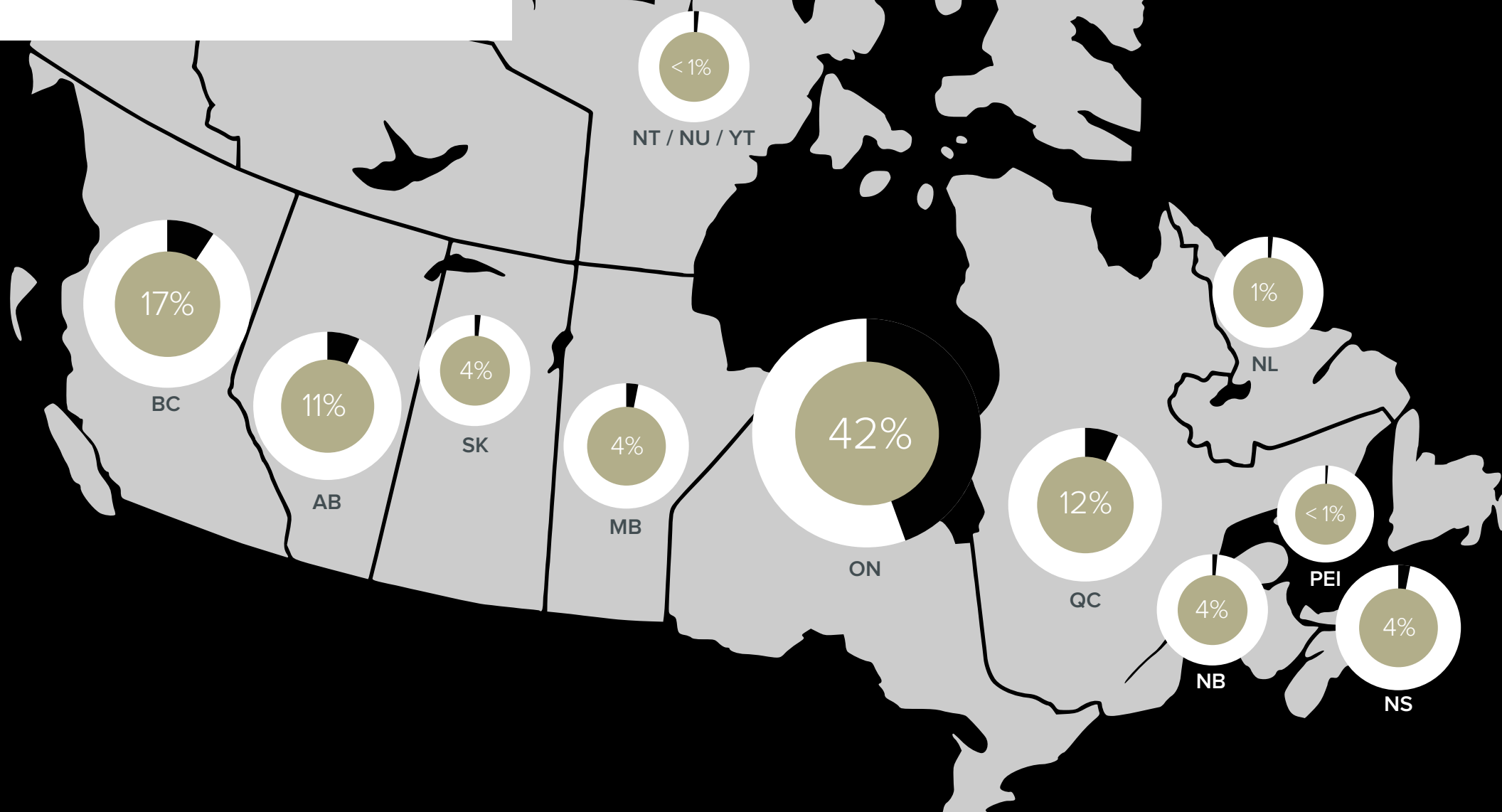
**1,203
complaints**

were accepted
by the Commission
in 2019.

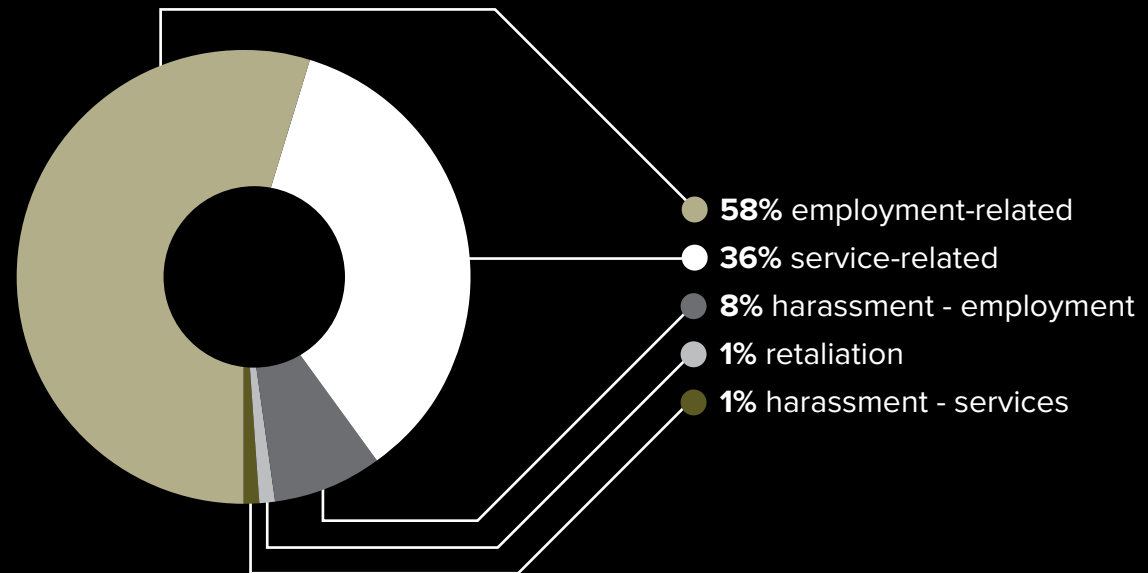


This is the highest
in a decade.

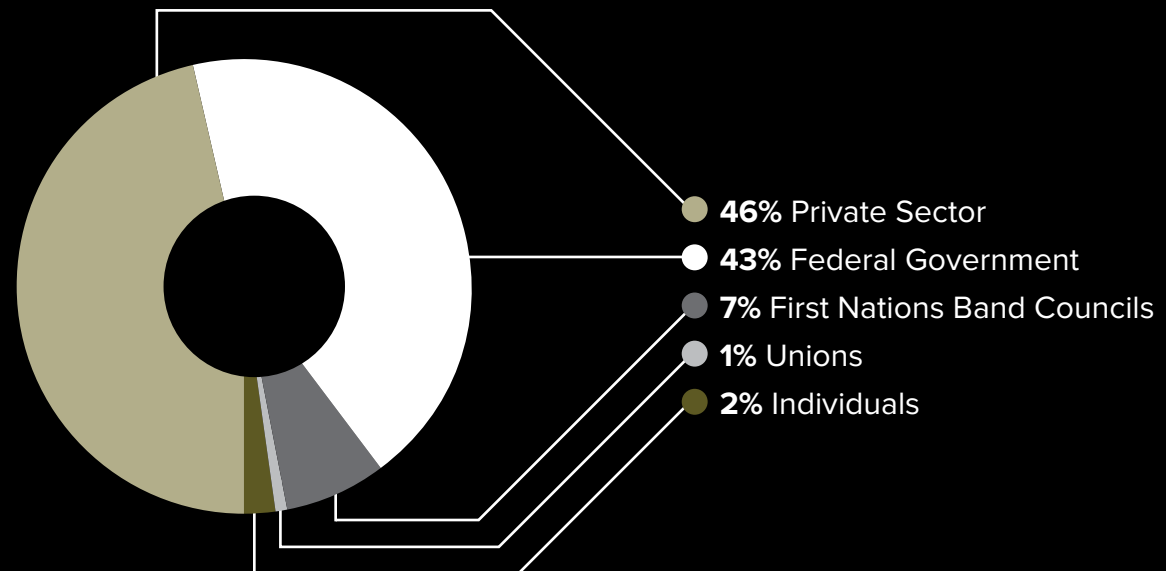
2019 Complaints accepted



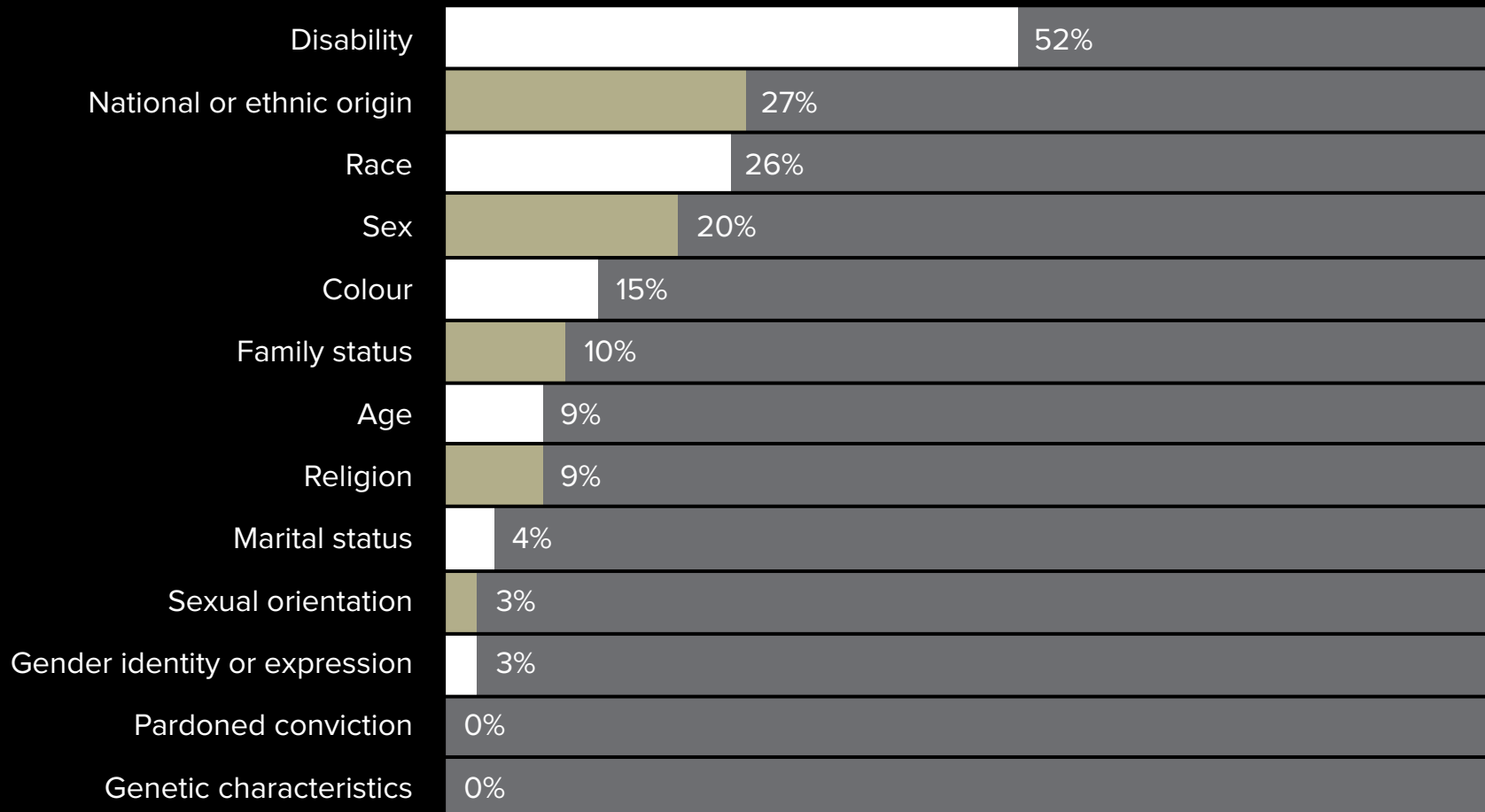
What are the complaints about?



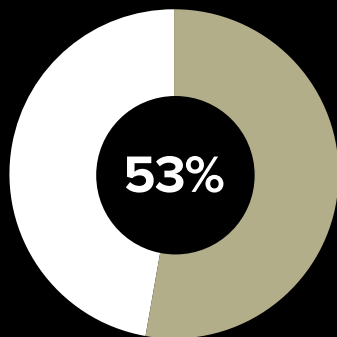
Who are the complaints about?



Proportion of complaints accepted by grounds of discrimination



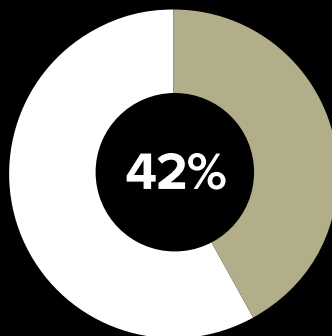
NOTE: In this graph, the total exceeds 100% because some complaints cite more than one ground.



Mental health

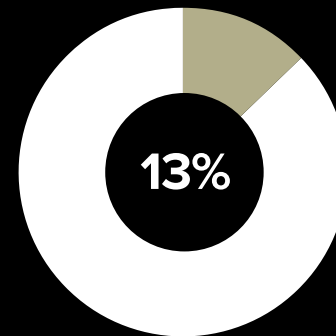
Over half (**53%**) of disability complaints were related to mental health.

This represents **27%** of complaints accepted by the Commission in 2019.



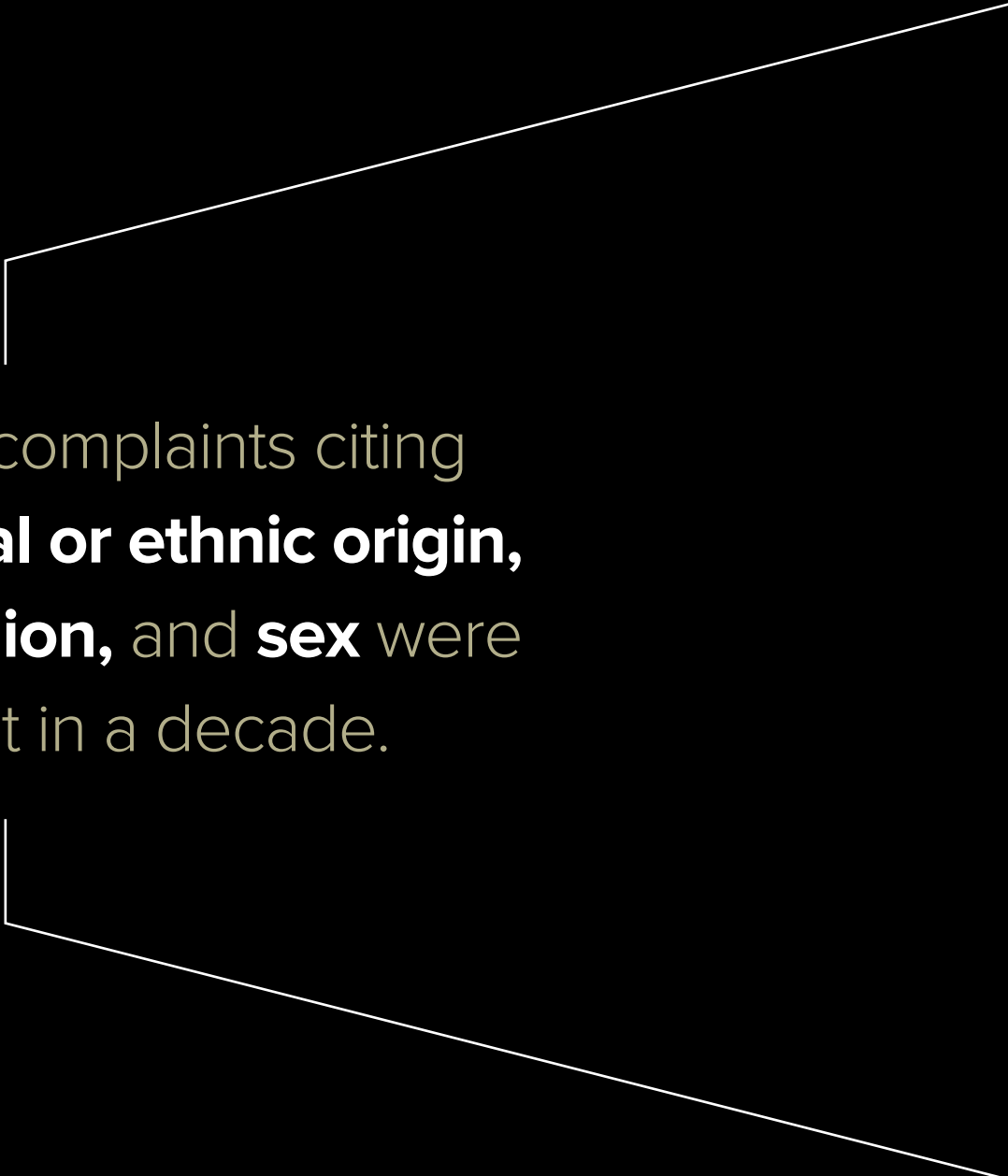
Intersectionality

42% of complaints accepted in 2019 cited more than one ground of discrimination.



Harassment

13% of complaints accepted in 2019 cited harassment.



The number of complaints citing
**disability, national or ethnic origin,
race, colour, religion, and sex** were
all the highest in a decade.

Percentages based on number of
accepted complaints in 2019 related
to each ground compared to the
ten-year average.



Helping people find solutions

Mediation is one of the fastest and easiest ways to resolve a complaint. The process is voluntary and confidential. The Commission's team of impartial mediators travel the country to meet with the parties in person and bring them together so they can craft their own solution.

1 in 3
complaints were
mediated in 2019.

|
52% of
mediated complaints
reached a settlement.



Helping to eliminate systemic discrimination in Canadian research

In 2019, the Commission was part of a settlement agreement that came about after a 2018 mediation session in which we had participated. This is an important settlement that will help ensure that the Canadian research field both reflects Canada's rich diversity and benefits from the talent and perspectives of those who were previously denied a seat at the table.

The case goes back to 2003, when eight female university professors filed complaints with the Commission, alleging that they and others faced discriminatory systemic barriers in accessing funding and appointments through the Canada Research Chairs Program (CRCP).

A few years later, the parties reached an initial settlement that included a number of improvements. Then in 2016, complainants returned to the Commission, claiming that although some progress had been made, many of the terms of that original settlement remained unfulfilled.

Rather than following a more formal route, the parties decided to engage in collaborative mediation. The result was fruitful: an addendum to the original agreement that now includes better targets for diverse representation in the CRCP, more accountability measures for universities, and a clearer path forward to systemic change in Canada's research field.

Representing the public interest

In a given year, the Commission will refer any number of discrimination cases to the Canadian Human Rights Tribunal for a hearing. The Tribunal is a separate organization that makes decisions about discrimination. It evaluates the evidence and arguments from both sides, and then determines whether discrimination has taken place and orders remedies.

In cases that are sent to the Tribunal, the Commission attends mediation if the other parties are also willing, and participates in case management procedures. In addition, when a discrimination case has the potential to either affect the rights of





many people in Canada or help define or clarify human rights law, the Commission's legal team will participate in the hearing and represent the public interest.

Throughout 2019, the Commission was representing the public interest in over 200 open cases that were before the Tribunal.

In rare instances a case will be judicially reviewed and will wind its way through Canada's court system, sometimes all the way to the Supreme Court of Canada. This can often take several years.



85 cases were referred
to Tribunal in 2019

77% were related
to employment

17% involved
allegations of harassment



The right to live free from genetic discrimination

In 2019, the Commission intervened on behalf of the public interest in the Attorney General of Quebec’s constitutional challenge of the *Genetic Non-Discrimination Act* (GNDA).. The 2017 law is aimed at protecting people in Canada from being discriminated against based on their “genetic characteristics,” or having their genetic information used against them in any way. The Attorney General of Quebec is arguing that the criminal sanctions contained in the new law go beyond the federal government’s jurisdiction, and are therefore unconstitutional.

Working closely with the Canadian Coalition for Genetic Fairness, the Commission intervened in this case because we are concerned that a decision that finds the GNDA is unconstitutional could rollback important human rights protections and leave people in Canada vulnerable to genetic discrimination. The case is now before the Supreme Court of Canada.

The rights of First Nations children

The Commission continued to work closely with the parties involved in the case known as the First Nations child and family services case. For example, the Commission helped convince the Federal Court to let the Canadian Human Rights Tribunal continue its work determining how compensation payments should be made to the victims of discrimination, despite the Government's pending legal challenge to the financial award. The Commission's ultimate goal remains unchanged since we became involved in this historic case over a decade ago: to see that every child in Canada has the same opportunity to grow up safe, with the love and support of their families.



The right to a discrimination-free workplace

In 2019, the Commission sought and was granted leave to intervene in the challenge of the Quebec government's *An Act respecting the laicity of the State* (formerly Bill 21). The Commission will argue that this law is discriminatory and unconstitutional. As we have stated publically, we believe the new law runs counter to our country's fundamental principles of equality, dignity and respect, and that it recklessly entrenches and legitimizes religious and racial intolerance – opening the door for others to do the same. The Commission maintains that laws should seek to end discrimination – not promote it. The Commission is set to make its arguments at the November 2020 hearing.



Promoting Human Rights

The Commission is responsible for promoting equality and inclusion in Canada. We do this by raising awareness, encouraging dialogue, conducting research and analysis, engaging with civil society and the international human rights community, providing expert advice to policy-makers, and speaking out on pressing human rights issues affecting people in vulnerable situations.

In 2019, our promotion work involved such issues as trans rights research, Indigenous employment representation, and online hate. We called on Parliamentarians and the Government to confront racism, eliminate harmful conditions for prisoners, prevent and address all forms of discrimination and violence against women, and improve the lives of people with disabilities.

Engaging the public

The Commission is Canada's human rights watchdog. We are an independent, national voice for human rights in Canada. We rely on valued relationships within the human rights community and collaborative dialogue with advocacy organizations, Indigenous organizations, Canadian employers, youth advocates, law societies, academics, and other human rights advocates across Canada. We also engage with the broader Canadian public through our various multimedia platforms in order to raise awareness and encourage social change.





Conducting & supporting research

Facts matter. Quality human rights research is a critical component of the way the Commission is able to build expertise and better advise decision-makers and policy-makers on human rights matters in Canada. By strengthening our knowledge and data, we can identify areas where emerging human rights issues need to be explored, where the boundaries of rights need to be tested or pushed, and where we need to amplify our voice.

Policy Approaches to Harmful Content Online

In 2019, the Commission co-hosted a conference with the Public Policy Forum and the Canada Centre for Community Engagement and Prevention of Violence, which is led by Public Safety Canada, to discuss online hate. Experts from both the public and private sectors, as well as those with lived-experience, came together to make policy recommendations on how to combat online hate in Canada from both a public safety perspective as well as a human rights perspective. The conference informed a final report with key recommendations and insights on how policy-makers in Canada might possibly address the escalating issue of online hate.

Trans case-law in Canada

With the help of Professor Samuel Singer, the Commission conducted a nation-wide study of trans rights case law in Canada. The study pulls together a recent history of the most relevant cases and stories of discrimination, hate and violence permeating the lives of many trans folk in Canada. It is an in-depth look at the various systemic barriers facing trans people in employment, housing, healthcare, immigration, safety and security, and access to identity documents.

Trans Pulse Canada Survey Project Findings:

84% avoid public spaces due to fear of harassment or being outed.

42% have experienced sexual harassment.

16% have experienced physical violence.

50% rate their mental health as fair or poor.

31% considered suicide in the past year.

45% have one or more unmet health care needs.

12% avoid going to the emergency room despite needing care.

40% live in low-income households

SOURCE: Trans PULSE Canada

Trans PULSE Canada Survey Project

In July 2019, the Trans PULSE Canada Survey was launched. Led by Dr. Greta Bauer, and made possible by grassroots efforts, this community-based survey is the first national study of its kind in Canada. It provides the first set of national disaggregated data on the lived experiences of trans and non-binary people in Canada. It covers everything from population, to mental and physical health; from access to healthcare, housing and employment, to violence and suicide rates. The Commission has supported Dr. Bauer and the Trans PULSE Canada team throughout the project, lending expertise and policy guidance, and supporting the outreach. Over the next few years, the rich data from the survey will inform reports, conference presentations and journal articles, with the first report now available on the Trans PULSE Canada website.

Identifying Indigenous employment equity gaps in the banking sector

In 2019, the Commission completed its first horizontal audit, looking at systemic issues in Indigenous employment in the banking and financial sector. With approximately 240,000 employees across the country, this particular sector has a key role to play in promoting workplace equality. The audit findings confirm that there is still a gap in employment opportunity when it comes to Indigenous representation in this sector.

34.3%

of the employers have an Indigenous representative on their employment equity committee. Even less, 11.4%, have an Indigenous representative from a management position on their employment equity committee.

28.6%

reported addressing none or just a few of the barriers identified in their employment equity plans.

25.7%

identified Indigenous men for management or other succession planning positions, and 14.3% identified Indigenous women for similar roles.



The audit also uncovered effective approaches that all employers in Canada can use to attract or retain Indigenous employees. These best practices include: an application screening process that takes lived-experience or career gaps into consideration; anti-harassment training for managers and employees; wider advertising of all opportunities (including senior management positions) throughout the organization; and putting robust anti-discrimination and anti-harassment policies into place.

Advising Parliament

The Commission is called upon by Parliament to provide advice on human rights matters. Our expertise is informed through consultations with stakeholders and people with lived-experience, through human rights complaints and case law, and through in-depth research and analysis.

The Commission provided expertise and advice to Parliament on a variety of issues, such as, arguing for stronger action to confront racism, a bolder comprehensive response to online hate, and the elimination of harmful conditions for prisoners.



In 2019, the Commission appeared before Parliamentary committees and made submissions on the following subjects:

Promoting disability inclusion – reaffirming our support for the swift passage of Bill C-81, the *Accessible Canada Act*, while continuing to provide recommendations to Parliament to support its implementation within a human rights framework.

Ending solitary confinement – continuing to push the government for better safeguards against the use of solitary confinement in Bill C-83, including in a submission to the Parliamentary committee studying the issue.

Modernizing the complaints process – speaking before the Standing Senate Committee on Official Languages on modernizing the *Official Languages Act*, and using the Commission's first-hand knowledge to highlight the benefits of screening complaints before they are referred to a tribunal.

Countering online hate in Canada – providing insights to the House of Commons Standing Committee on Justice and Human Rights as part of their study on online hate, and calling on Parliament to develop and lead a comprehensive and coordinated strategy. The strategy should involve all levels of government, as well as telecommunication and internet providers, social media platforms, civil society, academia and most importantly, victims of online hate.

Upholding the rights of trans prisoners – lending expertise to Senate Standing Committee on Human Rights, noting the harmful effects of stigma, improper placement, and segregation, and highlighting the need for comprehensive education of staff about the human rights of federally sentenced trans and non-binary prisoners.

CONTINUED ON NEXT PAGE →

Understanding the rights of older offenders – together with the Correctional Investigator of Canada, highlighting the challenges and human rights violations faced by older offenders in prison. This resulted in a joint investigation and 16 recommendations to the federal government on how to address human rights issues frequently experienced by older offenders.

Speaking out for Indigenous women and girls – the Commission commended the National Inquiry into Missing and Murdered Indigenous Women and Girls for taking a broad human rights and Indigenous rights approach that considered the root causes of the violence and systemic discrimination against Indigenous women and girls within our society.

Helping decision-makers recognize unconscious bias – working with various organizations in Canada's justice system to help raise awareness about how unconscious biases can influence our decisions, and the risks involved if unconscious bias goes undetected and unchecked.

Calling for concrete action to confront racism – calling on Parliament to prioritize and address systemic racism in Canada.



Working with the international community

As Canada's national human rights institution, the Commission is responsible for monitoring and reporting on whether Canada is meeting its international human rights obligations. We also lend our expertise to other nations to help them build their capacity to hold their own governments to account.

In 2019, in our various submissions and statements before the United Nations, we called on the Canadian government to take stronger action to prevent and address all forms of discrimination and violence against women, and to improve the lives of those living with disabilities.





About the Commission

Our work

The Canadian Human Rights Commission is Canada's human rights watchdog. We work for the people of Canada and operate independently from the Government.

The Commission helps ensure that everyone in Canada is treated fairly, no matter who they are.

We are responsible for representing the public interest and holding the Government of Canada to account on matters related to human rights.

Our work is guided by the *Canadian Human Rights Act*, which gives the Commission the authority to research, raise awareness, and speak out on any matter related to human rights in Canada. The Commission is responsible

for administering the Act, which protects people in Canada from discrimination when based on any of the grounds of discrimination such as race, sex and disability.

The Commission receives human rights complaints and works with both the complainant and respondent to resolve the issues through mediation. When a complaint cannot be settled, or when the Commission decides that further examination is warranted, it may refer the complaint to the Canadian Human Rights Tribunal for a decision.

The Commission also works with federally regulated employers to ensure compliance with the *Employment Equity Act*. This contributes to the elimination of employment barriers in various workplaces for women, Indigenous peoples, people with disabilities and racialized groups.¹

¹ The *Employment Equity Act* uses the term "visible minorities." The Commission is of the view that this is an antiquated term. The Commission is using the term "racialized groups" in the interim.

Our people

The Commission operates across Canada with a team of over 220 people and is led by Chief Commissioner Marie-Claude Landry.

Commissioners

In 2019, the Commission's executive team comprised Deputy Chief Commissioner Geneviève Chabot, full-time Commissioner Edith Bramwell, and part-time Commissioners Joanna Harrington, Rachel Leck, and Dianna Scarth.

In October 2019, Canada's first Federal Pay Equity Commissioner, Karen Jensen, was appointed by Governor in Council and joined the Canadian Human Rights Commission with the specific responsibility of administering and enforcing Parliament's new *Pay Equity Act* once it comes into force.

1. Joanna Harrington
2. Geneviève Chabot
3. Edith Bramwell
4. Karen Jensen
5. Rachel Leck
6. Dianne Scarth
7. Marie-Claude Landry



