



HUMAN RIGHTS OFFICE

Annual Report July 2008- June 2009

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*"We ALL have the Right
to Fairness and Respect!"*

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Executive Summary

As required under the Vancouver Island University's Human Rights Procedure this report provides "to the constituent groups and to the University information on the activities of the Human Rights Office, cases processed and resolution attained subject to confidentiality provisions." This report covers the period from July 2008 to June 2009.

The activities of the Human Rights Advisor that are highlighted in the report include:

- The provision of 64 educational sessions attended by 1,312 students and employees. These sessions include student orientations, new employee training on human rights and other workshops focusing on racism, sexual orientation, and conflict management. A new student brochure titled, *Taking Action Against Harassment*, was developed for distribution in the fall of 2009.
- An institutional planning day, titled *Vancouver Island University – Who Belongs? Planning for Equity and Inclusion*, with participation from students and all faculties and employee groups. A report outlining steps the institution can take to enhance equity and inclusion will be published in the fall of 2009.
- The continuation of the Positive Space Campaign and the development of the 'The Anti-Racism Project'.

A summary of the consultations and complaints received by the Human Rights Office is provided. The number and types of consultation which occurred this year are comparable to last year. The one emerging area is the number of consultations related to the accommodation of people who are transgender. The Human Rights Advisor and the Positive Space Alliance will be looking at ways we can make Vancouver Island University more accessible for transgender people.

Introduction

The Human Rights Office at Vancouver Island University is responsible for implementing the Human Rights and Personal Harassment Policies and Procedures. The office is staffed by the Human Rights Advisor (.8 FTE) and the Human Rights Clerk (.6 FTE). The Advisor reports to the President on issues related to policy and to the Executive-Director, Student Services for issues related to operations.

The primary roles of the Human Rights Advisor are:

- to provide education on human rights and harassment;
- to advise employees and students of options in responding to issues;
- to assist with conflict resolution; and
- to address complaints filed with the office.

The Advisor provides impartial and confidential assistance to university members. The Advisor does not advocate for any individual but does advocate for the goals outlined in the two policies that guide the Advisor's role; Policy 21.03, Human Rights and Policy 21.05, Personal Harassment.

The Human Rights Advisor works closely with the Human Rights Advisory Committee; an institutional committee with representation from administration, BC Government and Services Employees Union local 702, Canadian Union of Public Employees Union local 1858, VIU Faculty Association, and the VIU Student Union. This committee has shared responsibilities with the Advisor in relation to organizing educational initiatives and monitoring the effectiveness of the Human Rights Policy and Procedure. The committee also serves as a vehicle for the various University constituencies to bring forward any concerns or endorsements in relation to human rights issues or initiatives.

II. Education and Prevention

The Human Rights Office is active in providing opportunities for members of the University community to learn about human rights as well as organizing programs and activities that focus on the prevention of discrimination and harassment. These activities are key components of the institution's Human Rights and Personal Harassment Policies, which hold that education is the primary vehicle for preventing discrimination.

During the past year the following was accomplished:

✓ **Educational sessions and materials**

Sixty-four educational sessions were offered to 1,312 Vancouver Island University students and employees. Appendix 1 provides an overview of the office's educational activities. A new brochure titled, *Taking Action Against Harassment – A Student Guide*, was developed this year for distribution in the fall of 2009.

✓ **Employee education**

This year saw a slight reduction in the number of workshops offered to employees. A new offering this spring was "What I Learned in Class Today?" co-sponsored with Aboriginal Education. This workshop explores the experience of Aboriginal students in the classroom through a video and discussion on what faculty can do to enhance the student experience.

✓ **Positive Space Campaign**

The campaign, focused on creating inclusion on campus for students and faculty who are Bisexual, Transgender, Gay or Lesbian, and organized by the Positive Space Alliance, continues to offer orientation sessions, a holiday gathering for employees and students, and special events. New initiatives this year were:

- ⇒ A presentation on the Cowichan Campus titled, *Out in Schools*. This session focused on media images of LGBT youth and youth created media as a way to explore the issues faced by GLBT youth.
- ⇒ Support for the student group named "Out on Campus". This student group organized a week long Pride event on campus.
- ⇒ A VIU MBA student conducted research on VIU's Positive Space program and a program at a University in Ireland as his internship project.

✓ **Diversity Partnership: A Community in Action**

The Advisor represented VIU in the forming of a community partnership with the goal of enhancing Nanaimo's capacity to be welcoming and inclusive. Partners include Central Vancouver Island Multicultural Society, School District #68, City of Nanaimo, Snuneymuxw First Nation and other community organization. As part of this initiative VIU co-sponsored two community events to commemorate March 21st, the International Day for the Elimination of Racial Discrimination - ***Drumming for Equality*** in the Diana Krall Square and a ***Speakout on Racism***, in the downtown Library.

✓ **Anti-Racism Project**

A group made up of employees and students was formed as a focus for anti-racism education and events. A group called *The Anti-Racism Project* showed five films related to racism and hosted discussions as part of the Worldbridger Film series. A website is in the process of development which will feature anti-racism articles, resources and events.

III. Policy Issues

The Human Rights Advisor and the Human Rights Advisory Committee are active in identifying institutional issues as well as developing and revising institutional policy. The following areas were addressed in this past year.

Institutional Planning Day on Equity & Inclusion

In follow-up to the discussion paper, *Creating an Equitable & Inclusive Institution*, the Human Rights Advisory Committee organized an institutional planning day. The day, titled *Vancouver Island University – Who Belongs? Planning for Equity & Inclusion*, featured Mike Harcourt as keynote speaker, and was facilitated by Carol Matthews. There were sixty-four participants in the day, including members from all employee groups and faculties as well as students. The ideas that were generated will be published in a report this fall with specific recommendations for steps the institution can take to enhance equity and inclusion at VIU.

Accessibility of University Facilities

The University Board approved as a central principle that VIU facilities should be barrier free as part of the Nanaimo Campus Master Plan. Work with an accessibility consulting firm has also assisted the institution in the development of planning and building guidelines that will meet Universal Design standards. These steps will ensure that new buildings and renovations go beyond the building code to meeting the highest standards for barrier free environments.

Development of draft policy on the Accommodation of Employees

A committee to draft policy on the accommodation of employees with disabilities was formed this past year with representation from Human Resources, all employee unions and administration. The first decision made by this committee was that the policy should address all employee accommodations, not just those related to disability. A draft policy has been completed and the development of procedures is in progress.

IV. Consultations / Complaints

Statistical Overview

The Advisor responded to 83 consultations in the past year, which resulted in the Advisor being asked to intervene informally in 28 situations and 1 formal complaint. Appendixes 2 and 3 provide a statistical overview on the consultations and issues addressed by the Advisor.

The level of activity in the office for the 08/09 year is comparable to last year. While over sixty percent of all consultations were from employees, 31 of these consultations were third party consultations where the employee was consulting the Advisor in relation to a situation they needed to manage which involved other parties. If we subtract these third party consultations then the number of employees consulting with the office on their own behalf is roughly equal to the number of students consulting the office.

The top three reasons for consulting with the office continue to be sexual harassment, disability and race, colour, ancestry or place of origin. An area that emerged this year, with six consultations, was concerns related to the accommodation of transgender people. In the next year the Human Rights office, in collaboration with the Positive Space Alliance, will be looking at ways we can make Vancouver Island University more accessible for transgender people.

APPENDIX 1 - EDUCATIONAL SESSIONS

July 2008 ~ June 2009

Type of Educational Session	Constituency	Number of Sessions	Participation
Awareness of Policy & Office	Students	31	718
Prevention & Appropriate Response	Employees Students	05 11	82 221
Awareness of racism, sexism, homophobia, able-ism & other manifestations of prejudice	Employees Students Open	02 08 04	24 190 25
Conflict Management	Employees Students	01 02	4 48
Total		64	1312

APPENDIX 2 CONSULTATIONS & COMPLAINTS - July 2008- June 2009

CONSULTATIONS			
Category	#	Source	#
Human Rights	44	First Party	52
Non-Human Rights	39	Third-party	31

PURPOSE OF CONSULTATION -- Third-Party	#
Prevention of Discrimination	11
Response to Allegation or Incident	14
Advocacy on Behalf of Another	5
Request for Intervention / Assistance	8

DEMOGRAPHIC INFORMATION ~ Consulter / Complainant			
Gender	#	Constituency	#
Male	28	Admin	22
Female	56	BCGEU	17
		CUPE	3
		VIUFA	14
		Student	27
		Group	0
		Non-member	2

DEMOGRAPHIC INFORMATION – Respondent			
Gender	#	Constituency	#
Male	21	Admin	13
Female	23	BCGEU	5
Dept. or VIU	5	CUPE	3
Unknown	2	VIUFA	14
		Student	7
		Dept or VIU	5
		Non-member	2
		Unknown	2

GROUNDINGS FOR CONSULTATION – Human Rights	#
Race, Colour, Ancestry, Place of Origin	10
Sexual Harassment	13
Sexual Orientation	1
Other Form of Sex Discrimination	2
Disability	10
Marital or Family Status	0
Religion	1
Age	3
Transgender	6

GROUNDINGS FOR CONSULTATION – Non-Human Rights	#
Abuse of Power / Breach of Ethics	3
Administrative or Educational Fairness	2
Personal Harassment	14
Dispute or Conflict	15
Disruptive / Inappropriate Behavior	3
Campus Safety	2

TYPE OF FILE	#	%
Consultation Only	54	65%
Complaint – Informal	28	34%
Complaint – Formal	1	1%

TYPE OF INTERVENTION	#
Fact Finding Only	3
Education / Discussion	13
Negotiation or Agreement	10
Formal Investigation	2
In Process	1

COMPLAINT RESOLUTION	#	%
Informal Procedure	28	96.5%
Formal Human Rights or Harassment Procedure	1	3.5%
Denial: Did Not Meet Complaint Guidelines		
Abandoned by Complainant		
Action Taken Under Another Policy / Procedure		

APPENDIX 3 ~ COMPARISON OF SELECTED STATISTICS –

Comparing the 2008/09 reporting period with the previous year

1. EDUCATIONAL SESSIONS

a) Total Educational Activity

EDUCATIONAL ACTIVITY	07/08	08/09
Total Sessions	38	64
Participant Breakdown:		
▶ Students	1075	1177
▶ Employees	145	110
▶ Open Session	50	25
Total Participants	1270	1312

2. CONSULTATIONS / COMPLAINTS

The following statistics compare all consultations, both human rights and non-human rights related

a) Number of Consultations

CATEGORY	07/08	08/09
Human Rights	52	44
Non Human Rights	32	39
First Party	52	52
Third-party	32	31
TOTAL	84	83

b) Demographic Information: Consultee / Complainant

GENDER	07/08	08/09
Female	63	56
Male	24	28
CONSTITUENCY	07/08	08/09
Administration	17	22
BCGEU	10	17
CUPE	13	3
VIUFA	23	14
Student	20	27

APPENDIX 3, cont'd COMPARISON OF SELECTED STATISTICS

c) Top Three Grounds for Consultations / Complaints – Human Rights

TYPE OF GROUND	07/08	08/09
Disability	18	10
Sexual Harassment	12	13
Race, Colour, Ancestry, Place of Origin	11	10

d) Human Rights or Harassment Complaints

TYPE OF OUTCOME	07/08	08/09
Consultations Resulting in Filing a Complaint	30	29
Addressed Informally	28	28
Addressed Using Formal Human Rights or Harassment Procedure	2	1

