



## STAFF REPORT ACTION REQUIRED

### 2011/12 Annual Human Rights Office Report

<b>Date:</b>	September 10, 2013
<b>To:</b>	Executive Committee
<b>From:</b>	City Manager
<b>Wards:</b>	All
<b>Reference Number:</b>	

#### SUMMARY

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This report provides information on harassment and discrimination enquiries and complaints raised by service recipients and City employees to the following complaint resolution avenues: the City's Human Rights Office (HRO); the Human Rights Tribunal of Ontario (HRTO); and the City's grievance/arbitration process in 2011 and 2012. The report also considers complaint trends and initiatives to promote consistent human rights practices that ensure legislation breaches and/or penalties against the City are minimized.

In 2011, the Human Rights Office transitioned to the newly established Equity, Diversity and Human Rights Division (EDHR), located in the City Manager's Office. As expected, the new alignment raised the profile of the HRO and expanded its complaints compliance/management function to ensure the advancement of equity into all aspects of TPS programs and services. An increase in demand for HRO services, evolving rights and jurisprudence resulting in greater complexity of complaints and an expanding HRO mandate, produced a large complaint backlog and prevented the HRO from producing this report in 2011. Therefore, this report captures data and trends from 2011 and 2012.

The HRO responded to 1053 and 1148 human rights related issues raised by employees and service recipients in 2011 and 2012 respectively - refer to Table 1.

**Table 1** – Consultations and investigations managed by the HRO 2008 to 2012.

Year	Consultations	Investigations	Total by Year
2008	875	132	1007
2009	1039	183	1222
2010	866	174	1040
2011	854	199	1053
2012	973	175	1148

As with previous years' complaint patterns, the most frequently cited grounds of complaint raised to the HRO were: workplace harassment, disability, sex and race – refer to Table 2. While issues raised to the HRO increased, grievances of harassment and discrimination – refer to Table 4, decreased from 109 in 2011 to 97 in 2012. Complaints filed by employees and service recipients to the HRTO also decreased from a total of 33 in 2011 to 13 in 2012 – refer to Table 5. The HRO's process has repeatedly proven to be the most cost efficient option for the City. Re-allocation of resources will address the growing demand for HRO services.

## **RECOMMENDATIONS**

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The City Manager recommends that:

1. City Council receive this report for information.

### **Financial Impact**

This report and recommendation will have no financial impact beyond what has already been approved in the 2013 operating budget. An increase of 2 new positions will assist in expediting the ongoing complaints backlog/resolution. The City Manager has recommended re-allocation of funding from the 2013 Service Efficiency/Review Non-Program Account to meet the service demand in the HRO. These budget transfers will not have a budget impact in 2013 or 2014 (i.e., net zero impacts).

### **EQUITY IMPACT STATEMENT**

The Human Rights Office advances equitable employment practices and service provision by undertaking initiatives to prevent, remedy and resolve human rights complaints and by integrating equity, diversity and human rights principles into all activities.

### **DECISION HISTORY**

The City's Human Rights and Anti-Harassment/Discrimination Policy requires the submission of an annual report to City Council about statistics and trends in human rights enquiry and complaint activities and on other program initiatives.

### **ISSUE BACKGROUND**

Under the *Ontario Human Rights Code* (the Code), employers and service providers have legal obligations to ensure that employment practices and service provision are free from harassment and discrimination related to 17 prohibited grounds and they must have an internal dispute resolution process to prevent, address and remedy alleged breaches of the Code. Individuals who believe that their rights have been infringed can file complaints directly to the Human Rights Tribunal of Ontario (HRTO) which can award monetary damages and remedies for Code breaches.

Under the *Occupational Health and Safety Act* (OHSA), employers must have a program, policy, complaint resolution procedures and information and instruction regarding workplace harassment. Employees who believe that their rights have been infringed can file complaints to the Ministry of Labour and/or the Ontario Labour Relations Board, both of which can issue orders, prosecute and fine employers and employees for contraventions of the Act.

The City's Collective Agreements all have anti-discrimination/harassment provisions, consistent with the legislation noted above. City employees who belong to a union may grieve harassment and discrimination through provisions in their respective Collective Agreements. Arbitrators have legal jurisdiction to award damages to remedy Collective Agreement violations related to harassment and discrimination.

The City's Human Rights Office administers the City's Human Rights and Anti-Harassment/Discrimination Policy (HRAP) and Complaint Procedures which reflect mandatory provisions of both the *Ontario Human Rights Code* (OHRC) and the *Occupational Health and Safety Act* (OHSA). Of the complaint resolution processes described here, the HRO's process has repeatedly proven to be the most cost efficient option for the City. The mandate of the HRO is to educate, investigate and resolve service provision and employee harassment and discrimination complaints as required by the legislation, reducing the likelihood that individuals will file complaints to costly, legal avenues.

## **COMMENTS**

The HRO offers expeditious (confidential) dispute resolution services that have proven to be a viable alternative to the more costly formal complaint avenues. Active triage allows the HRO to address some issues quickly and focus efforts on more complex issues where necessary. Investigations undertaken by the HRO that have become the subject of an HRTO hearing have successfully been used to defend the City's position. To date the HRTO has upheld all HRO investigations/interventions that have been raised at an HRTO hearing.

The HRO delivers its mandate through the following 3 activities: 1) consultation and advice; 2) complaint investigations and interventions; 3) education and prevention.

### **1. Consultation and Advice:**

The term "consultation" refers to matters where the Human Rights Office was contacted on an issue and provided advice, coaching, information or referral, but did not directly intervene to resolve the issue. Consulting, coaching and the provision of expert advice are core elements of the City's human rights strategy and are encouraged because they provides opportunities for HRO staff to educate parties about the City's human rights expectations and promote consistent practices.

### **2. Complaint interventions/investigations:**

The term "complaint" refers to allegation(s) of discrimination and/or harassment where human rights staff have intervened and/or investigated the matter. Human Rights staff will

intervene and/or investigate a complaint to facilitate resolution where consultation and providing advice are not effective or appropriate in resolving a situation. Human Rights staff engage in various forms of dispute resolution, i.e., negotiation, mediation, exploring allegations to recommend remedies and undertaking investigations where other dispute resolution efforts have not been successful, are not appropriate or where the allegation(s) are of a serious and/or systemic nature. Complaints typically include between 10 to 30 allegations each – all of which are explored by the HRO.

Complaint Resolution Options, Statistics and Trends:

Employees and service recipients have a variety of options to resolve harassment and/or discrimination. They can raise their concerns to the City's Human Rights Office, unionized employees can grieve harassment and/or discrimination, all employees have a right to file a harassment complaint to the Ontario Labour Board and/or Ministry of Labour and all employees and service recipients can file an application to the Human Rights Tribunal of Ontario. The following is a comparison of harassment/discrimination complaint resolution avenues available to employees and service recipients; an assessment of complaint data trends, and a review of HRO service use and activities to promote consistent practices and address emerging human rights issues.

**Table 2 – Consultations and investigations, by grounds managed by the HRO 2010 - 2012.**

Prohibited Ground	Consultations			Investigations			Total By Ground		
	2010	2011	2012	2010	2011	2012	2010	2011	2012
No Ground / Other	653	596	711	20	43	38	673	639	749
Workplace Harassment	102	119	139	71	67	76	173	186	215
Disability	46	71	85	30	34	34	76	105	119
Sex (including pregnancy, breastfeeding and gender identity)	21	38	36	35	33	31	55	71	67
Race	11	22	30	17	13	8	28	35	38
Colour	1	2	8	1	1	2	2	3	10
Origins – Ethnic	6	0	1	7	1	1	13	1	2
Origins – Place	5	3	1	7	1	1	12	4	2
Origins – not specified			2			3			5
Ancestry	4	2	1	3	1	1	7	3	2
Creed/Religion	18	12	13	12	7	5	30	19	18
Family Status	10	9	15	3	2	5	13	11	20
Sexual Orientation	9	9	10	3	4	7	12	13	17
Reprisals		2	4	3	3	1	3	5	5
Age	4	6	1	5	3	3	9	9	4
Citizenship			-	1	-	-	1	0	0
Marital Status	1	1	-	1	-	-	2	1	0
Record of Offences	1	2	1		1	-	1	3	1
Membership in Union/Association	2	1	-	1	-	-	3	1	0
Level of Literacy			1		-	-	0	0	1
Political Affiliation	1	1	-		1	-	1	2	0
<b>Total</b>	<b>895</b>	<b>896</b>	<b>1059</b>	<b>206</b>	<b>214</b>	<b>216</b>	<b>1115</b>	<b>1111</b>	<b>1275</b>

The totals in Table 2 are higher than the total number in Table 1 because complainants often cite multiple grounds. For example, if an employee alleges that he or she has been denied a promotion because of both race and age; both grounds are examined and counted for statistical purposes. Tables 2 (above) and 3 (below) and the following narrative captures issues raised to and managed by the City's HRO. The most often cited prohibited grounds noted in Table 2 are discussed in detail.

#### No Ground/Other:

The “No Ground/Other” category captures issues that human rights staff are consulted on that are not related to a prohibited ground in the HRAP. Demand for HRO services in this area has increased significantly. Examples include: legislation application/interpretation, program/policy/procedure development advice, service delivery advice, requests to participate on divisional/community committees/networks, requests to design/deliver education, requests for advice regarding job postings, hiring, discipline/terminations, collective agreement provisions, etc. These consultations provide opportunities for HRO to integrate human rights and equity principles into a broad range of City employment and service initiatives.

#### Workplace Harassment:

*Workplace harassment* is harassment that is not related to a prohibited ground in the Code. Although the City included non-Code harassment protections in its HRAP in 1998, workplace harassment provisions were only added to the OHSA in 2010.

As in previous years, workplace harassment continues to be the most frequent ground of complaint cited to the Human Rights Office. In 2012, The Human Rights Office was consulted on 139 workplace harassment issues and investigated/intervened to successfully resolve 76 complaints. Workplace harassment is also the most often cited harassment/discrimination grievance – refer to Table 4. The majority of workplace harassment complaints raised to the HRO were either not founded or the allegations, even if true, would not amount to workplace harassment as defined in the OHSA. However, the HRO found that many of the behaviours alleged to be workplace harassment amounted to incivility. Implementation in 2013 of an amended Anti-Harassment/Discrimination Policy clarifying what is and is not workplace harassment and obliging management to address workplace incivility is expected to reduce workplace harassment complaints raised to the HRO and through the grievance process. It is important to note that the City incurred no orders, fines or prosecutions related to workplace harassment contraventions in 2010, 2011 or 2012.

#### Prohibited Grounds:

As with previous years' complaint patterns related to grounds of discrimination prohibited in the Code, disability (often related to accommodation issues) was the most frequently cited ground of complaint/consultation raised to the HRO. It was also the most often cited ground by employees who filed discrimination grievances. Beginning in 2010, the ongoing implementation of the accessibility standards under the provincial *Accessibility for Ontarians' with Disabilities Act* (AODA) has increased awareness of employee and service provision

disability rights and obligations. The number of disability related complaints to the HRO has remained constant for the past 3 years – between 30 and 34 per year. However, the HRO has experienced an increase in disability related consultations from management, employees and service recipients seeking advice related to their rights and options to resolve their own situations. The HRO will be amending the City's Employment Accommodation Policy and guidelines in 2013 clarifying evolving legislative obligations related to employment and service provision.

The second most frequently cited prohibited ground of complaint raised to the HRO was sex and sex related grounds (including gender identity, sex harassment, pregnancy & breastfeeding discrimination). Although sex harassment complaints to the HRO have decreased slightly between 2010 and 2012, a number of serious sex harassment complaints were substantiated in 2011 and 2012 and sex harassment training, separate from the City's general human rights training was made available on an ongoing basis in 2012.

In 2012 the Ontario Human Rights Code was amended to include 2 new grounds: *Gender Identity* and *Gender Expression*. The HRO posted communications, updated training and amended the City's Human Rights and Anti-Harassment/Discrimination Policy to address these new Code rights. In 2013, the HRO will implement a *transgender guideline* to help management and employees understand their rights and obligations in employment and service delivery with respect to the new prohibited grounds.

The third most cited prohibited ground raised to the HRO was race and related grounds (colour, ancestry, ethnic origin and place of origin). A variety of training, communications and coaching initiatives are underway to raise awareness regarding race discrimination. The HRO is also working with division and community partners to develop additional race related resources.

The frequent citing of complaints based on disability, sex and race is similar to complaint patterns reported by federal and provincial human rights commissions.

The increase in *Family Status* discrimination consultations and complaints in 2012 comes on the heels of 2 ground-breaking federal court decisions in 2013, considerably expanding rights. The HRO developed and posted a Family Status Guideline and communication for City staff clarifying Family Status rights and obligations.

#### Consultations and Complaints by Residents and Service Recipients:

Residents and service recipients may complain under the Policy about discrimination and harassment in the administration and delivery of City services, access to and use of City facilities, occupancy of City-owned accommodations, or discrimination in legal contracts.

As with previous years, consultations largely related to requests for information on the City's human rights policy and complaints resolution process. Although the HRO has no jurisdiction to intervene into a complaint with a City Agency and/or Corporation, HRO staff are frequently consulted by and provide advice to this group. The number of service provision

complaints has remained relatively low given the number of residents in the City and this pattern is consistent with the low number of service provision complaints filed to the HRTO – see Table 5.

Table 3 reflects the pattern of service provision consultations and complaints by prohibited ground for the period 2010 – 2012.

**Table 3 - Pattern of service provision consultations and complaints by ground – 2010 – 2012**

Ground	EXTERNAL Consultations			EXTERNAL Complaints			Total		
	2010	2011	2012	2010	2011	2012	2010	2011	2012
Other/No Ground	39	52	33	2		4	41	52	37
Disability	1	4	10	5	3	3	6	7	13
Creed/Religion	2	2	1	2	2		4	4	1
Workplace Harassment	2	3	4	1	3	4	3	6	8
Race		1	9		3			4	9
Colour	1	1	2			1	1	1	3
Origins – Ethnic						1	0		1
Origins – Place			1	1			1		1
Ancestry			1	1			1		1
Family Status			2						2
Sexual Orientation	1	1	1				1	1	1
Sex (including pregnancy, breastfeeding and gender identity)	1	6	1		4	2	1	10	3
Age				1		1	1		1
Political Affiliation	1						1		
<b>Total</b>	<b>48</b>	<b>70</b>	<b>65</b>	<b>13</b>	<b>15</b>	<b>16</b>	<b>61</b>	<b>85</b>	<b>81</b>

Complaints of Harassment and/or Discrimination Addressed by the Grievance Process:

As noted earlier, employees who belong to a union may grieve harassment and discrimination through provisions in their respective Collective Agreements. Unresolved grievances that are referred to arbitration are costly and take years to progress. The Employee and Labour Relations (ELR) unit of the Human Resources Division has responsibility for managing grievances and reported receiving 109 and 97 harassment/discrimination grievances in 2011 and 2012 respectively – refer to Table 4, below. This is a decrease from previous years.

With respect to workplace harassment grievances, in the April 24, 2013 *Grievance Summary Report* to the *Employee and Labour Relations Committee*, the Executive Director of Human Resources advised that harassment grievances are artificially high because many grievor's file a pro forma harassment/discrimination grievance when also grieving discipline and very few of these grievances allege breaches of the Code. The Human Resources Division committed to undertake efforts to reduce grievances that are actually companion complaints to a discipline grievance.

Although disability continues to be the most often cited prohibited ground of harassment/discrimination grievances, these grievances have decreased most likely as a result of the City's expert resourcing and consistent approach to disability accommodation.

**Table 4 - Harassment and/or Discrimination Grievances by ground for the period 2010-2012:**

<b>Prohibited Ground:</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
Disability	39	27	24
Sex			
Race	1	1	1
Colour			
Place of Origin			
Ethnic Origin	1		
Ancestry			
Creed/Religion	1		
Family Status			
Sexual Orientation	1		
Age		1	
Citizenship			
Marital Status			
Record of Offences			
Reprisal			1
Workplace Harassment	74	80	71
<b>Total</b>	<b>117</b>	<b>109</b>	<b>97</b>

With respect to harassment/discrimination arbitrations, in 2011 an arbitrator delivered one decision, dismissing one disability related grievance. In 2012, arbitrators delivered four decisions, dismissing two disability related grievances, one race related grievance and upholding one disability related grievance, finding that the City was not entitled to subtract its costs for funding a grievor's participation in a labour market re-entry plan.

Regarding the dismissed race related grievance noted above, in recognizing the City's efforts to address employee behaviour that did not amount to harassment, the arbitrator stated " ...it is often necessary for an employer to intervene in order to educate, mediate, and supervise conduct that falls short of legally prohibited conduct". The inclusion in the 2013 amended Anti-Harassment/Discrimination Policy of managements' obligation to address employee incivility – discussed earlier in this report, will support efforts to address inappropriate employee behaviour before it escalates to prohibited conduct.

**Complaints Addressed by the Human Rights Tribunal of Ontario (HRTO):**

All service recipients and employees have a legal right to file human rights complaints directly to the HRTO. The Legal Services Division is responsible for representing the City's interests at HRTO hearings and reported receiving a total 33 and 13 HRTO applications filed by employees and service recipients in 2011 and 2012 respectively – refer to table 5 below.



**Table 5:** Applications filed to the HRTO 2010 - 2012

Year	Employee	Service Recipient	Total Applications
2010	25	6	31
2011	23	10	33
2012	10	3	13

Ten of the 33 complaints filed to the HRTO in 2011 were also raised to the HRO. Of these 10, seven were also grieved. Under the HRAP, to avoid duplicating complaint resolution processes, the HRO cannot investigate a complaint where another complaint avenue has been engaged. Similarly, the HRTO declined to intervene into the same 7 complaints pending the outcome of the grievance process. Of the remaining 3 of the 10, one was settled and 2 have not been decided by HRTO to date. Of the 13 applications filed to the HRTO in 2012, three were also filed to the HRO. One was settled, one was grieved, therefore the HRO cannot intervene, and 1 has not been decided by the HRTO to date.

Table 6 provides a snapshot of HRTO complaints by prohibited ground filed during the same period noted in Table 5 - between 2010 and 2012. The total grounds in Table 6 are greater than the total number of HRTO complaints filed in Table 5 because HRTO complaint/applications are typically filed upon multiple grounds.

**Table 6:** HRTO applications received by Legal Services by prohibited ground 2010 – 2012

Prohibited Ground	HRTO complaints received by Legal Services Division – by Ground for 2010/2011/2012								
	Employee related			Service related			Total Grounds Cited		
	2010	2011	2012	2010	2011	2012	2010	2011	2012
Disability	13	10	5	2	4	1	15	14	6
Sex (including pregnancy, breastfeeding and gender identity)	3	6	7	1	2		4	8	7
Race	4	5	2	2	4	3	6	9	5
Colour	1	5	3	1	2	3	2	7	6
Origins – Ethnic		4	1		2	1		6	2
Origins – Place	1	4			1	1	1	5	1
Ancestry		4	1		1	1		5	2
Creed/Religion	1		1		3	1	1	3	2
Family Status	2	1			1	2	2	2	2
Sexual Orientation	1	2			1		1	3	
Reprisals	8	9	2		1	2	8	10	4
Age	5	2	1			1	5	2	2
Citizenship		1			1			2	
Marital Status	1				1	2	1	1	2
Record of Offences	1		1			1	1		2
Receipt of Public Assistance									
<b>Total</b>	<b>41</b>	<b>53</b>	<b>24</b>	<b>6</b>	<b>24</b>	<b>19</b>	<b>47</b>	<b>77</b>	<b>43</b>

Direct access to the HRTO has been available since mid-2008. Table 7 below captures HRTO (final) decisions by ground released from 2010 to 2012. These decisions are not based on the applications received in the same year. HRTO complainants tend to cite multiple grounds in their applications and a complaint can take 2-3 years to progress to a final decision. Compared to the number of applications filed to the HRTO per year, the HRTO has delivered few decisions against the City. Of the decisions delivered by the HRTO since 2008, the majority of decisions have dismissed complaints. The narrative below reviews this trend between 2008 and 2012.

**Table 7: HRTO Final Decisions by ground 2010 - 2012**

Prohibited Ground	HRTO Final Decisions – by Ground for 2010/2011/2012								
	Employee related			Service related			Total Grounds Cited		
	2010	2011	2012	2010	2011	2012	2010	2011	2012
Disability		7	2		1	1		8	3
Sex (including pregnancy, breastfeeding and gender identity)	1	2	1	1	1		2	3	1
Race		1	1	2	2	4	2	3	5
Colour						2			2
Origins – Ethnic		2				2		2	2
Origins – Place		1	1			1		1	2
Ancestry		2				1		2	1
Creed/Religion		2						2	
Family Status				1		1	1		1
Sexual Orientation			1		1			1	1
Reprisals		1	2			1		1	3
Age	1	2					1	2	
Citizenship									
Marital Status						1			1
Record of Offences									
Receipt of Public Assistance					1			1	
<b>Total</b>	<b>2</b>	<b>20</b>	<b>8</b>	<b>4</b>	<b>6</b>	<b>14</b>	<b>6</b>	<b>26</b>	<b>22</b>

In 2008, Legal Services reported receiving 18 HRTO applications; 11 from employees and 7 from service recipients. The same year the HRTO issued 2 final decisions, advising of 2 withdrawn applications. As no grounds were referenced, 2008 is not included in Table 7.

In 2009, Legal Services reported receiving 37 HRTO applications; 21 from employees and 16 from service recipients. The same year the HRTO issued 3 final decisions; 1 decision advised of an error in an earlier decision (no ground referenced), the second decision advised that an application had been withdrawn by a complainant (no ground referenced) and the third decision dismissed an employee complaint of discrimination based on race, colour and sex – not included in Table 7.

In 2010, Legal Services reported receiving 31 HRTO applications; 25 from employees and 6 from service recipients. The same year the HRTO released 6 final decisions, dismissing all complaints but one employee sex harassment complaint – discussed in the 2010 Annual Report.

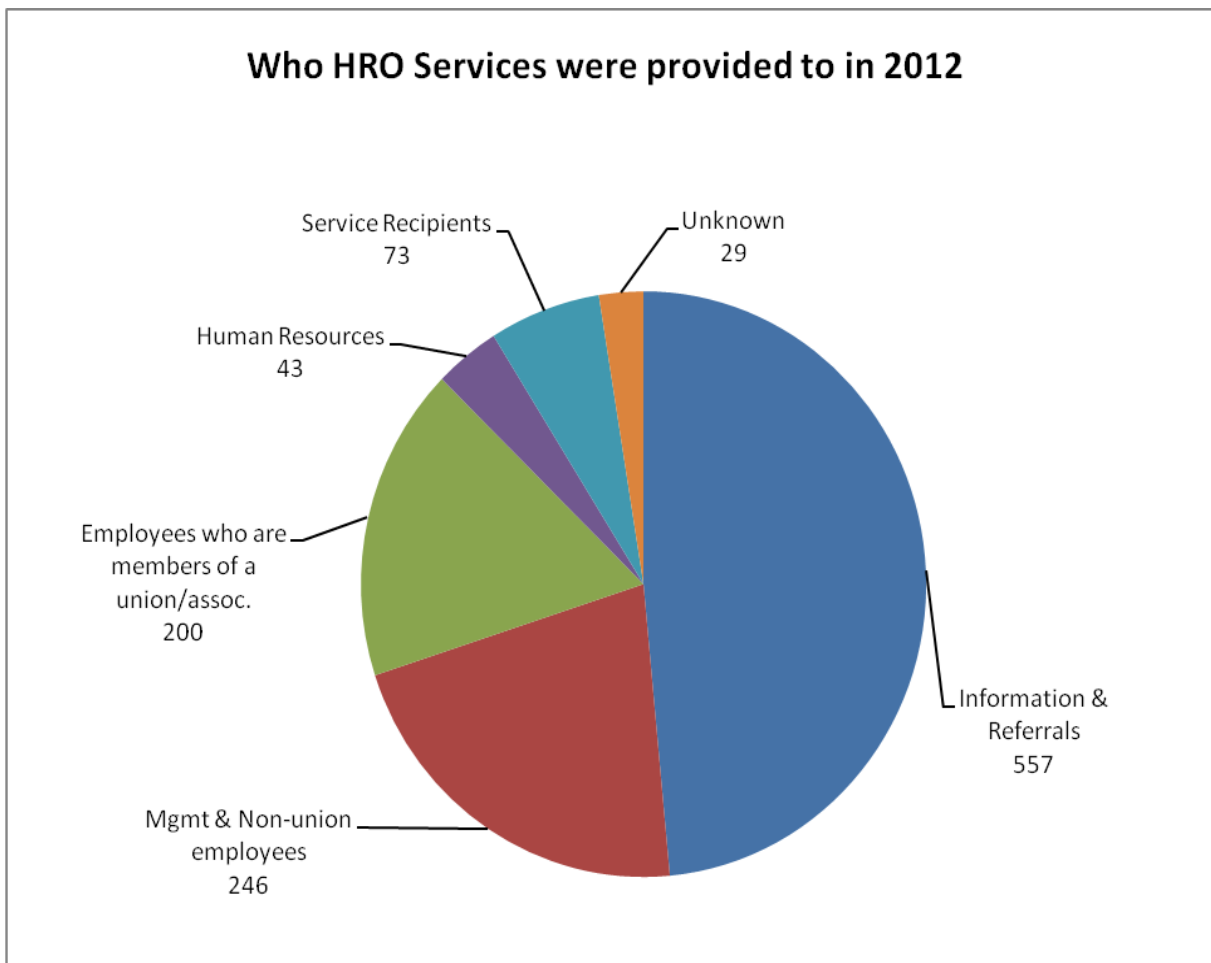
In 2011, Legal Services reported receiving 33 HRTO applications; 23 from employees and 10 from service recipients. The same year the HRTO released 20 final decisions dismissing all complaints except a citizen disability related complaint in which the HRTO mandated that a management employee undergo human rights training.

In 2012, Legal Services reported receiving 13 HRTO applications; 10 from employees and 3 from service recipients. The same year the HRTO released 13 final decisions dismissing all employee and service provision complaints against the City.

The above review of the various complaint resolution avenues makes clear that the City’s Human Rights Office offers a valuable service, resolving significantly more complaints than that of the Human Rights Tribunal of Ontario and grievance arbitration process.

Who HRO Services were provided to in 2012:

Service use is monitored to ensure program resources are appropriately aligned.



The provision of HRO services unrelated to a prohibited ground/complaint has increased considerably. The largest group the HRO provides services to, ‘information and referrals’ is discussed above in the ‘no ground/other’ section of this report. The next largest seekers of the HRO's services are City management and Human Resources Division staff. Consultations by this group often relates to seeking HRO assistance to respond to human rights related issues raised to them in their management roles. Both groups have specific human rights accountabilities under the amended City Human Rights and Anti-Harassment/Discrimination Policy and consultations with the Human Rights Office are encouraged to foster consistent human rights and equitable practices throughout the organization.

**3. Education and Prevention:**

While the legislation requires employers to have an internal complaints resolution process, prevention is key to ensuring that complaints are minimized. Education and communications plays an important role in ensuring that all members of the Toronto Public Service are familiar with their rights and responsibilities in preventing, addressing and resolving human rights concerns under the City's Human Rights and Anti-Harassment/Discrimination Policy and Complaint Procedures.

The City’s internal [http://insideto.toronto.ca/edhr/human\\_rights.htm](http://insideto.toronto.ca/edhr/human_rights.htm) and public [http://www.toronto.ca/divisions/human\\_rights.htm](http://www.toronto.ca/divisions/human_rights.htm) communicate HRO services to employees and service recipients. The web pages include information on the City’s human rights related policies, procedures, guidelines, training, annual reports, links to human rights related sites and contact information including a phone line, email address and an electronic form to make a confidential enquiry/complaint.

The Human Resources Division (HR) has responsibility for administering corporate human rights training. In 2008, upon the implementation of the amendments to the Code and HRAP, a mandatory human rights training program was rolled out to City management and supervisory staff and HR made a commitment to expand human rights training to non-management employees. Table 8 captures a 5-year snapshot of training activity between 2008 and 2012. A total of 3648 employees from the management group attended the mandatory training between 2008 and 2012 and the chart reveals a noticeable jump in the number of union attendees in 2012.

**Table 8 – Human Rights Training Activity 2008 - 2012**

year	# of Union attendees	# of union sessions	# of mgmt. attendees	# of mgmt. sessions	Total Sessions	Total Participants
2008	261	9	2441	138	147	2702
2009	387	20	310	19	39	697
2010	411	22	466	25	47	877
2011	187	12	214	12	24	401
2012	1380	61	217	15	76	1597

Council adopted an amended Human Rights and Anti-Harassment/Discrimination Policy in July 2013, reflecting significant legislative amendments to the *Occupational Health and Safety Act*, *Ontario Human Rights Code* and new City obligations related to contracted services. Council's approval of mandatory training for City management staff, related to the 2013 amended policy will be essential to meet legal obligations to inform unionized and management employees of their evolving rights and obligations.

Conclusion:

As noted earlier in this report, in 2013 the HRO will implement amended anti-discrimination/harassment policies, communications regarding evolving legal jurisprudence, and work with HR on training to ensure City staff are aware of their rights and obligations under anti-harassment/discrimination legislation and City policy.

The growing demand for HRO services and continued increase in and complexity of consultations/complaints, has resulted in numerous resolution delays and challenges. As noted earlier, staff re-allocation of resources to the HRO is underway and will reduce the backlog of service delivery. However, the HRO will continue to monitor complaint trends and promote our dispute resolution services to all employees and service recipients building upon the City's excellent human rights track record.

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## **SIGNATURE**

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