



STAFF REPORT ACTION REQUIRED

2014 Annual Human Rights Office Report and Amendments to the Hate Activity Policy

Date:	June 11, 2015
To:	Executive Committee
From:	Acting City Manager
Wards:	All
Reference Number:	

SUMMARY

This report reviews harassment and discrimination enquiries and complaints raised by City of Toronto employees and service recipients to the following complaint avenues: 1) the City's Human Rights Office (HRO); 2) the Human Rights Tribunal of Ontario (HRTO); and 3) through the City's grievance/arbitration process (Table 1). The report discusses complaint trends, 2014 accomplishments and 2015 key objectives to advance equity and minimize legislative breaches, penalties and risks to the City.

Table 1 – Harassment/Discrimination Consultations/Complaints/Grievances in 2012 - 2014

Harassment/Discrimination Consultations; Complaints and Grievances:	2012	2013	2014:
HRO consultations with employees and service recipients	973	733	705
Complaints filed to the City's HRO by employees and service recipients	175	257	312
Grievances filed by employees who are members of a Bargaining Unit	97	101	74
Applications filed to the HRTO by employees and services recipients	13	35	34

Once again, the City incurred no penalties in 2014 from authorities charged with hearing harassment and discrimination complaints, i.e., the Human Rights Tribunal of Ontario, Grievance Arbitration, the Ministry of Labour or the Ontario Labour Relations Board.

Regarding complaint trends (based on the prohibited grounds most often cited to the complaint avenues noted above), the HRO successfully addressed 1017 harassment/discrimination enquiries/complaints in 2014 and, similar to previous years, Workplace Harassment, Disability, Race and Sex were the grounds of complaint most often cited (Table 3, appendix #1). City employees filed 74 harassment/discrimination grievances in 2014, a 25% decrease from the 101 grievances filed in 2013. The most often cited grounds grieved, were Workplace Harassment and Disability (Table 5, appendix #3). Complaint trends in the 34 applications filed by service recipients and employees to the HRTO were also similar to previous years: Disability, Race and Sex related grounds were cited most often (Table 7, appendix #4).

The City's Hate Activity Policy was amended to reflect legislated changes in the Canadian Human Rights Act (CHRA) that took full effect in the summer of 2014, see page 7 for details and appendix 6 for the revised Hate Activity Policy.

Key 2014 activities to advance equity included implementing a robust, new Accommodation approach, disseminating information to support respectful workplace conduct and creating a resource to raise awareness about workplace sexual harassment. In addition to complaints management, in 2015 the HRO will focus on preparing the Toronto Public Service for the proposed amendments to the *Occupational Health and Safety Act*, announced by the provincial government in March 2015, related to workplace and sexual harassment. The second major initiative that the HRO will undertake in 2015 is to implement a poster campaign on workplace sexual harassment complimenting the resource noted above.

The HRO's neutral, alternative dispute resolution approach has proven to be both a viable alternative to more adversarial formal complaint avenues (i.e. grievance arbitration and the Human Rights Tribunal of Ontario) and an effective mechanism to advance equity. The HRO will continue to monitor complaint trends and promote dispute resolution services to all employees and service recipients building upon the City's excellent human rights track record.

RECOMMENDATION

The City Manager recommends that:

1. City Council adopt the amended Hate Activity Policy in Appendix 6 to this report.

FINANCIAL IMPACT

This report will have no financial impact beyond what has already been approved in the current year's budget.

DECISION HISTORY

The City's Human Rights and Anti-Harassment/Discrimination Policy requires the submission Staff report for action on Annual Human Rights Office Report – 2014

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

The City's Human Rights Office (HRO) administers an arms-length, internal dispute resolution program through the City's Human Rights and Anti-Harassment/Discrimination Policy (the Policy) and Complaint Procedures. The program satisfies obligations in the *Accessibility for Ontarians with Disabilities Act (AODA)*, the *Ontario Human Rights Code (Code)* and the *Occupational Health and Safety Act (OHSA)*.

The goal of the City's Human Rights program is to advance inclusive employment practices and service provision through policy development, education and dispute resolution of harassment and discrimination complaints

COMMENTS

The following is a comparison of complaints (broken down by prohibited ground) raised to the 3 (HRO, Grievance, HRTO) harassment/discrimination complaint resolution avenues available to employees and service recipients; a review of complaint trends and HRO service use, and a discussion of activities undertaken to advance equity and address emerging human rights issues.

1. Employees and Service Recipient Consultations/Complaints Raised to the HRO:

The HRO triages all human rights enquiries and/or complaints to determine the most effective course of action/resolution. The provision of expert advice and coaching, referred to as 'consultations', is often effective in supporting parties to a complaint to resolve matters themselves. Complex issues, referred to as 'complaints', require the HRO to intervene and/or undertake investigations to address and resolve disputes consistent with legislated obligations.

The HRO responded to a total of 1017 harassment/discrimination issues raised by employees and service recipients in 2014 (Table 2).

Table 2 – Employee and Service Recipient Consultations and Complaints Addressed by the HRO 2012 to 2014

Year	Consultations	Complaints	Total by Year
2012	973	175	1148
2013	733	257	990
2014	705	312	1017

Complaints citing multiple concerns, conflicting information and/or systemic issues led to an increase in HRO interventions and/or investigations in 2014. In addition to advising parties of

findings and making systemic recommendations to resolve disputes, HRO investigations are relied upon to defend the City's actions at legal proceedings.

Table 3 (appendix #1), captures employee and service recipient consultations/complaints managed by the HRO, broken down by Prohibited Ground; 2012 to 2014. The totals in Table 3 are higher than the total number in Table 2 because some complainants cite multiple grounds.

The following narrative addresses 2014 trends in complaint/enquiries raised to the HRO.

No Ground/Other:

The “No Ground/Other” category reflects equity issues that human rights staff are consulted on unrelated to a specific prohibited ground in the policy, i.e., policy/program development, inclusive service delivery and employment practices, education design, etc. The slight decrease in these consultations in 2014 is linked to successful efforts by the Equity, Diversity and Human Rights Division to embed equity considerations into Toronto Public Service activities and ongoing dissemination of resources addressing equity expectations.

Workplace Harassment (*Occupational Health and Safety Act*):

Workplace Harassment continues to be the most frequent ground of complaint cited to the HRO. This trend has existed since the adoption of the Human Rights Policy in 1998. The *Occupational Health and Safety Act (OHSA)* requires the City to have a program, education and a policy to address *Workplace Harassment*: harassment unrelated to a prohibited ground in the Code. The reduction in workplace harassment consultations to the HRO in 2014 is the result of 2013 Policy amendments:

- a. Obliging employees to raise workplace harassment concerns to management to give the division an opportunity to resolve before filing a complaint to the HRO
- b. Obliging management to proactively address incivility, i.e., workplace conduct that may be disrespectful but falls shy of prohibited conduct.

The policy amendments appear to be having the desired goal of supporting management to resolve workplace harassment issues locally and build good-will with their employees.

In March 2015, the province announced its intention to amend the OHSA to strengthen legislative obligations related to workplace and sexual harassment. The HRO will review and report policy amendments to City Council when the proposed legislation is passed, which is expected in 2016.

Prohibited Grounds (*Ontario Human Rights Code*):

The Ontario Human Rights Code prohibits harassment and discrimination based on 19 grounds, (see "(OHRC)" in Table 3, appendix # 1). Regarding prohibited grounds of discrimination, Disability (often related to the Code's duty to accommodate) was the most frequently cited ground raised to the HRO. This trend has existed since the adoption of the City's Policy in 1998 and parallels that of both grievances and at provincial and federal human

Staff report for action on Annual Human Rights Office Report – 2014

rights complaint tribunals. The release of new [Disability Accommodation Guidelines](#), communications and training activities will support the City's ability to consistently address disability accommodation in employment and service provision.

The next two most frequently cited prohibited grounds raised to the HRO were Race and related grounds (Colour, Ancestry, Ethnic Origin and Place of Origin) and Sex and related grounds (Gender Identity, Gender Expression, Sexual Harassment, Pregnancy & Breastfeeding). This trend has also existed since the adoption of the City's Policy in 1998. The increase in Sex related consultations and complaints in 2014 was linked to the media coverage of the CBC sexual harassment complaint. Despite the fact that this increase did not lead to a higher number of findings of policy breaches, the HRO produced as resource [Sexual Harassment in the Workplace](#) in 2014. In 2015 additional resources will be made available to ensure staff have information to foster a consistent understanding that behaviours amounting to sexual harassment are unacceptable. Development of resources that will foster an understanding of how racism manifests in employment and service activities is also being explored.

Increased activity (complaints and consultations to the HRO) upon the ground of Family Status in 2014 is related to two 2013 Federal Court decisions expanding rights related to Family Status - defined as the status of being in a parent-child relationship. In 2014, the HRO posted Family Status [guidelines](#) for employees and service recipients on how to exercise such rights, which triggered an increase in consultations and complaints on this ground.

Service Recipient Consultations and Complaints/Interventions Table 4 (appendix #2):

Residents and service recipients may complain under the City's Human Rights and Anti-Harassment/Discrimination 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. Table 4 (appendix #2) reflects the pattern of service provision consultations and complaints by prohibited ground, raised to and managed by the HRO for the period 2012 – 2014.

Approximately 60% of the consultations related to requests for information regarding the City's human rights and dispute resolution approach. The pattern of ground related consultations and complaints parallel that of previous years – with the exception of the prohibited ground of Sex, where there was increased activity in 2014 as a result of the media coverage of the CBC sexual harassment complaint.

2. Employee Harassment/Discrimination Complaints Addressed by the Grievance/Arbitration Process:

Employees who belong to a union may grieve harassment and discrimination through provisions in their respective Collective Agreements. The Employee and Labour Relations Unit of the Human Resources Division has responsibility for managing grievances and reported receiving 74 harassment/discrimination grievances in 2014, see Table 5 (appendix #3).

Staff report for action on Annual Human Rights Office Report – 2014

In the August 2014 *Grievance Summary Report*, the Executive Director of the Human Resources Division reported that discrimination/harassment is the third most commonly grieved issue by unionized employees, behind discipline and promotions. While the HRO produced several resources to raise awareness regarding rights and obligations related to Disability and Workplace Harassment, it is not clear what contributed to the decrease of 27 in Disability and increase of 22 in Workplace Harassment grievances in 2014. The HRO staff will monitor to determine whether there is an underlying, causal factor and report findings and patterns in future reports.

Unresolved grievances are referred to and decided upon by Arbitrators. There were 3 harassment/discrimination arbitration decisions issued in 2014 in response to Local 79 employee grievances. One grievance alleging discrimination based on Race and Colour was dismissed; a second grievance alleging Workplace Harassment was dismissed. The third grievance alleging harassment and discrimination related to the grievor's request to be accommodated based on Disability was withdrawn (at the request of the employee), prior to the arbitration decision being rendered.

3. Employee and Service Recipient Complaints Filed to the HRTO:

All service recipients and employees have a legal right to file human rights complaints, referred to as 'applications', directly to the HRTO. The Legal Services Division is responsible for representing the City's interests at HRTO hearings and reported receiving a total of 34 HRTO applications filed in 2014; 27 from employees and 7 from service recipients.

Table 6 –Applications Filed by Employees and Service Recipients to the HRTO 2011 - 2014

Year	Employee	Service Recipient	Total Applications
2011	23	10	33
2012	10	3	13
2013	25	10	35
2014	27	7	34

Table 7 (appendix #4), captures the HRTO complaints from Table 6 broken down by prohibited ground. The total grounds in Table 7 are greater than the total number of HRTO applications reflected in Table 6 because HRTO applicants typically file upon multiple grounds.

As in previous years, the most often cited prohibited grounds (Disability, Sex and Race-related grounds) cited in Tribunal complaint applications mirror the most often cited grounds raised to the City's HRO.

Seven of the 34 applications filed to the HRTO in 2014, were also raised to the HRO by employees. In addition to filing a complaint to the HRO and HRTO, three of the seven employees also filed a grievance on the same issue. Under the City's Policy, to avoid duplicating complaint resolution processes, the HRO cannot intervene or investigate a complaint where another (legal) complaint avenue has been engaged. Likewise, the HRTO deferred those

hearings pending the outcomes of the grievance/arbitration process. Regarding the remaining compliant applications, the HRTO has not issued decisions to date.

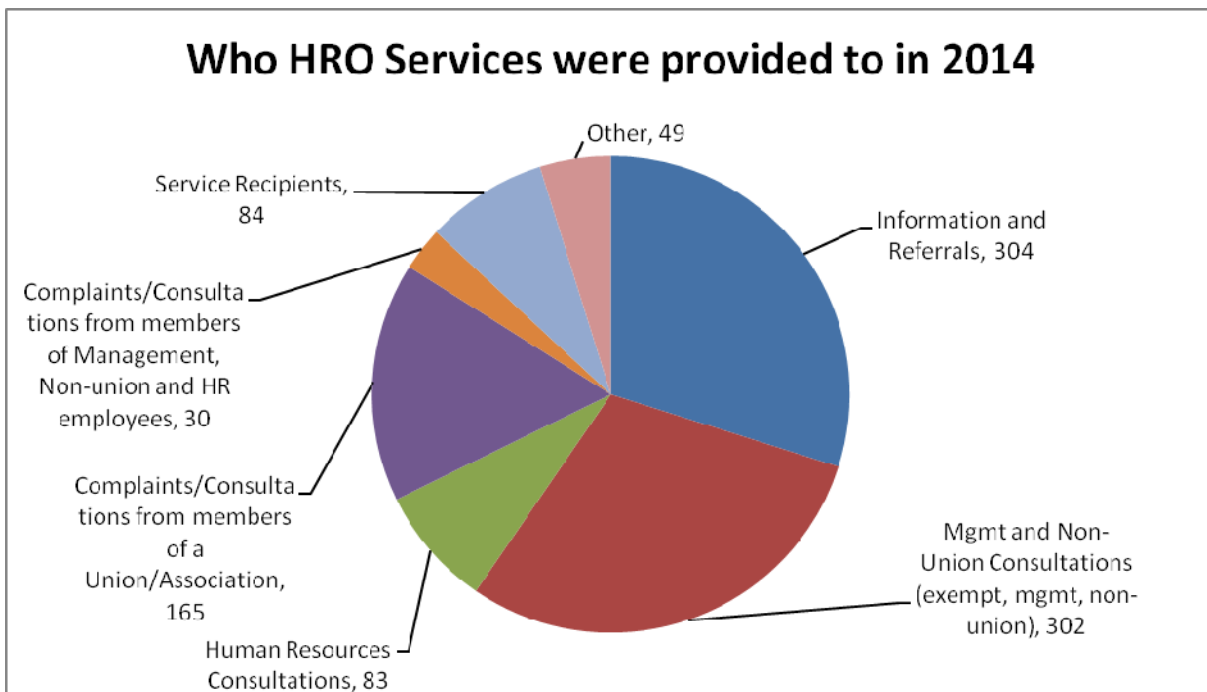
Table 8 (appendix #5) captures HRTO final decisions by prohibited ground released between 2011 and 2014. These decisions are not based on the applications received by the City in the same year because a Tribunal complaint can take 2-3 years to progress to a final decision.

In 2014, the HRTO released 13 final decisions regarding 11 employee and 2 service recipient applications that cited a total of 36 prohibited grounds. All 13 complaints against the City were dismissed.

HRO Service Users in 2014:

Service use is monitored to ensure program resources are appropriately aligned and responsive to emerging trends (Table 9). The largest group the HRO provided services to in 2014 were to those seeking ‘information and/or referrals’. City management and Human Resources Division staff are the second largest group seeking HRO services. Consultations by these groups relate to proactively seeking HRO assistance to respond to harassment/discrimination issues raised to them in their management roles.

Table 9 - HRO Service Users in 2014:



4. Amendments to the City's Hate Activity Policy

Under the Ontario Health and Safety Act, the HRO is required to review its Human Rights and Staff report for action on Annual Human Rights Office Report – 2014

Anti-Harassment/Discrimination Policy annually. This year's review resulted in no changes to the policy. However, due to legislated changes in the Canadian Human Rights Act (CHRA) that took full effect in the summer of 2014, revisions to the City's Hate Activity Policy were required.

Hate speech provisions that were previously included in the CHRA were repealed by the federal government in the summer of 2013, with a one year phase-in period. The City's Hate Activity Policy listed the CHRA hate speech provision under "the law" section of the policy, and the Act was referenced in the policy statement. Both have been removed from the revised version (attached as appendix #6). Once the policy has been adopted, the HRO will amend the procedures and communicate revisions to all City staff.

5. Advancing Equity - 2014 Accomplishments:

Fostering Inclusion:

Fostering inclusion by embedding equity in City policies, programs and service provision is a core value of the HRO and has proven effective in curtailing complaints. The HRO worked with numerous City stakeholders on multiple equity initiatives in 2014. Examples include: implementing the AODA employment standard, developing training for the City's Positive Space initiative, promoting policy protections for Undocumented Torontonians, participating in the Local 79 Equity Forum, organizing a panel/presentation on competing rights and interests for the World Pride Human Rights Conference, etc.

The HRO also produced a resource titled [Civility@Work](#), promoting respectful workplace conduct and the aforementioned resource on sexual harassment addressing what constitutes sexual harassment and clarifying the rights and responsibilities of all City employees. The Sexual Harassment resource is the first tool of a broader campaign to be implemented in 2015 to raise awareness about workplace sexual harassment – see 2015 Key Objectives – page 9.

Accommodation Policy:

In response to complaint trends and expanding legislative protections, the HRO implemented a robust, new Accommodation process in 2014. Exploring accommodation is a legal obligation for all employers and service providers under the *Ontario Human Rights Code* and related jurisprudence. The duty to accommodate recognizes that certain individuals and/or groups protected under the Code may require different treatment in order to fully participate in all aspects of employment, facility access and service provision.

The amended [Accommodation Policy](#) articulates the City's commitment to meet its duty to accommodate in both employment and service provision based on the protected grounds in the Code and the City's Policy. Procedures on how to request accommodation and guidelines on accommodations that typically arise in employment and service provision (Disability, Family Status, Gender Identity, Gender Expression and Pregnancy/Breastfeeding) were produced to support City management in responding to accommodation requests and to ensure that all employees and service recipients know how to exercise their rights.

Staff report for action on Annual Human Rights Office Report – 2014

Education and Communications:

Education and communications play important roles 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. The HRO developed a variety of educational initiatives in 2014 to support City employees in understanding their rights and obligations under anti-harassment/discrimination legislation and the City's human rights policies. Examples include training/presentations on sexual harassment; accommodation in service provision; accommodation in the staffing process, Talent Blueprint - diversity goal etc.

The Human Resources Division has responsibility for administering delivery of training on rights and obligations related to the City's Human Rights and Anti-Harassment/Discrimination and Accommodation Policies and Procedures. Table 10 captures a 5-year snapshot of human rights/Policy training activity between 2010 and 2014. In 2014, 551 city staff attended a total of 34 human rights training sessions.

Table 10 – Human Rights Training Activity 2010 – 2014

year	# Union attendees	# union sessions	# mgmt. attendees	# mgmt. sessions	Total Sessions	Total Participants
2010	411	22	466	25	47	877
2011	187	12	214	12	24	401
2012	1380	61	217	15	76	1597
2013	871	24	133	7	31	1004
2014	368	21	183	13	34	551

Three human rights related courses are offered to all TPS employees. The employee course focuses on anti-harassment/discrimination rights and employee obligations. The two management courses focus on rights, management obligations and how to appropriately respond to harassment/discrimination complaints from employees and/or service recipients. Participation in the training is mandatory for all staff that have supervisory/management responsibilities. Expanding mandatory human rights training for all employees is currently being explored.

5. Advancing Equity - 2015 Key Objectives:

Proposed Amendments to the OHSA:

In 2015 the HRO will focus on preparing the Toronto Public Service for the proposed amendments to the *Occupational Health and Safety Act*, announced by the provincial government in March 2015 in the document: "It's Never Okay: An Action Plan to Stop Sexual Violence and Harassment". The new legislation will complement existing protections in the Code, setting out explicit obligations required of employers regarding workplace and sexual harassment. The HRO will provide regular communications and develop resources to support a seamless implementation across the Toronto Public Service.

Sexual Harassment Poster Campaign:

The second major initiative, linked to the first (above) that the HRO will undertake in 2015 is to implement a poster campaign on workplace sexual harassment. A series of 6 posters, entitled "Know the Line" will be available for all City of Toronto workplaces. A tool kit will be disseminated to all management staff to support their ability to address issues that may arise as a result of the posters. The purpose of the Know the Line campaign is to help employees reflect on their behaviour and (respectfully) challenge comments/conduct that may be wrongly considered appropriate, but in fact cross the line and constitute sexual harassment. It is hoped that through the campaign, employees and management will become more aware of exactly where the line is and know not to cross it.

Finally, during the writing of this report, CBC publically released its [workplace investigation regarding Jian Ghomeshi](#). As noted earlier in this report, the media coverage of this particular complaint triggered an increase in activity related to the ground of Sex (see Table 2, page 2). With the exception of requiring mandatory human rights training for all employees, which as noted earlier is being explored, all recommendations to address and remedy the CBC investigation findings have been in place in the Toronto Public Service – in policies, practices, programs – for many years. The Toronto Public Service should be proud of its progressive human rights approach.

CONTACT

Uzma Shakir
Director, Equity, Diversity and Human Rights
Tel. (416) 392-1108
Fax (416) 696-4174
ushakir@toronto.ca

Kim Jeffreys
Manager, Human Rights Office
Tel: (416) 392-0348
Fax: (416) 696-4174
kjeffrey@toronto.ca

SIGNATURE

John Livey
Acting City Manager

ATTACHMENTS:

Appendix #1: Table 3 – Employee and Service Recipient Consultations and Complaints Addressed by the HRO by Prohibited Ground; 2012 to 2014

Appendix #2: Table 4 - Service Recipient Consultations and Complaints by Ground, 2012 – 2014

Staff report for action on Annual Human Rights Office Report – 2014

Appendix #3: Table 5 – Employee Harassment and Discrimination Grievances by Prohibited Ground for the Period 2011-2014:

Appendix #4: Table 7 - HRTO Applications Received by Legal Services Division, by Ground 2011 – 2014

Appendix #5: Table 8 - HRTO Final Decisions by Prohibited Ground 2011 - 2014

Appendix #6: Amended Hate Activity Policy

Appendix #1: Table 3 – Employee and Service Recipient Consultations and Complaints Addressed by the HRO by Prohibited Ground; 2012 to 2014

Prohibited Ground	Consultations			Complaints			Total By Ground		
	2012	2013	2014	2012	2013	2014	2012	2013	2014
No Ground / Other	711	524	446	38	45	77	749	569	523
Workplace Harassment (OHSA)	139	86	57	76	55	54	215	141	111
Disability (OHRC)	85	53	65	34	41	57	119	94	122
Sex (including pregnancy, breastfeeding, sex harassment) (OHRC)	36	15	36	31	25	58	67	40	94
Race (OHRC)	30	17	22	8	22	29	38	39	51
Colour (OHRC)	8	2	9	2	7	11	10	9	20
Origins – Ethnic (OHRC)	1	1	8	1	10	15	2	11	23
Origins – Place (OHRC)	3	-	8	4	14	13	7	14	21
Ancestry (OHRC)	1	1	2	1	2	4	2	3	6
Creed/Religion (OHRC)	13	11	22	5	24	21	18	35	43
Family Status (OHRC)	15	8	44	5	17	31	20	25	75
Sexual Orientation(OHRC)	10	9	9	7	4	12	17	13	21
Gender Expression (OHRC)	-	-	6	-	4	9	-	4	15
Gender Identity (OHRC)	-	7	12	-	6	10	-	13	22
Reprisals (OHRC)	4	3	8	1	7	8	5	10	16
Age (OHRC)	1	4	6	3	5	1	4	9	7
Citizenship (OHRC)	-	-	3	-	1	6	-	1	9
Marital Status (OHRC)	-	-	3	-	-	1	-	-	4
Record of Offences (OHRC)	1	-	2	-	1	3	1	1	5
Receipt of Public Assistance (OHRC)	-	1	3	-	-	-	-	1	3
Membership in a Union or Staff Association (City Policy)	-	2	-	-	-	-	-	2	-
Level of Literacy (City Policy)	1	-	-	-	1	2	1	1	2
Political Affiliation (City Policy)	-	-	1	-	1	-	-	1	1
Total	1059	744	772	216	292	422	1275	1036	1194

Appendix #2: Table 4 - Service Recipient Consultations and Complaints by Ground, 2012 – 2014

Ground	Consultations			Complaints			Total		
	2012	2013	2014	2012	2013	2014	2012	2013	2014
No Ground/Other	33	45	50	4	4	5	37	49	55
Disability	10	2	2	3	2	3	13	4	5
Creed/Religion	1	-	1	-	-	3	1	-	4
Workplace Harassment	4	2	-	4	-	-	8	2	-
Race	9	2	3	-	2	4	9	4	7
Receipt of Public Assistance	-	1	-	-	-	-	-	1	-
Record of Offences	-	-	1	-	1	-	-	1	1
Reprisal	-	-	-	-	1	-	-	1	-
Colour	2	1	1	1	1	1	3	2	2
Origins – Ethnic	-	-	-	1	2	3	1	2	3
Origins – Place	1	-	-	-	2	2	1	2	2
Ancestry	1	-	-	-	-	1	1	-	1
Citizenship	-	-	-	-	1	-	-	1	-
Family Status	2	-	-	-	-	-	2	-	-
Sexual Orientation	1	3	-	-	-	1	1	3	1
Sex (includes Sexual Harassment, Pregnancy and Breastfeeding)	1	2	6	2	1	4	3	3	10
Gender Identity	-	-	-	-	-	-	-	-	-
Gender Expression	-	-	-	-	-	-	-	-	-
Age	-	1	-	1	1	-	1	2	-
Level of Literacy	-	-	-	-	-	-	-	-	-
Political Affiliation	-	-	-	-	-	-	-	-	-
Total	65	59	64	16	18	27	81	77	91

Appendix #3: Table 5 – Employee Harassment and Discrimination Grievances by Prohibited Ground for the Period 2011-2014:

Prohibited Ground:	2011	2012	2013	2014
Disability (includes failure to accommodate)	27	24	35	8
Sex	-	-	-	2
Race	1	1	2	1
Colour	-	-	-	-
Place of Origin	-	-	-	-
Ethnic Origin	-	-	-	-
Ancestry	-	-	-	-
Creed/Religion	-	-	-	-
Family Status	-	-	-	-
Sexual Orientation	-	-	-	-
Gender Expression	-	-	-	-
Gender Identity	-	-	-	-
Age	1	-	-	-
Citizenship	-	-	-	-
Marital Status	-	-	-	-
Record of Offences	-	-	-	-
Reprisal	-	1	1	-
Workplace Harassment	80	71	18	40
Tied to Discipline	-	-	7	2
ground not identified	-	-	38	21
Total	109	97	101	74

Appendix #4: Table 7 - HRTO Applications Received by Legal Services Division, by Ground 2011 – 2014

Prohibited Ground	HRTO complaints received by Legal Services Division – by Ground for 2011/2012/2013/2014											
	Employee related				Service related				Total Grounds Cited			
	2011	2012	2013	2014	2011	2012	2013	2014	2011	2012	2013	2014
Disability	10	5	13	9	4	1	2	3	14	6	7	12
Sex (including pregnancy, breastfeeding)	6	7	2	5	2	-	2	1	8	7	4	6
Gender Identity	-	-	1	1	-	-	1		-	-	2	1
Gender Expression	-	-	-		-	-	1		-	-	1	-
Race	5	2	4	9	4	3	3	1	9	5	7	10
Colour	5	3	1	7	2	3	2		7	6	3	7
Origins – Ethnic	4	1	2	6	2	1	2	2	6	2	4	8
Origins – Place	4	-	2	6	1	1	2	1	5	1	4	7
Ancestry	4	1	1	3	1	1	1		5	2	2	3
Creed/Religion	-	1	1	2	3	1	1		3	2	2	2
Family Status	1	-	-	3	1	2	2	1	2	2	2	4
Sexual Orientation	2	-	-	2	1	-	1	1	3	-	1	3
Reprisals	9	2	5	7	1	2	1	1	10	4	6	8
Age	2	1	3	2	-	1	1	1	2	2	4	3
Citizenship	1	-	-	1	1	-	1		2	-	1	1
Marital Status	-	-	-	1	1	2	1		1	2	1	1
Record of Offences	-	1	-	1	-	1	-		-	2		1
Receipt of Public Assistance	-	-	-	-	-	-	1	2	-	-	1	2
Total	53	24	35	65	24	19	25	14	77	43	52	79

Appendix #5: Table 8 - HRTO Final Decisions by Prohibited Ground 2011 - 2014

Prohibited Ground	HRTO Final Decisions – by Ground for 2010/2011/2012/2013											
	Employee related				Service related				Total Grounds Cited			
	2011	2012	2013	2014	2011	2012	2013	2014	2011	2012	2013	2014
Disability	7	2	2	3	1	1	3	1	8	3	5	4
Sex (including sex harassment, pregnancy and breastfeeding)	2	1	-	2	1	-	1	1	3	1	1	3
Gender Identity	-	-	-	-	-	-	1	1	-	-	1	1
Gender Expression	-	-	-	-	-	-	1	1	-	-	1	1
Race	1	1	-	2	2	4	3	1	3	5	3	3
Colour	-	-	-	1	-	2	2	1	-	2	2	2
Origins – Ethnic	2	-	-	1	-	2	1	1	2	2	1	2
Origins – Place	1	1	-	1	-	1	1	1	1	2	1	2
Ancestry	2	-	-	-	-	1	1	1	2	1	1	1
Creed/Religion	2	-	-	-	-	-	1	1	2	-	1	1
Family Status	-	1	-	-	-	1	2	2	-	1	2	2
Sexual Orientation	-	1	1	-	1	-	1	2	1	1	2	2
Reprisals	1	1	1	2	-	1	3	1	1	3	4	3
Age	2	-	1	3	-	-	1	1	2	-	2	4
Citizenship	-	-	-	-	-	-	1	1	-	-	1	1
Marital Status	-	-	-	-	-	1	2	2	-	1	2	2
Record of Offences	-	-	-	-	-	-	-	1	-	-	-	1
Receipt of Public Assistance	-	-	-	-	1	-	1	1	1	-	1	1
Total	20	8	5	15	6	14	26	21	26	22	31	36