



REPORT FOR ACTION

2015 Annual Human Rights Office Report and Amendments to the Human Rights and Anti-Harassment/Discrimination Policy

Date: September 8, 2016

To: Executive Committee

From: City Manager

Wards: All

SUMMARY

This report reviews harassment and discrimination inquiries and complaints filed by City of Toronto employees and service recipients to the City's (internal) Human Rights Office (HRO); the Human Rights Tribunal of Ontario (HRTO); and grievance/arbitration in 2015. The report discusses complaint trends and 2015/16 initiatives to advance equity and minimize legislative breaches and penalties.

Of the 287 complaints received by the HRO in 2015 (Table 1), all but 4 of the complaints raised internally were resolved in 2015. The City's internal human rights and equity approach has again resulted in the City incurring no penalties in 2015 from provincial bodies charged with hearing harassment and discrimination complaints, i.e., the Human Rights Tribunal of Ontario, Arbitration, the Ministry of Labour, the Ontario Labour Relations Board.

Table 1 – Harassment/Discrimination Complaints/Grievances/Applications, 2013 - 2015

Harassment/Discrimination Complaints, Grievances, Applications:	2013	2014	2015
Complaints filed to the City's HRO by employees and service recipients	257	312	287
Grievances filed by employees who are members of a Bargaining Unit	101	74	73
Applications filed to the HRTO by employees and services recipients	35	34	34

The most often cited complaint grounds raised to the HRO, similar to previous years' complaint patterns, were: workplace harassment, disability, sex and race (Table 3). City employees filed 73 harassment/discrimination grievances in 2015, most frequently citing

workplace harassment (Table 5). Complaint trends in the 34 applications filed by service recipients and employees to the HRTO cited disability and race related grounds most often (Table 7).

The City's Human Rights and Anti-Harassment/Discrimination Policy has been amended to reflect changes to the Occupational Health and Safety Act (OHSA) resulting from Bill 132 which expand employee protections and employer obligations regarding workplace and sexual harassment. To ensure compliance respecting complaints involving staff who report directly to City Council, it is proposed that the Integrity Commissioner's role be expanded to receive complaints involving the City Manager, City Clerk and City Solicitor, in order to provide necessary independence. The Integrity Commissioner's mandate currently includes responsibility for addressing harassment and discrimination involving Members of Toronto City Council and Local Board Appointees under the Code of Conduct. The Integrity Commissioner has been consulted and is in agreement with the additional duties articulated in section 3.3 of the Policy (Appendix 1).

To support the ability of the Toronto Public Service to appropriately respond to new OHSA obligations and foster inclusive employment practices and service provision, in 2015 the HRO implemented a sexual harassment campaign entitled "Know the Line"; a resource on Racial Harassment and Discrimination and a guide on Resolving Conflict: Preventing Incivility and Workplace Harassment, as well as supporting the development of Positive Space Toronto to promote an inclusive workplace for LGBTQ2S employees.

In mid-2016 the HRO produced a guideline on Creed Accommodation, which provides advice on how to request and deliver creed-based/religious accommodation under the City's Accommodation Policy. It is the 5th guideline in a series which includes accommodation guidelines on Disability, Family Status, Gender Identity/Gender Expression and Sex which were published in late 2014.

For the remainder of 2016, the HRO will focus on preparing the Toronto Public Service to meet Bill 132 obligations through Policy amendments, communications, presentations and implementation of new resources and training.

RECOMMENDATIONS

The City Manager recommends that:

1. City Council assign the Integrity Commissioner the duty to receive, assess and refer complaints of harassment/discrimination involving the City Manager, City Clerk and City Solicitor to external consultants, and when appropriate, provide the results of investigations to City Council for action.
2. City Council, adopt the amended Human Rights and Anti-Harassment/Discrimination Policy in Appendix 1, which includes the new duties for the Integrity Commissioner and complies with the new provincial legislation.

FINANCIAL IMPACT

The revised Human Rights and Anti-Harassment/Discrimination Policy reflects new obligations in the amended Occupational Health and Safety Act with respect to workplace harassment. This report and recommendations will have no financial impact beyond what has already been approved in the current year's budget. The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

2014 Annual Human Rights Office Report

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.EX7.11>

ISSUE BACKGROUND

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.

COMMENTS

The City's Human Rights Office (HRO) administers an arms-length, internal dispute resolution program through the 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 (the Code) and the Occupational Health and Safety Act (OHSA).

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

2015 Review of Complaint Resolution Options:

The following is a review of the three harassment/discrimination complaint resolution avenues available to employees and service recipients and a discussion about complaint trends, service use and HRO activities to promote equity.

The HRO responded to a total of 979 human rights related issues raised by employees and service recipients in 2015 (Table 2, Appendix #2). While the numbers of consultations and complaints to the HRO decreased slightly in 2015, the trend of individual complainants citing multiple grounds and allegations, all of which require thorough canvassing, continues. This can be seen in Table 3 where consultations and complaints are broken down by

prohibited grounds. There were thirty-eight (38) fewer consultations and complaints to the HRO in 2015, while the number of grounds cited are similar to prior years.

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

Table 3 below, captures employee and service recipient consultations and complaints raised to and managed by the HRO, broken down by prohibited ground. Table 4, (Appendix 3) captures the pattern of service recipient consultations/complaints, by prohibited ground raised to and managed by the HRO.

No Ground/Other:

Table 3 – Employee and Service Recipient Consultations and Complaints by Prohibited Ground; Addressed by the HRO; 2013 to 2015

Prohibited Ground	Consultations			Complaints			Total By Ground		
	2013	2014	2015	2013	2014	2015	2013	2014	2015
No Ground / Other	524	446	296	45	77	46	569	523	342
Workplace Harassment (OHSA)	86	57	130	55	54	74	141	111	204
Disability (Code)	53	65	116	41	57	74	94	122	190
Sex (including pregnancy, breastfeeding, sex harassment*) (Code)	15	36	19 +42*	25	58	14 +43*	40	94	33 +85*
Race (Code)	17	22	39	22	29	29	39	51	67
Colour (Code)	2	9	11	7	11	5	9	20	16
Origins – Ethnic (Code)	1	8	6	10	15	9	11	23	15
Origins – Place (Code)	-	8	7	14	13	6	14	21	13
Ancestry (Code)	1	2	3	2	4	6	3	6	9
Creed/Religion (Code)	11	22	21	24	21	17	35	43	38
Family Status (Code)	8	44	28	17	31	27	25	75	55
Sexual Orientation (Code)	9	9	12	4	12	11	13	21	23
Gender Expression (Code)	-	6	8	4	9	10	4	15	18
Gender Identity (Code)	7	12	13	6	10	13	13	22	26
Reprisals (Code)	3	8	11	7	8	10	10	16	21
Age (Code)	4	6	5	5	1	5	9	7	10
Citizenship (Code)	-	3	2	1	6	1	1	9	3
Marital Status (Code)	-	3	3	-	1	1	-	4	4
Record of Offences (Code)	-	2	2	1	3	-	1	5	2
Receipt of Public Assistance (code)	1	3	2	-	-	-	1	3	2
Membership in a Union or Staff Association (City Policy)	2	-	1	-	-	-	2	-	1
Level of Literacy (City Policy)	-	-	3	1	2	1	1	2	4
Political Affiliation (City Policy)	-	1	3	1	-	-	1	1	3
Total	744	772	782	292	422	402	1036	1194	1184

The "No Ground/Other" category captures issues that HRO staff are consulted on or investigate that are not related to a prohibited ground in the policy. These interventions provide opportunities for the HRO to integrate human rights and equity principles into a broad range of City employment and service initiatives, i.e., program/policy reviews; education and resource development; advice regarding job postings, collective agreement provisions, application of legislation, etc. The decrease in 2015 consultations is attributed to the provision of detailed web page and phone messaging, referring non-jurisdictional inquiries to appropriate bodies. This has increased capacity to provide greater support to jurisdictional inquiries.

Non-Code Workplace Harassment (OHSA):

Workplace harassment is harassment that is not related to a prohibited ground in the Code. As in previous years, workplace harassment continues to be the most frequent ground of complaint cited to the Human Rights Office and the most often cited harassment/ discrimination grievance ground (Table 5, Appendix 3). The rise in workplace harassment complaints is consistent with patterns across the province, prompting the Ontario government to amend the OHSA, expanding employer obligations and protections for workers to seek redress for alleged workplace harassment.

In response to consistently high workplace harassment complaints, the HRO created a guide entitled "Resolving Conflict: Preventing Incivility and Workplace Harassment". The guide discusses how to prevent conflict, address it when it occurs and support respectful behaviour. The goal of the resource is to help the Toronto Public Service prepare for (Bill 132) amendments to the OHSA that, as noted earlier, will expand employer obligations to prevent and resolve workplace harassment.

Prohibited grounds (Code):

Similar to previous years' complaint patterns, disability was the most frequently cited Code ground raised to the HRO in 2015. It was also the most often cited Code ground raised by employees who filed discrimination grievances and Human Rights Tribunal applications. Sixty percent of the disability inquiries/complaints raised to the HRO were related to accommodation. The considerable increase is the result of ongoing implementation of the Employment Standard under the Accessibility for Ontarians with Disabilities Act (AODA). In 2015, the requirement to communicate the availability of accommodation in all aspects of hiring and employment was added to all internal and external recruitment communications. This triggered an increase in inquiries and complaints to the HRO from external job applicants - refer to Table 4. Although the HRO resolved all disability related accommodation complaints, new training on disability obligations under the Code and AODA will be offered in the fall of 2016 to foster understanding and consistent practices regarding accommodation obligations.

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 (Sexual Orientation, Gender Identity, Gender Expression, Sexual Harassment, Pregnancy & Breastfeeding). As noted earlier, the HRO implemented a comprehensive sexual harassment campaign in 2015 called "Know the Line". The campaign included a series of 6 posters, a dedicated web page, communications and a

management tool kit 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. While the promotion of the campaign generated the increase in inquiries/complaints to the HRO, campaign resources will support implementation of OHSAA amendments related to workplace sexual harassment.

In response to the trend in race-related complaints/inquiries, the HRO produced a resource on Racial Harassment and Discrimination in 2015. The resource explores what racism is, how it manifests in service provision and employment and offers guidance on actions service recipients and staff can take to prevent and address racial harassment and discrimination.

Service Recipient Consultations and Complaints/Interventions:

Residents and service recipients may complain under the City's 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 #3) captures patterns in service provision consultations and complaints by prohibited ground, raised to the HRO for the period 2013 – 2015.

Unlike prior years, the most frequently cited ground that service recipients raised to the HRO in 2015 was disability. As noted earlier, this is partially attributed to implementation of the AODA Employment Standard which included advising external job applicants of the availability of accommodation in all aspects of City hiring and employment activities.

With respect to sex-related and race-related complaints/inquiries, the above mentioned race and sex resources are posted on the HRO's public web page to assist service recipients in understanding and exercising their rights.

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 73 harassment/discrimination grievances in 2015, see Table 5 below.

As noted earlier, workplace harassment was the most often cited ground of grievance and the guide "Resolving Conflict: Preventing Incivility and Workplace Harassment" was produced in response to this trend.

Three harassment/discrimination arbitration decisions were issued in 2015 related to Local 79 unresolved grievances. One grievance alleged discrimination based on Race, Ethnic Origin and Place of Origin; a second grievance alleged discrimination based on Race, Colour and Place of Origin and the third grievance alleged that the employer

failed to maintain a harassment and discrimination free workplace. All three grievances were dismissed by the Arbitrators.

Table 5 – Employee Harassment and Discrimination Grievances by Prohibited Ground for the Period 2012-2015:

Prohibited Ground:	2012	2013	2014	2015
Disability (failure to accommodate)	24	35	8	11
Sex (includes sexual harassment)	-	-	2	2
Race	1	2	1	-
Colour	-	-	-	-
Place of Origin	-	-	-	-
Ethnic Origin	-	-	-	-
Ancestry	-	-	-	-
Creed/Religion	-	-	-	-
Family Status	-	-	-	-
Sexual Orientation	-	-	-	-
Gender Expression	-	-	-	-
Gender Identity	-	-	-	-
Age	-	-	-	-
Citizenship	-	-	-	-
Marital Status	-	-	-	-
Record of Offences	-	-	-	-
Reprisal	1	1	-	-
Workplace Harassment	71	18	40	37
Tied to Discipline	-	7	2	3
ground not identified	-	38	21	20
Total	97	101	74	73

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. 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 2015; 23 from employees and 11 from service recipients - refer to Table 6 below.

Table 6 –Applications Filed by Employees and Service Recipients to the HRTO 2011 - 2015

Year	Employee	Service Recipient	Total Applications
2011	23	10	33
2012	10	3	13
2013	25	10	35
2014	27	7	34
2015	23	11	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.

Disability and Race and related grounds were cited most frequently in HRT0 applications. Four of the thirty-four applications filed to the HRT0 in 2015 were also raised to the HRO by four employees. One of the employees filed a complaint to the HRO, HRT0 and a grievance on the same issue and there has been no decision from the HRT0 or Arbitrator to date. Regarding the other three complaint applications, one complaint was settled through mediation and the HRT0 has not issued decisions in the remaining two.

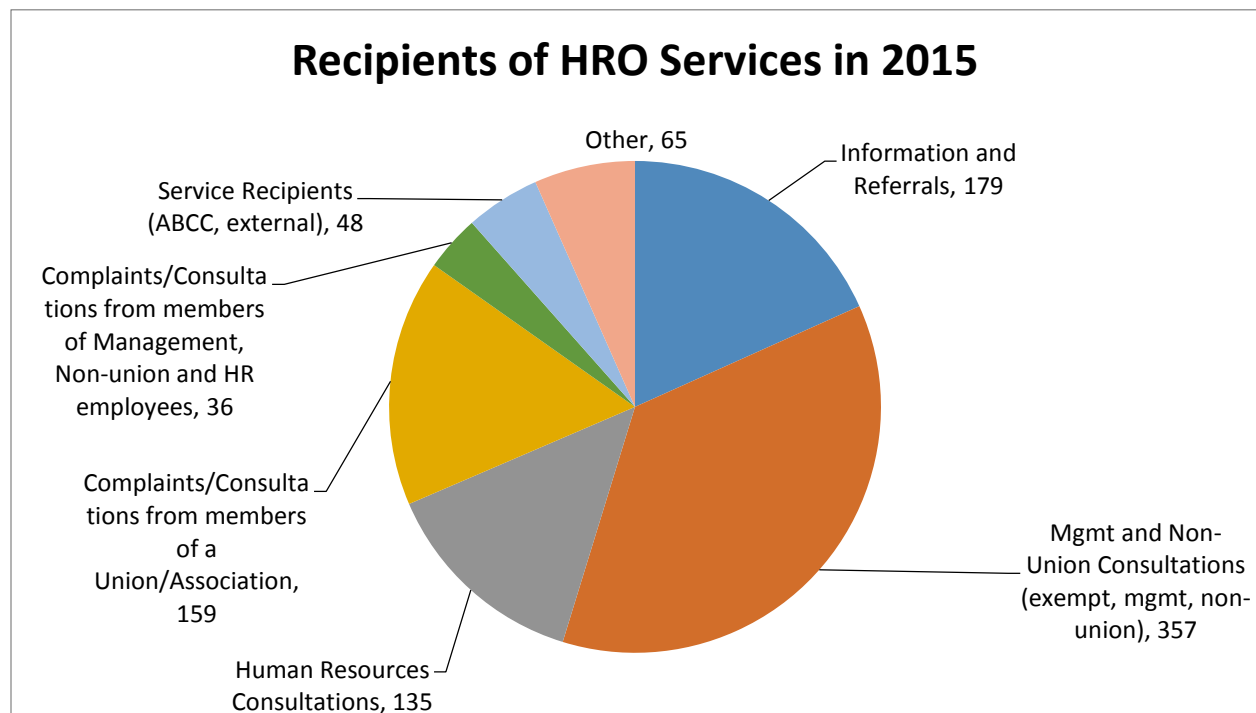
Table 8 (Appendix #5) captures HRT0 final decisions by prohibited ground released between 2013 and 2015. These decisions are not based on the applications received by the City in the same year because a Tribunal complaint can take 2-3 years to progress to a final decision.

In 2015, the HRT0 released 9 final decisions regarding 7 employee and 2 service recipient applications that cited a total of 25 prohibited grounds. As with prior years, in 2015 all (9) employee and service recipient complaints against the City were dismissed by HRT0 Adjudicators.

HRO Service Users in 2015:

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 2015 were to City management and Human Resources Division staff. Consultations by these groups is encouraged and proactively enables the HRO to provide guidance and support to assist these groups in responding to potential harassment/discrimination issues brought to their attention.

Table 9 HRO Service Users in 2015:



4. Education:

Education 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.

Table 10 captures a five-year snapshot of human rights/policy training activity between 2011 and 2015. In 2015 the HRO worked with divisions to increase participation of unionized staff in human rights training. Divisions responded resulting in a sizable increase in training delivery from prior years. The majority of 2015 training sessions were delivered to in-tact divisional teams and tailored to address specific divisional human rights employment and service provisions issues.

Table 10 – Human Rights Training Activity 2010 – 2015

year	# union Attendees	# union sessions	# mgmt. attendees	# mgmt. sessions	Total Sessions	Total Participants
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
2015	2961	141	319	19	160	3280

5. Bill 132: Sexual Violence and Harassment Action Plan Act (Supporting Survivors and Challenging Sexual Violence and Harassment) 2016

Bill 132 came into effect on September 8, 2016, amending, among other statutes, the Occupational Health and Safety Act, workplace harassment provisions. The amendments build on (2010) Bill 168 obligations requiring employers to have a policy, program, information and instruction on workplace harassment and expand employee protections and employer obligations in relation to workplace/sexual harassment.

The City's Human Rights and Anti-Harassment/ Discrimination Policy (HRAP) has been in place since 1998, with various Policy amendments made periodically to ensure compliance with evolving legislated obligations. The City is considered a leader in its progressive approach to human rights and as noted earlier in this report, has incurred no penalties from provincial bodies charged with hearing harassment and discrimination complaints in the last 6 years.

The key changes arising from Bill 132 include:

- expanding the definition of workplace harassment to encompass workplace sexual harassment with includes harassment based on sex, sexual orientation, gender identity and gender expression;
- a requirement to consult the City's Joint Health and Safety Committee on the development and annual review of Human Rights and Anti-Harassment/Discrimination policy and program;

- Mandated confidentiality, internal complaint avenues for all levels in the organization and investigation obligations for both incidents and complaints of workplace harassment
- new Ministry of Labour powers to order an independent workplace harassment investigation at the employers expense.

The Ministry of Labour released a Code of Practice on August 12, 2016 that communicates prescribed elements that employers are encouraged to include in their policies to meet compliance. While a number of the new legislated obligations already exist in the City's policy, amendments have been made to ensure required compliance with the spirit and intent of Bill 132/Code of Practice and further strengthen the City's human rights approach.

Legislated amendments to the policy include:

- aligning the definition of workplace harassment with the OSHA and defining the distinction between an complaint and incident;
- amending the Roles and Responsibilities section to reflect new requirements regarding confidentiality, consulting the City's Health and Safety Committee and investigation obligations; and
- clarifying the process for receiving and investigating complaints against Accountability Officers, the City Manager, City Clerk and City Solicitor.

To ensure compliance with new obligations respecting complaints involving staff who report directly to City Council, it is proposed that the Integrity Commissioner be assigned the duty to receive and assess incidents and/or complaints involving the City Manager, City Clerk and City Solicitor and where appropriate, refer them to external consultants for investigation. The Integrity Commissioner's mandate includes responsibility for addressing harassment and discrimination involving Members of Toronto City Council and Local Board Appointees under the Code of Conduct. The Human Rights Office will provide support to the Integrity Commissioner as needed and external consultants will be retained to conduct investigations, where necessary. The Integrity Commissioner will transmit the results of the investigations to City Council where action is required.

The Policy has also been clarified with respect to Accountability Officers. The City Clerk will receive and assess complaints involving Accountability Officers and will utilize external consultants to conduct investigations where necessary. The results of these investigations will be reported to City Council where action is required.

The chart below summarizes the roles and process for positions appointed by City Council.

Allegation Against	Accountability Officer	City Manager, City Clerk, City Solicitor
Complaint Received By	City Clerk	Integrity Commissioner
Investigation Conducted By	External Consultant (overseen by City Clerk)	External Consultant (overseen by the Integrity Commissioner)
Action Taken Based on Investigation Results to be determined by	City Council	City Council

Amended complaint procedures, communications and training will be implemented upon adoption of the recommendation contained in this report. To ensure that harassment and discrimination related incidents and complaints are correctly and consistently handled, the City Manager will direct all divisions to review their complaint handling protocols to ensure complaints are processed in accordance with the amended policies, procedures and guidelines.

The policy amendments will continue to advance the City's equity commitments while minimizing financial risk resulting from provincial complaints processes.

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SIGNATURE

Peter Wallace
 City Manager

ATTACHMENTS

Appendix #1: Amended Human Rights and Anti-Harassment/Discrimination Policy

Appendix #2: Table 2 – Employee and Service Recipient consultations and Complaints Addressed by the HRO, 2013 to 2015

Appendix#3: Table 4 – Service Recipient Consultations and Complaints by Ground, 2013 – 2015

Appendix #4: Table 7 – HRTD Applications Received by Legal Services Division, by Ground, 2011 – 2015

Appendix #5: HRTD Final Decisions by Prohibited Ground, 2013 – 2015

Appendix #1: Amended Human Rights and Anti-Harassment/Discrimination Policy

Equity, Diversity and Human Rights Policies
Human Rights and Anti-Harassment/Discrimination (HRAP)



Category: **Employment Equity, Human Rights and Accommodation**

- 1.0 Policy Statement** Under the [Ontario Human Rights Code](#), every person has a right to equal treatment in the provision of services and facilities, occupation of accommodation, contracts and in employment. Under the [Occupational Health and Safety Act](#), all employers are required to have a workplace harassment policy, program, information, instruction and protect workers from workplace harassment

The City of Toronto, its Agencies, Corporations and citizen advisory committees/bodies are committed to respectful, equitable service delivery and employment practices. Every person has a right to equal treatment in the provision of services and facilities, occupation of accommodation, contracts and in employment. This policy articulates the City's commitment to prevent and address harassment and discrimination under the *Ontario Human Rights Code* and the *Occupational Health and Safety Act*. The goal of this Policy is to recognize the dignity and worth of every person (whether resident, service recipient or employee) and to create a climate of understanding and mutual respect

The City of Toronto will not tolerate, ignore, or condone discrimination or harassment and is committed to promoting respectful conduct, tolerance and inclusion. All employees are responsible for respecting the dignity and rights of their co-workers and the public they serve. The City's Human Rights and Anti-Harassment/Discrimination Complaint Procedures provide a range of dispute resolution options for employees, service recipients and Members of Toronto City Council who believe that they may have experienced discrimination and/or harassment. All complaints shall be treated confidentially and there shall be no reprisal.

- 2.0 Application** This policy applies to all City of Toronto employees, volunteers, Accountability Officers and their staff, elected officials and their staff and to all aspects of the employment relationship. Toronto Public Service (TPS) staff are expected to abide by this policy, the *Ontario Human Rights Code*, the *Occupational Health and Safety Act* and any other relevant City policy and legislation. This Policy should be read in conjunction with the Complaint Procedures.

Citizen advisory committees/bodies, members of the public, service recipients, visitors to and users of City facilities/public space and individuals conducting business with, for or with support from the City of Toronto, are expected to adhere to this policy. This includes refraining from discriminating and/or harassing City of Toronto employees, elected officials and persons acting on behalf of the City of Toronto. If such discrimination and/or harassment occur, the City of Toronto will take action to ensure a harassment/discrimination-free workplace, facility and service provision, including barring a harasser from its facilities, limiting services, discontinuing business and/or revoking contracts with consultants or contractors.

**Social Areas &
Prohibited Grounds**

2.1 Services and Facilities: Every person has a right to equal treatment with respect to City services and facilities, without discrimination or harassment because of one or more of the following prohibited grounds

- race
- ancestry
- place of origin
- colour
- ethnic origin
- citizenship
- creed
- sex (including pregnancy, breast feeding)
- sexual orientation
- gender identity
- gender expression
- age
- marital status
- family status
- disability
- level of literacy*
- political affiliation*

2.2 Occupation of Accommodation: Every person has a right to equal access with respect to the occupancy of City-owned accommodation, without discrimination because of one or more of the following prohibited grounds:

- race
- ancestry
- place of origin
- colour
- ethnic origin
- citizenship
- creed
- sex (including pregnancy, breast feeding)
- sexual orientation
- gender identity
- gender expression
- age
- marital status
- family status
- disability
- level of literacy*
- political affiliation*
- receipt of public assistance

2.3 Contracts: Every person having legal capacity has a right to contract on equal terms without discrimination because of one or more of the following prohibited grounds

- race
- ancestry
- place of origin
- colour
- ethnic origin
- citizenship
- creed
- sex (including pregnancy, breast feeding)
- sexual orientation
- gender identity
- gender expression
- age
- marital status
- family status
- disability
- level of literacy*
- political affiliation*

All City contracts, agreements or permits for programs and services delivered by a third party individual or organization that has been (i) contracted under the City's Purchasing Bylaw, (ii) awarded a grant under the Toronto Grants Policy, (iii) is receiving financial support from the City or (iv) using City facilities through a permit, will include a signed copy of the *Declaration of Compliance with Anti-Harassment/Discrimination Legislation & City Policy* [link] and be subject to contract provisions regarding consequences for non-compliance.

2.4 Employment: Every person has a right to equal treatment in employment without discrimination or harassment because of one or more of the following prohibited grounds:

- race
- ancestry
- place of origin
- colour
- ethnic origin
- workplace harassment**
- citizenship
- creed
- sex** (including pregnancy, breast feeding)
- sexual orientation**
- gender identity**
- gender expression**
- age
- marital status
- family status
- disability
- record of offences
- level of literacy*
- political affiliation*
- membership in a union or staff association*

* These grounds are included in the City's policy, but are not explicitly covered by the *Ontario Human Rights Code* or the *Occupational Health and Safety Act*

** Workplace harassment as defined in the *Occupational Health and Safety Act* includes harassment based on sex, gender identity, gender expression, sexual orientation and non-Code harassment, i.e. harassment that is not based on a prohibited ground listed above. The HRAP addresses this type of harassment in section 4.10 – 4.13.

3.0 Staff Roles and Responsibilities

All Toronto Public Service employees, volunteers, Accountability Officers, elected officials and their staff are responsible for knowing this policy and complaint procedures, not engaging in harassment/discrimination,

cooperating in good faith in dispute resolution processes including investigations and abiding by confidentiality expectations – refer to section 1 in the Complaint Procedures.

3.1 Human Rights Office:

The Human Rights Office (HRO) will provide confidential advice and/or assistance to Toronto Public service recipients, facility users and employees regarding their rights and to management regarding their obligations to appropriately address harassment and discrimination. HRO staff will impartially explore complaints/allegations of harassment and discrimination and undertake independent investigations for any Toronto Public Service staff person or recipient of municipal service(s). HRO staff do not advocate, act on behalf of, or represent any party in dispute (complainant, respondent, management). All complaints to the HRO will be dealt with in an unbiased manner.

The focus of the HRO is to prevent, correct and remedy harassing and/or discriminating behaviours that are contrary to this Policy. When investigating allegations, HRO staff may explore the conduct of parties beyond the complainant and respondent (including management) to ensure compliance with the policy. Staff in the HRO report to the City Manager through the Director of the Equity, Diversity and Human Rights Division.

Responsibilities include:

- administer the City's Human Rights Program
- interpret and implement this Policy
- policy and resource research and development
- education and communication
- expert, independent, unbiased, confidential advice
- assess merits of a complaint/incident and determine appropriate investigation and resolution options, including whether concern(s) can be referred to division management to address
- undertake impartial, independent informal and formal investigations
- provide mediations
- retain external consultants
- work with Legal Services Division on Ontario Human Rights Tribunal applications and Ministry of Labour Orders
- review this policy on an annual basis in consultation with the Occupational Health and Safety Coordinating Committee
- submit an annual report to City Council about statistics and trends in human rights complaint activities and other program initiatives

3.2 City Council

- receive investigation reports involving the City Manager, City Clerk, City Solicitor and Accountability Officers
- receive recommendations from the City Manager related to complaint resolution for investigations involving Deputy city Managers
- Ensure complaint investigation results are communicated in writing to the parties
- determine, where appropriate, corrective actions based on investigation findings

3.3 Integrity Commissioner:

- receive and assess, in consultation with City officials and/or external expertise as appropriate, complaints involving the City Manager, City Solicitor and City Clerk

- oversee external consultants for investigations involving the City Manager, City Clerk and City Solicitor to City Council
- transmit investigation reports undertaken by external consultants to City Council where required

3.4 City Clerk

- receive and assess, in consultation with City officials and/or external expertise as appropriate, complaints involving Accountability Officers
- oversee external consultants for investigations involving Accountability Officers
- transmit investigation reports undertaken by external consultants to City Council where required

3.5 City Manager

- receive and assess, in consultation with City officials and/or external expertise as appropriate, the merits of a complaint involving Deputy City Managers and Division Heads
- transmit investigation reports undertaken by an external consultant in relation to complaints involving Accountability Officers to City Council
- where appropriate, make recommendations to City council about complaint remedies/corrective actions regarding Deputy City Managers
- implement appropriate complaint remedies involving Division Head investigations
- responsibilities in 3.6 as appropriate

3.6 Deputy City Managers and Division Heads:

- provide leadership in creating and maintaining discrimination-free, harassment-free, and respectful workplaces
- receive formal investigation reports and make final decisions (in consultation with the HRO, Human Resources and Legal Services staff as appropriate) about corrective actions
- communicate final decisions about corrective actions the disposition of a formal complaint in writing to the parties
- ensure resource availability and effective implementation of complaint settlements, remedies and corrective actions
- ensure that staff are held accountable for their responsibilities under the policy and have the appropriate knowledge and skills to meet their obligations

3.7 All Toronto Public Service Supervisors/Managers/Directors have the following responsibilities:

- ensure divisional employment and service policy, program development and implementation are inclusive and that processes are in place to provide accommodation as required under *the Ontario Human Rights Code, the Accessibility for Ontarians with Disabilities Act 2002 as well as the City's Accommodation Policy, Procedures and relevant Guidelines*
- model respectful behaviour and address incivility; set and enforce standards of appropriate workplace conduct
- complete human rights training & ensure employees who report to you receive information and instruction on this Policy and Complaint Procedures - refer to section 5.0
- post the current version of this Policy and Complaint Procedures in all work locations
- address complaints/incidents of harassment/discrimination/reprisal when raised directly by employees or referred by the HRO following the process outlined in the Management Guideline (link); consult the HRO for advice/assistance

- ensure the signed copy of the *Declaration of Compliance with Anti-Harassment/Discrimination Legislation & City Policy* (link) and/or its stated intent is included in all City contracts, service agreements, Letters of Understanding, and permits
- address service delivery contract non-compliance/breaches related to harassment and/or discrimination in consultation with the City Solicitor

3.8 Human Resources Division:

- remove barriers in employment policies and practices that may have the effect of discriminating against groups/individuals who are protected under the *Ontario Human Rights Code* and *Accessibility for Ontarians with Disabilities Act*
- work with the HRO to ensure harassment/discrimination advice to divisions is consistent with this policy, the complaint procedures and the Management Guide (link)
- support division management in addressing accommodation, harassment and discrimination, including advising on who would be considered an impartial divisional investigator and on investigations/actions that would be appropriate in the circumstances
- work with divisions to ensure complainants/respondents receive investigation results from division-led investigation in writing
- work with divisions to determine, where necessary, appropriate corrective actions to address policy breaches
- work with divisions to ensure that corrective action(s) recommended/implemented to address investigation results are communicated to the complainant/respondent in writing and copy the HRO
- make training available for TPS management and employees on the Human Rights and Anti-Harassment/Discrimination Policy, Program and related legislative obligations
- inform the HRO of collective agreement grievances about discrimination, harassment and accommodation

3.9 Employees:

- behave in a civil and respectful manner in relation to all employment/service provision activities
- immediately report non-Code workplace harassment experienced or witnessed to division management. For clarity, reports of workplace harassment should be made to a manager who does not report to the alleged harasser
- immediately report Code-related harassment, discrimination, reprisal experienced and/or witnessed to management (not directly managed by the alleged harasser/discriminator) and/or the HRO – refer to the Human Rights Complaint Procedures: (link)
- document details of harassment and discrimination that are experienced or witnessed
- when requested, provide complaint details in writing using Employee Harassment/Discrimination Complaint Form.

4.0 Definitions

4.1 Allegation: An allegation is an unproven assertion or statement based on a person's perspective that the policy has been violated.

4.2 Complainant: The person alleging that discrimination or harassment occurred. There can be more than one complainant in a human rights complaint.

4.3 Complaint: A complaint is a written or verbal report by a complainant alleging that they have experienced or witnessed harassment and/or discrimination based

on one or more of the grounds identified in section 2 of this policy. Refer to the definition of harassment in section 4.10 - 4.13.

4.4 Discrimination: Discrimination is any practice or behaviour, whether intentional or not, which has a negative impact on an individual or group protected in the *Ontario Human Rights Code* (e.g., disability, sex, race, sexual orientation, etc.) by excluding, denying benefits or imposing burdens upon them. Discrimination may arise as a result of direct differential treatment or it may result from the unequal effect of treating individuals and groups in the same way. Either way, if the effect on the individual is to withhold or limit full, equal and meaningful access to goods, services, facilities, employment, housing accommodation or contracts available to other members of society and their membership in a prohibited ground was a factor, it is discrimination.

4.5 Duty to Accommodate: The legal obligation to take steps to eliminate disadvantages caused by systemic, attitudinal or physical barriers that unfairly exclude individuals or groups protected under the *Ontario Human Rights Code*. It also includes an obligation to meet the special needs of individuals and groups protected by the *Code* unless meeting such needs would create undue hardship. Failure to accommodate a person short of undue hardship is a form of discrimination (for service provision accommodation obligations, refer to the *Accessibility for Ontarians with Disabilities Act*; in the area of employment, refer to the *Accommodation Policy, Procedures and Guidelines*) Links.

4.6 Employee: For the purpose of this policy, the term employee includes: City of Toronto employees, job applicants and individuals performing services directly on the city's behalf whether with or without compensation or benefit, excluding individuals providing services by way of service provision/third party contracts – see section 2.3

4.7 Equal Treatment: Equal treatment is treatment that brings about an equality of results and that may, in some instances, require different treatment. For example, to give all persons equal treatment in entering a building, it may be necessary to provide a ramp for an employee who requires the use of a wheelchair.

4.8 Incident: An incident is an event or occurrence, in which discriminatory and/or harassing behaviour is exhibited in the workplace. An incident includes situations where an individual knows or ought to have reasonably known that the behaviour is contrary to this policy. An incident, may not have been raised to management directly by a complainant (e.g., a manager is aware of sexualized banter between workers through observation or this information is raised to the manager by a third party but no one has come forward to complain).

4.9 Incivility: is not workplace harassment. It is subtle or overt, deviant behaviour where intent can be ambiguous. It is characterized by rude, discourteous interactions that display a lack of regard for others. Refer to *Resolving Conflict: Addressing Incivility and Preventing Workplace Harassment* (link)

4.10 Harassment: Provisions regarding harassment are included in both the *Ontario Human Rights Code*, (referred to as "*Code-based Harassment*", see 4.11) and the *Occupational Health and Safety Act*, referred to as "*Workplace (non-Code) Harassment*", (see 4.12). It is a form of discrimination if it is *Code-based* harassment. Harassment may result from one incident or a series of incidents. Harassment can occur between co-workers, between management and employees, between employees and Members of Council, between employees and vendors, between employees and recipients of municipal

services, between employees and members of the public, between Members of Council and members of the public, between Members of Council and their staff.

4.11 Code-based Harassment: defined in the *Ontario Human Rights Code* means engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome based on one or more of the prohibited grounds listed in *the Ontario Human Rights Code*, that a person knows or ought to know would be unwelcome, offensive, embarrassing or hurtful – see section 2.0 for a list of the prohibited grounds. See s.4.13 and 4.14 for examples.

Examples of Code-based harassment that is based on a prohibited ground include, but are not limited to:

- slurs or derogatory remarks;
- threats;
- inappropriate jokes, innuendos, name-calling, teasing, embarrassing practical jokes;
- insulting gestures;
- displaying pin-ups, pornography, racist, homophobic or other offensive materials;
- use of electronic communications such as the internet and e-mail to harass;
- actions that invade privacy;
- spreading rumours that damage one's reputation;
- refusing to work with another;
- condescending or patronizing behaviour;
- abuse of authority which undermines performance or threatens careers;
- unwelcome touching, physical assault or sexual assault (refer also to the City's Workplace Violence Policy).

There is no legal obligation for an individual to tell a harasser to stop. The fact that a person does not explicitly object to harassing behaviour, or appears to be going along with it does not mean that the behaviour is not harassing or that it has been consented to.

4.12 (Non-Code) Workplace Harassment: is harassment that is not related to a prohibited ground identified in the *Ontario Human Rights Code*. Workplace harassment, defined in the *Occupational Health and Safety Act* means engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome. It also includes Workplace Sexual Harassment – see 4.13

Workplace harassment often involves a course or grouping of behaviours. However a single serious incident of such behaviour that has a lasting harmful effect on an employee may also constitute workplace harassment.

This policy is not intended to interfere with constructive feedback regarding performance or legitimate operational directives to employees by their supervisors, managers or directors.

Examples of workplace harassment include a pattern of:

- frequent angry shouting/yelling or blow-ups
- regular use of profanity and abusive language
- verbal or e-mail threats (not including threats to exercise physical force which are covered by the workplace violence policy)
- intimidating behaviours - slamming doors, throwing objects
- targeting individual(s) in humiliating practical jokes
- excluding, shunning, impeding work performance
- spreading gossip, rumours, negative blogging, cyber-bullying

- retaliation, bullying, sabotaging
- unsubstantiated criticism, unreasonable demands
- frequent insults and/or name calling
- public humiliation
- communication that is demeaning, insulting, humiliating, mocking
- intent to harm
- a single, serious incident that has a lasting, harmful impact

Workplace harassment does not include:

- legitimate performance/probation management
- appropriate exercise and delegation of managerial authority
- operational directives/direction of workers or the workplace
- other reasonable action(s) taken by management
- a disagreement or misunderstanding
- conflict between co-workers
- work related change of location, co-workers, job assignment
- appropriate discipline
- less than optimal management
- a single comment or action unless it is serious and has a lasting harmful effect
- rudeness unless it is extreme and repetitive
- incivility
- conditions in the workplace that generate stress (technological change, impending layoff, a new boss, friction/conflicts with other employees, workload, etc.)

4.13 Sexual Harassment: Sexual harassment is a form of discrimination based on prohibited ground of sex under the *Code*. It is also prohibited under the *Occupational Health and Safety Act*. Workplace sexual harassment means engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex/sexual orientation/gender identity/gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome. It also includes making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

Sexual Orientation: Refers to the sex/gender of those to whom one is sexually and romantically attracted. Categories of sexual orientation typically have included attraction to members of one's own sex/gender, attraction to members of another sex/gender, and attraction to people of more than one sex/gender.

Gender Identity: is each person's internal and individual experience of gender. It is their sense of being a woman, a man, both, neither, or anywhere along the gender spectrum. A person's gender may be the same as or different from their birth-assigned sex.

Gender Expression: is how a person publicly presents their gender. This can include behaviour and outward appearance such as dress, hair, make-up, body language and voice. A person's chosen name and pronoun are also common ways of expressing gender.

Examples of harassment related to the ground of sex, sexual orientation, gender expression and/or gender identity include but are not limited to:

- sexually suggestive or obscene remarks or gestures
- Use of homophobic or transphobic epithets, slurs or jokes

- Insults, comments that ridicule, humiliate or demean people because of their sex, sexual orientation, gender identity or expression
- behaviour that polices and/or reinforces traditional heterosexual gender norms
- Intrusive comments, questions or insults about a person's body, physical characteristics, gender-related medical procedures, clothing, mannerisms or other forms of gender expression
- negative stereotypical comments about an individual's physical characteristics or mannerisms and/or behaviours that reinforce traditional heterosexual gender norms
- circulation or posting of homophobic, transphobic, sexist, derogatory or offensive signs, caricatures, graffiti, pictures, jokes or cartoons, display of pin-up calendars, objectifying images, or other materials
- leering (suggestive staring) at a person's body,
- unwelcome physical contact,
- having to work in a sexualized environment (bragging about sexual prowess, or discussions about sexual activities),
- exercising power over another person, making them feel unwelcome or putting them 'in their place' – regardless of whether the behaviour is motivated by sexual interest
- spreading rumours about, "outing," or threatening to "out" someone
- refusing to refer to a person by their self-identified name and proper personal pronoun
- other threats, unwelcome touching, violence and physical assault

This policy is not intended to interfere with normal social interaction between employees.

4.14 Racial Harassment: Racial harassment is harassment on the ground of race. It may also be associated with the grounds of colour, ancestry, where a person was born, a person's religious belief, ethnic background, citizenship or even a person's language. Racial harassment/discrimination can include:

- racial slurs or jokes
- ridicule, insults or different treatment because of your racial identity
- posting/e-mailing cartoons or pictures that degrade persons of a particular racial group
- name-calling because of a person's race, colour, citizenship, place of origin, ancestry, ethnicity or creed

4.15 Mediation: A confidential dispute resolution process, during which a neutral third party assists two or more parties to resolve conflict. It is a voluntary process where parties in dispute consent to meet with a trained mediator to determine whether the dispute can be resolved in a mutually satisfactory manner. Mediation discussions between parties are treated as private and confidential to the full extent permitted by law.

4.16 Poisoned Work Environment: A poisoned work environment is a form of indirect *Code*-based harassment/discrimination. It occurs when comments or actions ridicule or demean a person or group creating real or perceived inequalities in the workplace. Pornography, pin-ups, offensive cartoons, insulting slurs or jokes, and malicious gossip (even when they are not directed towards a specific employee or group of employees, creating intolerable work conditions, have been found to "poison the work environment" for employees.

4.17 Prohibited (Protected) Grounds: Refers to the list of grounds for which a person or group is protected under the *Ontario Human Rights Code* and

Occupational Health and Safety Act. See Application section 2.0 for a list of prohibited grounds. Under the *Code*, case law and this policy, there are protections where there is a perception that one of the prohibited grounds applies or where someone is treated differently because of an association or relationship with a person identified by one of the above grounds.

4.18 Reasonable Person Test: This is an objective standard to measure whether a comment or conduct is discrimination or harassment. It considers what a reasonable person's reaction would have been under similar circumstances and in a similar environment. It considers the recipient's perspective and not stereotyped notions of acceptable behaviour. This standard is used to assess human rights complaints under this policy.

4.19 Respondent: The person who is alleged to be responsible for the discrimination or harassment. There can be more than one respondent in a human rights complaint.

4.20 Witness: An individual who may be able to provide information about workplace comments/conduct that are alleged to have violated this policy. Witnesses are not entitled to investigation results or complaint details unless the disclosure is necessary for the purpose of investigating allegations.

4.10 Workplace: The workplace includes all locations where business or social activities of the City are conducted. This Policy may apply to incidents that happen away from work (e.g., inappropriate social media posts, phone calls, e-mails or visits to an employee's home, incidents at luncheons, after work socials).

5.0 Training and Resources

All staff are expected to be familiar with policy provisions and complaint resolution options. The Human Rights Office has produced a variety of information and instructional training/resources to educate employees about policy expectations.

- Human rights training is mandatory for supervisors/managers/directors and is available to employees and management by accessing [ELI \(Link\) course calendar](#) or call 416-392-9091
- Customized in-tact team training for specific issues/workplaces is available through Human Resources Division, Organization Development and Learning Unit
- Sexual Harassment Resources
<http://insideto.toronto.ca/edhr/knowtheline/index.htm>
- Racial Harassment and Discrimination Resource
<http://insideto.toronto.ca/edhr/pdf/racial-discrimination-resource.pdf>
- Preventing Incivility & Workplace Harassment Resource
<http://insideto.toronto.ca/edhr/pdf/resolving-conflict.pdf>
- Duty to Accommodate Resources (link)
- Addressing Employee Harassment/Discrimination Complaints/ & Incidents [A Guide for Supervisors and Managers](#).
- Confidential Human Rights Enquiry Line 416-392-8383 or email at humanrights@toronto.ca
- Downloadable and on-line Complaint/Incident Form
<http://insideto.toronto.ca/edhr/index.htm>

Procedures

Human Rights and Anti-Harassment/Discrimination Complaint Procedures

Applicable Legislation:

Ontario Human Rights Code

Occupational Health and Safety Act

Accessibility for Ontarians with Disabilities Act

Related policies, guidelines and procedures:

[Code of Conduct for Members of Council](#) and [Members of Local Boards](#)

[Toronto Public Service By-law](#) – Disclosure of Wrongdoing and Reprisal Protection provisions

Accommodation Policy, Procedures and Guidelines

Employment Equity Policy

Hate Activity Policy

Workplace Violence Policy Guidelines and other resources

Scented Products Guidelines

Acceptable Use Policy

Appendix #2: Table 2 – Employee and Service Recipient Consultations and Complaints Addressed by the HRO 2013 to 2015

Year	Consultations	Complaints	Total by Year
2013	733	257	990
2014	705	312	1017
2015	692	287	979

Appendix 3: Table 4 - Service Recipient Consultations and Complaints by Ground, 2013 – 2015

Ground	Consultations			Complaints/interventions			Total		
	2013	2014	2015	2013	2014	2015	2013	2014	2015
No Ground/Other	45	50	11	4	5	11	49	55	22
Disability	2	2	17	2	3	26	4	5	43
Creed/Religion	-	1	4	-	3	2	-	4	6
Workplace Harassment	2	-	-	-	-	1	2	-	1
Race	2	3	6	2	4	4	4	7	10
Receipt of Public Assistance	1	-	-	-	-	-	1	-	-
Record of Offences	-	1	-	1	-	-	1	1	-
Reprisal	-	-	-	1	-	1	1	-	1
Colour	1	1	-	1	1	2	2	2	2
Origins – Ethnic	-	-	1	2	3	2	2	3	3
Origins – Place	-	-	1	2	2	1	2	2	2
Ancestry	-	-	-	-	1	1	-	1	1
Citizenship	-	-	-	1	-	-	1	-	-
Family Status	-	-	-	-	-	1	-	-	1
Sexual Orientation	3	-	1	-	1	-	3	1	1
Sex (includes Sexual Harassment, Pregnancy and Breastfeeding)	2	6	3	1	4	4	3	10	7
Gender Identity	-	-	4	-	-	2	-	-	6
Gender Expression	-	-	3	-	-	2	-	-	5
Age	1	-	-	1	-	-	2	-	-
Level of Literacy	-	-	-	-	-	1	-	-	1
Political Affiliation	-	-	-	-	-	-	-	-	-
Total	59	64	51	18	27	61	77	91	112

Appendix #4: Table 7 - HRTO Applications Received by Legal Services Division, by Ground 2011 – 2015

Prohibited Ground	HRTO complaints received by Legal Services Division – by Ground for 2012/2013/2014/2015											
	Employee related				Service related				Total Grounds Cited			
	2012	2013	2014	2015	2012	2013	2014	2015	2012	2013	2014	2015
Disability	5	13	9	13	1	2	3	6	6	7	12	19
Sex (including pregnancy, breastfeeding)	7	2	5	7	-	2	1	1	7	4	6	8
Gender Identity	-	1	1	-	-	1	-	-	-	2	1	-
Gender Expression	-	-	-	2	-	1	-	-	-	1	-	2
Race	2	4	9	5	3	3	1	2	5	7	10	7
Colour	3	1	7	5	3	2	-	1	6	3	7	6
Origins – Ethnic	1	2	6	3	1	2	2	2	2	4	8	5
Origins – Place	-	2	6	1	1	2	1	1	1	4	7	2
Ancestry	1	1	3	2	1	1	-	-	2	2	3	2
Creed/Religion	1	1	2	3	1	1	-	1	2	2	2	4
Family Status	-	-	3	2	2	2	1	-	2	2	4	2
Sexual Orientation	-	-	2	-	-	1	1	-	-	1	3	-
Reprisals	2	5	7	5	2	1	1	1	4	6	8	6
Age	1	3	2	6	1	1	1	1	2	4	3	7
Citizenship	-	-	1	1	-	1	-	-	-	1	1	1
Marital Status	-	-	1	1	2	1	-	-	2	1	1	1
Record of Offences	1	-	1	-	1	-	-	1	2	-	1	1
Receipt of Public Assistance	-	-	-	-	-	1	2	1	-	1	2	1
Total	24	35	65	56	19	25	14	18	43	52	79	74

Appendix #5: Table 8 - HRTO Final Decisions by Prohibited Ground 2013 - 2015

Prohibited Ground	HRTO Final Decisions – by Ground for 2013/2014/2015								
	Employee related			Service related			Total Grounds Cited		
	2013	2014	2015	2013	2014	2015	2013	2014	2015
Disability	2	3	3	3	1	2	5	4	5
Sex (including sex harassment, pregnancy and breastfeeding)	-	2	-	1	1	-	1	3	-
Gender Identity	-	-	-	1	1	-	1	1	-
Gender Expression	-	-	-	1	1	-	1	1	-
Race	-	2	2	3	1	-	3	3	2
Colour	-	1	1	2	1	-	2	2	1
Origins – Ethnic	-	1	1	1	1	2	1	2	3
Origins – Place	-	1	1	1	1	-	1	2	1
Ancestry	-	-	1	1	1	-	1	1	1
Creed/Religion	-	-	-	1	1	-	1	1	-
Family Status	-	-	-	2	2	-	2	2	-
Sexual Orientation	1	-	1	1	2	1	2	2	2
Reprisals	1	2	3	3	1	2	4	3	5
Age	1	3	2	1	1	-	2	4	2
Citizenship	-	-	1	1	1	-	1	1	1
Marital Status	-	-	1	2	2	-	2	2	1
Record of Offences	-	-	1	-	1	-	-	1	1
Receipt of Public Assistance	-	-	-	1	1	-	1	1	-
Total	5	15	18	26	21	7	31	36	25