



## **ANTI-RACISM, ACCESS AND EQUITY POLICY AND HUMAN RIGHTS COMPLAINTS PROCEDURE**

This policy was approved by the Board of Directors of the M.I.N.D. Program Moving in New Directions Inc. (“MIND”) at their meeting on June 1, 2016 and amended on Sept. 25, 2021.

### **A: STATEMENT OF COMMITMENT**

The City of Toronto is made up of people from diverse communities and equity-seeking groups.<sup>1</sup> MIND recognizes that the changing nature of the population has implications in terms of delivering and/or providing access to its services (e.g. programming, activities, etc.).

We recognize that barriers to services exist for members of diverse communities, particularly for equity-seeking groups, and we are committed to acting as a positive force in eliminating these barriers.

To achieve this, MIND will:

- ensure that diverse communities have equitable access to its services, resources and decision-making;
- be non-discriminatory and promote the goals of anti-racism, access and equity; and
- take reasonable steps to ensure its services, programs and decision-making reflect the community it serves.

MIND prohibits discrimination or harassment and protects the right to be free from hate activity based on age, ancestry, citizenship, creed (religion), colour, disability, ethnic origin, family status, gender identity, level of literacy, marital status, place of origin, membership in a union or staff association, political affiliation, race, receipt of public assistance, record of offences, sex, sexual orientation or any other personal characteristics by or within MIND.

<sup>1</sup> For the purposes of this policy, equity-seeking groups include Indigenous peoples, women, people with disabilities, racial minorities, the socio-economically disadvantaged, lesbian, gay, bisexual, and transgendered persons.

## **Definitions**

**Anti-racism:** a set of practices and systems designed to eliminate racism. Racism includes racist ideologies, prejudiced attitudes, discriminatory behaviours, structural arrangements and institutionalized practices resulting in racial inequality as well as the fallacious notion that discriminatory relations between groups are morally and scientifically justifiable.

**Access:** the ability of or extents to which communities or residents can obtain needed services and achieve full participation in the planning, development, administration and delivery of those services. Access includes client access and organizational access.

**Equity:** practices designed to remove systemic barriers to equality of outcome by identifying and eliminating discriminatory policies and practices.

**Discrimination:** the act of treating a person unequally by imposing unequal burdens or denying benefits, rather than treating a person fairly on the basis of individual merit. Discrimination is usually based upon personal prejudices and stereotypical assumptions related to at least one of the grounds set out in this policy. It is not necessary to have an intent to discriminate. Workplace rules, policies, procedures, requirements, qualifications or factors may not be directly or intentionally discriminatory but may nonetheless have an adverse effect. This may create barriers to achievement and opportunity.

**Harassment:** means any action, conduct or comment, including of a sexual or racial nature, that are unwelcome or should be known to be unwelcome, or can reasonably be expected to cause offence, humiliation or other physical or psychological injury or illness to an employee. A person has the right to be free of humiliating or annoying behaviour that is based on one or more grounds in this policy.

**Sexual harassment** in the workplace examples include:

- asking for sex in exchange for a benefit or a favour
- repeatedly asking for dates, and not taking “no” for an answer
- demanding hugs
- making unnecessary physical contact, including unwanted touching
- using rude or insulting language or making comments toward women (or men, depending on the circumstances)
- calling people sex-specific derogatory names
- making sex-related comments about a person’s physical characteristics or actions
- saying or doing something because you think a person does not conform to sex-role stereotypes-
- posting or sharing pornography, sexual pictures or cartoons, sexually explicit graffiti, or other --
- sexual images (including online)
- making sexual jokes
- bragging about sexual prowess

**Racial harassment:** when someone is bothering you, threatening you or treating you unfairly because of your perceived race, colour, ancestry, place of origin, ethnic origin, creed or citizenship. Racial harassment may be based on a combination of any of the above characteristics. It may also be because of things related to them, such as if you wear clothing related to your background, speak with an accent or practice a certain religion.

## **B: POLICY AND ACTIONS ON ANTI-RACISM, ACCESS & EQUITY**

### **Governance**

MIND is committed to achieving representation of the diversity of the Toronto community on its Board of Directors by ensuring that it has an equitable and transparent nominations process, that this process is communicated to all members, and that members are committed to outreach beyond the current membership if necessary to achieve this goal.

The steps taken by MIND to achieve this commitment include:

- *The Board and committee members all receive Access and Equity policies and procedures.*
- *Statement of commitment to access and equity is included in all policies.*
- *The Board evaluates its own processes using access and equity principles to assess if inclusive participation and content is being achieved.*

### **Employment**

MIND is committed to achieving representation of equity seeking groups on its staff by ensuring that members of equity seeking communities have equitable access to employment.

The steps taken by MIND to achieve this commitment include:

- *Selection criteria for all job opportunities will be directly related to the position, measurable, and ranked in order of importance to the position's expectations.*
- *All MIND job postings will clearly state that MIND is an equal opportunity employer with the following federally legislated requirements related to equity: "The position is open to all qualified applicants, although preference will be given to Canadian citizens and permanent residents of Canada. MIND is an inclusive and equitable organization encouraging applications from qualified women and men including persons with disabilities, members of visible minorities, and Indigenous persons."*
- *All advertisements of MIND job opportunities will use inclusive and unbiased language, provide a clear description of responsibilities and expectations, state all of the essential qualifications sought plus other key evaluation criteria and contain clear instructions for applicants.*
- *MIND will remain sensitive to issues related to cross-cultural communication.*
- *MIND will keep accurate and detailed records of the entire selection process.*
- *Employee standards will be objective and applied equally to all staff.*
- *Performance evaluations will be scheduled well in advance and implemented on a regular basis.*
- *All evaluations will be documented in writing. Employees will have access to copies of all relevant documents upon request*

MIND is committed to maintaining an environment where all individuals are treated with dignity and respect and are free from all forms of discriminatory treatment, behaviour or practice. Discrimination, harassment, violence, and any other form of discriminatory practices will not be tolerated by MIND. Discrimination does not have to be intentional. It can result from practices or policies that appear to be neutral but, in reality, have a negative effect on groups or individuals based on race, religion, gender, etc.

The steps taken by MIND to achieve this commitment include:

- *All individuals involved (which includes staff, board, volunteers, activity organizers and collaborators) with MIND will be asked to adhere to this equity policy; thereby, making a commitment to refrain from any practices that may be deemed discriminatory on the grounds of age, ancestry, citizenship, creed (religion), colour, disability, ethnic origin, family status, gender identity, level of literacy, marital status, place of origin, membership in a union or staff association, political affiliation, race, receipt of public assistance, record of offences, sex, sexual orientation or any other personal characteristics.*

### **Services**

MIND is committed to ensuring that its services and programs are accessible to diverse communities. This involves review of current outreach, communications, program planning and evaluation, to ensure this goal is being met.

The steps taken by MIND to achieve this commitment include:

- *Participation in events and programmes organized by MIND is open to everyone living within our service areas.*
- *Programmes are delivered in such a way that systemic barriers to full participation and access are reduced or eliminated.*
- *The Board will regularly review MIND's programmes and activities to determine whether they are sufficiently accessible to and used by diverse communities.*

MIND will provide services to disadvantaged individuals, low-income persons, families in poverty, and equity-seeking communities

The steps taken by MIND to achieve this commitment include:

- *Programmes and activities are developed and give priority to marginalized persons and are sensitive to the needs of diverse groups.*
- *Provide events at no cost or minimal cost wherever possible.*
- *Actively seek donations of food, materials and services to keep costs charged to MIND's programme users as low as possible*

### **Training and Education**

MIND is committed to ensuring that those involved in the delivery of services and programs have the knowledge, understanding and skills to work with and provide services to members of diverse communities, particularly equity-seeking communities.

The steps taken by MIND to achieve this commitment include:

- *All MIND staff, board members and volunteers involved in the delivery of services and programming are required to follow the terms and guidelines of this equity policy.*

### **Information and Communications**

MIND is committed to ensuring that all of its communications, including information on its services and programs, are accessible to diverse communities.

The steps taken by MIND to achieve this commitment include:

- *All communications are reviewed for plain language.*
- *Communications will present a positive and balanced portrayal of people's diverse experiences.*

## **C: HUMAN RIGHTS COMPLAINT PROCEDURE**

### **Definitions**

**Complainant:** the individual alleging the discriminatory treatment or behavior.

**Respondent:** the individual against whom the allegation of discrimination is made.

**Employee:** for the purpose of this policy, the term employee includes employees, volunteers, contractors and consultants working with MIND.

### **Avenues of Complaint**

Complaints will be dealt with by the Board of Directors. All situations in which a member of the Board has been named in a complaint will be dealt with by the rest of the Board.

### **Right to Complain**

Individuals have the right to complain about situations they believe to be discriminatory or harassing in nature.

This policy prohibits reprisals against employees because they have complained or have provided information regarding a complaint. Alleged reprisals are subject to the same complaints procedures and penalties as complaints of discrimination.

### **Reporting a Complaint**

Although individuals may first choose to make a verbal complaint, a written summary of the incident will be required. Complaints should be reported as soon as possible. If the complaint is delayed beyond three months, the complainant should outline the reason for the delay in reporting the incident(s). A letter of complaint should contain a brief account of the offensive incident(s), when it occurred, the person(s) involved and the names of witnesses, if any. The letter should be signed and dated by the complainant.

### **Investigation**

Within three working days of receiving a complaint, the Chair of the Board must initiate the investigation process.

As soon as possible after receiving the complaint, the Chair will notify the individual(s) being named in the complaint. All individuals named in the complaint have a right to reply to the allegations against them.

Individuals named in the complaint as witnesses will be interviewed.

### **Settlement and Mediation**

With the consent of the complainant and the respondent, the investigator may attempt to mediate a settlement of a complaint at any point prior to or during an investigation.

Every effort will be made to reach a settlement satisfactory to the complainant and the respondent.

### **Confidentiality**

All individuals involved with a complaint must ensure the matter remains confidential.

The investigator will release information only on a need-to-know basis. Whenever possible, investigation reports are presented in a summary format without the names of witnesses.

### **Findings and Recommendations**

Once the investigation is complete, the investigator will prepare a written report summarizing investigation findings.

### **Final Decision**

The individual(s) who filed the complaint and those named in the complaint have the right to review and comment on the investigation findings with the Chair.

### **Remedy**

A response to a founded complaint could include remedial action ranging from:

1. requiring the respondent to provide a verbal or written apology;
2. giving a verbal or written reprimand with a copy to the respondent's personnel file;
3. dismissal of the respondent.

If the findings do not support the complaint, MIND might:

- make a recommendation for training or better communications; or
- recommend that no further action is necessary.

It may be that no action is taken against the respondent, but there might be a need for some management or systemic activity.

A person who is found to have made a frivolous or vexatious complaint may be subject to disciplinary action.

### **Records**

When remedial action requires discipline of an employee, a record of the disciplinary action will be placed on an individual's personnel file. All other records of the investigation will be kept separate and apart from the personnel file.

### **Ontario Human Rights Commission**

This internal procedure is available to individuals to resolve complaints of discrimination. Parties also have recourse to the Ontario Human Rights Commission, however, once a grievance is filed with OHRC, the internal procedure is not an option.