



SUBJECT	UBC Human Rights Annual Report
SUBMITTED TO	People, Community & International Committee
MEETING DATE	June 9, 2021
SESSION CLASSIFICATION	Recommended session criteria from Board Meetings Policy: OPEN
REQUEST	For information only - No action requested
LEAD EXECUTIVE	Marcia Buchholz, Vice-President Human Resources
SUPPORTED BY	Andrew Szeri, Provost and Vice-President Academic, UBC Vancouver Lesley Cormack, Deputy Vice-Chancellor and Principal, UBC Okanagan Ainsley Carry, Vice-President Students Sara-Jane Finlay, Associate Vice-President Equity & Inclusion Roshni Narain, Director, Human Rights

PRIOR SUBMISSIONS

The subject matter of this submission has not previously been considered by the People, Community and International Committee.

EXECUTIVE SUMMARY

Over the last 10 months, the Human Rights portfolio within the Equity & Inclusion Office has provided 629 consultations related to concerns of discrimination on one or more the protected grounds as enumerated in the British Columbia Human Rights Code. This represents a 50% increase from 2019-2020 and a 100% increase since 2018-2019.

The majority of concerns received were on the combined grounds of Race, Colour, Ancestry and Place of Origin (241). 182 related to concerns of discrimination on the basis of Disability and 127 concerns were received on the basis of Sex discrimination. The most concerns came from undergraduate students however, proportional to their representation, graduate students bring the higher degree of concerns.

The Human Rights team on the Vancouver and Okanagan campuses note some key challenges this year including:

- An increase in the number of complex collective complaints (where there is more than one complainant);
- People approaching the EIO who have sought support from many offices prior to reaching our advisors; some with long-standing concerns that have left them exhausted and demoralized.
- Reluctance from some administrative heads to support informal resolution processes.
- The Human Rights portfolio has tripled in size over the last year (from 1 staff member to 3 [2 UBCV/1 UBCO]) and yet they continue to be understaffed and carry an unacceptable workload.
- The work is ameliorative. True system change requires building partnerships and collaborations that would require more capacity than the current team members have.

The report closes with some recommendations for consideration by the Board of Governors:

- UBC’s strategic commitments to inclusion, diversity, equity and anti-racism would benefit from additional human rights staff to assist with informal resolution.
- Senior leaders must be champions for the work of the Human Rights team and actively promote anti-discrimination learning and working environments.
- Prioritizing of human rights education to senior leaders and to the university community generally.

APPENDICES

1. UBC Annual Human Rights Report

PRESENTATIONS

1. UBC Annual Human Rights Report

UBC Annual Human Rights Report

July 1, 2020 to April 30, 2021

Introduction

Under [Policy SC7: Discrimination](#), the role of the Human Rights staff in the Equity & Inclusion Office is to provide information, advice, assistance, and support to members of the UBC community on matters of discrimination and harassment as understood under the British Columbia *Human Rights Code*. Human Rights staff work with academic and administrative heads of units (AHUs) to reach informal resolution of concerns and complaints wherever possible, and, where appropriate, initiate and refer formal complaints to the Investigations Office. A full breakdown of complaints by enumerated grounds, UBC status and campus is provided below.

Table 1: Human Rights Complaints July 1, 2020 to April 30, 2021

Grounds	Numbers of Complaints	Status	Campus (V/O)
Race, Colour, Ancestry and Place of Origin*	241	70: Undergraduate 50: Graduate Students 2: Postdoc 43: Faculty 36: Staff 13: Public 9: Unknown (students) 18: Alumni	182: Vancouver 59: Okanagan
Sex**	127	48: Undergraduate 37: Graduate 1: Postdoc 16: Faculty 16: Staff 5: Alumni 3: Group (undergrad, grad, alumni) 3: Unknown	91: Vancouver 36: Okanagan
Gender identity/expression	49	26: Undergraduate 32: Graduate 17: Faculty 15: Staff	26: Vancouver 23: Okanagan
Sexual Orientation	46	36: Undergraduate Students 15: Graduate students 3: Staff 1: Faculty 2: Alumni 1: Unknown	22: Vancouver 24: Okanagan

Grounds	Numbers of Complaints	Status	Campus (V/O)
Religion	18	4: Undergraduate Students 3: Graduate Students 11: Staff	18: Vancouver 0: Okanagan
Age	4	2: Staff 1: Graduate student 1: Faculty	4: Vancouver 0: Okanagan
Disability	128	44: Undergraduate 30: Graduate 2: Postdoc 29: Faculty 22: Staff 1: Public	90: Vancouver 38: Okanagan
Family Status	35	5: Undergraduate 12: Graduate student 2: Postdoc 12: Staff 4: Faculty	35: Vancouver 0: Okanagan
Marital Status	0		
Criminal Conviction (in the area of employment)	0		
Political belief (in the area of employment)	3	3: Faculty	3: Vancouver 0: Okanagan
TOTAL:	651**		Vancouver Complaints: 471 Okanagan Complaints: 180

*Seven of these complaints involved Place of Origin only; the rest of the complaints involved the potential combination of Race, Color, Ancestry, and Place of Origin as the basis of one's complaint, and which may be determined following an investigation.

** The total number of prospective complaints, 629, from the grounds of prospective complaints (637) due to some complainants identifying more than one protected characteristic.

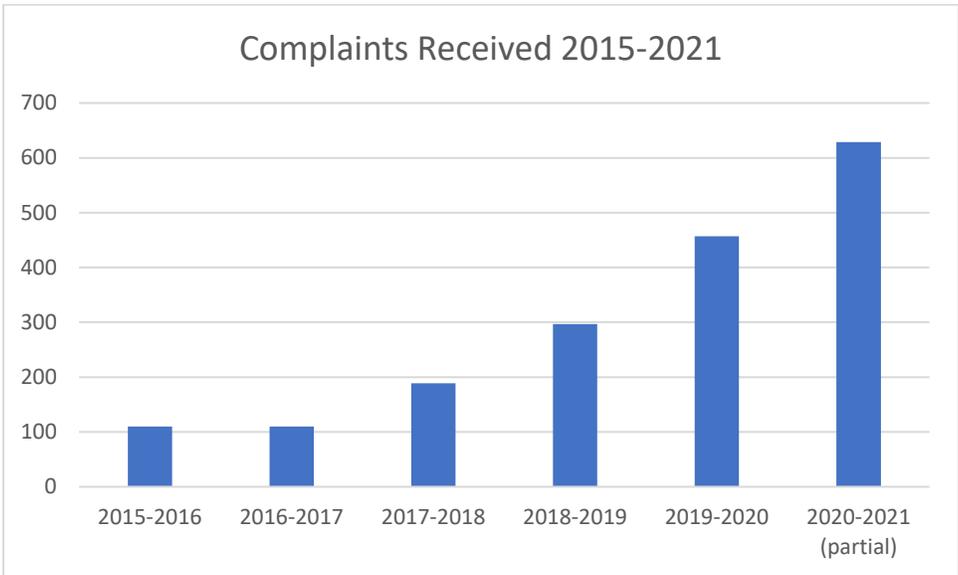
Notes on the Data

1. The above statistical data indicates those consultations where the UBC member’s concerns relate to a protected ground and meet the minimum threshold for an SC7 complaint. The Human Rights Office consults with greater numbers of people than indicated as we do not report on those consultations that do not have a protected ground as an element of the concern/complaint.
2. As the above statistics suggest, the numbers of people seeking support from our office has grown substantially in the last ten months, and we anticipate these numbers will continue to grow as the profile of our office and work broadens.
3. There are two areas where our numbers have grown significantly: on the grounds of race (including the grounds of colour, ancestry, and place of origin); and family status. The rise in the numbers of complaints on the basis of family status can largely be attributed to those with caregiving responsibilities and their response to the pressures of balancing work and familial responsibilities.
4. Under the heading of ‘Status’, some categories indicate ‘Group’. This past year, we have seen a rise in students, staff, and faculty collectivizing and bringing forward group-based complaints. On these group concerns, it is important to note that these groups consist of six+ people (and up to 24 people) who have approached our office collectively to report allegations of discrimination.

Observations and Discussion

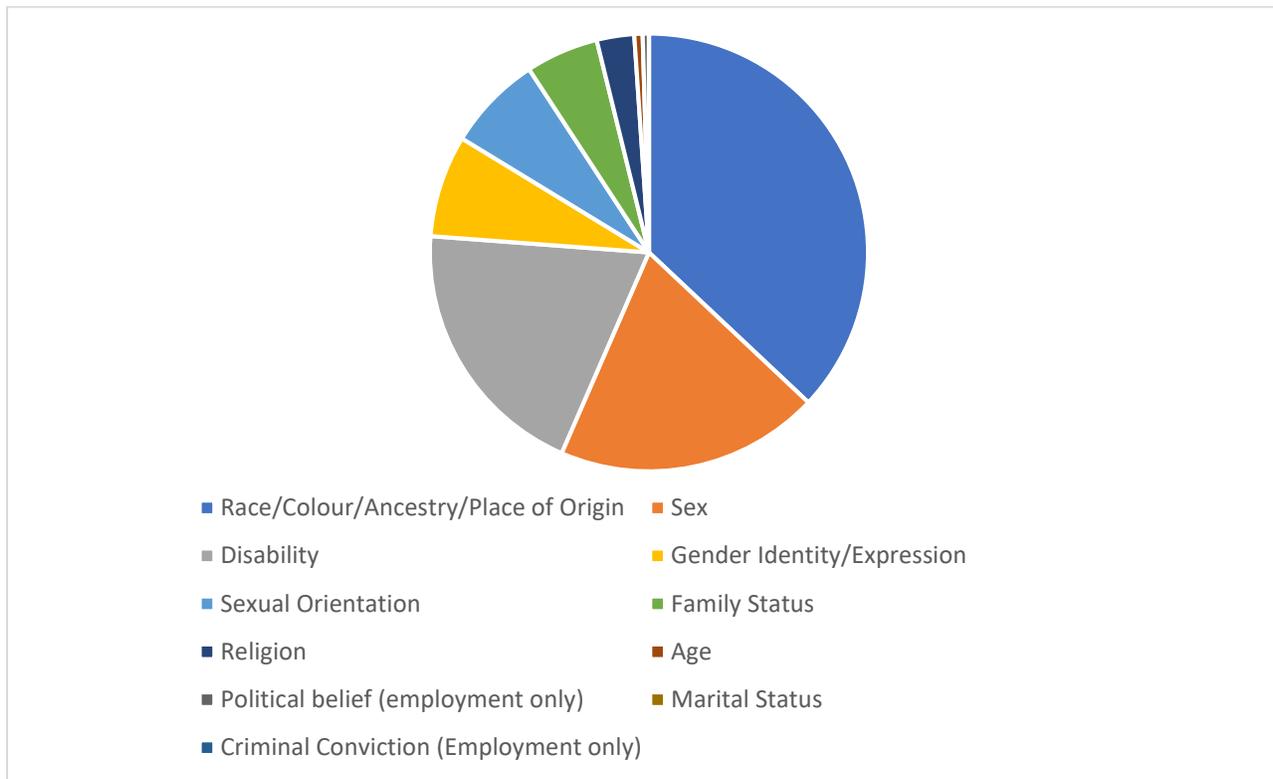
Over the last six years, the Equity & Inclusion Office and the Human Rights Portfolio, have seen a significant increase in complaints received. There was a 50% increase between 2018/2019 and 2019/2020, and a 100% increase between 2018/2019 and the current report.

Figure 1: Complaints Received 2015-2021



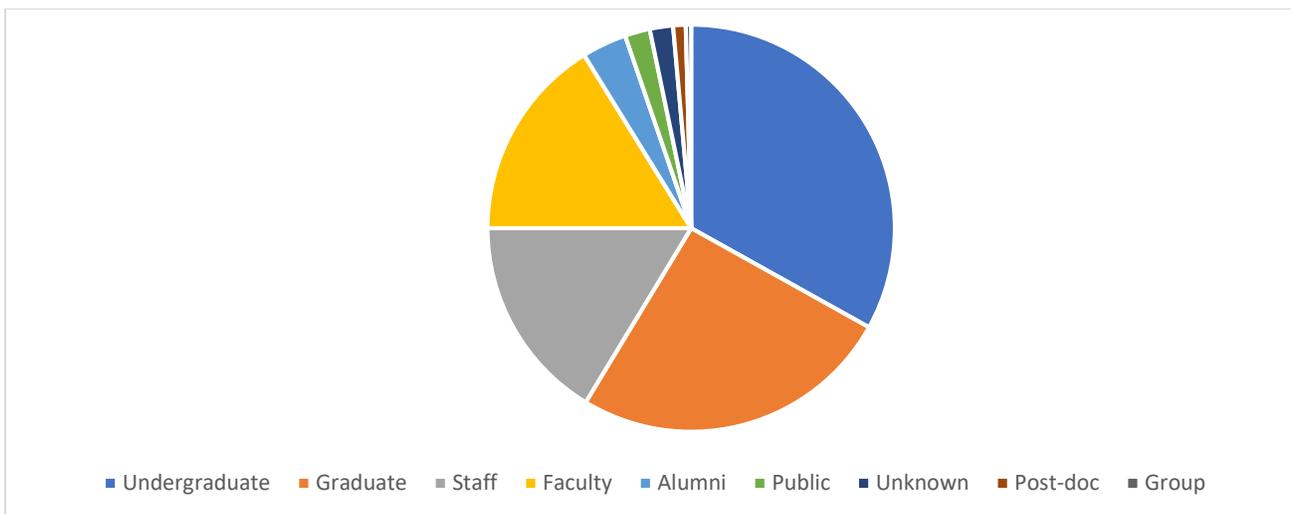
The majority of complaints are received on the grounds of Race/Colour/Ancstry/Place of Origin, followed by Disability and Sex.

Figure 2: Complaints per Enumerated Ground 2020-2021 (partial)



In terms of the status of those who use the services of the Human Rights portfolio, the largest number are Undergraduate students. Proportionally, Graduate students access the services at a rate that exceeds their representation and this is also true of Faculty when compared with Staff.

Figure 3: Status of Complainants



The Human Rights team notes that there is an increase in the number of collective complaints and, in general, whether individual or collective, the complaints are becoming increasingly complex with concerns that span much longer periods of time. The increased number of complaints and their complexity places significant pressure on staff time and capacity. Many people who are accessing the services of Human Rights portfolio disclose that they have sought support from other UBC offices and services prior to meeting. By the time people reach the Human Rights Advisors they are distraught, exhausted and demoralized. There is significant responsibility placed on the Human Rights Advisors to provide care and support to people as they share their experiences. People disclose that they have not had a safe space and have very little institutional trust that issues can or will be addressed.

The focus of the work of the Human Rights Advisors is to find informal resolution to avoid the adversarial process of investigations where possible and to improve the climate and culture within units. In seeking informal resolutions, the Human Rights team work closely with Academic and Administrative Heads of Units (AHU). As leaders and decision-makers, they are best equipped to address remedies to informally resolve concerns. The support of these individuals is key to arriving at an informal resolution and wherever possible, AHUs should be encouraged to work with the Human Rights Advisors. This work can be hard and demanding (although much less demanding than a formal investigation or complaint to the BC Human Rights Tribunal) for the Human Rights Advisor and the AHU – reluctance or defensiveness on the part of those in leadership does not support the resolution process. Delays in responding may erode the trust that is developed with complainants and reinforce a sense of isolation and demoralization of the Human Rights staff.

While the number of consultations provided to the UBC community are self-evident, this work is done with very little resources. Prior to March 2020 when an additional staff member was added in Vancouver, there was only one person providing human rights advising for both campuses. In June 2020, the Okanagan campus appointed a Human Rights Advisor at .5 FTE (the remaining .5 FTE provides support to Respondents in Policy SC17: Sexual Violence complaints). Even with additional staff, our team is at capacity. In addition to the consultations and informal resolutions, the Human Rights staff much keep abreast of the case law for all the protected grounds. Resourced as the team currently is, their work is, at best, ameliorative. To move towards cultural and systemic change, the team must work collaboratively and in partnership with many units at UBC.

It is clear to the Human Rights team and the Equity & Inclusion Office more broadly that support from leadership matters and is necessary. Last June, as President Ono posted his statement ‘Together Against Racism and Injustice’, the EIO saw a significant spike in the numbers of people requesting our services and reporting their experiences of racism at UBC. Moreover, this statement empowered those who hold other protected characteristics to also come forward. The subsequent direction of UBC’s Board of Governors and its commitment to anti-racism and inclusion has buttressed the work of addressing discrimination.

Recommendations and Next Steps

Based on the observations and discussion outlined above, we would suggest some next steps:

- UBC’s strategic commitments to inclusion, diversity, equity and anti-racism would benefit from additional Human Rights staff on both campuses to assist with informal resolution.
- Senior leaders must be champions for the work of the Human Rights team and actively promote anti-discrimination in learning and working environments.
- Prioritizing of human rights education to senior leaders and to the university community generally.

UBC Annual Human Rights Report

June 2021

Sara-Jane Finlay, AVP, Equity & Inclusion

Roshni Narain, Director, Human Rights, EIO



Introduction and summary



UBC's Annual Human Rights Report:

- Compliance mechanism for the BC Human Rights Code.
- Important accountability mechanism to the UBC community.

Strategic plan alignment



Goals:

- 4. Build a diverse culture
- 7. First choice place to learn and work.

Core areas and strategies:

- S1. Great people
- S3 Thriving Communities

SWOT



Strengths:

- Expertise housed within the Human Rights portfolio and the EIO more generally.
- Informal resolution offers quicker resolution to claims.
- Able to draw on resources of EIO for conflict resolution, education, training, etc.

SWOT



Weaknesses:

- Increasingly complex issues.
- Staff capacity.
- Formal investigations can be long and arduous for all parties.

SWOT



Opportunities:

- Opportunity to align with Anti-racism & Inclusive Excellence Taskforce and the Trans Two Spirit & Gender Diversity Taskforce.
- Necessary partners in cultural and systemic change.

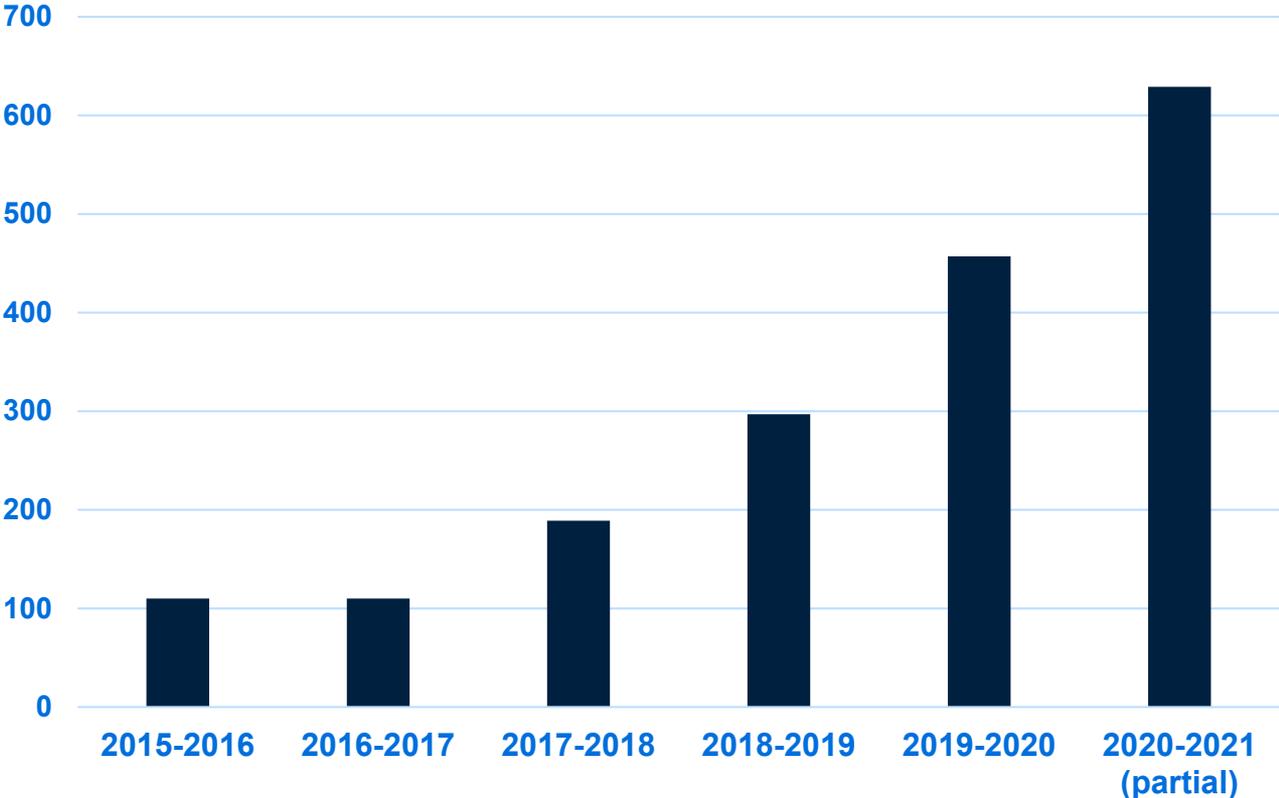
SWOT



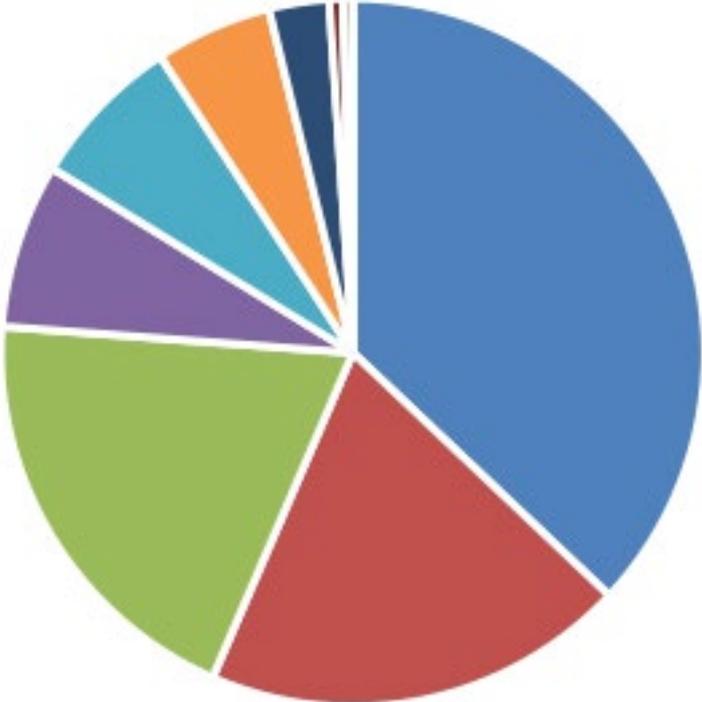
Threats:

- AHU's are key partners, without their support, informal resolution is difficult.
- Institutional liability and reputational risk if human rights issues are not handled appropriately or where systemic issues are not addressed.

Complaints Received

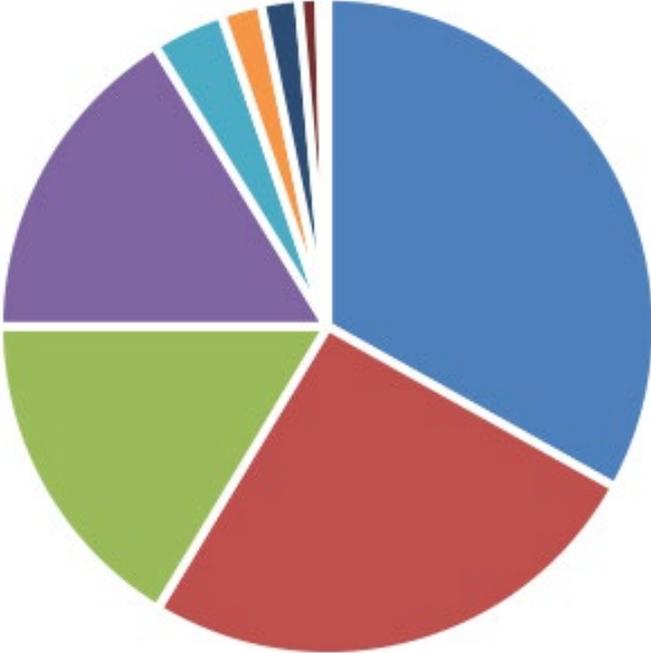


Complaints per Enumerated Ground



- Race/Colour/Ancestry/Place of Origin
- Sex
- Disability
- Gender Identity/Expression
- Sexual Orientation
- Family Status
- Religion
- Age
- Political belief (employment only)
- Marital Status
- Criminal Conviction (Employment only)

Status of Complainants



■ Undergraduate ■ Graduate ■ Staff ■ Faculty ■ Alumni ■ Public ■ Unknown ■ Post-doc ■ Group

Recommendations



- Additional Human Rights staff necessary to support UBC's EDI & anti-racism commitments.
- Senior leaders as key champions for the work of the Human Rights.
- Human rights education for senior leaders.