

BUSINESS PLAN

ONTARIO HUMAN RIGHTS COMMISSION

2017/18 – 2019/20



**Ontario
Human Rights Commission
Commission ontarienne des
droits de la personne**

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Section 1: Executive Summary

The **Ontario Human Rights Commission (OHRC)** is an arm's-length agency of the government of Ontario established under the **Ontario's Human Rights Code**. The function of the **OHRC** is to protect, promote and advance respect for human rights in Ontario, as well as identify and promote the elimination of discriminatory practices, all in the public interest. The OHRC works in many different ways to fulfill this mandate, including through education, policy development, public inquiries and litigation.

The OHRC recently completed a new five-year Strategic Plan which was released publicly in December 2016, and is currently developing its operational plan and performance measures based on the new Strategic Plan. Our priorities for the next five years will affect this Business Plan, and it will be updated once the operational plan is finalized.

Key achievements for 2016:

- Completed a strategic planning exercise including extensive internal and external consultations.
- Published a report on race-based data from traffic stops by Ottawa Police Service.
- Published and distributed the updated OHRC *Policy on drug and alcohol testing*, which gives valuable guidance to employers and employees in Ontario on protecting rights and responsibilities related to drug and alcohol testing, and the potential human rights concerns that arise from such testing.
- Published and distributed the updated OHRC *Policy on ableism and discrimination based on disability*, which includes many important case law developments, new international human rights standards, and evolving social science research.
- Continued to implement a historic 2015 settlement agreement on gender identity between Hockey Canada, on behalf of its Ontario members, the OHRC, and a trans teenaged boy who plays hockey.
- Advocated to the Ministry of Community Safety and Corrections Services to discontinue the systemic overuse of segregation in Ontario's correctional facilities, providing written submissions to the Ministry which were endorsed by several community groups. Data confirms alarming systemic overuse of segregation in Ontario's correctional facilities.
- Conducted inquiries into overrepresentation of Indigenous and Black children and youth in the child welfare system, post-secondary institution accommodation of students with mental health disabilities, and sexualized and discriminatory dress codes in the restaurant industry.
- In a policy position, called for an end to sexualized workplace dress codes that discriminate against female and transgender employees.
- Involved in several cases at the Human Rights Tribunal of Ontario and other tribunals.

- In a submission to the government's Strategy for a Safer Ontario, proposed a comprehensive new approach to policing in Ontario that addresses long-standing concerns about systemic discrimination in the criminal justice system.
- The OHRC proposed steps to ensure that the announced Inquest into the death of Andrew Loku leads to recommendations that will prevent similar deaths in the future.
- The OHRC expressed concerns about detention of non-citizens in Ontario jails under the federal *Immigration and Refugee Protection Act* (immigration detainees).
- OHRC in-person public education activities included 98 public events reaching a total of 9,175 people.
- The OHRC convened two "Taking it Local" full-day training events open to the public and organized with local partners; Hamilton event in May was attended by 126 people; North Bay event in November was attended by 85 people.
- The OHRC completed 35 legislative reviews relating to bills, policy proposals, reports, etc. Activities included analyzing issues, making public comments (19 public or external comments, 11 by the Chief Commissioner and 8 by staff), reviewing 13 bills or proposals and three other monitoring and legislative review-related activities.
- Launched an eLearning module on competing human rights.
- Presented two webinars on the Creed and Drug and Alcohol testing policies, attended by 937 participants.
- Over a one-year period from November 2015 to October 2016, the OHRC had approximately 1,100,000 unique views of its online eLearning modules. The most viewed module during that period was *Working Together: the Code and the AODA*, which had 823,436 unique views. Human Rights 101 English version had 161,014 unique views while different language versions had 71,855 unique views.

Section 2: Mandate

The OHRC was established as an arm's-length agency of government in 1961 to prevent discrimination and to promote and advance human rights in Ontario. The OHRC is one pillar of Ontario's human rights system, together with the (HRTO) and the Human Rights Legal Support (HRLSC).

Under the Ontario *Human Rights Code* (the *Code*), the OHRC has a broad statutory mandate to promote, protect and advance respect for human rights, and to identify and promote the elimination of discriminatory practices. The OHRC promotes and enforces human rights to create a culture of human rights accountability. The OHRC works in many different ways to fulfill this mandate, including through education, policy development, public inquiries and litigation.

Section 29 of the Ontario *Human Rights Code* states that the functions of the Commission are to “promote and advance respect for human rights in Ontario, to protect human rights in Ontario and, recognizing that it is in the public interest to do so and that it is the Commission’s duty to protect the public interest, to identify and promote the elimination of discriminatory practices” and, more specifically,

- (a) to forward the policy that the dignity and worth of every person be recognized and that equal rights and opportunities be provided without discrimination that is contrary to law;
- (b) to develop and conduct programs of public information and education;
 - (i) to promote awareness and understanding of, respect for and compliance with this Act, and
 - (ii) prevent and eliminate discriminatory practices that infringe rights under Part I;
- (c) to undertake, direct and encourage research into discriminatory practices and to make recommendations designed to prevent and eliminate such discriminatory practices;
- (d) to examine and review any statute or regulation, and any program or policy made by or under a statute, and make recommendations on any provision, program or policy that in its opinion is inconsistent with the intent of this Act;
- (e) to initiate reviews and inquiries into incidents of tension or conflict, or conditions that lead or may lead to incidents of tension or conflict, in a community, institution, industry or sector of the economy, and to make recommendations, and encourage and co-ordinate plans, programs and activities, to reduce or prevent such incidents or sources of tension or conflict;

(f) to promote, assist and encourage public, municipal or private agencies, organizations, groups or persons to engage in programs to alleviate tensions and conflicts based upon identification by a prohibited ground of discrimination;

(g) to designate programs as special programs in accordance with section 14;

(h) to approve policies under section 30;

(i) to make applications to the Tribunal under section 35;

(j) to report to the people of Ontario on the state of human rights in Ontario and on its affairs;

(k) to perform the functions assigned to the Commission under this or any other Act. 2006, c. 30, s. 4.

OHRC Vision and Mission

Vision: An inclusive society where everyone takes responsibility for promoting and protecting human rights; where everyone is valued and treated with equal dignity and respect; and where everyone's human rights are a lived reality.

Mission: To promote and enforce human rights, to engage in relationships that embody the principles of dignity and respect, and to create a culture of human rights compliance and accountability. We act as a driver for social change based on principles of substantive equality. We accomplish our mission by exposing, challenging and ending entrenched and widespread structures and systems of discrimination through education, policy development, public inquiries and litigation.

Section 3: Overview of Programs and Activities

The OHRC works in many different ways to fulfill its mandate under the *Code*, including through education, policy development, public inquiries and litigation. Below are some initiatives with measures the OHRC undertook in 2016 to fulfill its mandate.

OHRC Functions	Performance Measures	Targets
<p>Conduct, direct or encourage research; undertake public consultation and report publicly including making recommendations and or plans</p> <p>Develop policies for interpreting the <i>Human Rights Code</i></p>	<ul style="list-style-type: none"> • Three new policies or major updates at research, consultation or development stage, each fiscal year, with one finalized or released per fiscal year • Four new user-friendly policy support documents and/or minor policy “updates” researched, drafted, consulted on and disseminated annually 	<p>Two major policy updates released:</p> <ul style="list-style-type: none"> • <i>Policy on ableism and discrimination based on disability</i> • <i>Policy on drug and alcohol testing</i> <p>Conducted research and consultation on development of policy and guidelines on racial profiling, including convening a three-day policy dialogue at York University involving multiple stakeholders, and an online survey that received more than 1,500 responses were received</p> <p>Six new user-friendly brochures relating to new policy updates developed and released</p> <p>OHRC policy position on sexualized and gender-specific dress codes released</p>

<p>Develop and conduct, or encourage and assist with, programs of public information and education as well as capacity-building and institutional change</p>	<ul style="list-style-type: none"> • Two major policy-based education programs produced and delivered annually – such as eLearning modules, webinars, community training day programs – that show the effects of discrimination and how it can be reduced by applying OHRC policy • Education and training programs delivered to communities identified by OHRC strategic priorities and through OHRC priority selection criteria 	<p>Organized two training days in North Bay and Hamilton with a total of 211 participants</p> <p>Launched eLearning module on competing human rights</p> <p>Two webinars organized on Creed and Drug and Alcohol testing policies with 937 participants</p>
<p>Monitor human rights including:</p> <ul style="list-style-type: none"> • Government legislation, policies and programs • Other developments, trends, tensions, conflicts and • Tribunal and court proceedings and decisions 	<p>Make submissions with recommendations to government and/or other forms of advice and public comment as needed on matters related to OHRC strategic priorities and/or other significant matters that meet OHRC priority selection criteria</p>	<p>32 monitoring and legislative review activities (bills, policy proposals, reports, issues analyzed, public comments made, initiatives underway).</p> <ul style="list-style-type: none"> • 19 public or external comments (11 Chief Commissioner plus 8 staff-level) • 13 bills/proposals/issues analyzed with no external comment
<p>Conduct public inquiries and make recommendations</p>	<p>Three major Public Interest Inquiries conducted annually on OHRC strategic priorities or urgent matters that meet OHRC priority selection criteria</p> <p>Provide preliminary response to majority of requests for intervention or inquiry responded to within 30 days of receipt</p>	<ul style="list-style-type: none"> • Conducted an inquiry into the overrepresentation of Indigenous and Black children and youth in Ontario’s child welfare system by seeking and obtaining information from each of Ontario’s 47 child welfare agencies. We are in process of finalizing a report on our findings • Conducted an inquiry into accommodation for students with mental health disabilities in post-secondary schools (20 public universities and

		<p>24 public colleges) We are in process of finalizing a report on compliance</p> <ul style="list-style-type: none"> • Conducted an inquiry into sexualized and discriminatory dress codes in Ontario’s restaurant industry (14 companies contacted). We are in process of finalizing a report on compliance
<p>Intervene or initiate applications at the HRTO or intervene at other courts</p>	<p>HRTO applications reviewed and identified as important for intervention based on OHRC strategic priorities or matters that meet OHRC priority selection criteria</p> <p>Targeted legal action taken to clarify the law and encourage compliance with the <i>Human Rights Code</i></p> <p>Decisions or settlements reflect public interest remedies sought</p> <p>Media and other stakeholder publications cover public interest issues raised by interventions</p>	<p>Initiated or continued involvement at the Human Rights Tribunal of Ontario and other tribunals on systemic human discrimination issues, involving:</p> <ul style="list-style-type: none"> • Racial discrimination/racial profiling in policing (e.g. Police discipline in Neptune 4, Talos v. Grand River District School Board, Gallant, v. City of Mississauga, Roberts v. Toronto Police. Aganeh v. Mental Health Care Penetanguishene) • Gender identity and gender expression in the criminal justice system • Mental health disability in policing • Mental health disability in post-secondary education • Indigenous team names and logos • Charter challenge of the <i>Code</i> and <i>Employment Standards Act</i> that permit a reduction or elimination of employee benefits at age 65

<p>Report on the state of human rights and the affairs of the OHRC to the people of Ontario</p>	<ul style="list-style-type: none"> • Prepare and submit an annual report of the OHRC initiatives and activities in accordance with the requirements of the <i>Code</i> for the given period • Develop and tender a survey outlining the state of public support for key elements of the <i>Code</i> 	<p>Annual Report published and promoted publicly</p> <p>Tender for VOR for survey done, contract and questionnaire developed</p>
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Section 4: Environmental Scan and Risks

In 2008, Ontario shifted to a direct-access system for human rights adjudication, and the OHRC received a renewed mandate to focus on systemic discrimination. Having completed its reorganization, with the adoption of its new Strategic Plan and under a new leadership, the OHRC is now positioned to further advance and deliver real systemic changes that make human rights a practical reality and build a robust culture of human rights accountability.

Priorities of activities

The newly adopted strategic plan establishes four key areas of activities that will be Commission priorities: **Reconciliation** with Indigenous communities, systemic discrimination in the **Criminal Justice System, Addressing poverty within a human rights framework, and Education**, each presenting their particular opportunities and challenges (see Section 5 for key activities).

In this context, globally and to a lesser extent domestically, we are also seeing the rise of overt racism, sexism, violence and xenophobia. Societies are becoming increasingly polarized and fragmented. In many western democracies, we see an increase in support for political expediency that has succeeded in part by openly questioning the traditional view of substantive equality for many groups. While vulnerable communities are seeking affirmation, international events, local tensions and incidents are also used to increase perceptions about threats coming from these communities.

While we have to be concerned about a possible shift in public consensus away from an equality agenda in Canada, public polls suggest that there is still a strong to moderate support for a human rights agenda. Indeed, understanding and monitoring those changes and perceptions in public opinion through a large survey of the public's opinion will be crucial for the Commission and the equality-seeking community in guiding and communicating their work.

For example, a recent Ipsos poll for Global News¹ (September 2016) found that one in three (36%) Canadians say the impact of immigration on Canada has been generally positive (9% “very”/26% “fairly”) – in line with perceptions from 2015 (down 1 point). This is balanced by the one in three (36%) who say immigration has been generally negative (14% “very”/22% “fairly”) – **although this is up 4 points from last year**. A further one in four (26%) say the impact is neither positive nor negative, and this might lead to some challenges locally to the traditional understanding of multiculturalism and the possibility of a rise in intolerance. The same poll found that four in 10 (38%) agree (16% very much/22% somewhat) that “most foreigners who want to get into my country as a refugee really aren’t refugees. They just want to come here for economic reasons, or to take advantage of our welfare services.”

On the other hand, another recent poll by Nanos Research² released in October 2016 found that when asked what makes them proud to be Canadian, nearly a quarter of Canadians said equality, equity and social justice (25%), followed by reputation as peacekeepers (19%), and multiculturalism, diversity and bilingualism (12%). Other reasons cited for being proud of being a Canadian included social values, such as education and healthcare (6%), family (5%), rights and freedoms (4%), safety and gun control (4%), as well as love of nature, the outdoors and the environment (2%). In the same poll, when asked to describe the top three Canadian values to someone who is not Canadian, 16% of responses were related to rights and freedoms, followed by respect for others (12%) and kindness and compassion (11%). Other values mentioned included multiculturalism, diversity and bilingualism, as well as social values such as education and healthcare with 9% each. Equality, equity and social justice, and tolerance and acceptance received 8% of mentions.

Evolving media scene

The continuing decline of traditional information media, both print and electronic, will necessitate further developing alternative methods for communicating OHRC’s messages to the public. At the same time, the rise of social media, while offering a direct conduit for our messages, also allows unobstructed challenges of assumed consensus, provides a platform for a public discourse that is inconsistent with a culture of human rights, and could lead to a perceived fragmentation of public support for a positive human rights agenda. Small groups of activists can easily organize and effectively promote their agenda unobstructed. In this context, building capacity to monitor social media and implement concerted communication strategies that interact with users of social media is essential.

¹ <http://www.ipsos-na.com/news-polls/pressrelease.aspx?id=7339>

² <http://www.nanosresearch.com/sites/default/files/POLNAT-S15-T705.pdf>

OHRC Strategic Plan

Key findings from strategic plan consultation

As part of its strategic planning process, the OHRC conducted an extensive internal and external consultation exercise with nearly 300 individuals and involving more than 130 community organizations.

The consultation process asked stakeholders to provide strategic human rights considerations that should guide the OHRC's work in the future.

Key findings:

- While there is ongoing discrimination based on many *Code* grounds, at this time, there is heightened concern about three particular areas: anti-Black racism, anti-Indigenous racism, and Islamophobia
- Develop the OHRC's internal capacity to effectively work with Indigenous peoples and address issues facing Indigenous people
- Poverty, while not a *Code*-protected ground, strongly intersects with other *Code*-protected grounds – poverty is both a product of systemic discrimination and a factor that exacerbates vulnerability, exclusion and discrimination
- Systems (i.e. economic, governmental, social) tend to protect and benefit those who are economically advantaged, and to perpetuate discrimination against people protected by the *Code*
- There are particular sectors where discrimination is experienced across multiple and intersecting grounds – policing, corrections, child welfare, immigration and education. By addressing discrimination in these sectors, the impact on people who are most marginalized, particularly children and youth, can be significant

Other areas of OHRC work that consultees indicated should be more reinforced

The OHRC's role in human rights monitoring and reporting

- Develop "the state of human rights in Ontario" survey/report; human rights index
- Build capacity to collect and analyze data – internally and through relationships with academic researchers
- Develop structures to measure and report system change and impact of OHRC initiatives

Support to strengthen OHRC by:

- Community engagement – work in solidarity with the community; create access point for the public; collaborate with the HRLSC
- Use of media, social media and communications – strategy development; publicize HRTO decisions; tell compelling stories; communicate policy positions concisely
- Enforcement powers – undertake public inquiries in particular areas and increase use of public inquiry functions and strategic litigation

Internal functioning of the OHRC that received strong support and would need to be addressed

- Implement changes in thinking/culture
- Be bolder – move away from being risk-averse
- Integrate Indigenous principles into decision making and actions

Align the work of the organization with its priorities

- Strengthen information management and strategic communications capacity
- Define priorities for and make strategic use of litigation and public inquiry powers
- Promote teamwork and interdisciplinary/cross-disciplinary initiatives and ways of working

Strengthen information management

- Use data and evidence to inform decision-making
- Focus on and attempt to track and measure outcomes
- Pursue and establish partnerships to strengthen access to data and evidence-based decision-making

Strengthen planning and decision making

- Implement transparent decision-making and communications processes
- Establish and communicate vision and goals
- Integrate evidence-based decision-making and evaluation into OHRC work
- Streamline decision-making to promote organizational efficiency, responsiveness and nimbleness

Develop and implement community engagement strategy

- Province-wide reach and visibility
- Create real world and virtual access points (e.g., reception, telephone line, email)
- Cultivate relationships with diverse stakeholder groups – duty holders, HRLSC, organizations that work with vulnerable groups, media, employers, etc.

Strategic use of communications

- Become highly strategic and sophisticated in use of media, social media and communications to promote human rights
- Real-time monitoring/responding to human rights issues and events via media/social media
- Clarify our key messages internally and externally

Section 5: Strategic Directions and Implementation Plan

The new Strategic Plan identifies four priorities and proposes key areas of work to focus on for its implementation

Strategic focus areas

- **Reconciliation:** Embody human rights by engaging in sustaining trusting relationships with Indigenous communities that are built on dignity and respect, and by working to advance reconciliation and substantive equality.
- **Criminal Justice System:** Enforce human rights and reduce systemic discrimination by seeking accountability in the criminal justice system.
- **Poverty:** Advance the field of human rights law by making clear how systemic discrimination causes and sustains poverty, and addressing poverty within a human rights framework.
- **Education:** Promote and strengthen a human rights culture in Ontario that encompasses both rights and responsibilities, with a special focus on educating children and youth and addressing systemic discrimination in our education system.

Strategic Priority	Implementation Plan
<i>Reconciliation</i>	<ul style="list-style-type: none"> • Building our internal capacity to be a credible, trustworthy and knowledgeable agent to advance reconciliation and equality • Recognizing and reflecting the historical and enduring ways that colonialism continues to affect Indigenous peoples and communities and continues to shape our institutions and systems • Enhancing our knowledge and understanding of current issues and needs affecting Indigenous peoples and communities • Engaging our Commissioners and senior leaders in dialogue with Indigenous leaders and communities to form sustainable and trusting relationships with First Nations, Métis and Inuit communities in urban and rural areas throughout Ontario, while acknowledging their status as nations • Deepening our analysis and understanding of human rights through reconciliation with Indigenous cultures, laws, concepts of collective community rights and responsibilities, treaties, and the UN <i>Declaration on the Rights of Indigenous Peoples</i> • Engaging in collaboration with Indigenous communities and groups to respond to and address systemic racism, discrimination and inequality • Leveraging the opportunities presented through government commitments to reconciliation
<i>Criminal Justice System</i>	<ul style="list-style-type: none"> • Leveraging current government-led initiatives related to the criminal justice system to make sure that systemic discrimination is acknowledged and addressed • Engaging strategically with efforts currently underway to address racial profiling in policing • Using our promotion and education functions to make sure that the legal profession and judiciary are able to identify and challenge systemic discrimination • Using our public inquiry functions strategically to highlight the lived experience of people who come into contact with these systems

	<ul style="list-style-type: none"> • Activating our powers to intervene and initiate applications before the HRTO, courts and other tribunals to further transparency and accountability • Monitoring, enforcing and reporting on compliance with human rights obligations and policies in these systems
Poverty	<ul style="list-style-type: none"> • Bringing to light the lived reality of people who experience poverty, homelessness and hunger, and fostering public conversation that explores the links between poverty and systemic discrimination. Exposing to the public and human rights “duty holders” how poverty further entrenches marginalization and vulnerability • Using our expertise in policy research and development to deepen policy, legal analysis and understanding of human rights by making connections between Ontario’s human rights framework and international human rights conventions and treaties, including the <i>International Covenant on Economic, Social and Cultural Rights</i> • Using our expertise in policy research and development to deepen analysis and understanding of ways that seemingly neutral systems intersect to create, amplify and accelerate dynamics of systemic discrimination, economic marginalization and social exclusion • Bringing a human rights lens to government and community strategies aimed at addressing poverty, homelessness and hunger
Education	<ul style="list-style-type: none"> • Taking steps to have human rights integrated as an essential aspect of Ontario’s education system • Conducting targeted public education with children and youth about human rights and responsibilities and the human rights system • Providing opportunities for children and youth to exercise leadership on human rights issues • Strategically engaging with and leveraging social media communications • Identifying and addressing the systemic discrimination children and youth face in education.

Section 6: Human Capital Plan – appendix

Human Resources:

The OHRC has relatively low staff turnover resulting in a stable workforce. No significant business or workforce changes are anticipated. The OHRC follows all Ontario Public Service (OPS) directives and guidelines in relation to human resources practices, and continues to work with Ministry of the Attorney General to ensure that it meets all applicable administrative standards.

Commissioners

Part-Time Commission Members	Tenure	
	From	To
Porter, Bruce	30-Jun-2016	29-Jun-2019
Drake, Karen	22-Jun-2016	21-Jun-2019
McKenzie, Kwame	22-Jun-2016	21-Jun-2019
Khedr, Rabia	28-Sep-2016	27-Sep-2018
Switzer, Maurice	22-Jun-2016	21-Jun-2018
Lee, Julie	08-Sep-2009	07-Mar-2018
Mendes, Errol	08-Sep-2009	07-Mar-2018
Goba, Ruth	05-Sep-2006	31-Dec-2017
Gusella, Mary	24-Feb-2016	23-Nov-2017
Khoury, Raja	20-Sep-2016	31-Dec-2016
Lalonde, Fernand	18-May-2005	31-Dec-2016

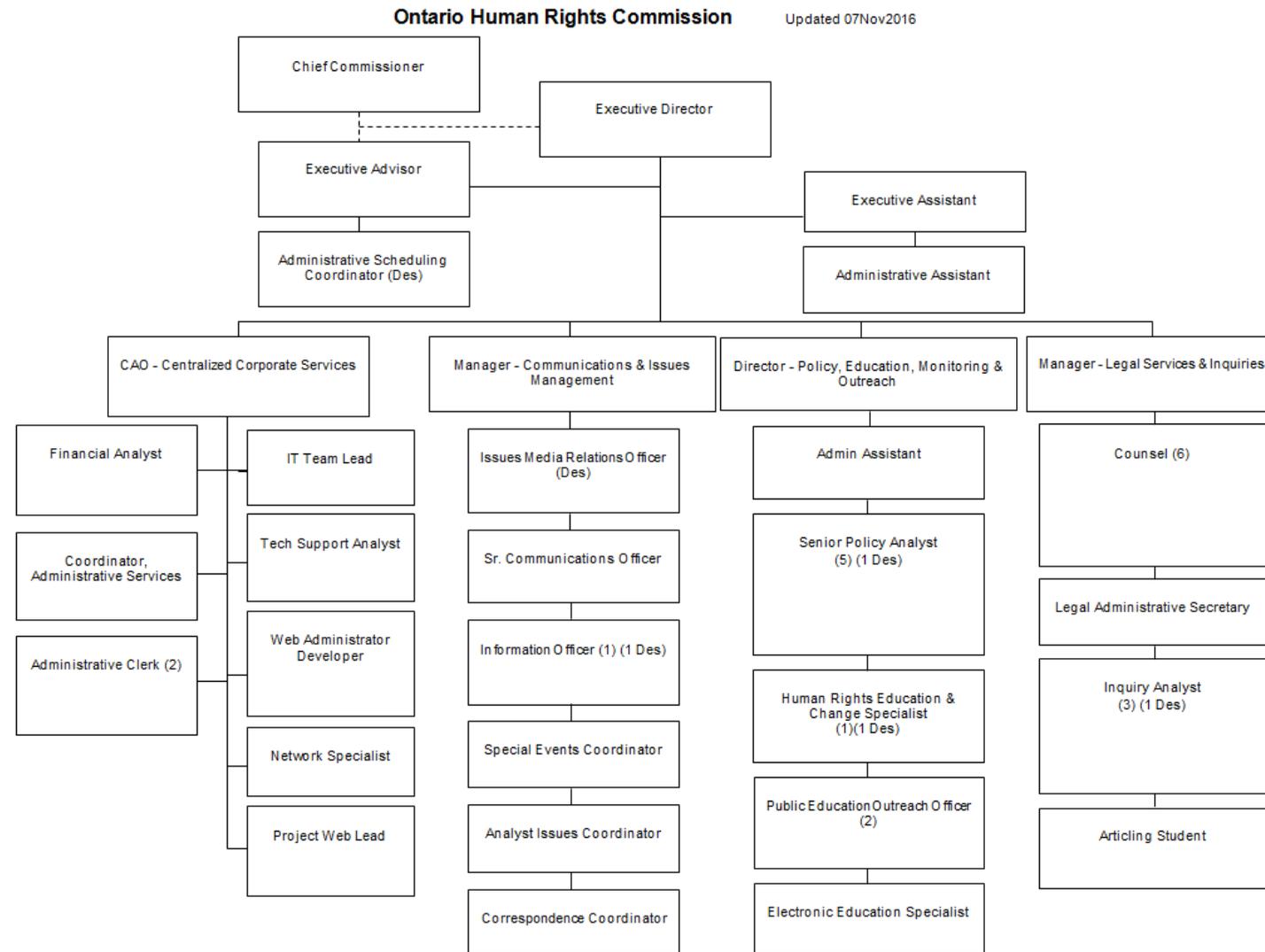
Following the retirement of Chief Commissioner Barbara Hall in February 2015, the Commission was led by Interim Chief Commissioner Ruth Goba, who was initially appointed for a three-month term which was later extended until October 2015.

In November 2015, Renu Mandhane was appointed as our new Chief Commissioner for a two-year term. The Chief Commissioner is the only full-time appointee, and the 11 others (as of December 31, 2016) are appointed as part-time Commissioners.

Shortly following Renu Mandhane’s appointment, five new Commissioners were appointed, to replace the five lost gradually over the last eight years. Currently there are nine OIC appointees, including the Chief Commissioner, after the appointments of two long-standing Commissioners expired in December 2016. One of these Commissioners was Francophone, and the OHRC will ask the government to consider appointing another Commissioner representing that community.

Employees

Representation Category	Actual FTE Positions		Funded FTE Positions	
	Classified	Unclassified	Classified	Unclassified
ALOC	5	2	6	1
AMAPCEO	13	3	21	0
MCP	3	1	4	0
OIC	1	0	1	0
OPSEU	8	4	15	0
SMG	2	0	2	0
TOTAL STAFF	32	10	49	1
TEMPORARY	1			



3-Year Outlook: The OHRC encourages ongoing learning and development.

Initiatives:

Increase workforce flexibility and mobility

- Issues management and communication strategy/plan
- Increased capacity for public education and outreach
- Build capacity to support the operational plan using a number of initiatives including staff training

Develop leadership, management and professional skills

- Support staff development, training and career development opportunities
- Creating staff interdisciplinary teams to work on OHRC projects/initiatives
- Employee engagement survey
- Prepare for succession planning to meet future operational needs
- Orientation training for new Commissioners and ongoing training for staff and Commissioners on new areas of strategic focus

Employer of choice

- Enabling a stable effective and focused workforce.
- Diversity and Inclusion Plans
- Accessibility Plan
- Work with Treasury Board Secretariat to include per diem part-time member in the WIN system as a result of the Canada Revenue Agency ruling.

Human capital goals:

Our staff and leadership are integral to the success of the OHRC. Over the next three years we will focus on continuing to strengthen our workplace culture and environment. We will enhance personal and organizational well-being and connectedness through:

- Ensuring that each person is valued and recognized
- Continuing to foster, value and recognize team work and collaboration
- Making sure that each person is able to identify a connection between their role and the achievement of our vision

- Practicing efficient and transparent decision-making to strengthen accountability
- Strengthening achievement of our priorities through effective leadership and accountability of leadership and staff
- More regular all staff meetings, suggestion box, potluck lunches, inclusion of staff earlier in planning of special projects;

The OHRC values personal and professional development, diversity and work-life balance. Some of the initiatives we have undertaken to promote these values are:

Personal and Professional Development – Managers provide orientation and training to new staff. Staff are encouraged to take courses offered by OPS Learning and Development, budget permitting, external courses related to their professional development plans. Staff are allowed to pursue secondment opportunities within the OPS and broader public sector, and management provides coaching and mentorship.

Diversity – The OHRC has a diverse workforce. We have slightly more individuals who identify as females than individuals who identify as males, ranging in age from 25 to 65+ from various racial and creed backgrounds and countries of origin. Many of our staff members have worked in different fields prior to joining the OHRC (e.g. social work, for-profit, non-profit). This diversity is also reflected in our OIC appointees. Commissioners come from diverse communities including from the Indigenous, disability and Francophone communities with a variety of professional backgrounds and expertise: legal, academic, non-profit, social justice, mental health and human rights policy.

Work-Life Balance – OHRC management makes a conscious effort to accommodate staff with their work schedules. Arrangements such as flexible work hours, compressed work week in accordance with OPS HR policies are available.

Human capital challenges:

Budget pressures – Due to anticipated budget pressures, the OHRC may not be in a position to hire more Public Education Officers to expand its public education and outreach efforts. Subsequently, the OHRC will have to be more selective with its education and outreach activities, using online instructional tools like webinars that provide a province-wide reach.

Concerns from staff regarding branches operating in silos – A survey of employees conducted by the OHRC revealed that some staff feel a lack of connectivity due to being unaware of and uninvolved in the work of other branches.

Initiatives undertaken to address:

- Regularly holding All Staff Meetings where each branch provides an update on what they have been working on and invite other branches to collaborate on future projects
- All Staff training initiatives and team building initiatives are planned for the coming fiscal year
- Interdisciplinary teams are being established to allow staff from different branches to come together to work on new strategic priorities
- Establish an effective weekly issues management process to improve response to emerging human rights issues.

Concerns from staff and Commissioner regarding role of Commissioners - Development of governance documents to clarify the role of Commissioners and document the decision and approval processes

Section 7: Initiatives Involving Third Parties

The OHRC leverages its mandated functions, resources and strategic priorities by exchanging information and working in cooperation with and sometimes in partnership with other government agencies, ministries, non-governmental organizations and individuals from a wide range of communities across Ontario.

Current major collaborations in limited initiatives involve groups such as: the Toronto West Local Immigration Partnership, Toronto East Local Immigration Partnership, Toronto South Local Immigration Partnership, Toronto North Local Immigration Partnership, the National Council of Canadian Muslims, Noor Cultural Centre, the Anti-Racism Directorate, the Ontario Public Service Diversity Office; the Ontario Federation of Indigenous Friendship Centres, Human Resource Professionals Association, and the Ontario Council of Agencies Serving Immigrants.

Section 8: Communication Plan

The OHRC will focus on communicating broadly, clearly and in a timely way to provide effective leadership that advances the realization of human rights. The OHRC will speak out, especially on issues relating to its focus areas in the strategic plan, about the human toll and cost of discrimination. The OHRC will retain capacity to respond strategically to critical and emerging issues across all *Code* grounds and social areas. We will also provide human rights solutions and guidance by answering questions of a systemic nature associated to the application of our policies.

Key objectives

- Communicate clearly, transparently and regularly using an improved weekly issues management process to plan public activities and public presence.
- Develop and integrate communications strategies as early as possible in all initiatives.
- Leverage our relationships and profile with key individuals and organizations particularly in our areas of strategic focus.
- Improve our profile in traditional and social media through active monitoring and establishing a more streamlined process for generating proactive and reactive key messages.
- Conduct and publish a public opinion survey on how Ontarians perceive and experience equality rights under Ontario's *Human Rights Code*.
- Enhance tracking for public information requests to document trends and identify opportunities for improving information relevant to policies

Target audiences

The OHRC's aim is to target its communications and education to employers and service providers, *Code*-protected groups, key community leaders, potential respondent community groups, and partners in other ministries, agencies, secretariats.

Key messages

The OHRC is uniquely positioned to play an important role in bringing communities together to safeguard human rights

- **Reconciliation:** The Commission will engage in sustaining trusting relationships with Indigenous communities that are built on dignity and respect, and work to advance reconciliation and substantive equality.
- **Criminal justice system:** The Commission will enforce human rights and reduce systemic discrimination by seeking accountability in the criminal justice system.
- **Poverty:** The Commission will advance the field of human rights law by making clear how systemic discrimination causes and sustains poverty, and address poverty within a human rights framework.
- **Education:** The Commission will promote and strengthen a human rights culture in Ontario that encompasses both rights and responsibilities, with a special focus on educating children and youth and addressing systemic discrimination in our education system.

Key opportunities, dates and deliverables

Leverage opportunities created by integrated planning of public activities and the day-to-day response to emerging issues through an effective issues management system. This process will coordinate the communications involved in public activities and new messaging when warranted. Emerging human rights issues could be identified through media monitoring, stakeholders, advisory groups, part-time Commissioners, government initiatives including legislation and regulations, cases of interest at the HRTO, HRLSC or in the courts. Public presence could include media or community relations activities, issuing public statements, news releases, speeches, backgrounders, fact sheets, brochures or other handouts, videos, eLearning modules, public consultations, launches of reports and policies, public inquiries and legal interventions, and other OHRC public awareness and outreach activities. The OHRC also maintains an active social media presence on popular platforms such as Facebook, YouTube and Twitter.

The OHRC also prepares an annual report on its activities for submission by June 30th each year to the Speaker of the Legislative Assembly of Ontario in accordance with the requirements of the *Code*.

Section 9: Diversity and Inclusion Plan

The OHRC's Diversity and Inclusion Plan sets out four goals, and outlines the actions we are taking to achieve them.

People: The OHRC has commissioners, senior management and staff that reflect the diversity of Ontario, and generally exceeds the diversity data of both the Ontario Public Service and the population of Ontario. Our employment competitions are advertized broadly beyond traditional mainstream media. The OHRC follows the *French Language Services Act* requirements and has designated French staff for each area that has contact with the public.

Processes: The OHRC adheres to all applicable policies and legislation including the Ontario Public Service's Workplace Discrimination & Harassment Policy

Policy: The Employment Accommodation and Return to Work Operating Policy, the Equal Opportunity Operating Policy, the Code of Ethics, and the *Accessibility for Ontarians with Disabilities Act* and the Ontario *Human Rights Code*.

Services: The OHRC informs employees, clients and the general public about its commitment to accommodate disability, creed and other *Code*-related needs at meetings and events upon request. The OHRC chooses meeting and event sites and refreshments that are inclusive and barrier free, and provides sign language interpreters or captioning at general public events or upon request. Our website fulfills prevailing standards for accessibility, and will continue to look for ways to improve.

Results: The OHRC will continue to strive to have its staff reflect the diverse population of Ontario, at all levels including individuals from the Indigenous community.

Section 10: Multi-Year Accessibility Plan

The OHRC has prepared a Multi-Year Accessibility Plan in accordance with the regulated standards and other requirements under the *Accessibility for Ontarians with Disabilities Act*. The OHRC interprets these requirements in accordance with the duty to accommodate disability under the *Human Rights Code* and the OHRC's mandate-related public policies, having regard for the Ontario Public Service's Multi-year Accessibility Plan, as well as the *International Convention on the Rights of Persons with Disabilities*.

Barrier review, removal and accessibility planning

- In 2014, the OHRC conducted an initial internal accessibility review to identify barriers that employees and members of the public with disabilities may potentially face.
- As a result, the OHRC has:
 - amended staff email signatures to include information about the OHRC's policy on providing goods and services to people with disabilities
 - amended the telephone script to improve accessibility by, for example, reducing the number of options, making it easier to connect to staff directly, and removing unnecessary pre-recorded information; and installed a more accessible public telephone at the OHRC elevator entrance to its offices
 - created an accessible quiet room for staff and visitors who, for example, take medication or need rest for their disability, and others who have needs related to creed or breastfeeding
 - included opportunity for feedback at the end of education and training sessions to learn whether participant accommodation needs were met and how to improve accessibility
 - undertaken to provide documents in accessible formats internally and externally
 - conducted an inclusive design review of its offices to make sure they are accessible for visitors and employees with disabilities, with support from the Ministry of the Attorney General's facilities branch
 - made accessible lighting changes to its boardrooms
 - developed an internal document template with guidelines to train staff on accessibility standards and formatting for OHRC publications and correspondence. Timeline: 2016-18

- The OHRC is taking the following steps to further assess, explore and remove potential barriers:
 - conducting an accessibility review of barriers and emerging best practices for the way it makes information available to the public, including an external review of its website. Timeline: 2016-17
 - Is constantly reviewing software and information storage systems to identify and address any barriers in consultation with employees with disabilities. Timeline: 2016-19

AODA standards implementation status

• Customer Service

- The OHRC adheres to its policies and procedures on providing goods and services to people with disabilities published on its website
- The OHRC provides local and toll-free TTY numbers for communication with people who are deaf, deafened or hard of hearing
- The OHRC uses a range of communication methods such as email and social media platforms to communicate with stakeholders and communities
- All OHRC-hosted public events take place at accessible locations. The OHRC's Special Events Coordinator visits each proposed event space to make sure that it is fully accessible
- Standard language on all invitations asks people to contact the OHRC about their need for any additional accommodation requests before event dates
- A feedback process is available on the OHRC's website. People can also provide feedback via telephone, TTY, mail or fax. The OHRC will review the feedback, try to resolve any issues and provide a response within 14 business days

• Procurement

- The OHRC continues to comply with the OPS Guidelines: Meeting Accessibility Obligations in Procurement and the Management Board of Cabinet Procurement Directive, April 2011, as well as AODA regulated procurement standards
- The OHRC identifies accessibility requirements in project terms of reference, requests for proposals and contracts with third-party service providers
- Web developers and any other external vendors are selected, in part, based on their experience designing accessible websites.

- **Information and Communications**

- The OHRC provides communications supports including sign language interpretation and captioning at public events; and upon request for other meetings and events
- The OHRC's website is designed to comply with the World Wide Web Consortium (W3C) Web Content Accessibility Guidelines (WCAG) 2.0, Level AA; tools and products used to develop the website and other online materials have built-in accessibility features
- Online materials, such as eLearning modules, are tested regularly during development and afterward by staff and external contacts who have disabilities
- All publications and correspondence are available in accessible digital formats, including HTML, accessible PDFs for all new publications
- Captioning and transcripts are provided for all video content

- **Employment**

- The OHRC follows the OPS Employee Accommodation and Return to Work Guidelines and Operating Policy for developing and documenting individual accommodation plans, return-to-work plans and workplace emergency response information for employees with disabilities
- Hiring managers inform prospective employees about the means for testing and evaluating candidates and that accommodations are available throughout the process
- The OHRC is a scent-sensitive workplace and has a policy on its website to accommodate staff who report various sensitivities to chemicals or scents.

- **Accessibility Training**

- All Commissioners and staff are trained on disability-related policies and procedures, including *AODA* mandatory training on providing accessible customer service to persons with disabilities, and on the relationship between the *AODA* and the *Code* (the OHRC developed the Working Together eLearning module for the Accessibility Directorate of Ontario for this purpose)
- The OHRC has an internal guide on plain language writing and uses it to train staff
- Staff receive specialized training on emerging technologies, designing accessible eLearning modules, and other topics to improve the accessibility of the OHRC's online resources.

Section 11: Three-year Financial Plan

The Commission is accountable in financial and administrative matters for compliance with the Treasury Board/Management Board of Cabinet and Ministry of Finance directives, and with its approved business plan, and generally for ensuring that its performance reflects and respects the law and fulfills its statutory mandate, and is accountable to the Legislative Assembly through its annual reports and, through its reports on financial and administrative matters, to the Attorney General.

2015-16 Actual Expenditures

Expense Category	2015-16 Budget	2015-16 Actuals	Explanation of Variance
<u>Operating</u>			
Salaries and Wages (S&W)	4,702.7	3,971.2	The OHRC managed position vacancies to cover costs in other areas identified at the start of the year (e.g. Benefits, Services, Supplies & Equipment). Certain positions vacated by staff who found new employment, staff on leave, and staff on secondment were left vacant for an extended period of time due to lengthy recruitment processes to find their replacements, shifting organizational priorities, and improvements in operational efficiency.
Benefits	356.2	450.2	The assigned allocation for benefits is lower than the actual amount required to support staffed positions.
<u>ODOE</u>			
Transportation and Communications (T&C)	193.2	147.3	In 2015-16 the OHRC focussed on ways to reduce its travel costs by using electronic/online resources such as eLearning, webinars, social media and teleconferencing to facilitate communication.

Expense Category	2015-16 Budget	2015-16 Actuals	Explanation of Variance
Services	296.2	574.7	<p>To deliver on its public education mandate, the OHRC incurs many front end costs to ensure that our materials are available in various formats and languages and are accessible.</p> <p>OHRC Commissioners receive per diems for the work they perform on behalf of the OHRC. These per diems are paid through services.</p> <p>The OHRC was involved in complex litigations that required the use of Expert Witnesses to support the Commission's position against discrimination. Expert Witnesses must be paid at market rates.</p>
Supplies and Equipment (S&E)	28.2	112.2	Services incorrectly coded by Ontario Shared Services to Supplies and Equipment when paid by p-card resulted in variance.
TOTAL Operating	5,576.5	5,255.4	

Multi-Year Operating Budget

Expense Category	2016-17 Budget	2016-17 Q3 Forecast	Explanation of Variance	2017-18 Budget	2018-19 Budget	2019-20 Budget
OPERATING						
Salaries and Wages (S&W)	4,761.2	4,009.9	The OHRC is managing position vacancies to cover costs in other areas identified at the start of the year (e.g.	4,761.2	4,761.2	4,761.2

Business Plan: 2017/18 – 2019/20

Expense Category	2016-17 Budget	2016-17 Q3 Forecast	Explanation of Variance	2017-18 Budget	2018-19 Budget	2019-20 Budget
			Benefits, Services, Supplies & Equipment). Certain vacated positions were not filled/back-filled due to shifting organizational priorities, improvements in operational efficiency and the prospect of further budget constraints in the near future.			
Benefits	362.2	422.6		362.2	362.2	362.2
ODOE						
Transportation and Communications (T&C)	193.2	178.7	The OHRC is focussing on ways to reduce its travel costs by using electronic/online resources such as eLearning, webinars, social media and teleconferencing to communicate with its audiences. However, the OHRC has committed to increasing its Indigenous outreach efforts, and travel to these communities, often located in remote areas, can be costly.	193.2	193.2	193.2
Services	307.4	630.4	To deliver on its public education mandate, the OHRC incurs many front-end costs to create and produce new policy documents, guidelines and other educational materials in various formats and languages. To make its literature accessible to the public, the OHRC spends significantly on printing, translations and document remediation.	307.4	307.4	307.4

Expense Category	2016-17 Budget	2016-17 Q3 Forecast	Explanation of Variance	2017-18 Budget	2018-19 Budget	2019-20 Budget
			<p>OHRC Commissioners receive per diems for the work they perform on behalf of the OHRC. These per diems are paid through Services.</p> <p>The OHRC is involved in complex litigation that raises issues related to systemic discrimination and which often requires retention of expert witnesses.</p> <p>The OHRC retained Management Consulting services in 2016-17 to develop a five-year Strategic Plan.</p> <p>The OHRC has procured Research & Polling services in 2016-17 to conduct a public opinion survey on how Ontarians perceive and experience equality rights under Ontario's <i>Human Rights Code</i>.</p> <p>The OHRC has its own IT systems, including directory domain, exchange and file servers. Four servers have been operating beyond their intended life cycle and needed to be replaced.</p>			
Supplies and Equipment (S&E)	28.2	103.6	To deliver on its public education mandate, the OHRC incurs many front-end costs to create and produce new policy documents, guidelines and other educational materials in various formats and languages. To make its literature accessible to the public, the OHRC spends significantly on printing, translations and document	28.2	28.2	28.2

Expense Category	2016-17 Budget	2016-17 Q3 Forecast	Explanation of Variance	2017-18 Budget	2018-19 Budget	2019-20 Budget
			remediation.			
TOTAL OPERATING	5,652.2	5,345.2		5,652.2	5,652.2	5,652.2

Section 12: Performance Measures & Targets

1 – Reconciliation			
KPI	Strategic Objectives	Outcomes (2017-18)	Measurements (2017-18)
Strengthened knowledge about and behaviours regarding human rights protections under the <i>Code</i>	<ul style="list-style-type: none"> Building internal capacity to be a credible, trustworthy and knowledgeable institution to advance Indigenous reconciliation and equality Enhancing our knowledge and understanding of current human rights issues affecting Indigenous peoples 	<ul style="list-style-type: none"> Staff and Commissioners have a greater understanding of Indigenous issues Deep understanding of Indigenous reconciliation and equality is reflected throughout our work Greater public discourse regarding the <i>Code</i> issues facing Indigenous peoples 	<ul style="list-style-type: none"> Qualitative Survey of Staff and Commissioners State of Human Rights survey (which will also serve as a benchmark for future surveys) # of internal training events
Improved awareness of and experience with OHRC	<ul style="list-style-type: none"> Engaging our Commissioners and senior leaders in dialogue with Indigenous leaders and communities to form sustainable and trusting relationships with First Nations, Métis and Inuit communities in urban and rural areas throughout Ontario, while acknowledging their status as nations 	<ul style="list-style-type: none"> Strategic relationships with Indigenous leaders and communities identified, established and maintained Increased presence/visibility in dialogue about reconciliation at the leadership level 	<ul style="list-style-type: none"> # of meetings with and at Indigenous communities across Ontario # of OHRC speeches and public education sessions for and with Indigenous communities # of references to OHRC work by Indigenous peoples # of participants and # of organizations reached

2 – Criminal Justice			
KPI	Strategic Objectives	Outcomes (2017-18)	Measurements (2017-18)
Strong and transparent human rights accountability systems within the criminal justice system, which ensure that human rights obligations are put at the forefront of initiatives and practices	<ul style="list-style-type: none"> Using our promotion and education functions to make sure that the legal profession and judiciary are able to identify and challenge systemic discrimination Using our public inquiry functions strategically to highlight the lived experience of people who come into contact with these systems Activating our powers to intervene and initiate applications before the HRTO, courts and other tribunals to further transparency and accountability Monitoring, enforcing and reporting on compliance with human rights obligations and policies in these systems 	<ul style="list-style-type: none"> Increased OHRC capacity to collect, analyze and interpret quantitative and qualitative data Improved collection of data about and evidence of systemic discrimination regarding racial profiling 	<ul style="list-style-type: none"> # of OHRC-initiated applications and interventions related to criminal justice # of systemic remedies obtained # of human rights public education and training opportunities developed and delivered for legal professionals, law enforcement and correctional authorities # of institutions impacted by OHRC interventions and applications at HRTO # of media hits/inquiries/interviews referencing OHRC in relation to criminal justice issues
Strengthened protection for human rights in government laws and policies	<ul style="list-style-type: none"> Leveraging current government-led initiatives related to the criminal justice system to make sure that systemic discrimination is acknowledged and addressed Engaging strategically with efforts currently underway to address racial profiling in policing 	<ul style="list-style-type: none"> Government initiatives reflect a human rights lens 	<ul style="list-style-type: none"> # of OHRC recommendations to government (submitted/adopted) # of institutions impacted by letters/deputations/submissions/reports making recommendations

3 – Poverty			
KPI	Strategic Objectives	Outcomes (2017-18)	Measurements (2017-18)
<p>1. Strengthened knowledge about and behaviours regarding human rights protections under the <i>Code</i></p> <p>2. Strengthened knowledge, behaviours and accountabilities regarding human rights obligations among human rights duty holders and within systems/institutions</p>	<ul style="list-style-type: none"> Using our expertise in policy research and development to deepen analysis and understanding of ways that seemingly neutral systems intersect to create, amplify and accelerate dynamics of systemic discrimination, economic marginalization 	<ul style="list-style-type: none"> Increased knowledge and understanding among OHRC staff and Commissioners Narrative shift connecting human rights and poverty Internal Report on Current Government and Non-Governmental Poverty-related initiatives Analytical framework that reconciles Ontario’s human rights system with Canada’s international human rights obligations related to poverty, hunger and homelessness 	<ul style="list-style-type: none"> Qualitative survey of staff and Commissioners # of research/consultation/policy events and # of organizations and # of individuals reached through these events Internal report initiated on current government and non-governmental poverty-related initiatives

4 – Education			
KPI	Strategic Objectives	Outcomes (2017-18)	Measurements (2017-18)
<p>Strengthened knowledge about and behaviours regarding human rights protections under the <i>Code</i></p>	<ul style="list-style-type: none"> Taking steps to have human rights integrated as an essential aspect of Ontario’s education system 	<ul style="list-style-type: none"> Human rights are part of the education curriculum Human rights competence identified as essential requirement Increased accountability for systemic discrimination that children and youth face within the education system 	<ul style="list-style-type: none"> Environmental Scan developed Plan of action developed and adopted # of education/training/outreach events and # of organizations and individuals reached # of social media and Website unique visits to education modules