



*HUMAN RIGHTS OFFICE  
DROITS DE LA PERSONNE*

*ANNUAL REPORT 1992-1993*

Queen's University at Kingston

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## **I. MISSION STATEMENT**

The Human Rights Office of Queen's University is dedicated to the promotion of Human Rights within Queen's University and the broader Kingston community.

The Human Rights Office will endeavour to fulfil its goals through pro-active strategies in the following areas: education and documentation; training; through the implementation of individual intervention mechanisms; by fostering complementary initiatives throughout the university; and by advising on policies of equity.

## II. INTRODUCTION:

For years organizations in Canada have been working toward the realization of a society whose ideals would apply to all of its members equally. These same organizations have often been relegated to the fringes of society, working toward their goal behind the scenes. Events of the past decade however, not the least of which was the repatriation of the Canadian Constitution including the Canadian Charter of Rights and Freedoms, have served to push issues of equity to the forefront. Faced with the social and legal implications of this, Canadian institutions have had to respond.

Unjustifiable prejudices against lesbians, gay men, bisexuals, racial minorities, people of the First Nations, persons with disabilities and women who seek to be equal partners in society are expressed through harassment, hate propaganda, assaults and in extreme cases murder. Racism, institutional heterosexism, sexism and ableism all contribute to the perpetuation of these prejudices, which too often result in discriminatory practices that are not acceptable either morally or legally in Canadian society today.

Queen's University has recognized the need for these issues to be addressed in a systemic way, for effective responses to both the immediate and long-term needs of those who contribute to the richness of Queen's. This was the impetus for the creation of the Human Rights Office. Its mandate is to offer services to complainants of harassment and discrimination who together make up the individual components of the systemic problem, as well as to assist in formulating policies and to provide education and training in these areas.

Three areas were identified as in need of immediate action: the areas of racism, heterosexism and sexual harassment. To avoid the dangers of ranking issues that many umbrella organizations face, separate councils were formed to advise the Human Rights Office. These councils could then link together, to ensure that issues would not be considered in isolation. Council members are representative of the student body, of

academic and non-academic staff, as well as the Kingston community.

This report covers the first fiscal year of operation of Queen's Human Rights Office, consisting of the period of September 1, 1992 to April 30, 1993.

It gives us an opportunity to explain the basis for the formation of the Office and its different sections, as well as its structure and organization, and the projects that have been initiated in its first year of operation. It is also an opportunity to reflect on the past year, and to map out some of the future directions and goals of the Office.

### **III. THE HUMAN RIGHTS OFFICE**

#### **A. OPERATIONAL PLAN**

##### ***1. One year plan:***

- to set up the physical structure of the Office
- to organize the sub-councils, which will advise the Office on its various initiatives and provide input from student, academic and non-academic staff, as well as the Kingston community
- to hire staff: senior secretary; half-time human rights coordinators, to coordinate the initiatives in the areas of sexual harassment, anti-racism and heterosexism
- to provide some initial training for advisors (including grievance advisors)
- to design a format for a newsletter aimed at the University community
- to set up the structure of a documentation centre, which can provide information for the community on various human rights issues
- to set up a format for a training manual for the co-ordinators and advisors working on various human rights issues within the University
- to begin an awareness campaign on the three specific issues mandated, and on the presence of the Office itself
- to network with community groups and other Universities

## **2. *Two year plan:***

- to establish procedures to handle complaints of racial harassment, and harassment on the grounds of sexual orientation, as well as sexual harassment, and an established structure to support them
- to have an established newsletter being published 4-6 times a year, as part of the awareness program
- to have an established documentation centre to serve the reference and educational needs for office staff developing workshops and the greater community needing specific reference materials
- to have an established training manual and program in place for the co-ordinators, the various advisors and departments, as well as for those interested in following such a program through the academic school year
- to ensure that the Councils have the ability to liaise with each other, and have the opportunity to meet as a main council whenever required, to advise the Office on issues which intersect in the mandate of the Office

## **3. *Five year plan:***

- to have established a plan for dealing with the systemic nature of discrimination which has been identified by various sources within Queen's and outside Queen's
- to have a well-established and coherent structure to handle complaints based on human rights grounds; to initiate the appropriate educational initiatives which corresponds to the needs as they present themselves; continuity and integration without sacrificing the specific approach needed for the various parts of the mandate of the Office should form the base of such a structure

- to be able to offer a physical space where the consultation services and advice on human rights issues is accessible to everyone who may wish to make use of it



## **B. OPERATING PRINCIPLES:**

- to provide support and advice to those persons who feel they have been harassed or discriminated against on human rights grounds
- to resolve human rights issue at the individual rights level and the systemic level as well
- to design all initiatives pro-actively and inclusive of the intersection of all forms of oppression
- to development and review procedures dealing with the issues of sexual harassment, racism and heterosexism
- to develop workshops and information sessions for students, academic and non-academic staff on human rights issues including sexual harassment, anti-racism, heterosexism. For issues such as employment equity and ableism, the Office liaises as much as possible with other offices within and outside the University
- to analyze studies and policies developed at Queen's to identify potential bias or conflicts with human rights legislations and principles
- to provide accessible documentation relative to human rights issues for consultation by the Office staff and the University Community
- to keep the University informed of current human rights issues, including the rights of persons in law and the basis for the development of these rights
- to provide accessible services and materials to persons with disabilities
- to provide a safe environment for all those who wish to use the services of the Office.

## C. ORGANIZATION:

The Human Rights Office was formed in September of 1992 as a result of many culminating incidents. Chief among these was the release of the ***Report of the Principal's Advisory Committee on Race Relations***. An equally important event which proved instrumental to the eventual structure of the Office however, was the total lack of support by volunteer sexual harassment advisors for the system and procedures in place for dealing with complaints of sexual harassment.

In September of 1992, after a search and interview process had been carried out by a committee, Irène Bujara was appointed as the Director. In order to allow the maximum independence necessary for carrying out the functions of the Human Rights Office and to minimize potential conflicts of interest, the reporting structure was set up for the Office to report directly to the Senate of Queen's University.

The Office immediately began to put into place an organizational structure that would support those needs which were felt to be most pressing: the need for sexual harassment advisors, and the need for anti-racism, as well as anti-heterosexism strategies. Following calls for nominations in the Queen's Journal and Gazette, and with additional outreach to community organizations, the Anti-Racism Council, the Council on Issues of Sexual Harassment, and the Anti-Heterosexism and Anti-Homophobia Council were formed. These councils have members representing the student body, the academic and non-academic staff of the University and the Kingston community.

The Office has only recently been fully staffed however, to the extent that it is able to fulfil the three areas identified specifically in September 1992 as being in need of immediate action.

Patricia Bentley joined the Office as senior secretary when it opened in an empty classroom in the Stewart-Pollock Wing/Fleming Hall.

Margot Coulter joined the Office on a half-time basis as the Sexual

Harassment Co-ordinator, to organize the initiatives in the area of sexual harassment which are: to meet the need for the training and support for the volunteer sexual harassment advisors; to provide a permanent staff person who would be available to advise clients in this area; to liaise with the Sexual Harassment Council in order to bring the perspective of the various constituents of the University forward as the Office developed and updated policy and educational material.

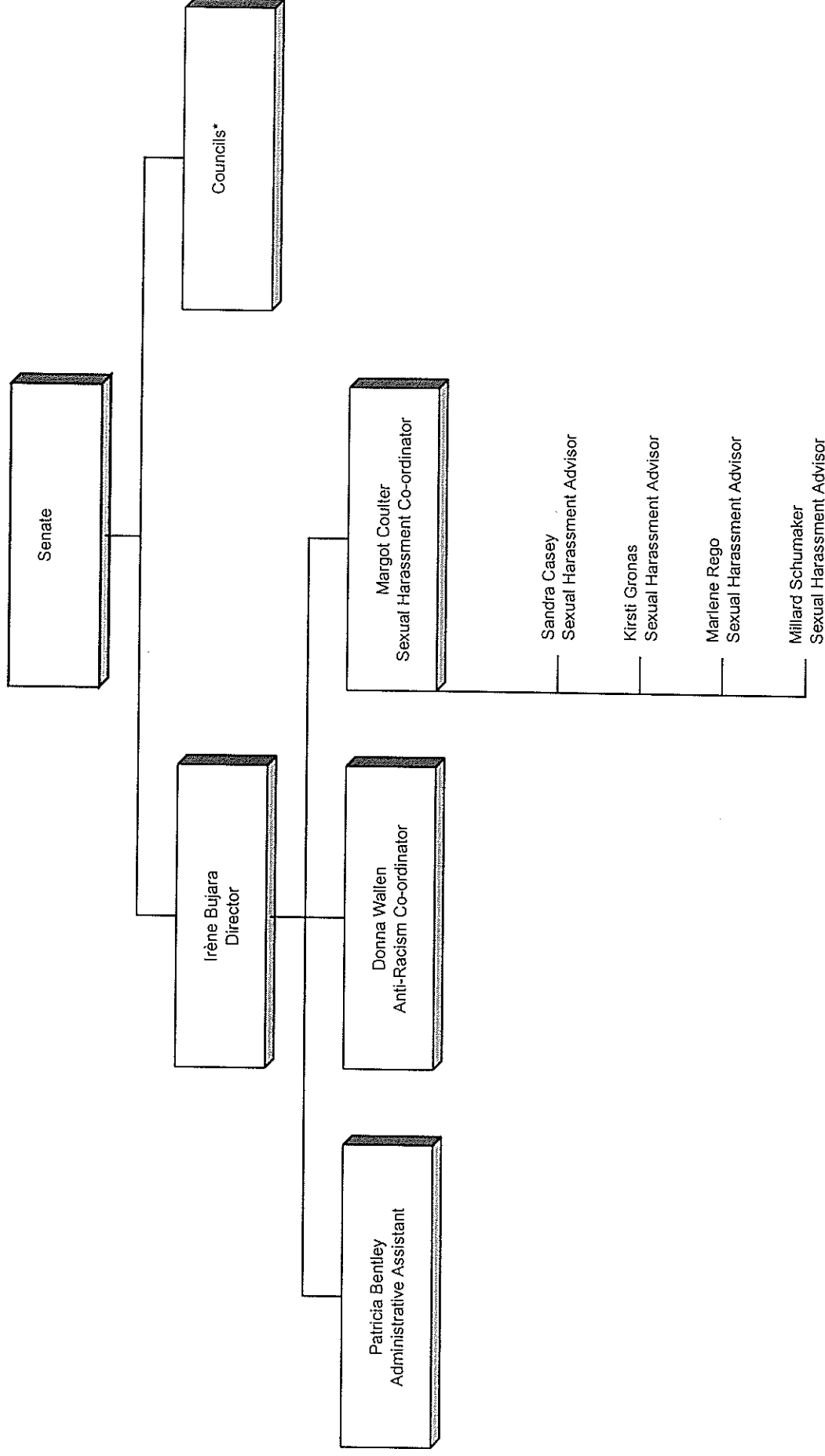
In December of 1992, the staff moved into its permanent quarters in the Old Medical Building.

In January, Donna Wallen joined the Office as the Anti-Racism Co-ordinator. She began to work on anti-racism initiatives, with a priority for the development of procedures to deal with discrimination and harassment because of race. She would also liaise with the Anti-Racism Council to bring the perspective of the various constituents of the University forward, as the Office developed policies and procedures.

In May, Bill Holder joined the Office on a contractual basis to begin laying the groundwork for initiatives with respect to the areas of homophobia and heterosexism, again with an emphasis on the development of procedures. Bill would also liaise with the Anti-Homophobia and Anti-Heterosexism Council to bring the perspective of the various constituents of the University forward.

# HUMAN RIGHTS OFFICE

## Organizational Chart



\*Councils: Anti-Racism, Sexual Harassment, Anti-Homophobia and Anti-Heterosexism  
 NOTE: Mr. William Holder - Contract Position for the summer: Gay, Lesbian and Bisexual Policy and Education Officer

## **D. LOCATION:**

The first phase of a two part renovation plan, undertaken to house the Human Rights Office was completed in December 1992. A reception area and two offices were available to house the staff. The first phase also allowed for wheelchair access for the entire Old Medical Building. A forecasted completion date of May, was to have seen the completion of an additional office, conference room and wheelchair accessible bathrooms.

Because of the delicate and confidential nature of the work that the coordinators do, it was important to have offices that would be private for the comfort of those using our services. At the same time, we needed to ensure that we were easily accessible to the community. The proposed plan for a wheelchair accessible area comprising a reception area, three private offices, and a conference room was ideal. In this way, those who advise individuals could arrange schedules so that they always had a private office to meet in, and the councils, as well as the volunteer advisors would have a meeting room available for them. The need for a conference room was felt to be equally important because the number of Councils meant that there would be succession of meetings on a regular basis. The conference room also allowed us to plan for a space for the documentation centre where interested persons could consult the available materials.

When it became apparent that delays to the renovations for the Human Rights Office would be much more prolonged than anticipated, the Dean of Women's Office helped us by making their conference room available to us. The Dean of Women's Office has generously given of their time, space and assistance throughout this first year. The Human Rights Office wishes to thank Dr. Elspeth Baugh, the Dean of Women, and Jerry Roddy, her assistant for their great consideration and help.

It is hoped that the renovations will be completed in 1993 so that we may have a conference room for the Sub-Councils to meet, and to house the documentation centre which we wish to make available to users of our services.

## **E. ACCESSIBILITY:**

The Human Rights Office has been making every effort to ensure that it is as accessible as possible to persons with a disability. A ramp built on the east side of the Old Medical Building has ensured access to persons with a mobility impairment.

A TDD (telecommunication device for the deaf) line has been installed, and we are attempting to have much of our awareness and educational materials printed to meet the needs of those with visual impairments. Although we are still prone to errors and omissions during the learning process, we hope to continue to improve in this area.

Providing educational material in the form of alternate formats such as audio tape, braille, diskette or large print should become a general procedure, but there are likely other needs which we will need to take into consideration.

We expect that as we publish more educational material, we will need to consider its accessibility to the community in an even wider context. We need to consult as to the appropriate medium, and the areas where we may expect to find support in terms of funding, services or general help for these initiatives.

## **F. FRENCH/ENGLISH BILINGUALISM:**

The Office has, under certain circumstances, chosen to publish some of its awareness material in both french and english.

Putting an emphasis on french/english bilingualism for some of our material is in keeping with one of our goals, which is to network with other Universities throughout Canada. In addition we felt that the purposive nature of official languages provisions, federally and provincially compelled us to consider this under certain circumstances. We had an enthusiastic response from Universities in Québec who have seen the posters and were very pleased that Queen's had considered this need. This will no doubt allow links to be made more easily with francophones on campus as well as the network in Québec.

The principle under which we operate is that, whenever possible, we must make all efforts necessary to provide information to all members of the community which we serve. We are striving to avoid the trap of making excuses when a greater effort is needed in finding external funds or support. Some material needs to reach persons in their first language, or in alternate media, for the Office to be truly effective. Some material needs to be tailored to meet the needs of persons with disabilities. We must always consider the needs of our community and the aim of the material when deciding on these issues. The response we have had so far has been overwhelmingly positive.

## **G. LOGO:**

The logo for Queen's Human Rights Office was designed by Leo Yerxa. He is an international renown artist from the Little Eagle Reserve of the Ojibway Nation, who now works in Ottawa.

Leo Yerxa has often donated his talent and his time for Human Rights organizations, and did so once again on this occasion.

The image is a metaphor for transformation and the movement towards freedom, and the dove is a universal symbol for human rights.



## **IV. PROGRAMMES AND SERVICES:**

### **A. SEXUAL HARASSMENT**

Sexual harassment has been a disturbing issue in universities for over a decade. As with most harassment issues, its face has changed and strategies for fighting it have had to change with it. One constant however, is that power or the desire for power, and socially constructed gender roles remain the catalyst for such harassment. Whether it manifests itself in relationships as professor-student, employer-employee, or as we are seeing with increasing frequency, peer dynamics - the issue is one of power.

In Canada, the legal recognition that sexual harassment amounts to sexual discrimination and is prohibited by the Ontario Human Rights Code began in 1980. Its meaning and scope evolved with successive cases in the courts. Increasing public concern brought changes in public policies and legislation. It is important to note that the majority of 'victims' are still women despite the changes in the social and political climate that has encouraged organizations to demand equality and fairness for women.

Leaving the legal changes to those better positioned to effect such change, Queen's Human Rights Office, through its Sexual Harassment Coordinator, volunteer advisors and the Council, have concentrated their efforts on the means to combat sexual harassment within the University. This includes the revision of existing policy. The development of sexual harassment laws has demonstrated that legislation can be instruments of social change, however prevention through policy and the enforcement of such policies remains a viable alternative to litigation for many of those most affected and this is the area where we can make a difference.

As discussed earlier, Queen's University found itself in a very difficult predicament at the beginning of the 1992-1993 academic year. The lack of support for those who had volunteered their time to act as advisors in this area had prompted all those who might have considered doing this work to decline. This led to a situation whereby the University was unable to provide a service which it was committed by its own procedures to provide for complainants of sexual harassment.

Faculty members who had served as advisors in the past had found that the time they needed to put into this task left them unable to fulfil the expectations of their department in the areas of research, publishing and teaching and consequently found that they were penalized on merit for this. Even with the moral and verbal support of the central administration, this problem persisted and the advisors continued to feel isolated and penalized. In addition, the advisors found that they became the target for blame when errors or inconsistencies in wording or interpretation of the sexual harassment procedures were uncovered as they attempted to use it in formal proceedings. Added to this was a lack of moral and emotional support through networking that led very quickly to burnout for the advisors.

Non-academic staff who chose to give of their time for this work felt equally unsupported, and often came across much of the same barriers faced by faculty members. They often found that their department did not have the commitment that would have allowed them to carry out their work effectively. Many sexual harassment cases involve a great deal of time and emotional commitment since the issue is such an emotional one itself, and it often presents itself at a time when a crisis point has been reached. Departments were often loath to give non-academic staff the time needed in such cases.

Without the moral support of their department, or the practical support of a knowledgeable individual to help with the procedures themselves, all of those who worked as volunteer advisors were doing so against tremendous odds.

There had been calls in the past for a paid advisor who could provide support, continuity, training, and be available for both volunteer advisors and complainants. The administration responded in September 1992 by requesting that the Human Rights Office take on the task, and by providing the funds for a half-time advisor. It was felt that with this support in place, volunteer advisors would be able to function without the acute problems they faced in the past.

Having volunteer advisors remained a necessity both because of the

requirements of the sexual harassment procedure, and because of the need for choice when offering services to a wide range of constituents. Students, academic and non-academic staff all use our Office. We must be able to refer a complainant to an advisor with whom they will be most comfortable. This could be a peer, someone outside of their department, or someone of the same gender.

Having a paid co-ordinator has fulfilled many of the needs identified. It allows for continuity and support for the volunteer advisors. The Co-ordinator is also an advisor which allows continuity of evolution in the sexual harassment procedures as the laws and the social context evolve. The necessary administrative, emotional and networking support is now present such that cases can be dealt with as quickly and efficiently as possible. This is to the benefit of the entire community as well as to the complainant.

## **1. SEXUAL HARASSMENT PROCEDURES:**

The Director joined the Sexual Harassment Procedure Review Committee in September. This committee had been formed following difficulties experienced by advisors attempting to use the then existing procedures. It was composed of the following individuals:

**David Mullen**, Faculty of Law, Chair of the Committee

**Virginia Bartley**, Associate Dean, Faculty of Law

**Elsbeth Baugh**, Dean of Women

**Irène Bujara** (Director, Human Rights Centre)

**Diane Burkom**, Office of the VP (Operations and University Relations)

**Jill Harris**, Senate Office

**Gillian Mann**, AMS Education Commissioner

**Gary Racine**, Communications Services

The Committee had been reviewing the procedures for a year prior to the formation of the Human Rights Office and was revising the final draft of the document to be presented to Senate. On Thursday, March 25, 1993 Senate accepted the draft with an amendment, considered a friendly amendment by the Chair of the Committee, David Mullen. The Office will now begin to discuss the amended procedures with the volunteer advisors at future meetings, in order to meet its requirements.

One of the priorities which has already been identified is in working out the function of a respondent advisor, and that person's connection with the Office. Despite a document which is complaint driven, the need for a respondent advisor has become evident. However, inherent in this role is a potential for conflict within the Human Rights Office. The question is of course, can the same office implement the procedures regarding advisors for the complainants and respondents? The answer is obvious since there is unquestionably a conflict of interest. This had been pointed out at the Committee meetings, and it was felt that Senate could provide the necessary support for this individual. There still remains many questions as to the role and exact functions of such an advisor, and these must be worked out fairly quickly for the coming year.

## **2. INFORMATION SESSIONS:**

The Director, the Co-ordinator and the volunteer advisors all took part jointly and separately in a number of presentations regarding sexual harassment. These were sometimes requested by the department, and at times initiated by the Office as a pro-active measure to fight sexual harassment. The Office is always available for workshops, and will try to meet the specific needs of the department.

The Office also participates in committees looking at sexual harassment, sexual assault or sexual misconduct procedures in specific areas of the University. This allows for continuity and coherence regarding various policies relating to sexual harassment.

### 3. CASE DATA:

In the following data the term academic staff includes teaching assistant, and the term student includes students living off-campus students and students who are also employed at the University in some capacity other than as teaching assistants.

<b><i>NUMBER OF SEXUAL HARASSMENT COMPLAINTS<sup>1</sup></i></b>	<b>39</b>
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<b><i>ORIGINAL REQUEST MADE BY:</i></b>	
Academic Staff	7
Non-Academic Staff	9
Students	23

<b><i>COMPLAINANT:</i></b>	
Academic Staff	4
Non-academic Staff	8
Student	27

<b><i>COMPLAINANT BY TYPE:</i></b>	
Group	9
Single	30

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<sup>1</sup> It is important to note that 13 of the sexual harassment complaint cases relate specifically to a hostile environment.

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<b><i>COMPLAINANT BY GENDER:</i></b>	
Female	31
Male	5
Both	3

<b><i>RESPONDENTS:</i></b>	
Academic Staff	14
Non-academic Staff	7
Student	16
Mixed	2

<b><i>RESPONDENT BY TYPE:</i></b>	
Group	7
Single	32

<b><i>RESPONDENT BY GENDER:</i></b>	
Female	2
Male	35
Both	2

<b>FORMS OF HARASSMENT:</b>		
<b>COMPLAINANT:</b>	<b>RESPONDENT:</b>	<b>#'s</b>
Academic Staff	Student	10
Academic Staff	Academic Staff	2
Academic Staff	Non-Academic Staff	2
Non-Academic Staff	Non-Academic Staff	6
Student	Academic Staff	1
Student	Non-Academic Staff	1
Student	Student	15
Others		2

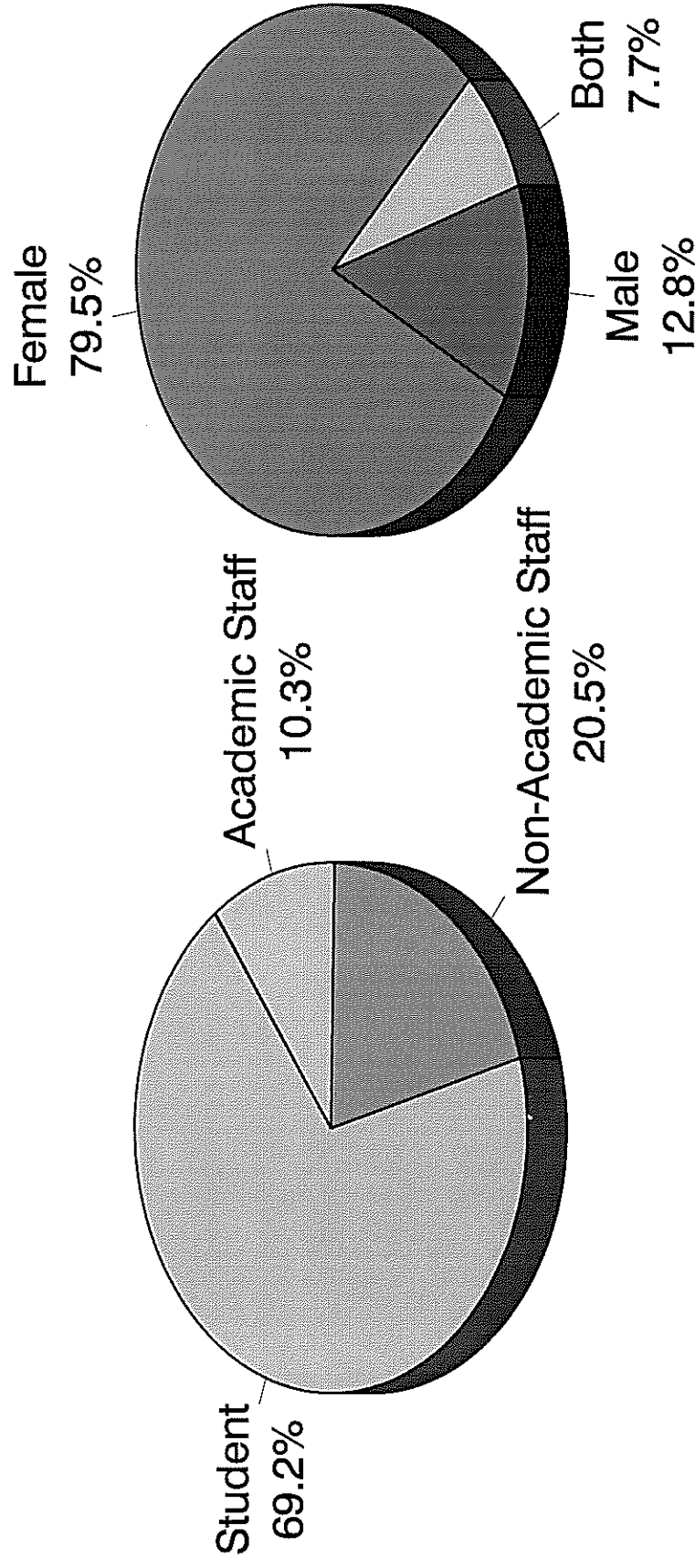
<b>COMPLAINTS REFERRED TO:</b>	
Sexual Harassment Co-ordinator	16
Volunteer Advisors	14
Director	9

<b>METHOD OF RESOLUTION:</b>	
Informal	26
Formal	4
Critical Intervention	8
Nothing done as requested	1



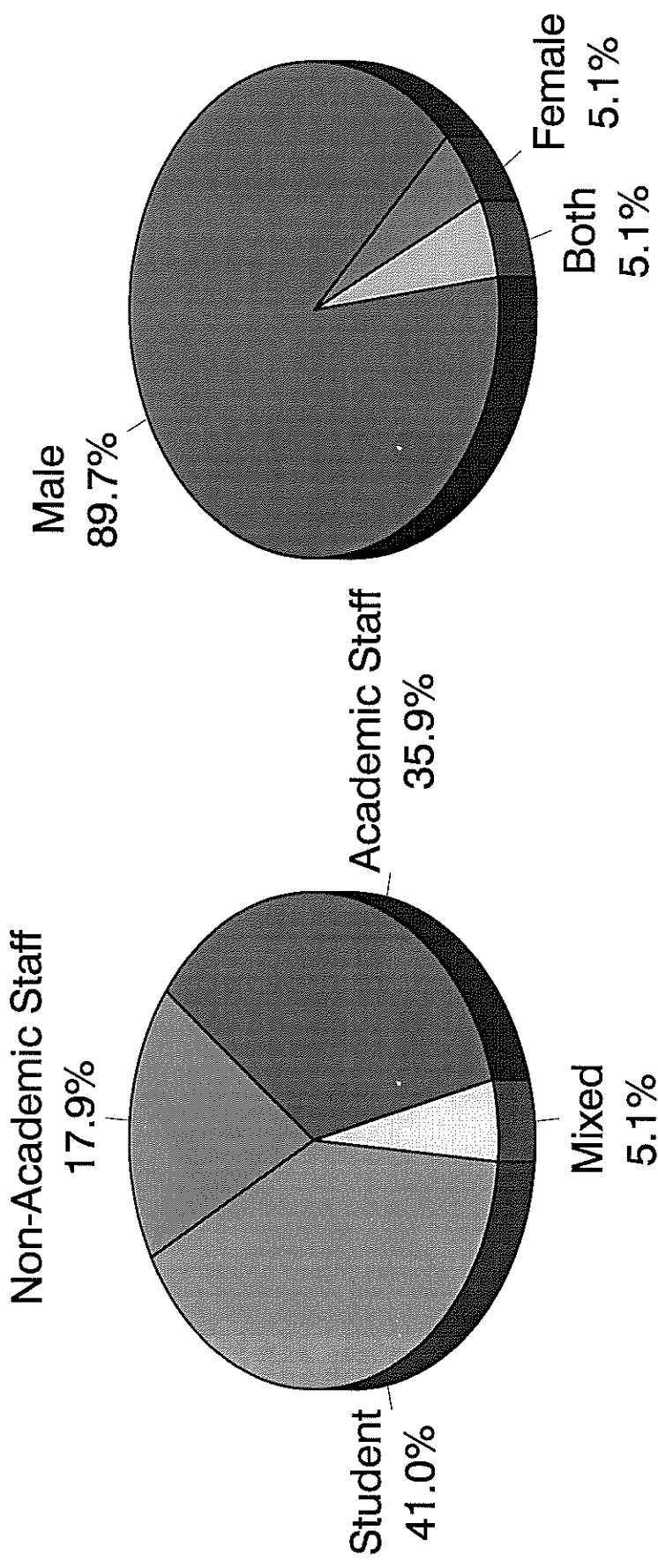
<b><i>COMPLAINT MADE IN MONTH OF:</i></b>	
September, 1992	1
October, 1992	2
November, 1992	8
December, 1992	2
January, 1992	4
February, 1992	10
March, 1992	10
April, 1992	2

# SEXUAL HARASSMENT COMPLAINANTS



Complainants by Gender

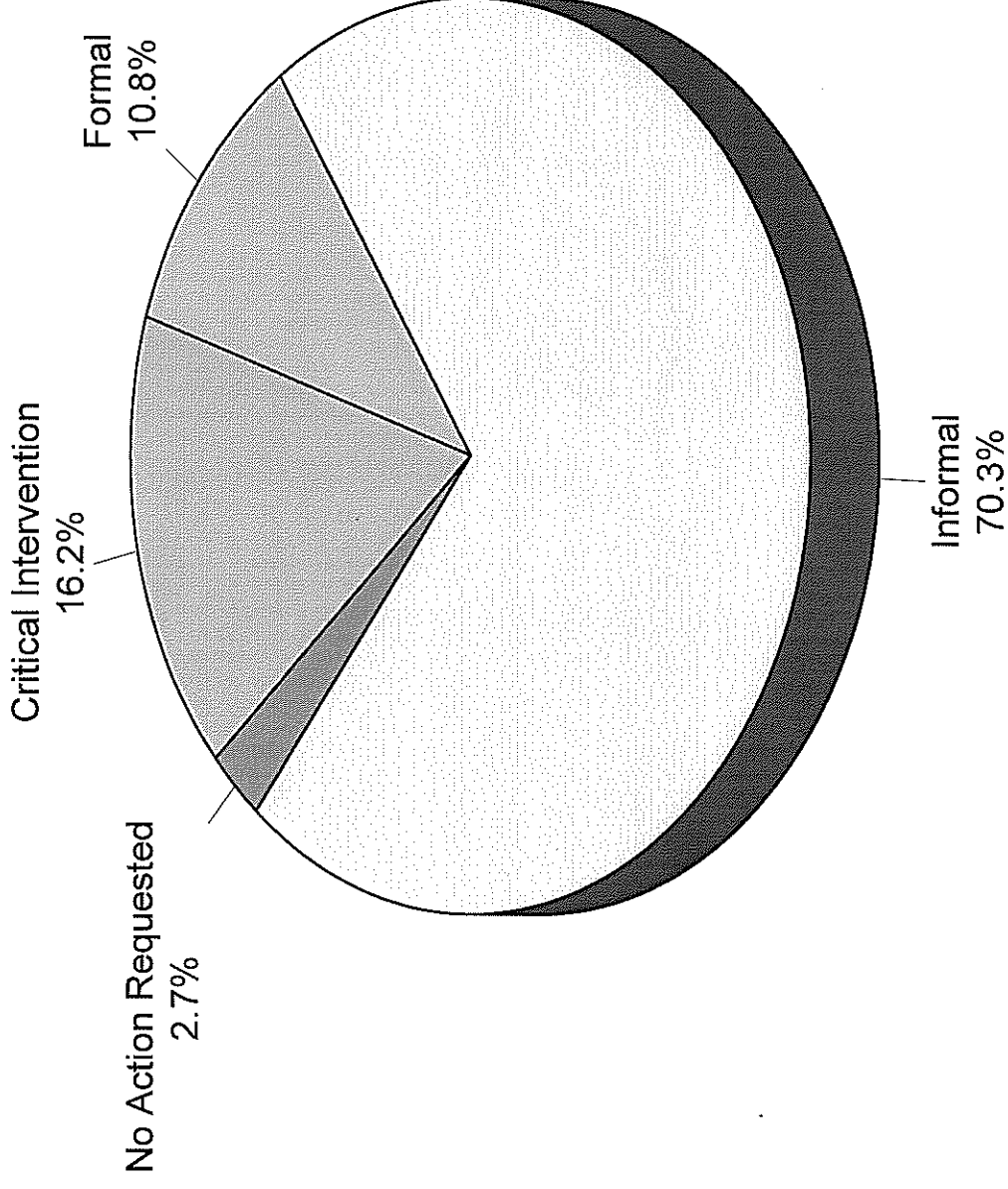
# SEXUAL HARASSMENT RESPONDENTS



Respondents by Gender

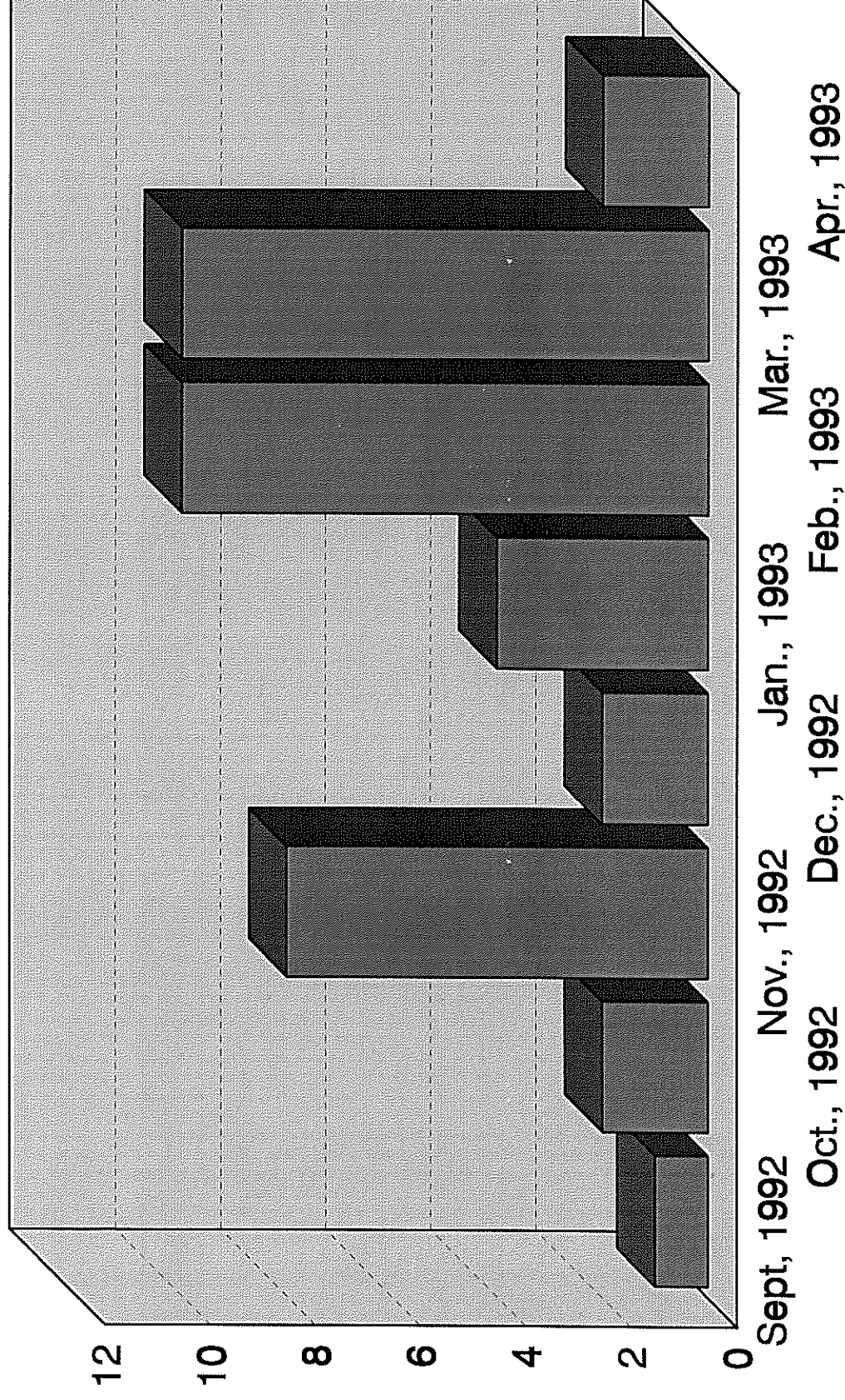
# SEXUAL HARASSMENT COMPLAINTS

## BY METHOD OF RESOLUTION



# SEXUAL HARASSMENT COMPLAINTS

MADE IN THE MONTH OF:



Some critical reflection on what this data tells us is warranted at this point. Keeping in mind that the issue of sexual harassment is first and foremost about power, none of the figures we find are surprising.

Students have made use of the Office's sexual harassment section of the Human Rights Office in greater numbers than any other constituent of the University, and also form the largest component of complainants. This is not surprising since they are present in greater numbers, and are possibly the least empowered of the three groups. Non-academic staff are next in numbers of complainants, and academic staff, who yield the most power in a University have the lowest numbers.

It is also interesting to note the gender difference, however. Women are the majority of complainants, easily explained by social constructions of power. Notably, within faculties which is the group that holds the most power in the University, all of the complainants were women. It is evident that when we balance all other things such as economics and status, the social constructions of power means that women must still endure sexually harassing behaviour, as well as hostile and chilly environments.

Students are also the majority of respondents. This confirms the trend in other Universities indicating that either the incidents of, or the reporting of incidents of student/student sexual harassment has increased dramatically in the last few years. The majority of respondents are male students. Again, we see from these figures the same social construction of power: all other things being equal, gender still determines the power dynamics and women are the ones who will endure sexually harassing behaviours.

It is important to note however, that academic staff are a very close second in numbers of respondent relative to student complaints. This indicates clearly that we must still deal with the more traditional form of sexual harassment. This is where we see certain faculty members abusing the power they have, or are perceived to have, over the students' future career, making the fear of reprisals an important contributing factor in a student's unwillingness to report the incident.

The number of complaints relative to a hostile environment show that people are less tolerant of actions that produce a continuum of hostility in their working or study environment. It is clear that the climate of the University still has not changed enough to ensure that the majority of women feel secure in their environment.

Retaliation for reporting sexual harassment incidents is itself illegal, and must be treated just as seriously as the case which gave rise to it. This is a particularly acute problem for graduate students. We must be able to assure complainants that any such retaliatory actions will be taken very seriously, and that penalties for such actions will be severe. Retaliation is unacceptable and serves to defeat the purpose of legal protection for those who report sexual harassment. There have been several instances of persons who have felt intimidated by their superiors after coming to the Office for advice. This is totally unacceptable. We are here to give advice and information regarding sexual harassment whether it is regarding a complaint or simply a request for information. This type of intimidation is in itself a grave abuse of power.

The data gives us strong indications that there is a need for continuing development of the sexual harassment policies and for the dissemination of information regarding this issue at **all** levels within the University.

## B. SEXISM:

A disturbing number of incidents of sexism have come to light on the campus in the past academic year. It is not surprising that several complaints of sexism have come to the Office.

### 1. CASE DATA:

# COMPLAINTS WHERE ACTION WAS REQUESTED	7
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<b>COMPLAINANTS:</b>	
Academic Staff	2
Non-Academic Staff	1
Student and Academic Staff	3
Alumnus	1

<b>COMPLAINANT BY GENDER:</b>	
Female	5
Male	1

<b>RESPONDENTS:</b>	
Academic Staff	4
Administration	1
University Group/Organization	1
Outside Group/Organization	1



When we add this data the many instances of phone calls or visits from alumni, students and academic staff upset by incidents which they define as male bashing, we see reflected in the University a social structure that has often shown intolerance for the fair exchange of ideas when those ideas challenge the dominant power dynamics.

What the complaints tells us is that when a feminist speaker comes to the University there are invariably calls of protest alleging hate speech against men. Female faculty members are often treated as counsellors and care givers by reason of their sex, and subject to harassment if they do not accept this role. We still see a great number of problems regarding sexist curriculum and biased curriculum materials. There is still a disturbing emphasis placed on the objectivity of scientific literature, and the perceived unavailability of non-biased material in several fields.

An interesting phenomenon with issues of sexual harassment and sexism, in those instances when we need to take actions so that we may substantiate the allegations, we are accused of causing stress that brings about critical health problems. The very serious issues of the actions which brought about the complaint becomes quite incidental for those raising these concerns. I find it difficult to believe that the actions we are taking, which usually include attempts at informal resolution of a conflict, could cause everything from angina to critical high blood pressure. Rather, these allegations appear to be attempts to mask the real issue of the harassment that may have occurred through a respondent's actions.

## C. ANTI-RACISM:

Increasing diversity in our society demands that we take an honest look at the systemic racism inherent in the structures of Canadian institutions. Queen's has attempted to respond to this need through the Human Rights Office. This response is not specifically that which the Principal's Advisory Committee Report had advised. With the full support of the Office, its Anti-Racism coordinator and Council are committed however, to the spirit and intent of the report.

Racism is about access to knowledge, to power and to the defining of structures. It is about the invisibility that racial minorities feel when they are asked to participate as a token voice, and it is about the risks faced by those who assert their right to full participation.

Racism is about assumptions, stereotypes and language. Racism is about the colour of a person's skin. Only strong, proactive measures supported by a committed administration will bring about the changes that will allow those who have been silent the chance to voice their needs. It will take a great deal of energy and initiative to break down the barriers of denial and artifice that has in the past kept many from achieving their full worth in dignity, but instead has forced them into what Patricia Williams has named the "cold game of equality staring<sup>2</sup>."

The incidents of racism which have been brought to our attention at the Human Rights Office has involved everything from verbal harassment, to hate literature, stereotyping, incidents involving extremist groups, overt anti-semitism and graffiti. The numbers can be misleading, because they do not take into account all of the issues which were brought to the attention of the Office, but for which no formal complaint was actually made. These come to us from third parties who may be residence dons, administrators or community members who have dealt with complaints or incidents of racism. They may want to discuss the issues in order to ensure they have done everything that they could, or they may wish to know where to direct someone who may need further help.

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<sup>2</sup> Patricia Williams, *The Alchemy of Race and Rights*, Harvard University Press, Cambridge 1991, p. 222.

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know where to direct someone who may need further help.

The data we can give regarding incidents of racism cannot come under the same categories as that for sexual harassment. Giving the sex of the complainants and respondents does not in itself mean anything. We must take many other factors into account such as the combination of race and sex for each of them, and this is virtually impossible to give in chart form.

In addition, because there is not yet any written procedures, and because of the nature of the incidents which often have an element of violence, the type of resolution to a complaint is generally a combination of advice, informal and/or formal action, mediation and counselling. There is seldom one single avenue being followed.

Data is also difficult to transmit, because the communities involved are usually small communities with strong ties to one another. This generally means that any given case is easily identifiable.

We have chosen to give data on the number of cases by constituency since this does give us a very important indication of the nature of the complaints, and who is most affected at this stage.

## 1. CASE DATA:

<b>NUMBER OF COMPLAINTS</b>	<b>27</b>
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<b>COMPLAINANTS BY GENDER:</b>	
Female	14
Male	8
Both	4
Other (Institutional)	1

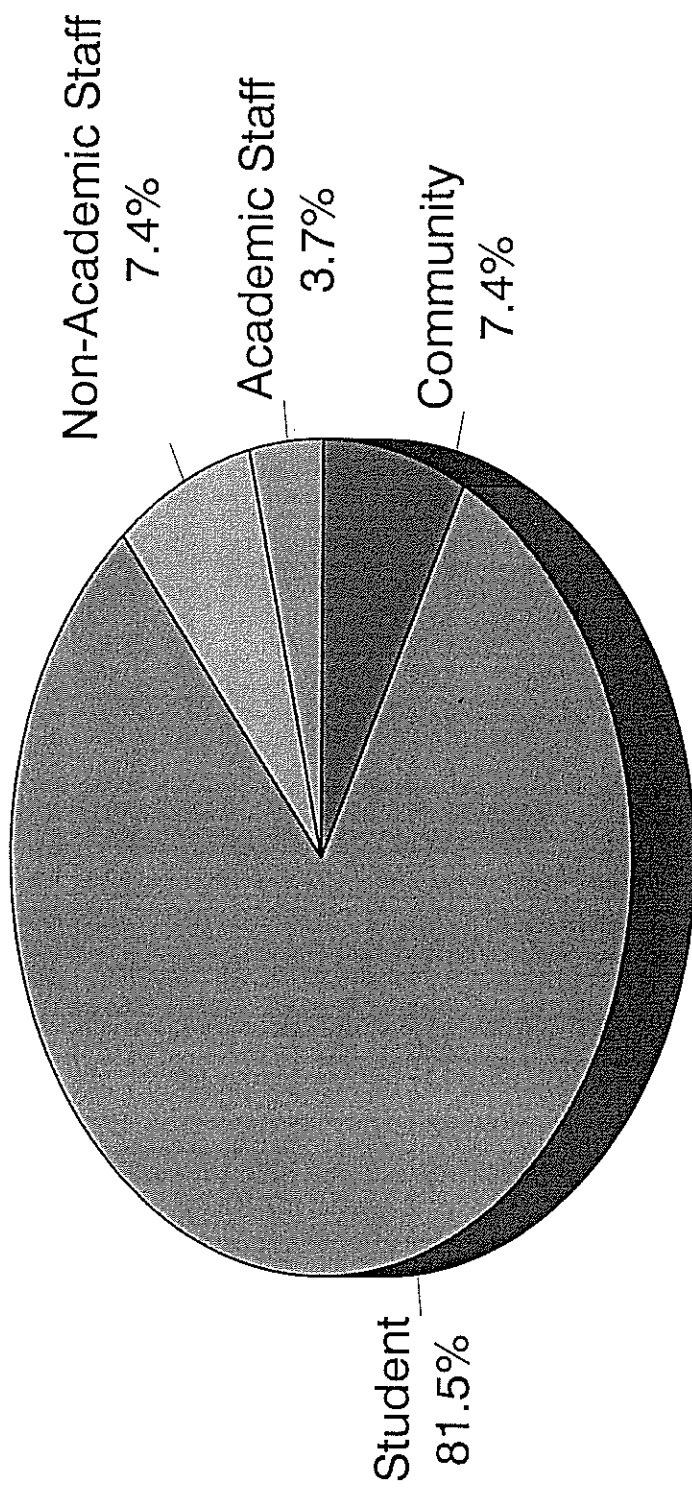
<b>RESPONDENTS BY GENDER:</b>	
Female	1
Male	3
Both	2
Unknown	1
Other (Institutional)	20

<b>COMPLAINANTS:</b>	
Academic Staff	1
Non-Academic Staff	2
Student	22
Community	2

<b><i>RESPONDENTS:</i></b>	
Institutional (Student Agency)	7
Institutional (Academic Agency)	6
Institutional (Non-Academic Agency)	3
Non-Academic Staff	1
Student	4
Community	22
Community	2

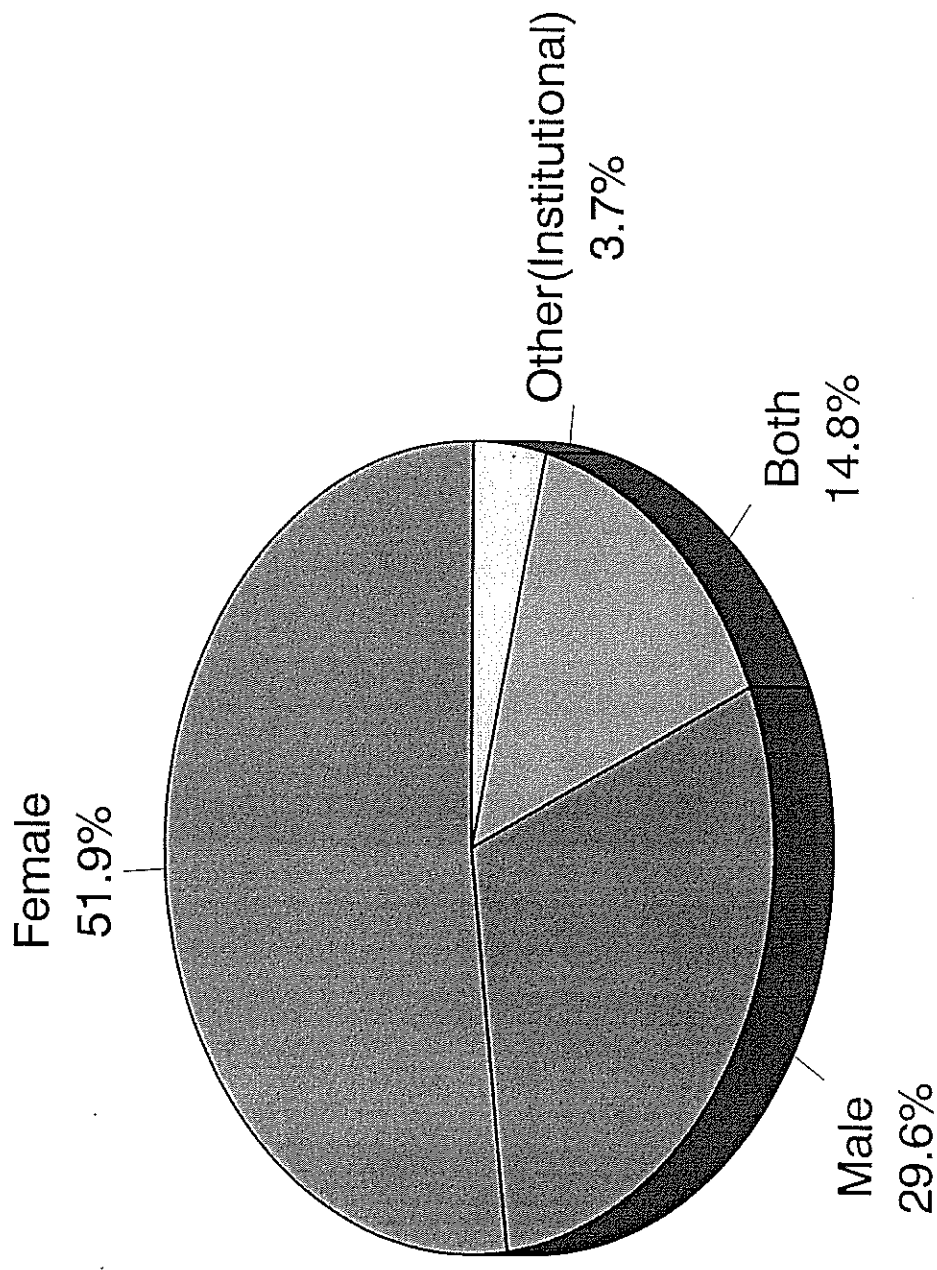
# RACIAL HARASSMENT COMPLAINTS

## Complainants



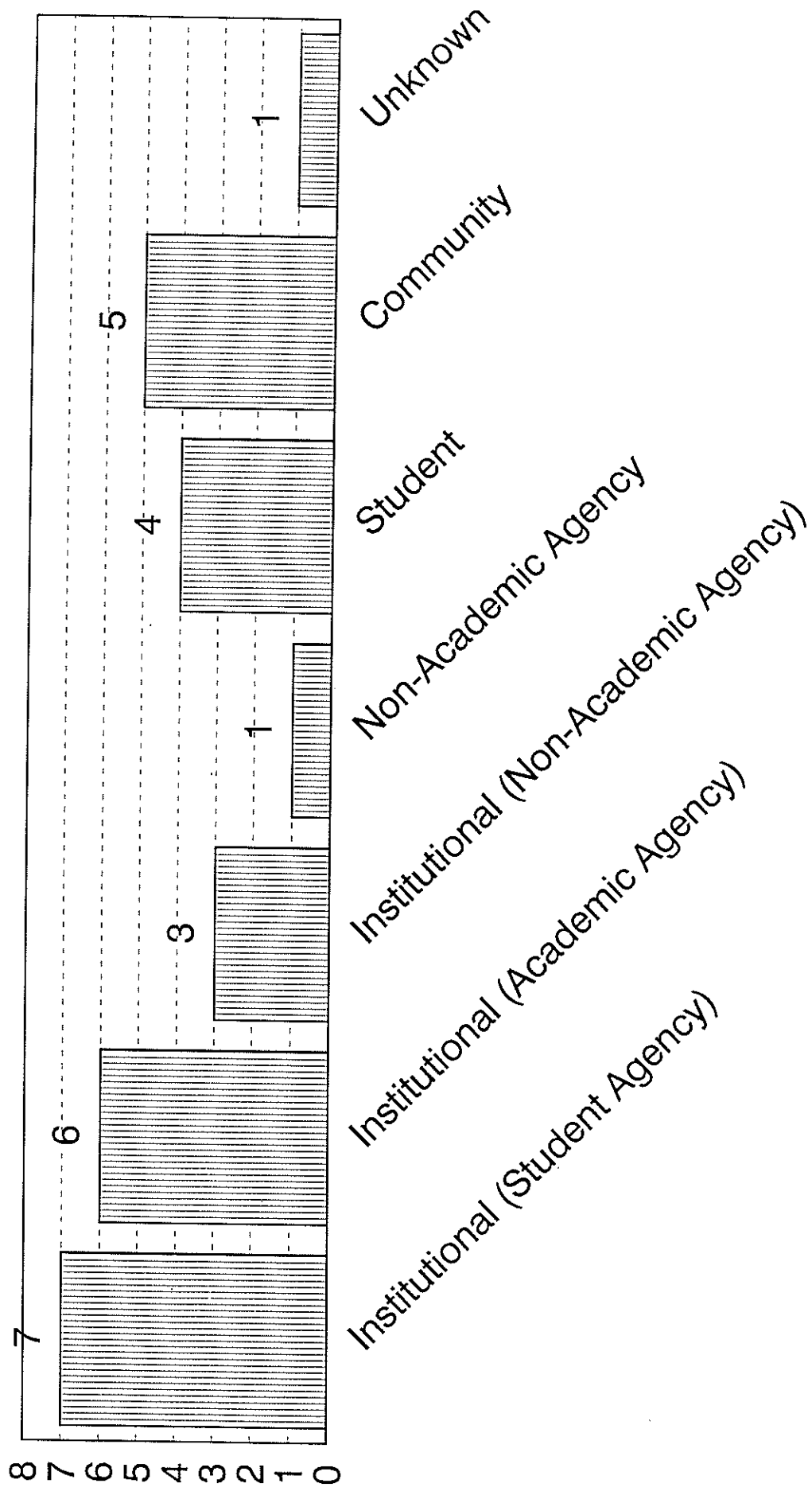
# RACIAL HARASSMENT COMPLAINTS

## Complainants by Gender



# RACIAL HARASSMENT COMPLAINTS

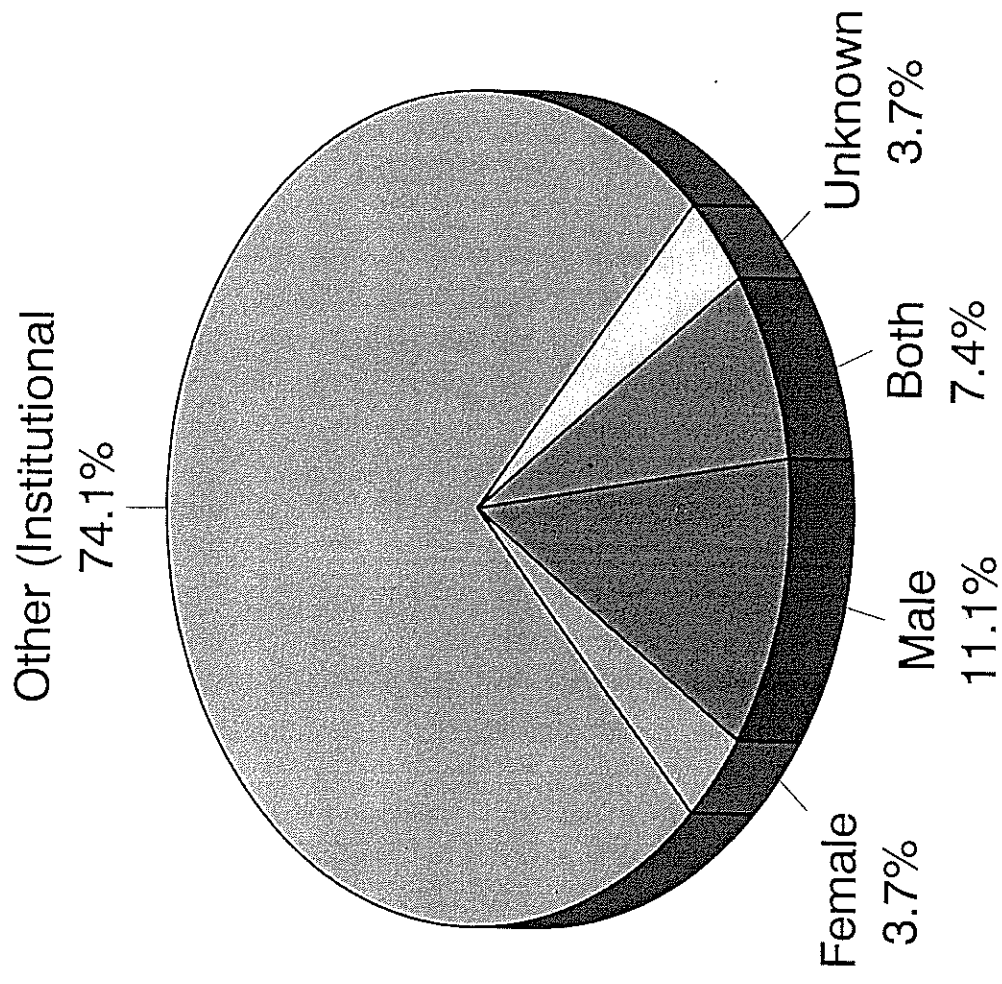
## Respondents





# RACIAL HARASSMENT COMPLAINTS

## Respondents By Gender



It is very interesting to note what these figures tell us. The greatest numbers of complaints by far came from students, the majority of these women. The greatest numbers of respondents were institutional, and covered all types of agencies, ie. student-run, academic departments and non-academic departments of the university, as well as within the community. Evident in these figures, as well as the information that is coming to us, is the fact that the students feel a hostile climate from most institutional areas of activity at the University. They feel it in the classroom, in the services provided at the University, and in the student-run services. The issue of systemic racism is definitely the catalyst for most complaints. This is not entirely surprising since a hostile climate is generally created not only by institutional barriers, but by the combination of individual actions, and the institutional response to these.

I must give a word of caution however, about assumptions that students are necessarily those most affected by incidents of individual or institutional racism. It is likely that the low numbers of academic and non-academic staff who represent racial minorities affects these numbers to a large extent. There may also be more avenues for resolving issues for these areas.

One of the positive reactions to the complaint process has been the willingness of individual professors, and departments to answer the needs of the students and take steps to provide additional material to ensure they are presenting an unbiased curriculum. Although this is not always the case, it has been the reaction in the majority of cases in which we have been involved.

Most departmental agencies have been very willing to meet and discuss any issues that come to the attention of the Office, and work constructively to address them. The reaction of student-run agencies are mixed. Some have been very willing to address issues, others are very reluctant to even face the issue.

The response from individual respondents has also been very mixed. There is often a willingness to discuss and respond to concerns, but an equal number of respondents have the disturbing tendency to accuse the complainant of using their race to make up issues, or the Office of being

biased such that as a respondent, their objections to the complaint will bring on additional accusations of racism. These incidence are quite frequent and this is an issue the Office obviously needs to address.

There are several things that the figures do not show that are important to note. Some of the complaints by groups often lead to counter accusation by respondent groups which makes resolution of the complaint very difficult, and is a challenge to the best of mediators.

Most of the complaints point to systemic issues of under representation or bias. These are very often pointedly denied and this is a difficult point at which to attempt resolution.

Another issue is the number of calls alleging sexism by men, most often not leading to any formal type of complaint, which have a strong element of racism or lesbophobia. Many of these often anonymous calls are notable by the vehemence of feelings with which feminism, lesbianism, and/or racism are tied together into one package by the caller who wishes to vent his anger. We have had no such communications from female callers to date. For us, the incidence are frequent enough to give strong indications of the interconnecting thread of harassment and discrimination in the three issues with which we are most frequently involved.

What do these figures mean for the Human Rights Office and Queen's University? The overwhelming message is that it is essential to do some very strong pro-active work to address issues of systemic racism, and that must continue to be our focus in the future. When the Council has finished drafting a policy to address issues of discrimination and harassment on the grounds of race, this will certainly help us to more efficiently handle individual complaints.

## D. HETEROSEXISM AND HOMOPHOBIA:

***Homophobia:*** The irrational fear, hatred, or intolerance of lesbian, gay, or bisexual people. Homophobia also includes uneasiness with any behaviour that does not conform to gender-role stereotypes. Homophobia can manifest as fear of being gay, fear of being perceived as gay, or fear of being associated with gay people. Homophobic behaviour can range from laughing at "queer" jokes to engaging in violence against lesbian and gay people. Homophobia maintains sexism as well as heterosexism.

***Heterosexism:*** Cultural, institutional, and individual beliefs and practices based on heterosexuality as the only normal, acceptable, healthy sexual orientation.

Bisexuals, lesbians and gay men in Canada do not enjoy the same basic freedoms as others in our society. Their sexual orientation is often the basis for unjustifiably different treatment under legislation, policies and in their dealings with private persons. Although certain gay sexual activities were decriminalized in 1969, anti-bisexual, anti-lesbian and anti-gay prejudice and discrimination are still evident throughout our institutions. It is important to remember that institutions are not abstractions - they involve people - all of those who use them and all of those who work within them.

The manifestations of anti-bisexual, anti-gay and anti-lesbian feelings such as assaults, harassment and hate propaganda are encouraged by the reluctance of our institutions to provide policies, as well as the absence of human rights legislation. Bisexuals, lesbians and gay men need the protection afforded by anti-discrimination policies to be able to share their lives more honestly. Homophobic people could then better understand that their beliefs are unfounded.

We all experience heterosexism in different ways and in the final analysis both gay and non-gay people are limited by a heterosexist society because prejudices undermine not only individuals, but the entire community. It is important to note that people experience heterosexism compounded with other oppressions: First Nation people and racial minorities, for example, are also oppressed by racism - inside and outside

the bisexual gay and lesbian communities; lesbians experience heterosexism compounded by sexism in male-dominated institutions and by individual sexist actions and behaviours.

It is therefore important that the Human Rights Office take an active role in eliminating heterosexism and homophobia where it can. Recent court cases have demonstrated that it is not only necessary for the good of the institution, but, institutions have a legal responsibility to do so.

Although there has been an Anti-Homophobia and Anti-Heterosexism Council working since January 1992, the Office has begun to address the issues more systematically this summer. We have a new project staff member, who is to lay the groundwork for a sexual orientation harassment policy, as well as coordinating other specific initiatives (ie. documentation, networking). We hope the position will also be filled in this coming academic year so that the systemic issues involved will no longer be ignored.

The Office has informally handled 3 cases of hostile or discriminatory harassment on the grounds of sexual orientation. Any other cases were cases where no action was requested nor deemed appropriate by a decision of the complainant in the Office.

## **E. PERSONS WITH A DISABILITY**

The Human Rights Office does not house a component for persons who require accommodations because of a disability. Queen's has a Special Needs Office that addresses these issues very effectively. Housing this Office with Human Rights would not have enhanced the service in any way. We do however address people's concerns of discrimination or harassment on the grounds of a disability. We liaise with the special needs Office when appropriate. The Special Needs Office is also aware of the service which we can provide, and can consult with us at any time.

We must not forget however, that University campuses are notoriously inaccessible for those with physical and developmental disabilities, and that this represents one manifestation of systemic discrimination. Working to eliminate such barriers is within the Human Rights Office mandate, and we hope that the University community will be as anxious to address the issue as we are.

The Office has addressed one case where the issue was one based on the ground of disability.

## **F. EQUITY:**

The Human Rights Office does not house the Employment Equity Office. The Employment Equity Office had been functioning for several years before the formation of the Human Rights Office. The director of the Human Rights Office sits on the Employment Equity Council however, and the Office developed a liaison with Employment Equity so that we could address the many issues of common concern together when appropriate.

Much progress was made by that unit on developing a Faculty Hiring Kit, a workshop manual for developing equity in the workplace, and a Federal Contractor's Program Compliance Review Report. The next step is that of ensuring that these materials are used in the best possible way. With the Equity Office's structure changing, it is difficult to foresee how effectively this will be done by that Office. Judging from some of the events of the past year regarding faculty appointments, not the least of which was the report of the grievance of Dr. H. Moghissi, the continuing need for a faculty advisor is acute. It is also imperative that the faculty advisor have support and adequate authority for the work that needs to be done. Carol McKeen has done exceptional work in this area, and this should be continued.

It is also evident from many of the incidents which we have seen at the Human Rights Office that there is an unacceptable amount of predatory hiring practices in several sectors of the University. Taking advantage of a difficult job market, or a difficult personal situation, to hire on the basis of a particular skill without compensating adequately is exploitation. This also involves more often than not, elements of racism and sexism. Several cases have come to the attention of the Human Rights Office. They have all involved women or international students or scholars from racial minority communities. There is sometimes nothing technically wrong with the employment situation and it is only when we compare the reality of the position with what is on paper that the problem is exposed. In other instances, there is a blatant disregard for procedures which are generally there to ensure ethical and fair treatment of everyone. This is definitely an issue which we must address in the coming year.

## **G. FIRST NATIONS:**

The Human Rights Office does not have a specific component for issues arising from the concerns of aboriginal students or staff on campus. In interchanges with the Equity Office, it is evident that the very lack of a presence on the campus affects the ability to develop positive strategies to enhance, not only the presence and accessibility of the campus for First Nations, but the environment itself.

The Office has contributed to projects from other organizations that have brought various First Nations speakers to Kingston and to Queen's campus. We have not yet initiated our own projects, in part because we are still looking for the best way to contribute outside of the systemic struggle for employment and educational equity. The best approach is not always to do things ourselves. Sometimes it is in the support we can give others. I am referring here in particular to those who are striving to do things for their own community and who know best what the needs are and how to address them.

We have been pleased to note the expansion of the Aboriginal Teacher Education Program which has been praised by the First Nations communities involved. This is the type of initiative that has concrete short and long term benefits.

As with all other constituents, the Office is always available to help individuals with specific concerns while we develop longer term strategies.



## **H. OTHERS:**

The Office has addressed several cases where the issue is less specific, and involves several factors that make them difficult to give figures for. These often involve workplace issues, and more general fairness and harassment issues. They also often involve any one of the grounds of discrimination such as religion, sex, race, disability, sexual orientation etc.. but can involve more generally environmental issues, or a vexatious course of action. Most of these have been resolved informally. The Office needs to continue to develop its network so that we are able to provide assistance, in those cases where a referral is the more appropriate course of action.

## **V. PROJECTS:**

### **A. TRAINING:**

The Office has offered some preliminary training and support sessions for advisors. These initiatives are ongoing and will become more structured as the Office becomes more settled. The grievance advisors, as well as other agencies involved in counselling or advising on the issue of sexual harassment were invited to the training sessions. These included:

#### **1) GENERAL TRAINING SESSION:**

Irène Bujara:

*Function of Human Rights Commissions and Legislation*

Jill Harris:

*Overview of Grievance Procedures at Queen's*

Elsbeth Baugh:

*Functioning of the Queen's Sexual Harassment Policies*

Diane Burkom:

*Legal Counsel*

#### **2) PANEL DISCUSSION OF AGENCIES DEALING WITH SEXUAL ASSAULT:**

Tanis Crowe:

*Human Rights Commission*

Brenda Lyon:

*Kingston Sexual Assault Crisis Centre*

Constable Laurel Pringle:

*Sexual Assault Police Investigation Unit*

3) **SEMINAR:**

*"Critical Skills for Communicating"*

A two day session in conflict resolution/communication training with Performance Management Consultants.

4) **TRAINING FOR ADVISORS:**

*"Sexual Harassment in Universities"*

An afternoon session with Dr. Carol Waterman, a sexual harassment advisor from New York University at Albany who has produced two videos for use in sexual harassment discussions specifically in Universities. One addresses the subject of sexual harassment generally as it occurs in universities, the other addresses the issue of peer sexual harassment as it occurs for students in universities.

These sessions have proven to be invaluable for the advisors and it is imperative that this be an ongoing process in order to ensure that individuals will continue to find resolutions through existing procedures.

## **B. ACQUISITIONS:**

One of the projects that has proven very successful for those seeking help and advice from the Human Rights Office, without necessarily wishing to file complaints, has been the acquisition of printed and video material which makes up a very diverse collection.

The material covers a wide range of topics including sexual harassment, gay, lesbian and bisexual issues, anti-semitism, the politics of race, issues of concern to the First Nations, the politics of disablement, sexism, the media, and more general human rights. It also includes reference material, for example: a bias-free dictionary, the Human Rights Reporter, human rights codes, statistical information and government reports. We hope to be able to maintain the collection by periodic updating with relevant material. It is still relatively small, but it has proven to be invaluable for those seeking information.

In addition to our own modest collection, we have concluded an arrangement with the University of Ottawa's Human Rights Documentation Centre. This documentation centre will do searches for us whenever we require information that is not available here. This Centre has the largest collection of domestic and international documentation on human rights in North America, and possibly worldwide.

With the acquisition of the software to catalogue the material we have, we will be busy in the coming year improving access to the collection for those who wish to use it.

## **C. POSTER SERIES:**

In order to send positive messages to improve awareness in the community, the Office, in consultation with the Councils, has contracted to have a series of four posters designed addressing the issues of sexual harassment, anti-racism, anti-homophobia, and the general issue of human rights. There is eventually to be a pamphlet which will match each of the posters.

It is imperative that awareness of these issues be raised so that we may have an avenue to reach the community with the educational initiatives planned.

## **D. PUBLIC LECTURE:**

To make the links between education and racism, the Human Rights Office arranged a panel discussion which covered the following topics: teaching a non-eurocentric curriculum in a contemporary academic institution, teaching about racism, and appropriation in literature. The panelists were Joanne St-Lewis, executive director of the Women's Legal Action Fund and past education equity co-ordinator for the University of Ottawa's Common Law section, Dr. Sherene Razack, an educator presently at the Ontario Institute for Studies in Education, and Lenore Keeshig-Tobias, a writer from the Ojibway First Nation.

## **E. PUBLIC LECTURE AND TRAINING:**

Because of the acute lack of training for sexual harassment advisors as well as public awareness, the Office arranged for Dr. Carol Waterman from the University of New York at Albany to spend a day at Queen's. She gave a public workshop, a workshop for those working specifically on issues of sexual harassment, and spent some time in the Human Rights Office advising and networking. She is the author of three videos on sexual harassment in Universities which are structured for workshops. The Office now has copies of the two completed videos available for workshops.

## VI. FINANCIAL REPORT 1992 - 1993

### REVENUE

Queen's University Operating Budget	176,915
<b>Total Revenue</b>	<b>176,915</b>

### EXPENDITURES

Salaries:	(2) FTE, (2) .5 FTE <sup>3</sup>	72,566
	Casual/Part-Time	5,010
	Contract <sup>4</sup>	5,000
Honoraria		2,300
Travel		9,541
Equipment Purchase:		
	Office Furniture/Equipment	19,272
	Office Automation	16,490
Supplies		7,771
Other Operational Expenditures:*		24,699

#### \* PROJECTS:

- 1) Seminar for Advisors, Grievance Officers, and others involved in conflict resolution  
*"Critical Skills for Communicating"* presented by Performance Management  
4,885
- 2) Public Lecture/Training for Advisors  
*"Sexual Harassment in Universities"* Dr. Carol Waterman  
851

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<sup>3</sup> 1 FTE from September, 1992 to April, 1993  
1 FTE from December, 1992 to April, 1993  
1 .5 FTE from September, 1992 to April 1993  
1 .5 FTE from January, 1993 to April, 1993

<sup>4</sup> Contract Position (26 weeks) Gay, Lesbian and Bisexual Education and Policy Officer

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3)	Public Lecture <i>"Equity and Education"</i> by Joanne St. Lewis, Lenore Keeshig-Tobias and Dr. Sherene Razack	2,242
4)	Human Rights Office Awareness Campaign <i>Posters and pamphlets</i>	9,773
5)	Project: Library Documentation Centre <i>Library Acquisitions, and Documentation Software</i>	6,948
<b>Total Expenditures</b>		<b>162,649</b>
<b><u>Revenue Over Expenditures</u></b>		<b>14,266</b>

(specified for projects to be  
completed in the following year)



## **VII. CONCLUSION:**

The responsibilities for an environment which is harassment free and equitable, belongs to everyone. The Human Rights Office must act on these needs both individually and systemically. However, it is also up to the entire community to do what they can to create a positive environment for everyone who is part of the community. The Office is here to assist in achieving this goal.

We will not always have the perfect answers, but we will continue to consult, to learn and to use the knowledge we have gained to find the best possible solution to the evolving issues we are mandated to address. Issues of educational equity, employment equity, accessibility, racism, sexism and heterosexism are all part of the same puzzle. The struggle to provide a harassment and discrimination free environment is an ongoing process and a challenge that must be faced by the community together.

It is important that the community take responsibility for human rights issues on campus. We must move beyond describing oppression, to actively taking part in its elimination. Inaction can at times be just as destructive as overt racism, sexism or heterosexism. The Human Rights Office can take the initiatives, but it is up to the community to make sure they take part in the struggle constructively.

We must also break the cycle of doing for others without adequate direction from those who are supposed to benefit. It is crucial to have input and to act on that input from all of the groups affected.

Finally we must be clear that systemic issues must always be addressed in conjunction with the individual issues. One cannot be done effectively without the other. Each individual problem is an indication of the larger issue. In addition, we must make sure that we do not advance rights in isolation from each other - we must always strive to address issues in a global way.

