

Module 3

Accessing Settlement Services as a Human Right

For Executive Directors, Managers, and Board Members

Presentation by:

Erin Ewing, Project Coordinator – Positive Spaces Initiative
Ontario Council of Agencies Serving Immigrants (OCASI)

Workshop Guidelines

How are we going to ensure that this session is a safe and positive space for all of us here today?



Review of Basic Concepts

Key Terms

- LGBTQ+
- Lesbian
- Gay
- Bisexual
- Trans, Transgender, Transsexual
- Two-Spirit
- Queer
- Questioning
- Intersex
- Asexual
- Genderqueer
- Cisgender
- Homophobia
- Biphobia
- Transphobia
- Dominant Groups
- Non-Dominant Groups
- Privilege
- Marginalization
- Intersectionality

Review of Basic Concepts

- Issues commonly experienced by LGBTQ+ newcomers
- Positive Spaces
 - What they are
 - What they look like
 - Why they are important

Exploring Resistance to Change

Group Brainstorming

- Behaviours
- Actions
- Arguments



Universal Declaration of Human Rights

General Assembly of the United Nations

December 10, 1948

“All human beings are born free and equal in dignity and rights.”



Universal Declaration of Human Rights

These rights are...

- Legally protected
- Internationally guaranteed
- Focus on the dignity of the human being
- Protect individuals and groups
- Universal, equal, and interdependent
- Cannot be waived or taken away

They include the right to...

- Life
- Fair Trial
- Health
- Education
- Property
- Water (recognized 2010)

Regional Human Rights

Around the Globe



- Arab Charter on Human Rights
- African Charter on Human and People's Rights
- American Convention on Human Rights
- Asian Human Rights Charter
- European Convention for the Protection of Human Rights

Visit www.LearnAtWork.ca 'Serving LGBTQ+ Newcomers' Module 3 to see the full text of each.

Canada

Canadian Charter of Rights and Freedoms

- Part I of Constitution Act, 1982 (originally British North America Act, 1867)
- A statement of our basic human rights and freedoms
- Every government law, policy or action, whether at the federal, provincial / territorial or municipal level, must comply with the *Charter*
- Can only be changed through a constitutional amendment

Canadian Human Rights Act

- Federal legislation – much easier to amend or repeal than the *Charter*
- Applies to workplaces in federal organizations, and in industries regulated by the federal government

Ontario Human Rights Code (OHRC)

- Applies to workplaces in Ontario *not* covered by the Canadian Human Rights Act, and to all matters under provincial jurisdiction.
- It is public policy in Ontario to recognize the dignity and worth of every person, and to provide equal rights and opportunities without discrimination.
- The OHRC protects people from discrimination based on _____?
- Rights / Responsibilities
Individual / Service Provider

Ontario Human Rights Code

Employers, landlords, and service providers:

- Are required to provide a healthy, inclusive, and non-discriminatory environment
- Are responsible for preventing and addressing discrimination and harassment
- Hold ultimate responsibility for maintaining a safe space
- Can be held liable

Ontario Human Rights Code

What does discrimination look like?

- Harassment
- Poisoned environment
- Confidentiality regarding LGBTQ+ identity
- Systemic discrimination
- Discrimination due to association
- Discrimination due to perceived LGBTQ+ identity
- Comments or conduct need not be explicit

Manifestation of Discrimination

Directly:

- Refusing to provide services

Indirectly:

- Redirecting LGBTQ+ clients to other providers, even when services are available at your agency
- Agency policies that have a negative impact on LGBTQ+ people

Case Study: Balancing Rights

Discussion Questions

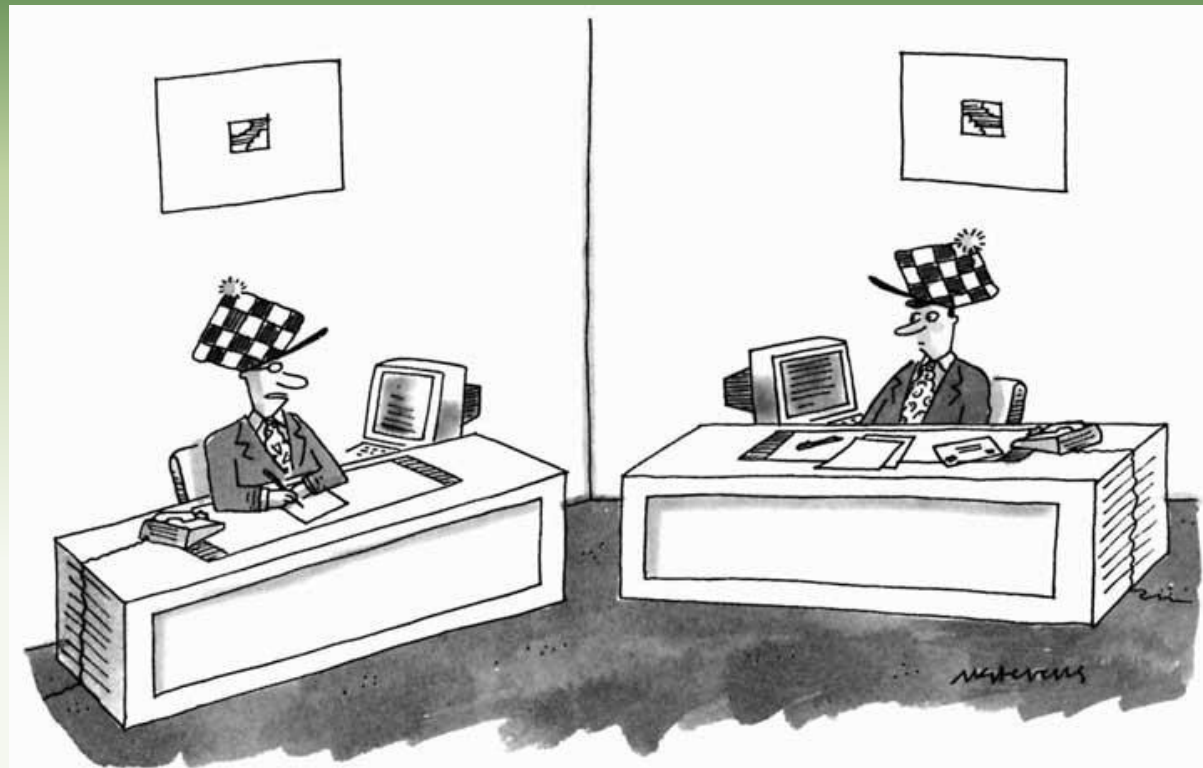
1. Are the rights claims characterized appropriately?
2. Are valid, legally recognized rights at stake?
3. Are the needs of both parties truly in conflict?
4. Is failure to provide service to this couple a denial of their equality rights?
5. Does a duty to accommodate exist in this case?

Break Time!



Organizational Culture

- Based on values, assumptions, and norms
- Forms the basis for decision-making
- Informs what one does or does not do



"I don't know how it started, either. All I know is that it's part of our corporate culture."

Organizational Values

Pair Activity – Brainstorm & Record

1. What are the values that drive your organization?
2. How do these values manifest themselves in your agency?
3. How do you reinforce these values?

Homo/Bi/Transphobia & Cis/heterosexism

- Result of values and assumptions
- Cis/heterosexism is often unconscious
- Homo/bi/transphobia creates a poisoned work environment
- Homo/bi/transphobia is a form of harassment
- Not noticing and not doing anything about cis/heterosexism and homo/bi/transphobia is a violation of the OHRC

Leadership & Positive Spaces

Discussion Questions

1. What is the role of the Board of Directors in creating Positive Spaces?
 - How can this be done? What is needed?
2. In what ways can/should the Executive Director be supported in implementing change?
 - How might this change if the ED is resistant?
3. What is the role of management in creating and supporting Positive Spaces?
4. How can we get staff engaged in the change process?

Policies & Procedures

- Reinforce values
- Anti-discrimination and anti-harassment policies are necessary in creating safe and inclusive spaces
- Management is responsible for ensuring they are understood and followed
 - How do you do this in your organization?
- Clearly including sexual orientation, gender identity, and gender expression as protected grounds under these policies helps to underscore your commitment to creating a culture of respect and safety for LGBTQ+ staff and clients.

Policy Analysis & Revision

Small Group Activity

Within the context of creating LGBTQ+ Positive Spaces and respecting human rights, review your agency's policy and discuss the following:

1. What are the strengths of this policy?
2. What are the weaknesses of this policy?
3. What challenges do you foresee in revising this policy to be in line with OHRC requirements?
4. What strategies might you use to make these changes and present them to staff?

Action Planning

Small Group Activity

The following items are part of creating and sustaining your organizational culture.

Choose ONE area to work on. Fill out your Action Plan chart.

- Mission and vision
- Values
- Strategy
- Communication and discussion
- Training
- Hiring practices
- Accountability
- Policies and procedures

Module 3

Accessing Settlement Services as a Human Right

Thank you for participating!

Presentation by:

Erin Ewing

Project Coordinator – Positive Spaces Initiative
Ontario Council of Agencies Serving Immigrants (OCASI)

Email: ewing@ocasi.org

Phone: 416-322-4950 ext. 265