



Event	Pathways to Good Jobs Action Forum (launch of report: “Where are the Good Jobs?)
Location	Access Point on Danforth 3079 Danforth Avenue (@ Victoria Park)
Date / Time	June 12, 2013 9 am registration Speaking time: 9:45 am
Contact	Yogendra Shakya, Senior Research Scientist 416-324-8677 x. 286
Speech length/type	10 minute address, followed by 5-10 minute Q&A’s
Topic	How OHRC can be used as a resource for front-line workers
Event format	One-day forum
Audience	60+ front-line workers

Notes:

- Deena Ladd, Worker’s Action Centre will follow you.

Hello. Very happy to be invited to be part of this conversation.

- We're hearing a lot about precarious employment and the struggles that newcomers have finding stable, good jobs.
- Canada has long had the reputation of being a welcoming destination for immigrants from all over the world.
- People come here because of it – and Canadians like to think of themselves this way.
- But maybe this is a myth?
- More and more, we hear stories of newcomers, racialized newcomers in particular, experiencing barriers to good jobs, good health – and the other good things that should come with being in Canada.
- You're here today because you hear stories like the ones in Access Alliance's "Where are the Good Jobs?" report every day.
- And you are trying to find solutions.

I'm here to tell you that the Ontario Human Rights Commission – and the human rights system in Ontario – can be used as a resource for that work.

- The *Code* protects people based on 13 grounds: including race, religion, ethnicity, country of origin and citizenship.

- As well as other things like: sexual orientation, gender identity, disability, family status, etc.
- There are three protected areas: employment, housing, and services (including education).
- Basically, the *Code* makes it illegal to discriminate against or harass people based on the protected grounds.
- And it calls on organizations to proactively create inclusive environments.
- That means service and housing providers aren't allowed to refuse service or a place to live – and must make sure their policies and procedures don't accidentally exclude people.
- It also means employers can be held to task for unfair hiring or hr practices...whether intentional or not.
- This includes issues around pay equity, training and professional development opportunities, advancement and termination.

The OHRC has a policy on human rights at work that's aimed at employees and employers.

- It talks about what employee rights are – and how employers can work towards creating equity in the workplace.

(Copies can be downloaded from our website.)

Right now, we're in the process of developing a Policy on Canadian Experience...

- Similar to Access Alliance's report, our policy aims to reflect the lived realities of newcomers – and respond to some of the issues they come up against.
- It also considers the issue of newcomers and the workforce/labour force from an employer's perspective.
- When we launched the survey last fall, we hoped to get a hundred or so surveys...
- we were surprised when we got over 1,000 responses...

(from individuals, community and professional organizations, employers and settlement agencies and workers)

- We'll be launching the policy on July 15th...
- What I can share with you now is that job seekers told us about systemic barriers; bias, stereotyping and discrimination at all stages of employment.
- Some people told us that they weren't getting interviews for jobs they were qualified for because of the ethnicity of their names or because they disclosed that they were new to Canada.

- One person told us that they had removed information about their immigration to Canada from their cover letter and had a much better response.
- Other people told us about employers and regulatory bodies not recognizing relevant education, training and work experience.
- Even people with expertise or experience with Canadian systems said they had a hard time getting work when they arrived here.
- Employers are asking: “Have you worked in Canada?”
- They often demand local references, networks and background checks – which are not necessarily relevant or necessary.

What we heard from employers substantiated this.

- In some cases, employers seemed to genuinely believe that Canadian experience was necessary to do the job.
- But there were other cases that suggested stereotypes and discrimination...
- And we know that many employers are using a “Canadian experience” requirement as a proxy for discrimination – which they know is illegal.
- One Canadian employer came right out and told us:

“Newcomers without “Canadian experience” are an absolute risk...in many cases a newcomer...does not adapt well to the new workplace environment, can make it awkward and uncomfortable for themselves and co-workers...and in many cases if the newcomer becomes offended or doesn’t see the company doing enough to help them...they claim racism or discrimination...the risk and inconvenience is too high”

Our position is that this is a very real problem – with very serious implications across our communities. And that it needs to be fixed.

- Whether the discrimination is happening intentionally or not – it is against the law.
- It is not okay to base hiring and accreditation decisions based on whether a person has Canadian experience.
- It simply is not a reliable way to assess a person’s skills or abilities.
- Employers and regulatory bodies should be asking about all of a candidate’s relevant trade, professional or other qualification and prior experience – regardless of where they got it.
- Strict requirements for “Canadian experience”, except in very limited circumstances, is discrimination.
- If employers are asking for “Canadian experience”, they better be able to show that it’s a bona fide or essential requirement.

- What we want to see is employers and regulatory bodies looking hard at their HR practices and removing barriers where they see them.
- For example, if an employer is looking for a typist, remove the need for Canadian experience, don't ask questions that classify candidates under any prohibited Code grounds – and find a way to verify skills:
 - Standardized test (i.e. typing, note-taking)
 - Letters of reference
 - Probationary period
- Our policy will have other useful examples of what employers and other groups can do to remove barriers.
- You can look for it on-line, or contact our offices for further information.

The OHRC is a resource, use us...

- Our role within the human rights system is to look at policies, procedures, and systems – and to work towards removing barriers where we see them.
- We do work with police services across Ontario on human rights organizational change
- We work with educators and the education system on creating inclusive school environments free from harassment and bullying...

- and where all kids have access to the same good education we have here in Canada.
- We've also done work with municipalities to remove discriminatory practices embedded in policies, procedures and local by-laws.
- I.e. housing by-laws.
- We're the people you talk to when you see a systemic or policy problem, like newcomers not being able to access work, children with disabilities not getting the education they have a right to, or when people on ODSP or Ontario Works have their dietary supplement cut.
- We're also the place to go to for resources on what your clients' rights are and what they, or you, can do to advocate for them.
- When a claim of discrimination should be made – you go to the Human Rights Legal Support Centre or Human Rights Tribunal.
- They will help you file a claim, mediate discussion, and go through the process of bringing a case before the Tribunal.
- You can visit our website to find out more about the system and how to access services.
- We also have e-learning tools, including a Human Rights 101 module that I strongly urge all of you to take – and urge employers that you work with to take as well.

At the heart of what we're talking about here today, is social inequity and racial discrimination...

- In Canada, and as Canadians, many of us take for granted how far we've come in the past 50 years in terms of civil liberties and equity.
- We've seen a lot of change...
- And when we look around and compare ourselves to other countries we feel like we can rest on our laurels.
- But we can't.
- Our country is built on and by a multi-cultural identity – and we are wonderfully diverse.
- But, we also have a system that was built by an elite class of white men...
- Inviting people in and saying that by doing so we are including people is just not the case.
- Would you invite someone into your home and then leave them to fend for themselves?

I know that work you do every day is about being a good host.

- You are guiding people through the process of becoming part of Canadian society – and our communities.

- It's really, really important work, not just to the individual people you work with, and their families – but also to the health of our communities and Canada as a whole.
- We really need all the good things newcomers have to offer: skills, new approaches on how to do things...
- Without the work that you do, Canada would miss out...
- You know that.
- And you know how people struggle.
- You are their advocates. And you are giving them hope.
- The human rights system is your partner in this.
- We're here to help. Use us.
- Follow us on-line, share our materials and resources with your clients and employer groups.
- It's so important for newcomers to know that there are places they can turn – and that despite the barriers, we are trying...
- That they are valued.
- Thank you.