



ESTIMATES

Canadian Human Rights Commission

2001-2002
Estimates

Part III – Report on Plans and Priorities

Canada

The Estimates Documents

Each year, the government prepares Estimates in support of its request to Parliament for authority to spend public monies. This request is formalized through the tabling of appropriation bills in Parliament. The Estimates, which are tabled in the House of Commons by the President of the Treasury Board, consist of three parts:

Part I – The Government Expenditure Plan provides an overview of federal spending and summarizes both the relationship of the key elements of the Main Estimates to the Expenditure Plan (as set out in the Budget).

Part II – The Main Estimates directly support the *Appropriation Act*. The Main Estimates identify the spending authorities (votes) and amounts to be included in subsequent appropriation bills. Parliament will be asked to approve these votes to enable the government to proceed with its spending plans. Parts I and II of the Estimates are tabled concurrently on or before 1 March.

Part III – Departmental Expenditure Plans which is divided into two components:

- (1) **Reports on Plans and Priorities (RPPs)** are individual expenditure plans for each department and agency (excluding Crown corporations). These reports provide increased levels of detail on a business line basis and contain information on objectives, initiatives and planned results, including links to related resource requirements over a three-year period. The RPPs also provide details on human resource requirements, major capital projects, grants and contributions, and net program costs. They are tabled in Parliament by the President of the Treasury Board on behalf of the ministers who preside over the departments and agencies identified in Schedules I, I.1 and II of the *Financial Administration Act*. These documents are to be tabled on or before 31 March and referred to committees, which then report back to the House of Commons pursuant to Standing Order 81(4).
- (2) **Departmental Performance Reports (DPRs)** are individual department and agency accounts of accomplishments achieved against planned performance expectations as set out in respective RPPs. These Performance Reports, which cover the most recently completed fiscal year, are tabled in Parliament in the fall by the President of the Treasury Board on behalf of the ministers who preside over the departments and agencies identified in Schedules I, I.1 and II of the *Financial Administration Act*.

The Estimates, along with the Minister of Finance's Budget, reflect the government's annual budget planning and resource allocation priorities. In combination with the subsequent reporting of financial results in the Public Accounts and of accomplishments achieved in Departmental Performance Reports, this material helps Parliament hold the government to account for the allocation and management of public funds.

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CANADIAN HUMAN RIGHTS COMMISSION
COMMISSION CANADIENNE DES DROITS DE LA PERSONNE

Canadian Human Rights Commission

2001–2002
Estimates

A Report on Plans and Priorities

The Honourable Anne McLellan, P.C., M.P.
Minister of Justice and Attorney General of Canada

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Section I Message

1.1 The Chief Commissioner's Message

I am pleased to present the Canadian Human Rights Commission's Report on Plans and Priorities for the period 2001/2002 to 2003/2004.

Canadians can take heart from the progress we have made over the past decade in seeking to eliminate discriminatory practices in employment and service provision within the federal government and its regulated industries, and in our commitment to an inclusive society that celebrates diversity and respects difference. We take pride in our partnerships with like-minded institutions in Canada and throughout the world to share lessons learned, collaborate on shared solutions to common problems, and expand our global reach to promote human rights principles. As I look forward, however, I have no doubt that much has yet to be done and that the Commission will continue to play a vital role in both the protection and promotion of human rights.

We have a commitment to serve Canadians, and are mindful of the need to adjust our operations to meet changing conditions. Accordingly, we recently developed a series of public service standards within the human rights complaints process that recognize those changes and respect that commitment. The Commission will monitor these standards on an ongoing basis to ensure our service to Canadians.

The Commission recently issued a *Special Report to Parliament on Pay Equity* which assessed how pay equity provisions have worked up to now and suggested how they might be improved for the future. It reflects the Commission's 23-year history in this area. The Report concludes with goals and guiding principles for improving pay equity legislation and emphasizes a shift away from a complaints-based process to one that stresses preventive action by employers and unions. The Commission looks forward to presenting its views in this area as part of the Government's legislative review of pay equity provisions that is expected to take the form of a federal task force early in the planning period.

The Commission remains more than ever committed to pursuing its vision and mission.

Our vision statement reads

We envision the Canadian Human Rights Commission as a dynamic and progressive leader, contributing to a society where people respect human rights and diversity and treat each other with dignity.

And our mission statement declares

We protect and advance human rights by providing a forceful, independent and credible voice for promoting equality in Canada.

We work to discourage discrimination and disadvantage and ensure compliance with the Canadian Human Rights Act and the Employment Equity Act.

We share our experience and cooperate with human rights institutions in Canada and in other countries.

This report sets out how the Commission intends to pursue its vision and mission over the next three years, with particular emphasis on fiscal year 2001/2002.

Michelle Falardeau-Ramsay, Q.C.
Chief Commissioner

1.2 *Management Representation*

Report on Plans and Priorities 2001–2002

I submit, for tabling in Parliament, the 2001–2002 Report on Plans and Priorities (RPP) for the Canadian Human Rights Commission.

To the best of my knowledge the information:

- accurately portrays the Commission's mandate, priorities, strategies and planned results of the organization.
- is consistent with the disclosure principles contained in the *Guidelines for Preparing a Report on Plans and Priorities*.
- is comprehensive and accurate.
- is based on sound underlying Commission information and management systems.

I am satisfied as to the quality assurance processes and procedures used for the RPP's production.

The Planning Reporting and Accountability Structure (PRAS) on which this document is based has been approved by Treasury Board Ministers and is the basis for accountability for the results achieved with the resources and authorities provided.

John Hucker, Secretary General
February, 2001

Section II Departmental Overview

2.1 *Mandate, Roles and Responsibilities*

The Canadian Human Rights Commission was established in 1977 to administer the *Canadian Human Rights Act*. The purpose of the *Canadian Human Rights Act* is to promote equality of opportunity and to protect individuals from discrimination based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability, or conviction for an offence for which a pardon has been granted.

The Commission also has a mandate under the *Employment Equity Act*, which seeks to achieve equality in the workplace and to correct the conditions of disadvantage in employment experienced by women, Aboriginal peoples, persons with disabilities, and members of visible minorities.

Both the *Canadian Human Rights Act* and the *Employment Equity Act* apply to federal departments and agencies, Crown corporations, and federally regulated private sector companies.

The Canadian Human Rights Commission works to discourage and reduce discriminatory practices by investigating complaints of discrimination under the prohibited grounds in the *Canadian Human Rights Act*; conducting research and information programs; working closely with other levels of government, employers, service providers, and community organizations to promote the human rights principles of the *Canadian Human Rights Act*, and conducting audits to ensure compliance with the *Employment Equity Act*.

It is made up of two full-time members and up to six part-time members. The Chief Commissioner and Deputy Chief Commissioner are appointed for terms of up to seven years, and the other Commissioners for terms of up to three years.

Under the overall direction of the Chief Commissioner, the *Secretary General*, as the Commission's chief operating officer, is responsible for the Commission's operations at headquarters and in the regions.

The *Operations Sector*, with staff at headquarters and in the Commission's six Regional Offices, includes the *Standards and Alternate Dispute Resolution Branch*, the *Investigations Branch*, the *Pay Equity and Settlement Monitoring Branch* and the *Human Rights Promotion Branch*.

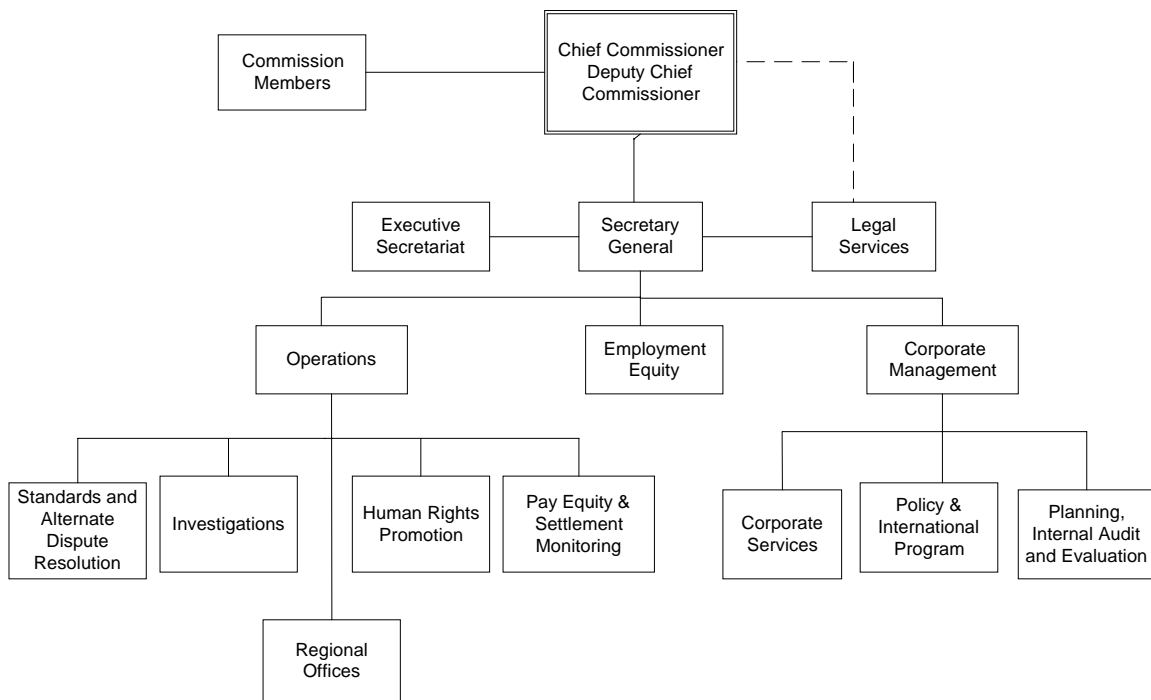
The *Employment Equity Directorate* conducts employment equity audits with employers in the private and public sectors to assess their compliance with the requirements of the *Employment Equity Act*.

The *Corporate Management Sector* consists of the *Policy and International Program Branch*, *Corporate Services Branch*, and the *Planning, Internal Audit and Evaluation Division*.

The *Legal Services Branch* provides advice to the Chief Commissioner, Commission members, the Secretary-General, and staff. Legal officers also represent the Commission in litigation before human rights and employment equity tribunals and the courts.

The *Executive Secretariat* provides administrative services to the executive offices and is also responsible for access to information and privacy.

Organizational Structure



2.2 Commission Objective

To foster the principle that every individual should have equal opportunity to participate in all spheres of Canadian life consistent with his or her duties and obligations as a member of society.

2.3 Planning Context

There are a number of environmental factors which affect the Commission's program:

Legal

The Canadian Human Rights Act Review Panel, which issued its report in June 2000, carried out the first comprehensive review of the *Canadian Human Rights Act* since its promulgation in 1977. The recommendations of the Panel are far-reaching and fundamental. It will take time for all parties to chart a course for the future. The Commission for its part is giving careful consideration to all the recommendations and looks forward to working with the Government and others as appropriate to analyse these important and significant suggestions for change.

The Government has indicated it intends to review the pay equity provisions of the *Canadian Human Rights Act*, which have not been updated since the Act was passed in 1977. The Commission is poised to participate in this exercise.

The Federal Court Trial Division decision in the Bell Canada case regarding the impartiality of the Canadian Human Rights Tribunal has resulted, as of mid-January 2001, in six cases being put on hold while this decision is appealed. This decision may lead to an increase in legal challenges by respondents.

Recent Supreme Court of Canada and Canadian Human Rights Tribunal decisions, particularly relating to the rights of persons with disabilities, have focussed increased attention on the responsibilities of employers and service providers to accommodate special needs. This may result in more complaints being filed with the Canadian Human Rights Commission.

Court hearings can become protracted and thus jeopardize the pursuance of other human rights cases and the delivery of essential statutory programs and activities. A recent Supreme Court of Canada decision (Blencoe) has indicated that adequate resources should be made available to human rights commissions to enable them to conduct their business without unreasonable delay and hence, to avoid possible liability for damages.

International

Promotion of human rights plays a central role in Canada's foreign policy, not only as a fundamental value but also as a crucial element in the development of stable, democratic and prosperous societies at peace with each other. Consistent with this policy objective, the Canadian Human Rights Commission continues to strive to share its expertise and experience with national human rights institutions in different regions of the world.

The consultations conducted by Heritage Canada in preparation for the *World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance*, which will be held in Durban, South Africa from August 31 to September 7, 2001, have raised awareness of racism in Canada and may result in calls for the Commission to play a more active role in the elimination of racism.

Societal Factors

The face of Canada is changing. The society is rapidly becoming more ethnically diverse and is home to one of the fastest growing senior populations in the world. An exception to the general aging trend is the rapidly increasing Aboriginal youth population.

Canada is a world leader in Internet connectivity. This means that Canadians will lead in demand for ready access to on-line services. This puts pressure on public service providers such as the Canadian Human Rights Commission to ensure ongoing renewal of both external and internal information software and systems, and to conform to the Government of Canada On-line initiative and client expectations.

The Canadian labour market is currently characterized by skills shortages and severe competition to attract and retain skilled labour. The Commission is no exception. The Commission is committed to developing a stable and skilled work force which is fully representative of the diverse society it serves.

2.4 Commission Planned Spending

| (thousands of dollars) | Forecast Spending 2000-2001* | Planned Spending 2001-2002 | Planned Spending 2002-2003 | Planned Spending 2003-2004 |
|---|------------------------------------|----------------------------------|----------------------------------|----------------------------------|
| Budgetary Main Estimates (gross) | 16,373.0 | 17,453.0 | 17,452.0 | 16,779.0 |
| Non-Budgetary Main Estimates(gross) | - | - | - | - |
| Less: Respendable revenue | - | - | - | - |
| Total Main Estimates | 16,373.0 | 17,453.0 | 17,452.0 | 16,779.0 |
| Adjustments ** | 3,619.5 | 1,988.8 | - | - |
| Net Planned Spending | 19,992.5 | 19,441.8 | 17,452.0 | 16,779.0 |
| Less: Non-rependable Revenue | - | - | - | - |
| Plus: Cost of services received without charges | 2,118.5 | 2,360.3 | 2,360.3 | 2,320.5 |
| Net Cost of Program | 22,111.0 | 21,802.1 | 19,812.3 | 19,099.5 |
| Full Time Equivalents | 195 | 223 | 207 | 198 |

* Reflects the best forecast of total net planned spending to the end of the fiscal year.

** Adjustments are to accommodate approvals obtained since the Main Estimates and include Budget initiatives, Supplementary Estimates etc.

Section III Plans, Results, Activities and Resources

3.1 Business Line Title

The Canadian Human Rights Commission

3.2 Business Line Objective

To foster the principle that every individual should have equal opportunity to participate in all spheres of Canadian life consistent with his or her duties and obligations as a member of society.

3.3 Business Line Description

The Commission aims to discourage and reduce discriminatory practices by: dealing with complaints of discrimination on the prohibited grounds in the *Canadian Human Rights Act*; conducting research and information programs; working closely with other levels of government, employers, service providers, and community organizations to promote human rights principles; and conducting audits of federal departments and agencies, and federally regulated private companies to ensure compliance with the *Employment Equity Act*.

The Canadian Human Rights Commission provides the following services to Canadians:

Complaints—The mediation, investigation and conciliation of complaints, supported by legal advice and policy research, in order to provide appropriate remedies to victims of discrimination and to eliminate discriminatory practices and policies.

Employment equity audits—The auditing of federal government departments and federally regulated private companies to ensure they take the steps necessary to alleviate obstacles to the employment and career advancement of women, Aboriginal peoples, persons with disabilities, and members of visible minority groups.

Human rights promotion—The promotion of human rights principles through research; the development of Commission policies to guide employers and service providers and increase predictability and transparency; public education and the dissemination of information; and liaison and cooperative activities with other human rights organizations within Canada and abroad, as well as advocacy groups and other governments wherever appropriate.



Complaints

The *Canadian Human Rights Act* empowers the Commission to investigate complaints of discrimination in employment and in the provision of goods and services customarily available to the general public, based on the eleven grounds enumerated in the *Act*. The Commission also has the authority to investigate complaints of wage inequities between men and women in areas under federal jurisdiction.

The Key Result Commitment

To provide recourse to those in Canada who believe that their rights, as set out in the *Canadian Human Rights Act*, have been violated.



Planned Results

The Commission expects to deal with complaints and pay equity issues in a manner that is transparent, timely and fair.

Related Activities

Accessibility and Responsiveness

An inquiry is any initial contact with the Commission by a person, group or organization seeking information or wishing to bring a situation or concern to the Commission's attention.

Information and/or service is available in person at headquarters in Ottawa or in six regional offices across Canada (Halifax, Montreal, Toronto, Winnipeg, Edmonton, Vancouver).

The Commission seeks to ensure that:

- Canadians from across the country can reach a public information agent of the Commission during working hours using a 1-800 or 1-888 line or, for the hearing impaired, a toll-free TTY 1-888 line. Outside core hours, Canadians can reach the Commission by electronic and voice mail.
- An initial response to all inquiries by phone will be provided within 48 hours of the date of initial contact by the caller and all inquiries by mail and e-mail will be acknowledged within 48 hours and answered within three weeks of the date of receipt. The Commission will continue to suggest other possible avenues to deal with concerns which fall outside the Commission's jurisdiction.

Complaint Process

Canadian Human Rights Commission

When the Commission Receives an Inquiry

- Information is provided on the Commission and the *Canadian Human Rights Act*.
- The person may be directed to another agency if the matter is not within the Commission's jurisdiction.
- If the matter is within the Commission's jurisdiction, an officer reviews the situation with the complainant in greater detail and explains the complaint process.
- If the complainant wishes to pursue the matter, a complaint form is prepared.

After the Commission Accepts a Complaint

- The respondent is advised of the complaint as soon as it is filed with the Commission.
- When appropriate, the Commission will refer the complainant to another redress mechanism (such as a grievance process, or a procedure under other legislation).
- Mediation may be offered as an option to both parties.
- If the matter remains unresolved, an officer investigates the allegations and prepares a report to the Commissioners on the investigation findings.
- The parties are given an opportunity to comment on the investigation report before it is submitted to the Commissioners.

When the Commissioners Make a Decision

- All complaints are reviewed by the Members of the Commission.
- The Commissioners can refuse to deal with complaints which are more than one year old, or which are beyond the Commission's jurisdiction.
- They can approve a settlement between the parties or appoint a conciliator to help the parties arrive at a settlement.
- They can refer the matter to the Canadian Human Rights Tribunal for further inquiry.
- They can dismiss the complaint for lack of evidence.

Canadian Human Rights Tribunal

- On referral by the Commission, the Tribunal will conduct hearings into the complaint.
- After weighing the evidence that is presented, the Tribunal will make a decision on the merits of the complaint and order an appropriate remedy.

Federal Court of Canada

- The Federal Court can be asked by either party to review the Commission's decision.
- The Court can also review a decision or order of the Canadian Human Rights Tribunal.

Dealing with Discrimination Complaints

The Commission deals with complaints of discrimination based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability, or conviction for an offence for which a pardon has been granted.

Resolution of a human rights complaint is in the interest of all parties to a complaint. Sections 47(1) and 48(1) of the *Canadian Human Rights Act* speak directly to the intent that settlement can occur at any stage of the complaints handling process. The Act specifically sets out legislative requirements with respect to investigation and conciliation following investigation, before proceeding to the Tribunal.

During the period of the plan, the Commission will:

- complete work, annually, on approximately 1500 complaint files which will either be referred to other redress mechanisms, discontinued,¹ resolved prior to investigation, or result in a signed complaint.
- complete work annually on approximately 650 signed complaints either through mediation, investigation and/or conciliation, with the matter then presented to the Commission for decision.

Mediation

Mediation, an alternate dispute resolution tool, is being introduced formally into the Commission's complaints procedures to provide parties with an opportunity early in the process to resolve allegations of discrimination.

Over the planning period, the expectation is that up to 40% of all signed complaints will be resolved through mediation, and that 75% of cases referred to mediation will be settled or referred to investigation within three months from the time that the signed complaint is received.

Investigation

Investigation is one of the most important functions of the Commission as it can lead to the creation of case law and precedents guiding human rights in Canada. The Commission investigates more than 500 complaints per year.

The Commission will continue its efforts to ensure that 75% of all investigations will be completed and a decision rendered within nine months from the date the complaint was referred to investigation.

Conciliation

The Commission refers more than 100 cases per year to conciliation. In the year 2000, 135 cases were referred.

¹ Cases which are not continued after preliminary analysis of the allegations.

The Commission is introducing time standards to the conciliation process to reduce case processing delays. Over the period of the plan, the Commission will devote particular attention to ensuring that, in at least 75% of the cases referred to conciliation, the conciliation process will be completed and a decision rendered within six months from the date that the complaint was referred to conciliation by the Commissioners.

Legal Services

The Legal Services Branch provides legal advice to the office of the Chief Commissioner, Commission members and the Secretary General, as well as all branches of the Commission.

The Legal Services Branch represents the Canadian Human Rights Commission in cases referred by the Commission to the Canadian Human Rights Tribunal. In calendar year 2000, 98 cases were referred to the Tribunal compared to 37 for the previous year—nearly a three-fold increase. This higher volume is unlikely to decrease in the near future and may in fact continue to increase, but at a slower rate. The average number of hearing days per case remains relatively stable at 10.

Dealing with Pay Equity Complaints

Pay equity relates to the principle of equal pay for work of equal value. Pay equity cases are generally systemic in nature, affect large numbers of individuals, and involve potential wage adjustments of hundreds of thousands of dollars. Though relatively few in number, these cases are challenging to investigate.

The Commission will continue to encourage the settlement of pay equity complaints and provide advice to organizations involved in pay equity-related initiatives. The Commission's investigation of pay equity cases has been seriously affected by the trend among employers to decline participation in joint studies with their unions. This shifts the onus to the Commission to undertake job evaluation studies which involve:

- developing a job evaluation system (job questionnaire and evaluation plan);
- gathering information from a sample of employees;
- evaluating the jobs; and
- conducting a wage gap analysis.

There are three job evaluation studies underway and, over the planning period, it is estimated that there will be at least six others. There are also 16 cases which are at various stages of investigation.

Legal Services

The Legal Services Branch will represent the Commission in three important pay equity cases:

Public Service Alliance of Canada v. Canada Post Corporation

Public Service Alliance of Canada v. Government of the Northwest Territories

Canadian Telephone Employees' Association (CTEA), the Communications, Energy, and Paperworkers Union of Canada (CEP), and Femmes-Action v. Bell Canada

UCS

The implementation of the federal Government's Universal Classification Standard (UCS) is expected in 2001–2002. UCS, a modern job evaluation system, which includes gender neutrality among its goals, will be applied to the entire federal Public Service. The Commission has provided advice to the Treasury Board Secretariat throughout the design, development and implementation process and worked with the Secretariat on a preliminary review of the Standard. The Commission will continue in this manner to support the efforts of Treasury Board Secretariat to implement UCS and ensure that the Commission's objective of safeguarding gender neutrality as the new standard is developed and implemented.

Task Force on Pay Equity

The Government has signalled its interest in exploring ways of adjusting the pay equity provisions of the *Canadian Human Right Act*, which have not been updated since the Act's passage in 1977. The legislative review will likely take the form of a federal task force dedicated to the subject. It is hoped that the Commission's recent publication of *Time for Action: Special Report to Parliament on Pay Equity*, reflective of the Commission 23-year history in this area, will assist in this undertaking. The Commission, as experts in the investigation of pay equity complaints under the current legislation, looks forward to supporting the work of the task force.

Citizen-centred Service Delivery

During the planning period, the Commission will give priority to the implementation of the following:

- Service Standards

Following an extensive review of procedures, operational standards and existing service norms, the Commission adopted public service standards related to key steps in the complaints process. Their introduction and refinement will extend over the planning period.

- Becoming a 'Learning Organization'

The Commission is committed to fostering a learning organization culture that integrates the expertise of its employees. Based on its strategic training goals, the Commission will deliver, commencing in 2001–2002, an intensive training program that supports the delivery of its inquiry, intake, mediation, investigation and conciliation services.

Resources: \$10,049,000; FTEs: 112.0



Employment Equity

The *Employment Equity Act* gives the Commission the authority to audit federally regulated private sector employers with more than 100 employees, Crown corporations, and federal government departments and agencies to assess their compliance with the *Employment Equity Act* and to ensure cases of non-compliance are corrected. The requirements of the *Employment Equity Act* are designed to ensure that employers take the necessary steps to identify, correct or eliminate the effects of employment discrimination, intentional or otherwise.

Key Result Commitment

To contribute to achieving greater equality in the workplace for the four designated groups under the *Employment Equity Act*: women, Aboriginal peoples, persons with disabilities, and members of visible minorities.



Planned Results

The Commission expects that employers will have employment systems in place to allow them to become more representative, and to achieve higher representation of designated groups at all levels of the employer's workforce where under-representation has been identified.

Related Activities

The planned results will be achieved by ensuring that employers remove employment barriers, implement plans and take appropriate special measures to ensure that the representation of designated groups is consistent with their availability in the Canadian labour force. Accordingly, the Commission intends to initiate and close audits with the approximately 414 employers covered by the *Employment Equity Act* within the initial five-year audit cycle which ends on March 31, 2003.

As of March 31, 2000, 183 initial audits had commenced and 70 had been closed, including 12 because the employer was no longer subject to the *Employment Equity Act*. A closed audit signifies that the employer has been found in compliance with the requirements of the Act and either has no areas of under-representation of the four designated groups or has established an employment equity plan which the Commission believes will result in reasonable progress towards full representation. An audit may require an evaluation at the initial, follow-up, post-Direction, and post-Tribunal Order stages before it can be closed.²

² A follow-up audit follows the deadline for implementing signed undertakings resulting from a finding of non-compliance during an initial audit; a post-Direction audit follows the deadline for implementing a formal direction issued by the Commission; a post-Tribunal Order audit follows the deadline for implementation of the components of an Order issued by an Employment Equity Tribunal. If an employer fails to implement signed undertakings, the Compliance Review Officer may recommend to the Commission that it issue a formal Direction to complete the work. If the employer is found not to have implemented the Direction by the specified deadline, the Commission may refer the matter to an independent Employment Equity Tribunal.

Compliance Audit and Enforcement

Initial and Follow-up Auditing of Employers

The Commission will seek to ensure that:

- in fiscal year 2001–2002, it will have begun in the order of 80 new audits, bringing total audits to approximately 265 employers. From previous experience, it is anticipated that approximately 110 will be in compliance and the assessment of reasonable progress will be underway on these employers.
- in fiscal year 2002–2003, it will have begun approximately 80 audits although, depending on the number of follow-up audits that prove necessary, this number may need to be reduced.
- it will have initiated follow-up audits by the stipulated deadline date with those employers required to sign undertakings following initial audits.
- by March 31, 2004, it will have in place and operating a strategy covering the second five-year audit cycle based on the results of the first cycle.
- 80% of audits initiated in a given year will be completed within the compliance audit standard of 9–11 months for an initial audit and 7–12 months for a follow-up audit. Auditors will complete ten full audit equivalents per year and supervisors will complete four.

Commission Directions and Tribunal Orders

The Commission will seek to ensure that all audits imposed by a Direction or a Tribunal Order will be completed within six to nine months with a recommendation for compliance or further enforcement action.

Post Compliance Monitoring and Enforcement

The Commission will seek to ensure that:

- once an employer has been found in compliance, its annual *Employment Equity Report* will be reviewed within three months of receipt to ensure that reasonable progress on closing the gaps is being achieved.
- employers demonstrating a lack of reasonable progress will be contacted within six months of the completion of the initial assessment of their *Employment Equity Report* for a review of the situation and an assessment as to whether or not the compliance audit should be re-opened.

Education and Cooperation Programs

The Commission will seek to ensure that:

- employers understand the *Employment Equity Act*, their responsibilities, and the role and responsibilities of the Commission. It will develop and distribute clear resource material and audit guides and provide a minimum of 40 presentations and workshops annually to employers and employment equity public and private sector consultants.
- a consultation strategy involving employers, unions, and advocacy groups on the impact of the *Employment Equity Act* and the Commission's enforcement program, is developed and implemented. The results of the consultation will inform the legislative review required five years after the *Employment Equity Act* came into effect.

Analysis and Monitoring of Reasonable Progress

The Commission will seek to ensure, as appropriate, the development and revision of norms of verification for employers' workforce surveys, workforce analysis, and goals while providing auditors timely, expert advice on these three areas.

Resources: \$2,459,000; FTEs: 30.0



Human Rights Promotion

The *Canadian Human Rights Act* requires the Commission to “develop and conduct information programs to foster public understanding of this *Act*, and of the role and activities of the Commission” and to foster public recognition of and support for the human rights principles that underpin the *Act*. It also requires the Commission “to undertake or sponsor research programs” relating to its duties and functions.

Key Result Commitment

To disseminate educational material providing information programs and promoting human rights principles.



Planned Results

An increased level of understanding and acceptance of human rights principles contributing to a reduction in discriminatory practices in the workplace and in services provided to Canadians.

Related Activities

Implementing the Promotion Program

The Canadian Human Rights Commission will continue to deliver its three-year promotional program which was initiated in 2000-2001. The promotional activities will focus on the key audiences which can help strengthen the human rights culture in Canada, namely federal employers and federally regulated employers and service providers.

Development and Dissemination of Information

- **Employers:** Information about integrating human rights principles into the workplace and service policies of private and public sector decision-makers operating within the federal jurisdiction
- **Media:** Information kits to raise awareness of key human rights issues
- **Youth:** Information kits that provide concrete examples to youth of how to translate human rights values into practice

Outreach Opportunities

Chief Commissioner, senior managers and designated staff will:

- exchange views on human rights issues with elected officials and senior business and government decision-makers.
- increase awareness among Canadians, particularly those living in urban centres with diversified populations, of the need to respect human rights and diversity as a prerequisite to greater social stability.
- participate in the human rights calendar of events at both the national and regional levels, working with advocacy groups.

Developing Partnerships

- participate on interdepartmental committees and working groups to provide advice and input on human rights issues, such as those established as part of the federal 'Disability Agenda' and the Interdepartmental Committee to Combat Hate and Bias Activity.
- develop partnerships with other departments, agencies, unions and non-government organizations in order to address issues of mutual concern as effectively as possible.

Policy Initiatives

- develop policies and research papers on human rights issues to clarify the Commission's position and assist employers and service providers to improve human rights practices. An example is the model Guide to Accommodation designed to help employers develop their own accommodation policies for persons with disabilities. The Commission will also review existing policies such as the Aboriginal Employment Preferences Policy and Drug Testing Policy to ensure that they reflect current law and best practices.
- undertake at least one policy inquiry or study per year to address systemic issues as a means to mitigate or address significant numbers of complaints on similar issues.
- ensure a rapid response capability on questions arising from cases through the provision of policy advice and research findings to the Chief Commissioner, commissioners, investigators and conciliators.
- prepare a research report and conduct consultations on the merits of an internal responsibility model for dealing with human rights issues at the workplace level as recommended by the CHRA Review Panel.
- In June 2000, the panel charged by the Minister of Justice with reviewing the *Canadian Human Rights Act* issued its report. Recommendations of the panel are under consideration by the Department of Justice, and the Canadian Human Rights Commission will provide input as appropriate.

Strengthen Canadian Human Rights Institutions

- work with other Commissions to strengthen respect throughout Canada for human rights both formally, through the Canadian Association of Statutory Human Rights Agencies (CASHRA), and informally on a bilateral basis.

Support and Strengthen National Human Rights Institutions Abroad

Multilaterally

- continue to play a key role in the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights, including the Accreditation Subcommittee.
- take a lead role in firmly establishing the new Network of National Institutions for the Promotion and Protection of Human Rights of the Americas.
- prepare for and participate in the United Nations World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance which is planned for September 2001 in Durban, South Africa.

Bilaterally

- continue support of Phase III of the Canadian International Development Agency-sponsored project to provide technical assistance to the National Human Rights Commission of Indonesia (Komnas HAM).
- initiate projects, subject to available external funding, with national human rights institutions in Mexico, Bolivia, Nepal and Peru in order to provide appropriate assistance and expertise. In turn, the Commission will learn from these institutions about improving respect for human rights in areas such as Aboriginal issues, the rights of women, advancement of persons with disabilities and complaints handling. Similarly, the Commission will clarify future co-operation with the Indian National Human Rights Commission.

Foreign Visitor and Internship Program

- continue to provide expert advice to foreign visitors and to facilitate internship programs with other countries seeking to expand their expertise in this area, to the extent possible.

Resources: \$3,474,000; FTEs: 41.0



Corporate Services

Corporate Services provides financial, administrative, informatics, human resources and related advisory services to program managers. Strategic Planning, Internal Audit and Evaluation, the Access to Information Program, and certain aspects of the work of the Executive Secretariat are part of this service line.

Key Result Commitment

To manage efficiently the Commission's financial and human resources, and to support it in program delivery to enable the organization to fulfill its mandate and meet its responsibilities.



Planned Results

The Commission expects that it will have: an integrated planning and finance system to support decision-making and performance measurement; human resources with the skills and capabilities required to function effectively; and the information technology infrastructure to reach clients with the information they need and to allow the Commission to work efficiently.

Related Activities

For the period covered by this plan, the Commission will:

- refine and implement a Commission-wide plan for recruiting, retaining and developing employees, bearing in mind the future implementation of the Universal Classification Standard, the results of the Federal Employee Survey, and the requirements of the *Employment Equity Act*, the *Official Languages Act* and the obligation to accommodate employees with special needs;
- complete implementation of the Treasury Board's Financial Information Strategy (FIS), a government-wide strategy to enhance financial information available to decision-makers, including accrual-based information. As costs become more clearly associated with priorities, activities and results, the Commission will be able to move forward more effectively on the initiative to develop performance standards and measures; and
- develop and implement a Performance Measurement Strategy over the planning period including service standards and results measurement.

The Canadian Human Rights Commission will contribute to meeting commitments outlined in the Treasury Board document *Results for Canadians: A Management Framework for The Government of Canada* in the following ways:

Citizen-centred Service Delivery

Over the planning period, and as resources permit, the Commission will consider ways of measuring client satisfaction and the effectiveness of the services it provides to Canadians.

Government of Canada On-line

Over the full planning period, the Commission is committed to providing comprehensive and integrated on-line services to those Canadians who wish access to information and services at their convenience regardless of where they live and work. However, without increased financial support for this new initiative, implementation will need to be phased.

- In 2001–2002, the Commission will begin to scope requirements for improved and universal on-line service delivery of core programs and their associated costs.
- The Commission will continue to optimize the effectiveness of its web site as a tool for promoting human rights values to Canadians, and Canada as a leader in promoting human rights values, in accordance with government-wide standards.

Modern Comptrollership

Financial Information Strategy (FIS): The Commission will implement its FIS on April 1, 2001 and will work towards better integration of its financial and non-financial performance information.

Risk Management: Treasury Board's anticipated *Integrated Risk Management Framework*, and federal capacity assessment, will form the basis for subsequent initiatives to manage risk. The Commission was not one of the core departments involved in developing the framework but is involved in the capacity assessment. The Canadian Human Rights Commission will align with this Treasury Board initiative over the planning period and undertake initiatives as appropriate.

Internal Audit and Evaluation: The Commission will continue with implementation of years 2 to 4 of its 4-year Evaluation and Audit Plan to ensure a process of continuous program assessment and improvement which is key to modern comptrollership and results-based management. In 2001–2002 there will be: an evaluation study of the Employment Equity Audit Program; development of an evaluation framework for the three elements of the *Canadian Human Rights Act* complaints process as well as an evaluation of the first element; and an organizational review of Legal Services.

Improved Reporting to Parliament

The Commission plans to develop its capacity for integrated planning and reporting to Parliament on progress in fulfilling its mandate and achieving key result commitments. Work will continue on enhancing and refining performance measures with full implementation extended over the planning period.

Development of an Exemplary Workplace

The Commission, in collaboration with its Workplace of Choice Committee, will put in place policies and practices which reflect employee input and address employee needs for professional development and work-life balance. It will pursue and encourage enhanced skills development, knowledge-sharing within the organization, mentoring, and specialized training related to the Commission's work. The approach is one of respect for balancing employee and operational/client needs in the most effective manner possible, bearing in mind the Canadian Human Rights Commission's results with respect to the Public Service Employee Survey undertaken in 1999.

Resources: \$3,460,000; FTEs: 40.0

Section IV Joint Initiatives

4.1 *Collective Initiatives*

The Commission is an active member of the Canadian Association of Statutory Human Rights Agencies (CASHRA). CASHRA is a forum for all Canadian human rights commissions to share information on how best to promote and protect human rights. Throughout the year, as appropriate, staff work collaboratively within the CASHRA framework on policy issues of common concern, joint promotion, and information exchange on common legal issues.

In 2000 the Commission played a key role in the creation of the Network of National Institutions for the Promotion and Protection of Human Rights (NIs) of the Americas. The Network's objective is, through mutual support, co-operation and joint activity, to establish and maintain a culture of human rights in the region and to encourage greater respect for implementation of human rights by governments.

During the planning period the Canadian Human Rights Commission will continue to work in partnership with other lead NIs to prepare a draft proposal of the statute of the Network of NIs of Americas that will include the responsibilities, functions and organizational form that the Network will assume.

The Commission also expects over the course of the planning period to increase its outreach to and partnerships with non-government organizations, universities, and public policy groups to better achieve shared objectives.

Section V Financial Information

5.1 Net Cost of Program for 2001–2002

| (thousands of dollars) | Total |
|--|-----------------|
| Net Planned Spending | 19,441.8 |
| <i>Plus : Services received without charge</i> | |
| Accommodation provided by Public Works and Government Services Canada (PWGSC) | 1,505.1 |
| Contributions covering employees' share of employees' insurance premium and expenditures paid by TBS | 849.2 |
| Worker 's compensation coverage provided by Human Resources Development Canada | 6.0 |
| | 2,360.3 |
| 2001-2002 Net Cost of Program | 21,802.1 |

Section VI Other Information

6.1 *Statutes Administered by the Canadian Human Rights Commission*

Canadian Human Rights Act, R.S.C. 1985, c. H-6.

Employment Equity Act, S.C. 1995, c. 44.

6.2 *Statutory Annual Report*

The Commission's Annual Report to Parliament is tabled on or before March 31 of each year. The report is available as a printed book, or on the Internet at <http://www.chrc-ccdp.ca>, or as a sound recording, in large print, in braille and on computer diskette to ensure it is accessible to people who are visually impaired.

6.3 *Publications*

Legislation

Canadian Human Rights Act

- codified text of the Act and all amendments made up to July, 1998. Designed as a reference tool.

Employment Equity Act

- codified text of the Act and all amendments made up to December, 1995. Designed as a reference tool.

Annual Reports

- available for each year of the Commission's existence, beginning in 1978. Cover the work of the Commission over the year and issues and developments in human rights.

Legal Reports

- available for each year since 1997. Cover tribunal and court decisions.

Commission Policies

Bona Fide Occupational Requirements and Bona Fide Justifications under the Canadian Human Rights Act

- explains the major implications of two cases of the Supreme Court of Canada for employers and service providers when relying on a BFOR or BFJ defense.

Acquired Immunodeficiency Syndrome (AIDS)

- explains the Commission's policy on the rights of those with the disease and the obligations of employers.

Alternative Format Policy

- explains the Commission's position concerning the production and distribution of publications in alternative formats for persons with visual impairments.

Aboriginal Preferences

- explains the Commission's position on preferential hiring, promotion or other treatment of Aboriginal employees by organizations or enterprises owned and/or operated by Aboriginal employers and service providers.

Special Programs

- the Commission issued this policy in light of section 16(2) of the *Canadian Human Rights Act* in order to assist employers and service providers to develop and put in place appropriate special programs when these are used to achieve equality.

Human Rights - General

Canadian Human Rights Act: A Guide

- explains the Act in layperson's language, its application, the role of the Commission, and the complaints process.

Filing a Complaint with the Canadian Human Rights Commission

- provides information on ways to resolve a complaint, on how to file a complaint and on what happens to your complaint after it has been filed.

Guide to Screening and Selection in Employment

- intended to assist employers avoid common pitfalls when interviewing prospective employees.

Prohibited Grounds of Discrimination in Canada

- explains the various grounds on which discrimination is forbidden.

Canadian Human Rights Commission Booklet

- describes the Commission, briefly explains the legislation it enforces and describes its role.

Know Your Rights

- provides information on human rights through illustrations.

Human Rights Protection in Canada

- explains how human rights are protected in Canada and what human rights commissions do.

The Work of the Human Rights Commissions in Canada

- describes the role and activities of human rights commissions, explains what happens when a complaint is filed, and discusses some of the more important court and tribunal decisions.

Landmarks in Canadian Human Rights

- presents Canadians who worked to achieve the human rights we now enjoy.

Human Rights - Harassment

Harassment: What it is and what to do about it

- provides a brief description of harassment, outlines the employer's responsibilities under the legislation and explains the recourse available to employees who are subjected to harassment in the workplace.

Harassment and the Canadian Human Rights Act

- explains the Act's prohibition against harassment.

Anti-Harassment Policies for the Workplace, Employer's Guide

- explains what ought to go into an anti-harassment policy and presents model policies for small, medium-sized and large organizations.

Human Rights - Disability

HIV-AIDS Discrimination: It's Against the Law

- gives information about how HIV-AIDS is and is not transmitted, identifies it as a disability and, as such, explains why it is covered under the *Canadian Human Rights Act* as a prohibited ground of discrimination.

Barrier-Free Employers

- practical guide for job accommodation for persons with disabilities. Can be accessed through the Commission's web site at www.chrc-ccdp.ca. Intended for employers, managers and human resource specialists. Explains the steps that should be taken to facilitate the integration of persons with disabilities into the labour force

Employment Equity

Employment Equity Report 2000

- covers the work of the Commission on employment equity and the audit process, and assesses progress so far.

Fair Play at Work

- this factsheet describes the goals of the *Employment Equity Act* and the implementation process.

Being Interviewed About Your Organization's Employment Equity Program?

- presents answers to some frequently asked questions regarding the interview.

Framework for Compliance Audits Under the Employment Equity Act

- summarizes the essential elements of the Commission's Audit Program.

Employment Systems Review, Guide to the Audit Process

- informs employers and other interested parties about the Commission's expectations when auditing the statutory requirements of the *Employment Equity Act*. Outlines the legal framework and the assessment factors, as well as the general approach to be taken by employers.

Pay Equity

Time for Action: Special Report to Parliament on Pay Equity, February 2001

- assesses the experience with pay equity to date and suggests possible program modifications for the future.

Equal Pay for Work of Equal Value: An Employer's Guide

- informs employers of their responsibilities to ensure that workers in their establishments receive equal pay for work of equal value.

Guide to Pay Equity and Job Evaluation

- provides guidance on implementing pay equity.

Videos

Equality...We all have a hand in it

- explains the *Canadian Human Rights Act* and the grounds of discrimination under the Act, and the Commission's role in enforcing the Act.

All Things Being Equal

- explains why pay equity legislation was implemented, how equal pay for work of equal value is calculated, and what the Commission does to make pay equity a reality.

Bookmarks

December 10 - Human Rights Day

- All Human Beings Are Born Free And Equal In Dignity And Rights.

March 8 - International Women's Day

- Women's Rights are Human Rights.

March 21 - International Day for the Elimination of Racial Discrimination

- Equality... We All Have A Hand In It.

Posters

Equality... We all have a hand in it

- a colourful poster with the above-mentioned slogan. Bilingual, 21" X 30"

Real People Posters (Understanding Disabilities - Understanding Ourselves)

- posters depicting a deaf woman, a blind man, a women who has manic depression and a women who has dyslexia leading a successful lives. English and French, back-to-back, 18 ½" X 23"

Women's Rights are Human Rights

- a poster marking March 8 - International Women's Day. English and French, back-to-back, 12" X 30"

Stop the Hatred

- a poster designed to teach children and adolescents about hate groups and what to do when confronted with hatred. Quiz on the front, game on the back. Also available in French. 11" X 17".

Equal Dollars Make Good Sense

- a poster with the slogan, "Equal Work Deserves Equal Pay". Bilingual, 12" X 16"

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