



# **Review Report Executive Summary**

Prepared by:

**Laura K. Williams  
Aleksandra Pressey  
Inggrid Wibowo**

**The Corporation of the  
City of Brampton**

Submitted to:

**David Barrick, Chief Administrative Officer**

December 17, 2021

---

# The Corporation of the City of Brampton

## EXECUTIVE SUMMARY

---

<b>PROCESS OVERVIEW</b> .....	<b>1</b>
Engagement and Mandate.....	1
Methodology.....	2
<i>a. Overview</i> .....	2
<i>b. Process</i> .....	3
<i>c. Applicable Policies and Legislation</i> .....	4
<i>d. Gold Standard Assessment</i> .....	4
<b>REVIEW ASSESSMENT AND FINDINGS</b> .....	<b>5</b>
Employee Experiences and Observations Related to ABR in the Workplace.....	5
Gold Standard Assessment of Policies, Procedures, Processes and Practices.....	7
<b>RECOMMENDATIONS AND OPPORTUNITIES FOR IMPROVEMENT</b> .....	<b>7</b>
Employee Experiences and Observations Related to ABR in the Workplace.....	7
<i>a. Formulate clear strategies and allocate sufficient resources to EDI initiatives</i> .....	7
<i>b. Repair ruptures and foster a sense of transparency and trust</i> .....	8
<i>c. Improve the recruitment, retention, and advancement of Black employees through data-driven efforts</i> .....	8
<i>d. Develop a Code of Conduct that specifically addresses anti-Black harassment and discrimination</i> .....	9
<i>e. Conduct robust and regular training, and implement accountability mechanisms</i> .....	10
Recommendations Related to the Gold Standard Assessment.....	10
<i>a. Implement a centralized workplace investigations process</i> .....	10
<i>b. Engage in comprehensive data collection related to complaints</i> .....	11
<i>c. Build competence to ensure that complaints are consistently triaged</i> .....	11
<i>d. Review, revise, and rollout improved policies</i> .....	12
<i>e. Conduct clear and regular training on the policies, as well as on harassment and discrimination generally</i> .....	12
<b>CONCLUDING COMMENTS</b> .....	<b>13</b>

## PROCESS OVERVIEW

---

### Engagement and Mandate

On September 22, 2020, Williams HR Consulting Inc. (the “Firm”) was retained by the Corporation of the City of Brampton (the “City”) to conduct a privileged and confidential independent review into the experiences of Black employees at the City, including an assessment of processes, policies and procedures, to assess the existence and/or scope of discriminatory experiences or practices (the “Review”). The Review specifically focuses on experiences and observations of City employees related to direct, indirect, subtle and systemic discrimination and manifestations of anti-Black racism (“ABR”), which has been defined by The Black Health Alliance as “policies and practices rooted in Canadian institutions such as, education, health care, and justice that mirror and reinforce beliefs, attitudes, prejudice, stereotyping and/or discrimination towards people of Black-African descent.”<sup>1</sup>

Proceeding by way of organizational Review was also in alignment with the City of Brampton’s five-year “Workplace Diversity and Inclusion Strategy and Work Plan”, which was launched in November 2019 to “foster a more inclusive organizational culture that engages, develops and celebrates its people, and attracts a diverse workforce”.<sup>2</sup> As part of the strategy, on June 10, 2020, City Council passed a motion, moved by Mayor Patrick Brown, regarding anti-Black racism, which approved the implementation and creation of the Black African and Caribbean Social, Cultural, and Economic Empowerment and Anti-Black Racism Unit (the “Unit”). The goals of the Unit include, among others, developing an action plan to eradicate systemic anti-Black racism in the City and uplift the social, cultural, and economic position of the Black community.<sup>3</sup> Additionally, following the commencement of the Review, on December 9, 2020, City Council passed a further motion to approve the establishment of an Equity Office that will host the Unit and focus on identifying and removing barriers in the workplace and community.<sup>4</sup> Finally, immediately before the conclusion of the organizational Review process, on December 8, 2021, City Council passed a budget resolution to provide for additional staffing for the Equity Office, inclusive of a Coordinator and an Advisor, in addition to the Senior Advisor position requested in support of the Indigenous Reconciliation Project.<sup>5</sup>

This Review is the result of a proactive effort by the City to support its existing equity, diversity, and inclusion (“EDI”) initiatives, and in particular the Unit and the Equity Office, by identifying practices that could create barriers related to EDI as it relates to the experience of Black employees within the workplace.

---

<sup>1</sup> Black Health Alliance, “Anti-Black Racism”, online: <<https://blackhealthalliance.ca/home/antiblack-racism/>>.

<sup>2</sup> City of Brampton, “City creates new Workplace Diversity and Inclusion Strategy and Work Plan” (27 November 2019), online: <<https://www.brampton.ca/EN/City-Hall/News/Pages/Media-Release.aspx/670>>.

<sup>3</sup> The Corporation of the City of Brampton, City Council, *Minutes – Wednesday, June 10, 2020* (Brampton: City Council, 2020) <<https://www.brampton.ca/EN/City-Hall/meetings-agendas/City%20Council%202010/200610ccmn.pdf>>.

<sup>4</sup> The Corporation of the City of Brampton, City Council, *Minutes – Wednesday, December 9, 2020 Special Meeting* (Brampton: City Council, 2020) <<https://pub-brampton.escribemeetings.com/FileStream.ashx?DocumentId=19113>>.

<sup>5</sup> The Corporation of the City of Brampton, City Council, *Special Meeting Agenda – December 8, 2021* (Brampton: City Council, 2021) <<https://pub-brampton.escribemeetings.com/FileStream.ashx?DocumentId=39559>>.

Laura Williams led the independent Review process, with the assistance of Aleksandra Pressey and Ingrid Wibowo of the Firm (the “Review Team”). The Review Team was retained to:

- i) conduct a review into the experiences of Black employees at the City, including an assessment of processes, policies and procedures, to assess the existence and/or scope of discriminatory experiences or practices (the “Mandate”); and
- ii) prepare a privileged and confidential review report that outlines the factual findings and recommendations in respect of the Mandate, and that sets out the information, as gleaned from relevant documentation, and participant feedback upon which the findings were based (the “Review Report”).

This Executive Summary offers a concise recapitulation of the contents of the Review Report. The Review Team wishes to be clear that the Review Report, and not this Executive Summary, provides the definitive and detailed findings and recommendations in respect of the Mandate.

The Review Mandate included making findings with respect to the following two spheres of inquiry and evaluation to come to findings and, ultimately, recommendations:

- **Employee Experiences and Observations Related to ABR in the Workplace:** This involved interviewing a strategically selected sample of City employees to hear their anecdotal accounts related to their experiences and observations of the treatment of Black employees within the City’s workplace. Additionally, this involved considering their impressions, perspectives and opinions which are critical sources of information that inform our findings.
- **Gold Standard Assessment of Policies, Procedures, Processes and Practices:** This involved assessing the City’s policies, procedures and practices against a proprietary “Gold Standard” of requirements and best practices for investigating and addressing complaints and incidents of discrimination, and related processes, in light of the applicable legal requirements.

## Methodology

### a. Overview

An organizational review is a constructive, holistic process centred on evaluating workplace experiences, observations, perspectives, practices, policies, and/or procedures with respect to a particular domain. The Review involved assessing **Employee Experiences and Observations Related to ABR in the Workplace** and conducting a **Gold Standard Assessment of Relevant Policies, Procedures, Processes and Practices**. The Review process includes an evaluation of the extent to which the City is meeting its legal obligations and abiding by best practices to identify where the organization may be falling short, and to provide recommendations for how the organization can improve.

Given the nature of this Review, participants’ perceptions related to experiences, observations, policies, and processes were key to reaching findings and formulating recommendations. In a review, it is not necessary to assess the credibility of participants and the reliability of the information that they provide, or to make factual findings or legal conclusions on the balance of probabilities. Where there are inconsistencies in participants’ understandings of the organization’s policies, procedures,

and practices, such inconsistencies may, in itself, be indicative of issues or gaps. For example, inconsistencies could indicate that the organization's policies and procedures are inadequately socialized with employees or are not clear; that the organization's actual practices do not always adhere to the applicable policies and procedures; and/or that the agents of the organization implement the policies and procedures in an erratic and/or arbitrary fashion.

**b. Process**

The Review process involved the following activities:

- Obtaining and reviewing initial information and relevant documentation to conduct preliminary issue identification and establish context, background and familiarity with the organization.
- Determining the scope of the Review, establishing a multi-stage fact-finding process, and identifying the participants who may have information relevant to the subject matter.
- Preparing a standard question framework to establish the Review lens and ensure that the scope of the Review remains appropriately narrow, while accounting for each participant's specific knowledge and purview based on their role.
- Drafting letters that were delivered by the Firm to each participant inviting them to attend Review interview meetings, and communicating the terms of reference for the Review process. The correspondence also communicated that the ultimate Review Report of Findings would be delivered to the City for review on a strictly privileged and confidential basis.
- Drafting communications that were delivered by the City to its employees inviting them to participate in fact-finding focus groups, and communicating the terms of reference for the Review process. The communications also provided that while Review Team's findings and resulting recommendations would be shared with the City, individual employees would not be identified, and the experiences reported to the City by the Review Team would not be attributed to employees.
- Conducting interviews and two focus group sessions with a total of 32 participants identified as having knowledge related to the subject matter of the Review, via videoconference. The terms of reference for the Review were reiterated to each participant at the commencement of the meetings, and the participants were provided with the opportunity to ask questions about the process.
- Reviewing extensive documentary evidence, including policies, plans, procedures, guidelines, and correspondence.
- Following up with certain participants to request additional information to clarify any contradictions or conflicting information, and to collect additional information, as required.
- Conducting the Gold Standard Assessment which benchmarks existing policies, procedures and practices against ten key considerations to identify systemic barriers to fair treatment and inclusion of Black employees within the workplace.
- Preparing and finalizing Review statements that verified the information provided by each participant during their respective meetings.

- Considering and evaluating the information gathered during the process towards making findings of fact related to the Review, and resulting recommendations to address any identified gaps.
- Drafting the Review Report for submission to the Chief Administrative Officer of the City of Brampton.
- Drafting this Executive Summary of the Review Report.

### **c. Applicable Policies and Legislation**

The Review includes an evaluation of the extent to which the organization is meeting applicable legal obligations and abiding by best practices, to identify where the organization may be falling short, and to provide recommendations for how the organization can improve. This necessitated a review of applicable policies and legislation.

The policies that were identified as relevant and applicable in the context of the Review, and which form part of the framework of the City's complaints and investigation processes and systems under review, and against which Black employees' experiences were assessed (the "Policies"), include the City's:

- Respectful Workplace Policy (the "Policy");
- Preventing and Addressing Harassment and Discrimination Standard Operating Procedure (the "SOP"); and
- Issue Resolution Process (the "Process").

The legislation identified as relevant for the purposes of the Review are the Ontario *Human Rights Code* (the "Code") and Ontario's *Occupational Health and Safety Act* (the "OHSA").

### **d. Gold Standard Assessment**

As noted above, after gathering all the relevant anecdotal and documentary information, the Review Team assessed and identified issues related to existing policies, procedures, accountabilities, practices, protocols and approaches (defined and discretionary) to determine risks and exposures to liability from labour and employment law, and HR best practices perspectives. The assessment was conducted by considering ten key factors in accordance with our proprietary Gold Standard of requirements and best practices related to investigating and addressing complaints and incidents of ABR or discrimination:

- |                       |                  |
|-----------------------|------------------|
| • Compliance          | • Accountability |
| • Process Clarity     | • Competence     |
| • Conflict Mitigation | • Capacity       |
| • Communication       | • Consistency    |
| • Procedural Fairness | • Restoration    |

For the purposes of this Review, the Gold Standard served as the benchmark against which the City's policies, procedures and processes were assessed to identify the extent to which they cause and/or contribute to systemic barriers and the perpetuation of ABR within the workplace. The Gold Standard Assessment also assisted the Review Team in identifying any gaps or deficiencies in how the City investigates and addresses workplace harassment and discrimination.

## REVIEW ASSESSMENT AND FINDINGS

---

### Employee Experiences and Observations Related to ABR in the Workplace

Based on our information gathering from participant interviews and relevant documentation, we have made the following 26 key findings as a result of our assessment of *Employee Experiences and Observations Related to ABR in the Workplace*:

#### Racial Diversity:

- Diversity throughout the City's departments and divisions is widely variable.
- Black and racialized employees are concentrated at lower levels of the organizational hierarchy.
- Within certain departments, Black and racialized employees are most often employed in precarious employment roles.

#### Workplace Environment and Culture:

- Many Black Review participants did not feel that the City has fostered a workplace environment and culture that are supportive of Black staff.
- Perceptions of Black employees markedly differ from those of senior members of leadership and management regarding the supportiveness of the workplace environment for Black and racialized employees.
- Most Black and racialized participants shared personal experiences of differential and discriminatory treatment.
- Black and racialized participants noted recent improvements in their workplace culture and environment, though a "culture of fear" remains.
- White employees are reluctant to engage in dialogue or action about issues of EDI for fear of being perceived as culturally ignorant or insensitive.

#### Hiring Policies and Practices:

- Hiring policies and practices are inconsistent among departments with respect to their consideration of EDI.
- Nepotism is viewed as a significant issue in hiring practices across multiple departments.
- Hiring efforts targeted at racialized and/or Black staff are not perceived to be genuine and do not lead to more diverse hires.
- Black participants are wary of diversification efforts, which they perceive to be flawed, disingenuous, and ultimately ineffective at yielding more Black hires.
- Concerns about hiring do not appear to be held by senior leaders in certain departments.

#### Career Advancement:

- Black employees are particularly disadvantaged in career advancement because of the lack of continuous learning and mentorship opportunities accessible to them.
- Internal development and education programs have not been sufficiently socialized to Black employees.
- Black employees have struggled to leverage their experience and credentials for the benefit of their careers.

#### **EDI Training and Policies:**

- Most participants were aware of the City's Respectful Workplace Policy, while few were aware of the Issue Resolution Process.
- EDI training has been ad hoc and inconsistently socialized throughout the City.
- Most participants spoke positively about EDI training sessions they attended, though some questioned the choice of organizations retained to conduct such training.
- EDI training is not mandatory, and there are currently no accountability or follow-up mechanisms in place to ensure that trainees and learners carry out relevant actions to develop and apply the learning they attained.
- Onboarding processes do not appear to involve a strong EDI component, are inconsistently provided to new employees, and may lead to a patchwork understanding of EDI-related policies and processes.
- Part-time staff in some departments are not provided paid time to take EDI training, and the existence of such training opportunities is not regularly communicated to them.
- Participants in different departments emphasized the need to focus EDI training efforts on different groups.

#### **Existing EDI Initiatives:**

- Since the commencement of the Review, the City has established the Equity Office to host the existing Unit and hired a Senior Advisor of Human Rights.
- The existing EDI initiatives are not effectively communicated within the City.
- There is a lack of understanding of the purpose, intentions, objectives, integration and/or interrelation among the various EDI initiatives, and a perception that initiatives are ad hoc and disconnected from a larger strategy.
- Black employees and members of the Black community within Brampton have formed their own networks and resource groups, including the Mayor's Black, African, and Caribbean Advisory Council and the Black Employees Engagement Network. Members of these networks and resource groups have come to form their expectations for the City's EDI initiatives.
- Expectations related to the emergence of employee resourced group have not been communicated or managed.

#### **Collection of Identity-Based Data:**

- There is a lack of reliable and accessible identity-based employee data.

## **Gold Standard Assessment of Policies, Procedures, Processes and Practices**

The Gold Standard Assessment, which benchmarks relevant policies, procedures, processes and practices against ten critical requirements and best practices, resulted in the following findings:

- Compliance:** Policies, processes and procedures adhere to the legal requirements that regulate practices in the applicable jurisdiction. Parties do not always act in accordance with the policy requirements.
- Process Clarity:** Most employees are familiar with their roles in the process and are generally aware of the overall process.
- Conflict Mitigation:** Conflicts of interest are not consistently considered.
- Communication:** Most employees are consistently and effectively advised/trained on relevant policies.
- Procedural Fairness:** Investigators and decision makers may not be impartial. Respondents may not be provided with allegations in advance of investigation interviews.
- Accountability:** Process ownership and responsibility for outcomes is not clear. Leaders are not held accountable for process flaws.
- Competence:** Employees who address and investigate complaints are not adequately trained.
- Capacity:** The workplace does not have sufficient resources to ensure that complaints are assessed and investigated in a timely manner.
- Consistency:** There is significant variation in how complaints are assessed and investigated. Many investigations are not appropriate in the circumstances.
- Restoration:** Workplace restoration is not contemplated or conducted.

## **RECOMMENDATIONS AND OPPORTUNITIES FOR IMPROVEMENT**

---

### **Employee Experiences and Observations Related to ABR in the Workplace**

#### **a. Formulate clear strategies and allocate sufficient resources to EDI initiatives**

- The City should create a cohesive and comprehensive EDI strategy that clearly articulates a phased approach to significant initiative. EDI initiatives must be very clearly socialized to the entirety of the City, and any and all initiatives must be tethered to the City's objectives, as set out in its strategy. Clarity and cohesion as between the City's efforts must be prioritized so as to build trust and buy-in among employees. Given the trust in and positive perceptions of the CAO, as well as the positive perceptions of the fact that a leader at the top level of the organization is committed to EDI, the overall strategy should be communicated by the CAO.
- The Equity Office, as a newer initiative that is expected to host the Unit and other EDI initiatives, should ensure that it develops a clear mandate, identifies key priorities and

functions, and obtains the resources required to fulfill those functions. Information about its role and responsibilities, including how it relates to the existing work of the Unit and is independent of HR, should be thoroughly socialized throughout the organization to set expectations.

- Continued collaboration between networks and resource groups formed by Black employees and members of the Black community within Brampton—including the Mayor’s Advisory Council and BEEN—and City initiatives should be considered, as they may provide important avenues through which the City can more easily engage with Black employees and the Black community within Brampton at large. However, the City must create a unified strategy, and clearly delineate the roles and scopes of authority of various groups to ensure that mandates are clear in order to avoid confusion, mistrust and mis-managed expectations of employees.

**b. Repair ruptures and foster a sense of transparency and trust**

- Leadership should adopt frameworks and strategies that acknowledge historical and present harms experienced by Black and racialized staff, which focus on healing, and that allow staff to feel heard, valued, and safe to bring forward allegations of discriminatory conduct.
- The City should leverage its significant new resources—the creation of the Unit, the establishment and resourcing of the Equity Office, and the hiring of the Human Rights Advisor, among others—for the fresh perspectives they offer and the opportunity to build trust among employees.
  - Additionally, the City should leverage the recent change in HR leadership to make changes and/or remedy existing deficiencies in HR.
- The Senior Advisor to the Unit has functioned, in part, as an internal ombudsman or trusted advisor for Black employees. The City should ensure that this function is sufficiently resourced, developed, and that its function is clearly delineated with the City’s existing complaints and investigation processes.
  - The City may consider assigning this function to the recently hired Human Rights Advisor, ideally relocated to an office or team outside of HR, such as the Equity Office. If the City chooses to do so, the City should ensure that it communicates this move and the Human Rights Advisor’s function as soon as practicable.
- The opportunity to build a sense of transparency and trust is further bolstered by the widely-held trust that Black employees have in the current CAO. The City should leverage from the top regarding prioritizing EDI and addressing ABR within the City, as well as the fact of the resources invested into the establishment of the Equity Office by City Council.

**c. Improve the recruitment, retention, and advancement of Black employees through data-driven efforts**

- The City would be well advised to train a critical, EDI-focused lens on recruitment, and engage in a fulsome, systematic assessment to identify barriers to equity, diversity, and inclusion in its hiring processes.

- The City should leverage the learning outcomes of Fire and Emergency Services department's efforts to diversity through improved recruitment processes in order to revamp, and ideally standardize, existing processes across all departments.
- Recruitment efforts should integrate an equity-focused approach to diversity that recognizes sociohistorical differences between Black communities and racialized groups that have resulted in material gaps in opportunity, advancement, and professional experience.
- The City should create pathways of career advancement and progression for Black employees, including through the development of formal training and mentoring programs. It would be particularly beneficial to the wellness of Black employees if these efforts involved Black leaders, supervisors, and managers within the City.
- The City should enhance efforts to thoroughly socialize existing opportunities for upskilling (in the form of self-learning, professional development, technical skills development, and educational assistance programs) to employees, and particularly to Black employees, who appear to have less knowledge of and access to the supports.
- The City should collect relevant data to drive and inform EDI efforts. In particular, the City should collect sociodemographic data on existing employees and job applicants, then leverage that data to measure progress on the diversity of its workforce and the progression of its Black employees.
- To assess the quality of Black employees' work experiences and ultimately improve the City's retention of its Black employees, City leaders should support the development and independence of trusted roles dedicated to EDI related progression, such as the Equity Office, and questions related to EDI should be incorporated in one-on-one meetings and exit interviews.

d. **Develop a Code of Conduct that specifically addresses anti-Black harassment and discrimination**

- The City should consider developing, in consultation with Black employees, a Code of Conduct that clearly communicates its commitment to combating anti-Black racism in all of its forms. At minimum, the Code of Conduct should:
  - describe types of anti-Black conduct, including more subtle forms of harassment and discrimination like microinequities;
  - provide information on City initiatives related to Black empowerment and ABR, including but not limited to the Unit and the Equity Office; and
  - be linked to related organizational policies and complaints and investigation procedures, including but not limited to the Policy, the Process, and the SOP.

Through the work of the Equity Office, the Code of Conduct could be expanded over time to include similar content to address discrimination experienced by other marginalized groups.

**e. Conduct robust and regular training, and implement accountability mechanisms**

- Given the complexities involved in EDI and ABR work, the City should strengthen training efforts to ensure there is consistent, regular training on these issues for all staff, including during onboarding. The training should:
  - be constructed as a modular, structured program with progressive introduction of concepts and content rather than “one-off” sessions provided on an ad hoc basis;
  - include training on basic concepts and foundational knowledge, as well as there regular opportunities for additional (ideally, mandated) training on more nuanced concepts related to EDI and ABR, including complex and subtle forms of discrimination, such as microinequities; and
  - provide clear directions on reporting and escalation obligations and methods. This training should include, but not be limited to, relevant policies and procedures.
- Training should be followed up and supplemented by mechanisms to promote accountability and tracking of learning outcomes. Mandatory EDI measures should be included in performance evaluation metrics and gaps in understanding should be addressed as necessary. Naturally, managers conducting performance reviews must be trained on how to evaluate and provide feedback related to any EDI metrics.
- Senior leaders, managers, and those involved in recruitment processes should be required to engage in more specialized and extensive training on harassment, discrimination, equity and inclusion, such that they can be relied on as agents of change who demonstrate the knowledge, skills, and attitudes to spearhead the City’s EDI efforts.

**Recommendations Related to the Gold Standard Assessment**

**a. Implement a centralized workplace investigations process**

*This recommendation is expected to assist the City in progressing toward the Gold Standard with respect to the following key factors:*

<i>Process Clarity</i>	<i>Conflict Mitigation</i>
<i>Procedural Fairness</i>	<i>Accountability</i>
<i>Capacity</i>	<i>Consistency</i>

- The City should consider implementing a single, centralized process for complaints intake, particularly for human rights related complaints, which would make it easier to identify and avoid deviations that compromise consistency, and would in turn assist the City in fulfilling procedural fairness requirements which are currently not consistently met.
  - There are multiple options related to where the responsibility for human rights complaint intake and triaging could reside. The most optimal choice in the current climate of mistrust in HR appears to be the existing Equity Office, given that it is meant to host the Unit along with other EDI initiatives. However, the City must be careful not to overwhelm the Equity Office with this significant responsibility, especially as it is

still in the early stages of its formation and the scope of its responsibilities is yet to be fully identified.

- There is a lack of trust in the current processes, part of which has been historically connected to HR. The City should consider establishing a new function, or moving the responsibility for investigations to a function that has more of the employees' confidence, such as the newly-formed Equity Office, would bolster conflict mitigation efforts and optics, as there would likely be less of a presumption of bias and futility in bringing complaints forward.
- The City should also consider leveraging the role of the Human Rights Advisor by relocating the role to an office or team outside of HR. The role's relocation to an office that specializes in human rights complaint intake, triaging, and investigation would allow it to maintain true impartiality in conducting investigations.

**b. Engage in comprehensive data collection related to complaints**

*This recommendation is expected to assist the City in progressing toward the Gold Standard with respect to the following key factors:*

*Accountability*

*Capacity*

- The City should implement a centralized system to track workplace harassment or discrimination complaints.
  - Once the data is collected, it should be aggregated and analysed to determine if there are any trends in certain types of complaints. Periodically analyzing the data will help the City proactively identify and address recurring issues, systemic barriers and chronic challenges with respect to ABR and discrimination.

**c. Build competence to ensure that complaints are consistently triaged**

*This recommendation is expected to assist the City in progressing toward the Gold Standard with respect to the following key factors:*

*Procedural Fairness  
Capacity*

*Competence  
Consistency*

- The City should provide its internal investigations with regular investigation training. Such training should address:
  - the complexities and subtleties that inhere in many participants' experiences of ABR, such as microaggressions and microinvalidations; and
  - trauma-informed and anti-oppressive approaches, which provide key strategies to addressing the necessary nuances of racial discrimination and ABR.

**d. Review, revise, and rollout improved policies**

*This recommendation is expected to assist the City in progressing toward the Gold Standard with respect to the following key factors:*

<i>Compliance</i>	<i>Process Clarity</i>
<i>Procedural Fairness</i>	<i>Accountability</i>
<i>Consistency</i>	<i>Restoration</i>

- The City would be well-advised to review and revise its Policies. We note that there are legal compliance issues with respect to the existing policies which could be addressed by a thorough legal review.
- Policy revisions should seek to:
  - clarify the process with respect to harassment and discrimination complaints and investigations as among the City’s existing policies and procedures, including requirements, escalation mechanisms, and options for issue resolution;
  - set out certain key expectations that are fundamental to ensuring procedural fairness, such as providing respondents with allegations in advance of their interviews and conducting processes in a timely manner; and
  - set out the roles and responsibilities of various relevant parties in the workplace;
  - communicate workplace restoration as a possibility and likely expectation of any workplace investigation process.

**e. Conduct clear and regular training on the policies, as well as on harassment and discrimination generally**

*This recommendation is expected to assist the City in progressing toward the Gold Standard with respect to the following key factors:*

<i>Compliance</i>	<i>Process Clarity</i>
<i>Communication</i>	<i>Accountability</i>

- The City should ensure formal, thorough onboarding is consistently provided to new employees across all of its departments.
- The City should ensure that it is providing effective, mandatory training to all staff, and that training is periodically refreshed. The OHSA specifically requires employers to provide workers with information and instruction that is appropriate for the worker on the contents of the harassment policy and program. The Ministry of Labour has clarified that the training obligation requires employers to ensure that workers:
  - know how to report incidents of workplace harassment to the employer or supervisor;
  - know how to report incidents of workplace harassment where the employer or supervisor is the alleged harasser;
  - know how the employer will investigate and deal with incidents or complaints of workplace harassment;

- know how information about an incident or complaint of workplace harassment will be kept confidential unless disclosure is necessary for investigating or taking corrective action, or is otherwise required by law; and
- know that the results of an investigation and any corrective actions will be provided to the worker who alleged workplace harassment and to the alleged harasser (if the alleged harasser is a worker of the same employer).

The Ministry of Labour has further clarified that, in practice, workers may need additional information, depending on their jobs. For example, supervisors may require additional training, especially if they are expected to follow up on reported incidents or complaints of workplace harassment.

- While, apart from discriminatory harassment, there is no matching legislative requirement to provide training on discrimination, the City would be well advised to ensure that staff are similarly trained with respect to discrimination and ABR.

## **CONCLUDING COMMENTS**

---

We trust that the findings and recommendations set out in this Executive Summary will provide a measure of guidance for the City as it continues on its journey to create fair, equitable and inclusive practices within its workplace.

Thank you for entrusting us with this important work. We wish you all the best as you implement improvements in these critical areas.

Yours very truly,

**WILLIAMS HR LAW LLP**

Per:



Laura Williams  
LKW/ap/iw