



2020-2021
**ANNUAL
REPORT**



SASKATCHEWAN
HUMAN RIGHTS
COMMISSION

ONE HUMAN FAMILY • COVID-19 AND HUMAN RIGHTS

VISION

To have all Saskatchewan residents understand human rights, value diversity, engage in the responsibilities of their citizenship, and respect the human rights of others.

MISSION

To champion human rights by promoting and protecting dignity, diversity, and equality within Saskatchewan.

GOALS

- Discourage and prevent discrimination.
 - Implement restorative justice measures in all complaint resolutions.
- Secure appropriate remedies for individuals and groups who experience discrimination.
 - Seek systemic remedies for individuals and groups who experience discrimination.
 - Advance the understanding of human rights through research and education.
 - Provide leadership on public policy and legislation related to human rights and responsibilities.

The Saskatchewan Human Rights Code, 2018

Section 24

The Commission shall forward the principle that every person is free and equal in dignity and rights without regard to religion, creed, marital status, family status, sex, gender identity, sexual orientation, disability, age, colour, ancestry, nationality, place of origin, race or perceived race or receipt of public assistance.

LETTER OF TRANSMITTAL

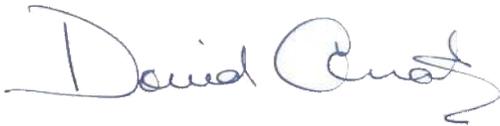
The Honourable Gordon Wyant, Q.C.
Minister of Justice and Attorney General
Legislative Building
Regina, Saskatchewan

Dear Minister Wyant,

I am pleased to deliver the 2020-2021 annual report of the Saskatchewan Human Rights Commission as required by section 57 of *The Saskatchewan Human Rights Code, 2018*.

This report highlights the activities and successes of the Commission for the fiscal year beginning April 1, 2020 and concluding March 31, 2021.

Sincerely,



David M. Arnot
Chief Commissioner

P.O. Box 6011
Saskatoon, SK S7K 4E4

PHONE
306-933-5952

FAX
306-933-7863

TOLL FREE
1-800-667-9249

EMAIL
shrc@gov.sk.ca

WEB
saskatchewanhumanrights.ca

TABLE OF CONTENTS

MANDATE 1

LETTER OF TRANSMITTAL 2

TABLE OF CONTENTS 3

MESSAGE FROM THE CHIEF COMMISSIONER 5

MESSAGE FROM THE EXECUTIVE DIRECTOR 6

COMMISSIONER LETTERS..... 8

COVID-19 AND THE COMMISSION.....14

SERVING COMMUNITY 30

EFFICIENCY OF PROCESS 38

BY THE NUMBERS 47

PUBLIC EDUCATION 56

YEAR IN PICTURES 74

LIFETIME ACHIEVEMENT AWARD 76

2020-2021 STAFF 78



MESSAGE FROM THE CHIEF COMMISSIONER

The 2020-2021 fiscal year was extraordinary. A year of great challenges, change, and opportunity.

The COVID-19 pandemic affected every person and community in our province. It changed the way we lived, worked, and socialized. People were isolated from their families, friends, and colleagues. Loved ones were lost. Jobs disappeared; many businesses closed. And while the pandemic has been an unprecedented health crisis as well as an economic crisis, it has also been a human rights crisis.

The pandemic magnified and amplified inequities. Aging adults, women, racialized and marginalized groups, as well as people with disabilities, including those who grapple with the disabilities of mental health and addiction, were negatively and disproportionately impacted by COVID-19.

The toll of this pandemic has been high. As a province, we have endured many dark days. Yet, in that darkness there has been light.

The light exists in the generosity and support people throughout Saskatchewan have shown to their neighbours over the course of the past year.

It exists in the urgency, the sense of community, the heightened awareness, and the increased collaboration that has arisen from the COVID-19 pandemic.

In times of crisis, it is our responsibility to put community first, to work together with a common purpose for the common good. Cooperation and collaboration are essential.

Throughout the pandemic, the Commission collaborated with government agencies, municipalities, organizations, and stakeholders to address COVID-related human rights issues in communities throughout the province.

Working directly with the Saskatchewan Health Authority, the Saskatchewan Ministry of Health and community-based organizations, the Commission addressed COVID and human rights concerns of aging adults and people with disabilities.

The Commission also partnered with the University of Saskatchewan (U of S) to better understand the surge of anti-Asian hate during the pandemic. The project, headed by U of S linguistic researcher Dr. Zhi Li, turns a human rights lens on Twitter to track the causes of online hate directed at Asian Canadians and people of Asian descent.

Human rights are key to shaping our pandemic response, as well as our exit strategy. Without a deliberate human rights based approach to our decision making, COVID-19 will continue to exacerbate existing inequities and create new ones.

We have arrived at a turning point. There are decisions to be made and a path to take. One path leads us back to where we were. The other path is one of renewal, growth, and opportunity. A path on which no one is left behind.

As a province, and members of one human family, we cannot return to the old normal. That is a misplaced standard. Instead, we must strive to reach a better place.

A place where human rights – and the equality and dignity they ensure – are front and centre.

A place where responsibility is embraced.

A place where respect is paramount.

By working together, by respecting human rights and making them fundamental to the decision-making process, we will be better able to find effective, equitable, and inclusive solutions for the emergencies of today and the recovery of tomorrow.

David M. Arnot



Chief Commissioner
Saskatchewan Human Rights Commission

MESSAGE FROM THE EXECUTIVE DIRECTOR

This past fiscal year has taught us that while we were all in the same storm, we certainly were not all in the same boat.

In March 2020, Commission staff members were sent home with their laptops and told to shelter in place for their safety. Online meetings, iffy internet connections, isolation, managing babies, toddlers and school-aged children during the work day presented challenges, but people were safe.

School trips, sports, and graduations were missed and kids felt the pain of isolation, but our children were safe.

Health care workers, police, firefighters and those in the grocery supply chain helped ensure our safety.

While the pandemic is not over yet, thanks to the assistance of others and the privilege the Commission staff enjoyed in having shelter and being able to work from home, we are emerging from the pandemic largely unscathed. That story is not universal. At the time of writing this note, more than 3.7 million people worldwide have lost their lives to COVID-19. And that number may in fact not include every life lost.

Business owners struggled to keep businesses afloat in lockdown. Non-profit agencies struggled to meet increasing demand on decreasing donations. Some people refused to wear masks or stay home, relying on what they assumed were their Charter Rights, all the while forgetting that their actions had impact on others and that responsibility to the health and welfare of others trumps inconvenience every time. The Commission staff spoke to hundreds of people and organizations, helping them navigate this uncharted territory.

While the pandemic interrupted much of what was normal in our lives, it did not interrupt racism, sexism, ageism, ableism or other forms of discrimination.

Hate, both on-line and in person, was rampant. The murder of George Floyd in June reminded us that not everyone values the lives of everyone equally. The rallying cry of “Black Lives Matter” was met with an “all

lives matter” push back. Many could not understand that what happened to George Floyd happened because of the colour of his skin and the perception of his worth as a human being.

Similarly, people of Asian descent bore the brunt of blame for the origin and spread of disease. Hateful words and violence erupted.

Ageism and ableism were defining characteristics of the early pandemic. Statements discounting the seriousness of the virus claimed that “only” the aging and those with disabilities fell gravely ill and died. For some, the health of the economy was valued higher than that of our elders. The worth of human life was weighed and measured by years lived or yet to be lived, and the absence or existence of disability or pre-existing condition. Aging Canadians experienced extended lockdown in care facilities, and those who survived thought they might never see their families again. Some would die alone and without human contact. Those with the ability to connect via the internet were fortunate.

Sexism and gender disparity continued. Those inclined to discriminate against women in the workplace found ways to sexually harass them online. Women disproportionately shouldered the burden of child care, loss of employment, and loss of income. Women everywhere felt the loss of American Supreme Court Justice Ruth Bader Ginsberg.

During the pandemic, mental health issues and addictions did not take a break. Isolation, stress, and the absence of services magnified many pre-existing issues.

Discrimination targeting Indigenous and Métis communities did not take a break either. The Civilian Review and Complaints Commission’s report regarding the actions of the RCMP during the Boushie homicide investigation confirmed the existence of systemic racism within the police force – a fact that had long been known by those who had experienced it.

Incidents of Islamophobia and anti-Semitic sentiment increased across Canada, including slurs, hate, threats of violence and actions of targeted violence.



“ *Standing up in support of those who experience discrimination extinguishes the voices of those who would discriminate. Responsible individuals upholding the rights and dignity of other does make a difference.* ”

The Commission celebrated the Métis Masked Makers, a team of women determined to make a difference in northern and Indigenous communities by making and supplying thousands of masks.

The Commission continued to support the Enough Already project and was able to reach many more people via web-based training, educating employers and employees about how to eliminate sexual harassment in the workplace.

The Commission supported and continues to support work being done at the University of Saskatchewan to research online hate, especially that directed toward those of Asian descent.

The Commission was able to participate in several educational events that increased the working knowledge of, awareness of, and best practices to combat systemic discrimination.

The Commission entered into a strategic alliance with the FSIN to join forces to support the human rights of Indigenous people in this province.

With a strong vaccination program well under way, springtime new beginnings have been especially meaningful this year. There have been many lessons learned during the pandemic. The greatest might be that as individuals, we hold great power. Staying home, wearing a mask, and vaccinations are helping us all get back to “normal”.

Standing up in support of those who experience discrimination extinguishes the voices of those who would discriminate. Responsible individuals upholding the rights and dignity of others does make a difference.

In the face of such ignorance and hate, it is easy to feel helpless and hopeless. But as individuals, we have the power to change what has become normative. Tristan Durocher had the courage to peacefully demonstrate for change in support of life and mental health, and Court of Queen’s Bench Judge Graeme Mitchell had the courage to walk into the protest camp on Saskatchewan’s legislature grounds.

It’s not easy, but we are not helpless and the situation is not hopeless.

The work of the Commission continues, and it is apparent that many have learned that the Commission is a strong leader and strong partner in the prevention and elimination of discrimination. This work is not comfortable, but it does foster hope.

At the Commission, new ways of doing business and providing education were adopted as it continued to provide services online.



BARRY WILCOX, Q.C. DEPUTY CHIEF COMMISSIONER

How life-changing the first and only pandemic in most of our lifetimes has been! Who among us truly anticipated what it would look like and how deeply it would affect us? How many of us thought that it was going to be interesting, observed from a distance? How many of us thought that we would go through it virtually unscathed? As the pandemic has unfolded over time, it has revealed some unexpected human consequences. Given the nature of viruses and their propensity to mutate and perpetuate through human contact, it was to be expected that travel would be largely eliminated. However, who predicted the uptake in home renovation and recreational activity? Try buying a 2x4, a sheet of plywood, a snowmobile, a boat, or cross-country skis.

Not only has COVID-19 redefined our physical lives, it has also given a new perspective on our psychological selves. It has highlighted the fragility of the human spirit. An example of this is the increase in addictions. It has taught us the importance of appreciating our own health and our responsibilities to maintain the health of those around us.

The pandemic has forced us to look at ourselves and others from different perspectives. It has been a double-edged sword. In some cases we seem to have developed greater empathy for our fellow human beings, while in others, we have asserted imagined and unjustifiable fault. Our diversity has provided an easy target for blame and prejudice. We easily empathize with the grief of families who have lost grandparents to the virus. However, if the story was changed to describe the grandparents as being of Asian descent, some will carry the unjustified and non-scientific view that the fault for the pandemic somehow originated with them. What a sad reflection on humanity when certain individuals can assert such an unfounded perception of fellow human beings.

“ *The health and safety responsibilities we owe others will sometimes exceed our personal rights.* ”

The Saskatchewan Human Rights Commission not only promotes a person’s rights in the society in which we live, but also asserts their responsibilities. With rights come responsibilities. They are sides of the same coin. The pandemic has taught us that the health and safety responsibilities we owe to others will sometimes exceed our personal rights.

So what can we learn from this?

Always put yourself into the other person’s shoes. See the world from their perspective. You don’t necessarily have to agree with it, but you will at least be able to gain some understanding. As Amanda Marshall says in her song *Everybody’s Got a Story*: “It’s the human

condition that keeps us apart, everybody’s got a story that will break your heart.” **You** have control over your own perspective and **you** are the captain of your voyage through life. Don’t allow ignorance and prejudice to detour your path. **You** are in charge of the map and compass. Be sure that your journey is always guided by understanding and

compassion. Treat all those whom you come in contact with, not only physically but also virtually, with respect. This is **your** obligation and will result in a greater understanding and appreciation for all things around you.

Human rights are not unattainable theoretical concepts. Human rights are actually nothing more than common sense and decency. The old proverb of “do unto others as you would have others do unto you” is really just the expression of human rights. It acknowledges your responsibility to value the rights of others, and when they do the same for you, human equality and respect is the result. So the next time you think of human rights don’t consider them abstract, but simply see them as others respecting the person you are and, in return, you respecting them equally.

COLLEEN CAMERON

COMMISSIONER



When a province-wide state of emergency was announced on March 18, 2020, very few people in Saskatchewan knew what lay ahead. Who could have envisioned the numerous and consistent waves of COVID-19, the lockdowns, the job loss, the closure of schools? Who could have imagined an economic and health crisis of this scope and magnitude?

What's more, who could have predicted that within the larger COVID-related health crisis another serious health crisis would emerge? A shadow pandemic that affects mental health and addictions.

One year into the pandemic, declines in mental health are being recorded across the board. Shut indoors for prolonged periods, isolated and stressed, people have been experiencing record-levels of depression and anxiety. They have been worried that they or their loved ones will contract COVID-19. Some have been dealing with family members who have been ill or passed away. People continue to be troubled by present circumstances, and concerned with the future.

In a recent Ipsos poll, 65% of people polled in Saskatchewan/Manitoba said they are feeling increased stress and anxiety.

Another population-based survey, conducted by Pollara Strategic Insights on behalf of Mental Health Research Canada, indicated a four-fold increase in levels of "high anxiety" (24%) and a three-fold increase in levels of "high depression" (17%) in Saskatchewan since the beginning of the pandemic.

These numbers are concerning. So too are the levels of reported addiction and substance abuse during the pandemic.

Approximately 16% of Canadians report they have been struggling with addiction issues such as alcohol or drugs. That number increases among younger Canadians (18-34), where 24% say they are struggling with addiction issues. Middle-aged Canadians (35-54) also report challenges, with 20% saying they are struggling with addiction issues.

In Saskatchewan, the number of drug toxicity deaths more than doubled in 2020.

While these uncertain times are difficult for us all, it is important to remember that when it comes to mental health and addictions there are different starting lines. COVID-related fears and anxieties experienced by the general population have been amplified and magnified in those with pre-existing mental health and addictions issues.

To exacerbate matters, the COVID-19 pandemic has also created new barriers. With the economic downturn and the need for physical distancing, many mental health and addiction organizations were forced to limit and/or suspend in-person programs and services at a time when people needed them most.

As a result, many people with pre-existing mental health and addiction problems lost access to important supports, programs, routines, and connections that, under normal circumstances, help their well-being and recovery.

The hard truth of the matter is that it is going to take a long time before we are fully able to grasp the scope of the mental health and addictions challenges borne out of this pandemic.

Long after vaccines have subdued the physical health effects of COVID-19, the effects on mental health and addictions are likely to linger and echo. We must acknowledge and understand this. Employers, landlords, business owners, educational institutions, and citizens in general should expect to encounter people with mental health and addiction challenges for the foreseeable future. Please do so with respect and empathy.

It is imperative that we work together to address the stigmatization of, and the discrimination against, people with mental health and addiction issues.

The *Saskatchewan Human Rights Code, 2018* advances the equality and dignity of all human people. So too must all citizens. That is our responsibility.



MIKE SAN MIGUEL COMMISSIONER

“Sticks and stones may break my bones, but words will never hurt me” is far from the truth as we continue to fight racism in our province.

At the beginning of this fiscal year, we were in the initial stages of the COVID-19 pandemic. People throughout Saskatchewan quarantined, they watched and waited as the coronavirus spread faster than systems could track.

While this was happening, another virus was simultaneously spreading. A virus of hate directed at people of Asian descent. Online, anti-Asian sentiment became pervasive. Hashtags like #KungFlu and #ChinaVirus fanned the flames of discord. Scapegoating and fearmongering ran rampant. Misinformation proliferated.

It did not take long before the racism and hate being perpetuated online began to translate into real-world, in-person harassment and violence. Since the beginning of the pandemic, reports of discriminatory incidents targeting Asians and people of Asian descent have more than tripled in Canada.

Hate crimes against Asian-Canadians have skyrocketed, with major cities seeing rates 600-700% higher than the previous year. Here in Saskatchewan, we have not been immune. In May 2020, a 15-year-old Asian youth in Saskatoon was subjected to racial slurs connected to the coronavirus before being physically assaulted in Bishop Mahoney Park.

In February 2021, employees at an Asian restaurant in Saskatoon were subjected to a barrage of racial slurs by a customer who refused to follow Public Health Orders and wear a mask. Later that same month, a Filipino-Canadian family was shouted at and discriminated against by a fellow customer while shopping at a Costco in Regina.

This behaviour, both online and in-person, is unacceptable. Every person in Saskatchewan has the right to live a life free of discrimination, exclusion, and hate. In the midst of a pandemic, there is no room for racism, hate, or discrimination.

We cannot tolerate this behaviour. We cannot let these corrosive ideas and actions go unchecked or unchallenged.

I stand strong against racism for my children, our province, and for all of humanity because I know how it feels. Racism has been played against me, not by force but by words that have cut deep into my chest.

Some days it will be subtle with a roll of the eyes or a whisper under their breath, but many times racism is more direct. From a stroll in the park to an engagement face-to-face, our society has seen a drastic increase in hate. Hate based on the colour of person’s skin and the negative, discriminatory information found in social and mainstream media. But we can change this by educating ourselves and the youth of our society. It is the responsibility of the entire community to confront hate in all its forms. Targeted groups must not be left to shoulder the burden alone.

We each have an obligation to do what is right, and to uphold the rights of others.

To accomplish this, we must keep an open mind, listen, stand up, and speak together.

Change will not happen today, change will not happen tomorrow. But by working together we can move forward to become a better Saskatchewan. By compounding the acceptance of our race and by embracing each other’s differences we will become a better province.

We are in this challenge together and we want to learn from each other. We must choose understanding over ignorance, inclusion over division, and respect over hate.

It is okay to ask the questions: What are your cultural roots? What kind of food delicacies do you have? What encouraged you or your family to move to Saskatchewan? But what’s not okay, is to say “it’s not my problem.” We must work together, as members of one human family, to emerge from this pandemic stronger and more unified than ever before.

JAN GITLIN COMMISSIONER



I was born and raised in Saskatchewan and have lived here all my life. I was born into a Jewish family in Saskatoon and have practiced Judaism all my life.

I have been a Commissioner with the Saskatchewan Human Rights Commission since 2011. It has been an honour to serve and to learn so much about the excellent work done by the Commission.

Human rights are inherent to us all. They were borne out of the carnage of World War II. In the Holocaust, also known as the “Shoah”, 6 million Jews were slaughtered – men, women, and children – simply because they were Jewish.

In 1948, the world came together to agree for the very first time to develop a Universal Declaration of Human Rights. This declaration guaranteed “the dignity and worth of the human person.” It recognized that it wasn’t just the Nazi state that had perpetuated crimes, but also ordinary people who willingly assisted. The preservation of human rights falls on every individual’s shoulders.

Jewish people belong to a great tradition. Judaism tells us that we have responsibilities, and that when we do what is needed to fulfil the Commandments, our rights and the rights of others are preserved. Rights are very important, but so too are the responsibilities that accompany them.

Many people have heard the word mitzvah and think that it simply means to do good – a good deed. However, the Torah mitzvah is an educational concept through which we are educated to fulfil our obligations by taking care of ourselves, our families, and our community. So we move from rights to freedoms to Mitzvot (plural of mitzvah) to our responsibilities.

We all have been shaken by the COVID-19 pandemic. Everybody has been impacted. Because of the pandemic, our societies have been put to the test. Many times during crises we see human nature react in positive ways. Unfortunately, crises can also exacerbate long-standing injustices and divisions within society. The COVID-19 pandemic has contributed to the resurgence of xenophobia, anti-Semitism, and hate speech.

With the rise of anti-Semitism and hate speech, the importance of teaching citizenship education is more urgent than ever. If we want to ensure a multicultural and pluralistic society, we must teach the next generation their rights, their responsibilities, and how to be respectful. Every human being is entitled to respect and equal moral consideration, without exception.

“*The importance of teaching citizenship education is more urgent than ever. If we want to ensure a multicultural and pluralistic society, we must teach the next generation their rights, their responsibilities, and how to be respectful.*”

Rights, responsibilities, and respect. These are the new 3Rs in education. What gives me hope for the future is that, in Saskatchewan, our schools are teaching the new three R’s. The Conventus Citizenship Education Foundation, which grew from the Commission’s mandate to educate, now works with both the public and Catholic school systems to invest in K-12 citizenship education.

A decade ago when I became a Commissioner, it was our wish to establish this foundation, to create lesson plans, and to encourage cooperation within the educational system. Ten years later, I remain positive that if we want to improve the world, we must do so by teaching our children.



HEATHER KUTTAI COMMISSIONER

Every night, past our bedtimes, a friend of mine and I text each other to exchange our score for the day out of 10.

Our lives on the surface are markedly different. She is a hard of hearing single woman; I am a wheelchair user with a spouse and family. We knew we had to keep our physical distance and that we needed a safe system to stay connected. Although we could see each other at a distance outdoors, her ability to understand me was impossible when I wore a mask because she reads lips. Texting was our next best choice, so we came up with the “rate your day out of 10” ritual. A score of 7 was a solid good day, whereas 4 was a concern. A 3 meant you were in trouble. Too many 3s or 4s signalled a call to a doctor or counsellor.

We all have ways that we have modified our interactions to deal with the pandemic. There is no question that the last year has been strife with losses. It has been difficult, stressful, and lonely for everyone, after all, and people with disabilities, who were already at risk for isolation, are no exception. However, part of me admittedly hopes we retain some of these ways that we have adapted. I am grateful that my friend and I found a way to meaningfully check in with each other every day. Sometimes, we simply exchange our numbers. Other conversations can be all about our disabilities, and at other times, we talk about everything except them.

Our disabilities are to us what they are to most folks who have them: complex, multi-meaning, and dynamically defined. They are both the source of our creativity and innovation, and the root of our frustration, anxiety, and pain. It is never just one or the other; it is a mix of both and then some. And then some more.

Similarly, the pandemic has illuminated what a lot of people with disabilities have always known: two or more opposing ideas can be true at the same time.

During these dreadful several months where we have witnessed the world’s struggles and losses, we have also watched the same world adapt, develop new ways, and grow. From working from home to virtual meetings

to online concerts to grocery delivery, many of us with disabilities thought – *finally*.

Finally, you all have figured out what we have known all along. Life and work can be adapted and done differently. Events and business can happen in alternative ways, and while of course we all want and need face-to-face interaction to happen again soon, and we will be amongst those who rejoice when the world opens up again, it is also true that we have advocated for this difference and adaptability for years.

Vaccine rollouts are happening all over the country, and this is indeed good news for everyone, particularly for people with disabilities who are, often, immunocompromised. There is reason to hope that through science and individual responsibility this will soon be over, and we can resume some sort of mix between reverting to “normal” connections and retain “new normal” capacities to connect.

“*Finally, you all have figured out what we have known all along. Life and work can be done differently. Events and business can happen in alternative ways.*”

This hope is not based on a relentless effort to be positive, a trait people with disabilities are often expected to have. These adaptations have been gifts. They are a part of the pandemic story, and although this story contains more future loss and hardship, it is also a story that will contain, and certainly require, more ingenious adaptations.

FATIMA COOVADIA

COMMISSIONER



INDIAN. Born in Apartheid South Africa, it was a word that had power beyond just the stamp on my birth certificate. It was a word that would determine where I would live, learn, play, and pray. I was a second-class citizen in my own country, caught in a system built upon legalizing racial discrimination and hate.

It was a world in which neighbours found themselves living side by side one day and then physically displaced the next into a nation mapped by race. The segregation, discrimination, brutalization, and stripping of dignity was open and resolute. At other times, the discrimination was “invisible” and insidious, hiding within the social structures and systems built to maintain and sustain the oppression. Discrimination is not only about the label. Labels change. One day it could be about your race; the next about your religion or ethnicity, your physical ability or your gender. Most significantly, it is about what these labels do to you.

We know what discrimination does systemically. It undermines every social structure for those marginalized; creates roadblocks to access of essential services; increases morbidity and mortality in every health indicator; establishes a clear gradation in socio-economic conditions, with racialized and minority groups being on the bottom; fills our prisons with BIPOC communities and sees fewer of us in schools. All these have very powerful impacts on a person’s core, but it also erodes one’s sense of self from within.

Being born into a system where race was always at the forefront, I often thought about the WHY. Why did we, as a human civilization, evolve to a point where we have not only created but sustained a human hierarchy? This is something that is so contradictory in nature, and yet it is present all around us. It goes against the very grain of our natural inclination, and yet it exists.

Today we are in the midst of a global pandemic, the likes of which most of us have never seen before. A virus, so miniscule that we cannot see it, but has also shown us that nature does not discriminate. The entire global population faces the same health threat from COVID-19, and there is no greater reminder that we are all indeed

the same and one in humanity. Not your gender, your ethnicity, your accent, nor the color of your skin can keep you safe. In order to fight the pandemic we need to work together, put our physical differences aside and look to our common humanity as one human family. And yet we see, even in the face of this global threat, that the marginalized are still at the margins – facing more morbidity and mortality, left unprotected and further stigmatized in the face of this crisis.

It is not easy carrying the invisible burden society imposes on you. The burden of your very identity and what makes you uniquely you can be heavy. Something that should lift you up, empower you, and fill you with pride can become the source of what feeds society’s disdain towards you. Your race, your religion, your ethnicity or culture, become the burden you are made to bear. It is isolating, frightening, and tiring to constantly try and blend in, to act in a way that mitigates your otherness. It can erode your self-respect and chip away at your dignity to see yourself reflected in such a negative light within the media, or to see your sister’s hijab violently tugged from her head, or to hear racial slurs hurled against someone who looks just like you. Just imagine if the label you wore placed you as the object of hate.

Or worse, imagine if this was your mother or your sister or your daughter.

The time has come for us all to reflect on where we are as a collective human race. We have allowed the powers that be – based on ideology, faith, politics or economics – to override our true human nature. We have allowed power to overtake compassion, integrity, empathy, hope, faith and dignity. We have fallen.

In order to rise and be stronger, we need to start seeing each other as humans first. As people with the same aspirations and dreams; as people who breathe, sleep, eat, laugh and cry; as someone who feels, hurts, and pains. We need to disconnect from the noise around us that keeps corralling us onto this path we are on. We need to reconnect and rebuild our collective humanity. We need to peel off those labels.

In uncertain and challenging times, human rights are paramount. It is critical that people know their human rights, acknowledge the rights of others, and understand their protections under The Saskatchewan Human Rights Code, 2018.





**COVID-19 AND
THE COMMISSION**

COMMISSION COVID-19 RESPONSE



By the beginning of the 2020-2021 fiscal year, COVID-19 had arrived in full force in Saskatchewan. The pandemic brought with it unexpected and unparalleled challenges that required the Commission to pivot rapidly in its approach to promoting and protecting human rights in Saskatchewan.

Despite the many challenges, the Commission responded immediately and with clear priorities to best serve the people of this province and fulfill its legislated mandate.

ONLINE RESOURCES

From the onset of the pandemic, the Commission stressed the importance of human rights in both its response to and recovery from COVID-19. In times of change and uncertainty, human rights are paramount. It is critical that people know their rights, acknowledge the rights of others, and understand their protections under *The Saskatchewan Human Rights Code, 2018*.

To ensure the citizens of Saskatchewan understood their human rights in times of pandemic, the Commission added a COVID-19 and Human Rights page to its website.

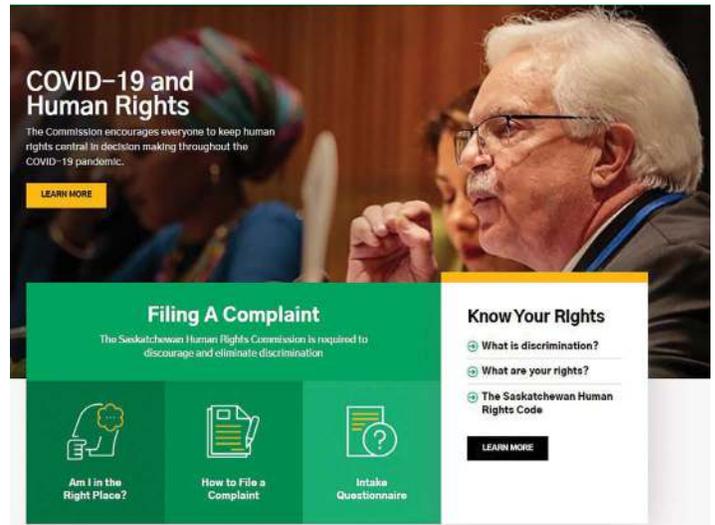
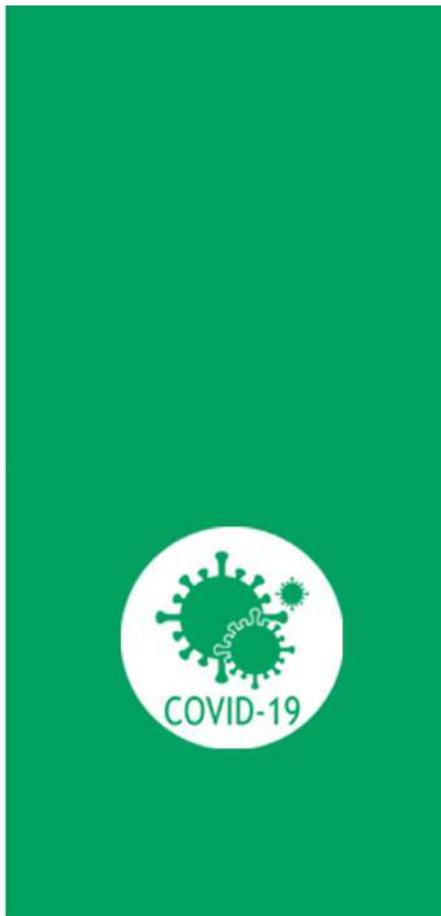
The page explains the relationship between discrimination, COVID-19, and the Code. It also contains:

- Extensive policy guidance for employers, landlords, service providers and individuals on how to ensure that human rights are protected and balanced against Public Health Orders;
- Information for employees and employers pertaining to mental health, human rights, and COVID-19;
- Guidance about mask-wearing policies; and
- Updated public responses to frequently asked questions about human rights during the pandemic.

Throughout the fiscal year, approximately 15% of visits to the Commission's website landed in this section, making it the second most-visited section of the website – trailing only the Commission homepage (16.8% of all visits).

COLLABORATION

“We are in this together” was more than just a unifying catchphrase for the Commission during the COVID-19



agencies, municipalities, organizations, and stakeholders to address potential and existing human rights issues in Saskatchewan – urging everyone to look at, and respond to, this pandemic through a human rights lens.

PUBLIC EDUCATION

A key feature of the Commission’s mandate, public education remains an effective way to inform people about the rights and responsibility of citizenship. During the pandemic, the Commission shifted the emphasis of its public education mandate from in-person to online in order to better inform the public about its rights and responsibilities.

This shift included:

- COVID-19 and human-rights-related social media campaigns on Facebook and Twitter;
- Virtual Courageous Conversations pertaining to COVID-19; and
- Online public education sessions.

One such session took place on February 25, 2021, when the Commission took part in a “Human Rights in Pandemic Times: A Canadian Law School Conference” panel discussion hosted by the University of Saskatchewan – College of Law.

During the discussion, the Commission explained the importance of *The Saskatchewan Human Rights Code, 2018*, and how it remains in full effect throughout the COVID-19 pandemic. The rights of aging adults, women, and other vulnerable and marginalized populations who have been disproportionately impacted by the pandemic were also highlighted during the discussion.

crisis. It was an ethos that drove the organization prior to the pandemic, during it, and will continue to guide the Commission’s approach to human rights in the future.

Teamwork and collaboration play an essential role in tackling complex problems, especially the unexpected problems presented by COVID-19.

Early in the pandemic, the Commission worked closely with the Saskatchewan Health Authority, the Saskatchewan Ministry of Health, and other community-based organizations to address the human rights concerns of aging adults and people with disabilities in the province.

In November, 2020, Chief Commissioner David Arnot attended a virtual Federal-Provincial/Territorial Meeting of Ministers Responsible for Human Rights. Prior to the meeting, the Commission submitted a briefing note – outlining its perspectives on key human rights priorities during the pandemic – which helped inform the “Human Rights in Challenging Times” panel discussion that took place on November 10.

Throughout the pandemic, the Commission continued to collaborate and work with various government

COVID-19 AND ETHNIC MINORITIES



The Saskatchewan Human Rights Code, 2018 recognizes the dignity and equality of all people and prohibits discrimination based on prohibited grounds, including discrimination in the receipt of service that is offered to the public.⁴ *The Canadian Charter of Rights and Freedoms*⁵ also provides for the equality of all persons and prohibits discrimination against anyone on the basis of protected personal characteristics. The United Nations Universal Declaration of Human Rights,⁶ identifies health as a human right, requiring protection by states party to the document. “The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion, political belief, economic or social condition.”⁷



BY KAYODE AKOMOLAFE, LLB, Systemic Specialist

The outbreak of the novel severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), which causes COVID-19 has affected the global community.

However, COVID-19 has had a disproportionate effect on racialized people in different parts of the world.¹

Racialized communities encounter barriers in access to health in the form of their distrust of the system due to their experience of systemic racism or discrimination.

Discrimination consists of actions, policies, and infrastructure that constitute a barrier to any person (or group of persons) benefitting from services or places because of prohibited grounds. Even where discrimination is unintended, it is the outcome and not the intention that makes an act discriminatory.

Systemic discrimination experienced by racialized communities makes them more susceptible to contracting COVID-19, and aggravates their outcomes when they contract the virus.

DISPROPORTIONATE REPRESENTATION

The social determinants of health provide a framework to explain the differential impact of COVID-19 on racialized persons.²

The social determinants of health play a key role in the impact of COVID-19 on marginalized communities. Actions undertaken to address health inequity must address systemic issues undergirding social determinants of health and the multifaceted effect of systemic discrimination on racialized people.³

Racialized minorities often have poor education, making them less competitive for well-paying jobs. A person who has a low-income job may have a less nutritious diet than someone earning more. Poor nutrition negatively affects the immune system, thus increasing susceptibility to developing COVID-19.

A racialized person in a low-income job is more likely to rely on public transportation and to live in communal, generational and crowded accommodation, increasing their risk of contracting COVID-19.

Social determinants of health predispose racialized individuals to developing underlying conditions which may be difficult to manage due to a person's socio-economic status.

Racialized and marginalized persons tend to work in jobs that expose them to infections and develop lifestyles that result in poor health outcomes.

Addressing the disproportionate impact of COVID-19 on racialized and marginalized communities requires the elimination of systemic racism, discrimination, and health inequities that facilitate susceptibility.

According to the World Health Organization “health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity.”⁸ Health is not determined by biological or physiological factors only. There are external factors which contribute to an individual or a community's health. These external factors, known as the social determinants of health “are the conditions in which people are born, grow, live, work and age.”⁹

Canadian Medical Association reports that 85% of a people's susceptibility to illness is attributable to factors such as education, income, housing, systemic racism, and access to health care. Biology accounts for only 15%.¹⁰ The social determinants of health result in and exacerbate health inequity. “Health inequities are differences in health status or in the distribution of health resources between different population groups, arising from the social conditions in which people are born, grow, live, work and age ... The lower a person's socio-economic status, the greater their risk of poor health.”¹¹



HOUSING AND THE PANDEMIC



BY LOLA AYOTUNDE, LLM, Systemic Specialist

The COVID-19 pandemic has shown the vulnerability of Canadians experiencing poverty and other forms of marginalization, including those who have unequal access to essential supplies and services. The pandemic has also demonstrated the necessity of adequate housing, not just for shelter and safety, but for defence against COVID-19.

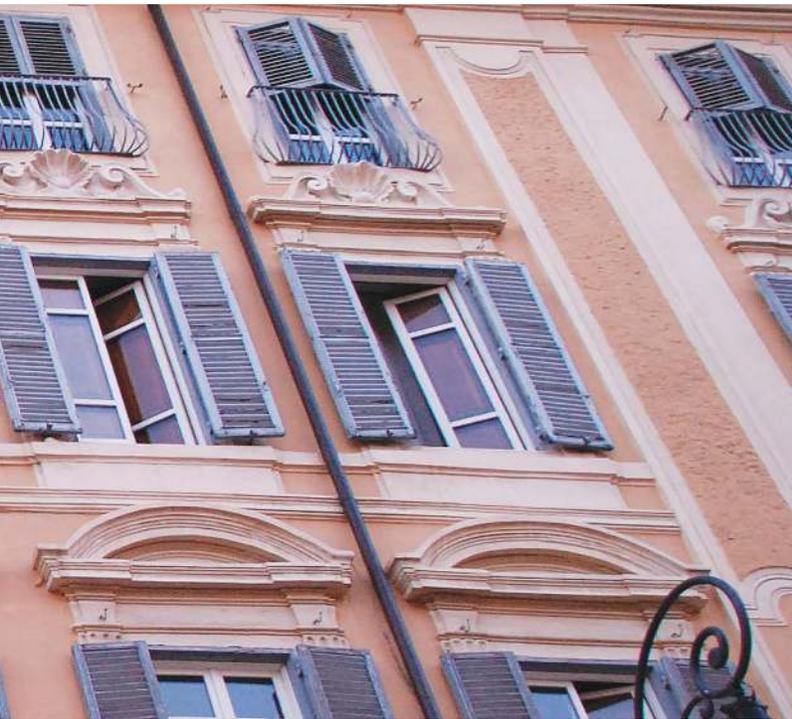
Governments around the world have recognized that a person's home could provide protection against the virus, and people were asked to stay home. Thus, housing became a crucial defence against COVID-19.

That housing is a shield against communicable diseases is not a novel idea. People without adequate housing are often exposed to the consequences of overcrowding, as well as unsafe or insecure housing. Unfortunately, more people in Saskatchewan have become homeless during this pandemic¹² due to socio-economic challenges, including job loss, reduced work hours, or sickness.

The pandemic also amplified the devastating effect of inadequate housing on people experiencing poverty and homelessness. Some homeless shelters became uninhabitable during the pandemic because they could not protect residents from spreading or contracting the virus. As a result, some shelters in the province shut down,¹³ making things worse for residents when what was really needed was a shield to protect them from the virus.

In addition, the pandemic disproportionately affected those experiencing hidden homelessness (also known as concealed homelessness). Hidden homelessness affects people who have to live with family, friends, in a vehicle, or somewhere else because of lack of housing. As of 2014, 1 in 10 Canadians reported that they had experienced hidden homelessness.¹⁴ Public health directives and the need to maintain household bubbles during the pandemic meant that friends and families could no longer provide temporary accommodation. At the same time, not-for-profit homes and shelters were either closed due to outbreaks or stopped accepting new intakes to adhere to physical distancing requirements.¹⁵

Provincial governments across Canada, including the Government of Saskatchewan, have taken unprecedented regulatory actions during the pandemic. In March 2020, the province asked everyone to stay at



home, except for essential workers. The Government of Saskatchewan also temporarily suspended eviction hearings due to the pandemic. Public Health Orders were implemented to ensure that the public complied with physical distancing guidelines to curtail the spread of COVID-19.

While the pandemic exacerbated existing inequalities and vulnerabilities in our society, it has confirmed that human rights are interdependent, interrelated, and indivisible. The relationship between adequate housing and the right to health, education, work, privacy, safety, and access to information has been made clear during the pandemic.

Likewise, the experiences of those living in homeless shelters during the pandemic revealed that adequate housing is more than having four walls and a roof over your head. Adequacy of housing depends on habitability, affordability, accessibility, security, and availability.¹⁶

Access to adequate housing is not a reality for everyone in Canada. Housing is likely to remain an integral part of COVID-19 response and recovery planning. Long-term affordability of housing and pragmatic government housing policies are urgently required to protect the right to adequate housing. Importantly, the government should ensure that the enforcement of Public Health Orders does not unduly impact those experiencing homelessness.

Adequate housing is a human right. It is a social and economic right critical to a person's sense of safety and dignity. The United Nations defines adequate housing as "more than just four walls and a roof. It is the right of every woman, man, youth, and child to gain and sustain a safe and secure home and community in which to live in peace and dignity."¹⁷

International human rights conventions provide the foundation for the right to adequate housing in Canada. By acceding to the International Covenant on Economic, Social and Cultural Rights, Canada acknowledged that the right to adequate housing is a fundamental human right and committed to "take appropriate steps to ensure the realization of this right."¹⁸ Canada is also obliged to protect and promote the right to adequate housing for children,¹⁹ persons with disabilities,²⁰ and women.²¹

Despite Canada's commitments to adequate housing at the international level, many Canadians cannot access or afford their own home. As of 2018, it was estimated that approximately 32,000 Canadians were homeless on any given night: 14% of the homeless people were in unsheltered locations, 65% lived in shelters, and 21% were in transitional facilities.²²

In June 2019, the *National Housing Strategy Act* (NHSA) was signed into law.²³ This historic legislation is the first federal act to legally and explicitly recognize the right to housing. The legislation requires the Government of Canada to develop and maintain a National Housing Strategy. It also creates a roadmap for federal housing standards, establishes new accountability mechanisms, and serves as a model for provincial governments.



HATE SPEECH



BY LAUREN SCHARFSTEIN, JD, Commission Advisor

Throughout the world, we are seeing the rise of populist and extremist movements. Stemming from this, the platform is being set for an increase in the dissemination of hate and acts of violence against minority groups.

History has shown that with the rise of populism and extremism, the vulnerable suffer. History has also shown that hate speech often acts as a steppingstone for broader and more serious attacks on vulnerable groups in society who are deemed to be “inferior”.

We are seeing the realities of this right here in Canada, most notably with the Quebec City mosque shooting in 2017. As are our neighbours to the south with the Pittsburgh synagogue shooting in October of 2018, among many others. The perpetrators of these atrocities were linked to the dissemination of hate on the internet.

In 2019, the United States marked the highest level of hate crimes in the country in a decade. There were more murders motivated by hate recorded in 2019 in the United States than ever before.

Since the beginning of the COVID-19 pandemic, members of the Asian community have seen a 1,900% increase in hate crimes in America. It is reported that every 1 in 4 Asian Americans has experienced anti-Asian hate amidst this pandemic.

Last year, Canada also reported an increase in hate crimes. For the past three years, hate crime cases have been way above the annual average from the previous decade. Experts say this trend acts as an important barometer to assess Canada’s social cohesion in an increasingly polarized era.

Studies show that hate speech is more prevalent in Canada today, and throughout the world, because of the internet’s ability to allow anyone to communicate to a vast audience (or a specific audience), quickly, from the comfort of their home, with complete anonymity (if desired).

With the (continuing) rise of the internet, we must recognize that we live in a different era than past generations as it relates to communication and the public dissemination of information. We must adjust and respond accordingly to ensure we have proper mechanisms in effect to regulate and facilitate the realities of the “internet-era”. Without such mechanisms, we fail to protect and foster the civil society Canada has become recognized and referred for.

WHAT IS HATE SPEECH?

Hate speech is not “hurt speech”. Hate speech is not “offensive speech”. The test and analysis for what constitutes hate speech is serious and in-depth.

The concept of hate speech is legislative construct. There is no common law action in “hate speech”. Therefore, the concept of what constitutes “hate speech” in Canada is derived from the legislation itself – including provisions in the *Canadian Human Rights Act*, provincial human rights codes, and Canada’s *Criminal Code* – and the judicial interpretation thereof.

In Saskatchewan, section 14 of *The Saskatchewan Human Rights Code, 2018* codifies our province’s protection from hate speech. Similar to other hate speech provisions in Canada, the key term used therein is “expose to hatred”. To determine whether speech falls within the ambit of legislation such as section 14 of the *Code*, the question is “whether, objectively speaking, a reasonable person, aware of the context and circumstances, would view the expression as likely to expose a person or persons to hatred or contempt.”

The Supreme Court – first in 1990, in *Canada (Human Rights Commission) v Taylor* and then in 2013 in *Saskatchewan Human Rights Commission v Whatcott* – explained the terms “hatred and contempt” mean the extreme, unusually strong, and deep-felt emotions of detestation, calumny and vilification and only apply to the type of expression that is objectively understood as being of an unusual and extreme nature.

The Supreme Court explained the term “hatred” involves detestation, extreme ill-will, and the failure to find any redeeming qualities in the target of the expression. The term “contempt” involves looking down on someone or treating them as inferior.

THE CANADIAN SITUATION

Historically, Canada has sought to defend and protect against the public dissemination of hate through a combination of criminal and civil legislative provisions.



This included a provision in the *Canadian Human Rights Act* specifically restricting the dissemination of hate on the internet.

In 2013, the Conservative federal government passed Bill C-304 and removed the civil hate speech provision from the *Canadian Human Rights Act*. In doing so, Canada is now facing a legislative gap as it relates to civil protections for the dissemination of hate speech online

With the passage of Bill C-304, and the removal of section 13 from the *Canadian Human Rights Act*, the internet – the most popular, widespread, and easily accessible mechanism to publicly disseminate hate – is effectively unregulated by federal civil legislation. Without section 13, Canadians are left without a remedy to specifically challenge hate messages communicated online unless the high evidentiary burden required to

secure a conviction under section 319(2) of the *Criminal Code* is satisfied, or they are fortunate enough to live in a province with provincial hate speech (which only four of the provinces have).

Canada must act now to implement the requisite mechanism to monitor the harmful public dissemination of hate on the internet. There is no time to wait.

Currently, the Liberal federal government is working on legislation to this effect, and other countries, including Germany, Australia, and France can act as great examples on how Canada can and must navigate this critical issue facing our society. For it is only with appropriate legislative mechanisms countering the public dissemination of hate that we can ensure all citizens of our country are safe and engaged members of our society.

AGING ADULTS AND COVID-19



BY ELLIOT PAUS JENSSEN, *Commission Advisor*
MURRAY SCHARF, *Commission Advisor*

The International Longevity Centre Canada states “the most severe impact of COVID-19 in Canada is clearly seen in the diminishing recognition of the human rights of older people. The challenges Canada is facing, as illustrated by the rise in elder abuse, the patronizing ageist attitudes towards older people in the media and in our society, and the systemic problems in Long Term Care (LTC), have become more visible and urgent in the pandemic.”²⁴

Patronizing ageist attitudes are found in the widespread portrayal of the pandemic as “boomer remover,” in the representation of older people as a homogenous frail group, and in the assumption that old people die so their deaths are less of an issue than the deaths of younger people.

Human rights law recognizes that limits may need to be placed on the exercise of some rights during national emergencies such as the COVID-19 pandemic. These measures must be temporary, strictly necessary for the purpose, proportionate, and non-discriminatory.

As the virus has taken a greater toll on older people than on younger people, measures taken to restrict its spread have affected older people more severely.

Rights of older adults impacted by pandemic restrictions include:

LIFE, HEALTH, AND ACCESS TO HEALTHCARE

The shutting down of health care services on which older adults with complex health needs depend – for example day programs – resulted in basic needs going unmet, declining health, and increased stress on family caregivers.

Residents of long-term care received fewer medical visits and were transferred to hospital less frequently than

in previous years. More residents died than in previous years, even in parts of the country with fewer COVID-19 cases or outbreaks.²⁵

Residents of LTC and seniors’ congregate housing accounted for more than 80% of Canada’s deaths from COVID-19. This is nearly twice the international average of member states of the Organization for Economic Cooperation and Development.²⁶ Deaths among older Canadians living in LTC and seniors’ congregate housing were 74 times greater than community-dwelling older Canadians, three times higher than the OECD average.²⁷

AUTONOMY

In contrast to adults of all ages who live in their own homes, older adults living in seniors’ congregate housing and in care facilities were not able to exercise their autonomy in response to public health recommendations.

Decisions regarding family visits and movement of residents within facilities were made by facility management both for residents with capacity and those with substitute decision makers.

FREEDOM OF MOVEMENT AND ASSOCIATION

In order to control transmission of COVID-19 among older adults in the long-term care facilities, Public Health Orders restricting visitations, mobility and congregational arrangements for residents, as well as defining screening procedures and limiting staff inter-facility mobility were enacted.

Under the rubric of an emergency situation, these conflicts with the movement and association rights of residents and staff were recognized, but relegated to conditional considerations for orders in conflict with human rights codes.

The efforts to control transmission of COVID-19 have clearly demonstrated the need for a ‘Human Rights of Older Persons and Long-term Care Code.’²⁸ Following the European Network of National Human Rights Institutions’ draft code, such a code would contain articles on “Entry into Long-Term Care: Access and Choice,” “Rights of Care: Quality of Life and Quality Care Services,” “Palliative and End-of-Life Care,” and “Staff Relations and Rights.”

Concerns have grown about the mental health effects restrictions have had on LTC residents and their family caregivers. The essential role of some family caregivers as part of their family member’s care team has emerged as a key issue.

COMMUNICATION AND INFORMATION

During the pandemic, difficulties older adults without access to digital communication have encountered have become more acute – especially for those with low income or without family assistance.

Families of residents in LTC facilities and congregate seniors' housing describe a lack of timely communication about management decisions regarding visitor restrictions and the status of their family member/ resident.

Inconsistencies in the application of restrictions imposed by different facilities within the same community have compounded families' frustration.

VIOLENCE AND ABUSE

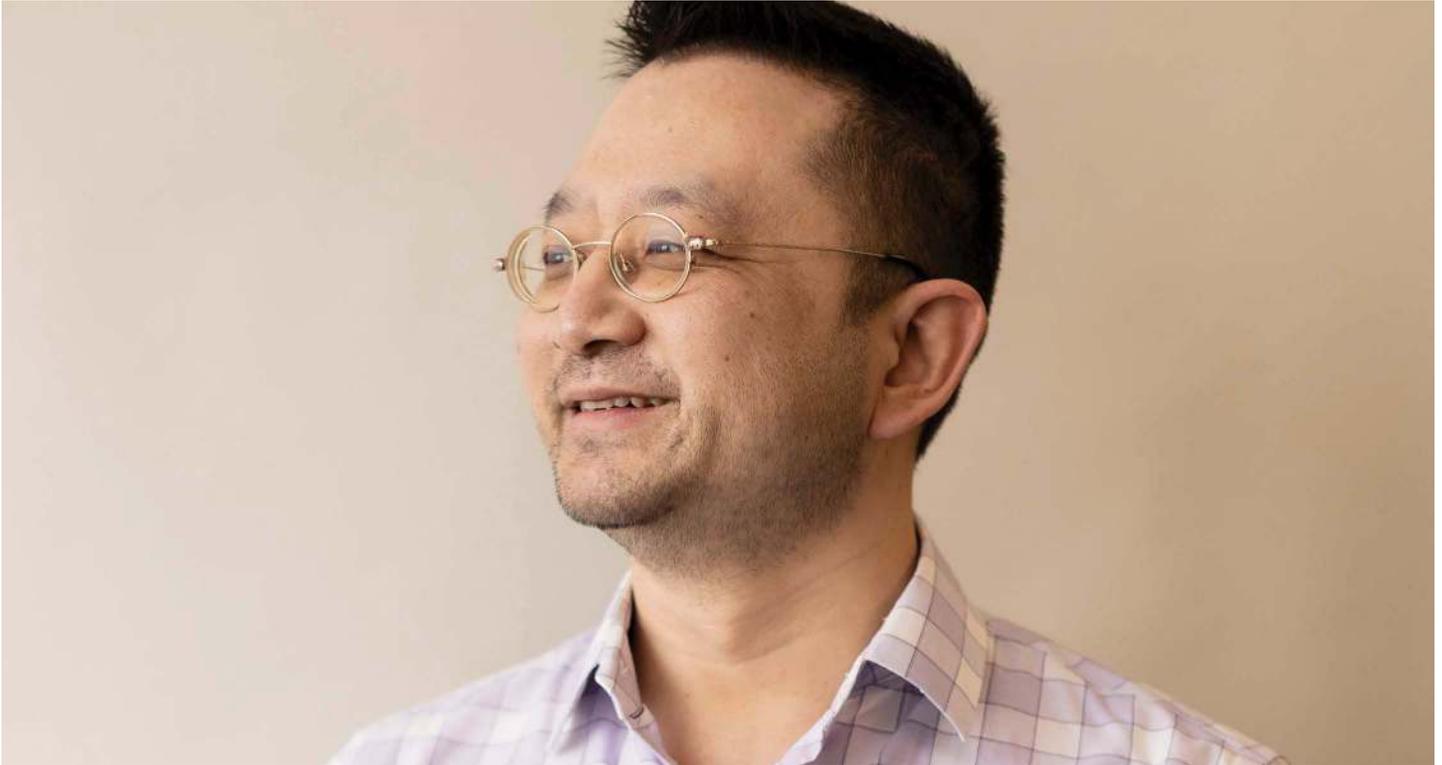
With isolation a major risk factor for abuse, abuse of older adults has increased during the pandemic both in community settings and in LTC. Scams too have increased with older adults among those targeted.

The COVID-19 pandemic has exposed longstanding fault lines in Canadians' attitudes towards and treatment of our older citizens. It provides a rare opportunity for us to ask difficult questions: Why is it that Canada has had so many more deaths of its older citizens who are LTC residents than other comparable countries? Why is the contrast in the number of deaths between older Canadian residents in LTC and seniors' congregate housing and that of older community-dwelling Canadians so much greater than in comparable countries? Do we want to continue on our present course or do we want to make changes?

The pandemic is teaching us that we can do things differently, other countries do. The pandemic is giving us the opportunity to do better, to take action.



A HELPING HAND



During the work week, you can usually find Ken Truong in his office talking to people about human rights complaints. As an intake consultant at the Saskatchewan Human Rights Commission, Ken listens to a complainant's side of the story and asks questions to help determine if there appears to be a violation of *The Saskatchewan Human Rights Code, 2018*.

This year, however, things have been different. In November 2020, Ken signed on to assist the Saskatchewan Health Authority (SHA) with the growing COVID-19 pandemic.

In his role as a Negative Result Notification Caller, it has been Ken's job to inform individuals of their negative COVID-19 test results. To date, he has made more than 6,000 calls bringing people in Saskatchewan good news.

"We have a script to follow when making calls," said Ken, "and for the most part people are very understanding. Most people are positive and cooperative and understand the scope of the crisis we are experiencing. They thank me for the call and for all the hard work the SHA is doing."

Not everyone Ken speaks with is thankful, though. When Ken first started as a Negative Result Notification Caller, the results of tests were available in three days. However, as the months progressed and the pandemic worsened, the number of tests increased substantially.

So too did wait times for negative test results.

"Some people were upset because they had to wait longer, sometimes up to two weeks, for their results," said Ken. "Some people were quite rude."

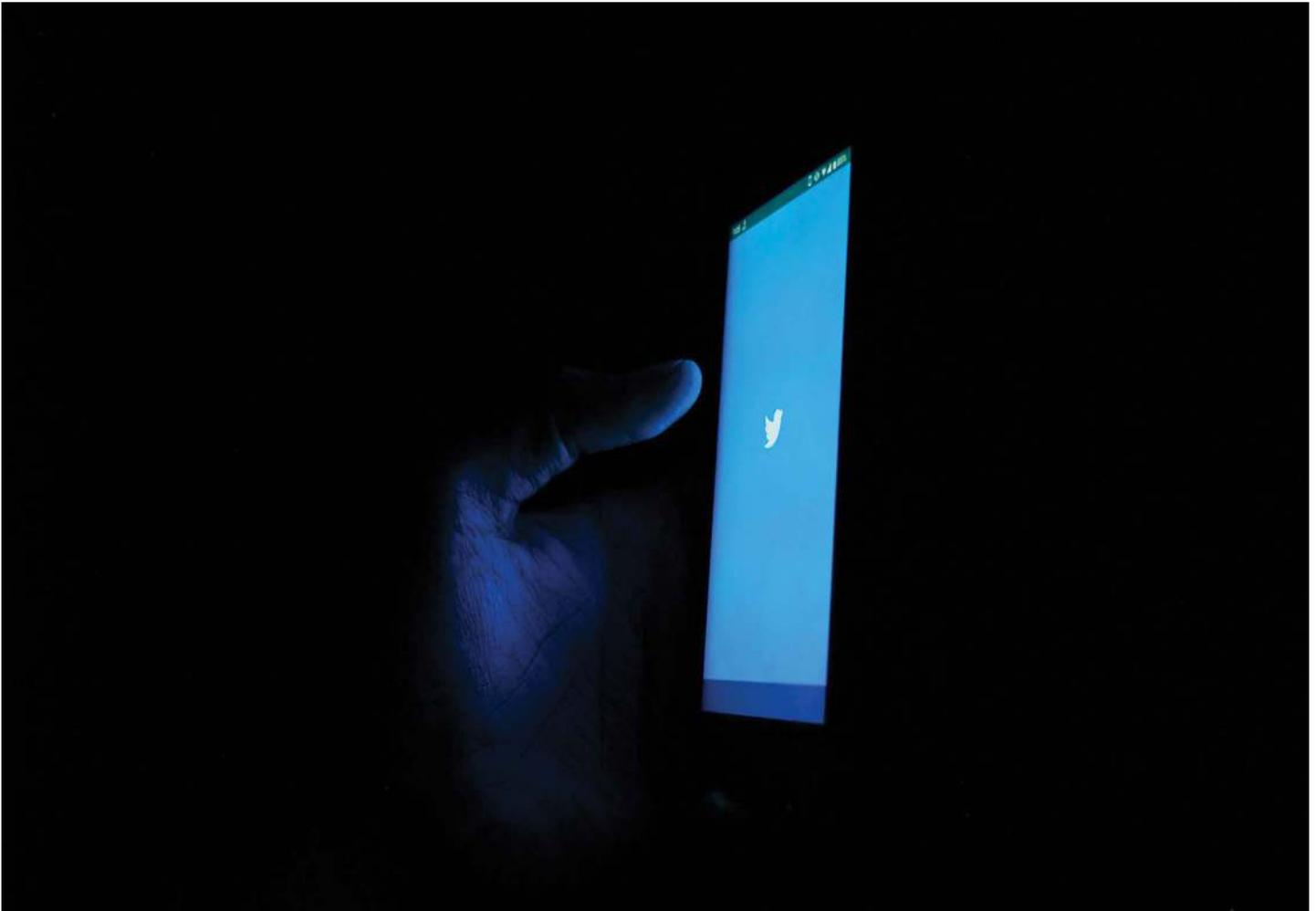
Ken handles these situations with the same even-keeled professionalism he displays as an intake consultant with the Commission.

"When incidents like that arise, I explain the situation," said Ken. "The SHA is working hard to get the pandemic under control. The team of individuals I work with each make 67 calls per day. The system and the SHA is under tremendous stress. Everyone is doing their best during these trying times."

And while Ken understands why some people may be upset, he believes that positivity and teamwork are key to guiding Saskatchewan through the COVID-19 pandemic.

"If you're driving down the highway with a bunch of people in car and you get a flat tire, you're going to be stuck there if you just sit around bickering about who is going to change the tire or how it should be changed," said Ken. "But if everyone gets out of the car and lends a helping hand, the tire will get changed and, before long, you'll all be on the road again. The same principle applies to this pandemic."

IN THE NEWS



ONLINE HATE RESEARCH

On January 21, 2021, a University of Saskatchewan-led research team, comprised of Dr. Zhi Li (Linguistics), Dr. Hongming Cheng (Sociology), and Dr. Roy Lee (Computer Science), received a Social Sciences and Humanities Research Council (SSHRC) grant to explore online hate directed toward Asian and Asian-descent Canadians.

The research project, “Online xenophobia against Asian communities during the COVID-19 pandemic on Twitter: A Data-Driven Sociolinguistic Analysis,” connects to a broad and rapidly-evolving area of human rights practice, offering insight into the impact of internet-based communication on racialized communities.

Recent research demonstrates that racialized Canadians and Canadians of Asian descent have been particularly vulnerable to online attack during this unprecedented health crisis. From an anti-discrimination perspective, an understanding of the impact of xenophobia and hate

directed toward Asian communities during the COVID-19 pandemic should also illuminate how social, structural, and knowledge divides in our society are shaped online.

A data-driven understanding of how changes in language widen these gaps, in this case on the Twitter platform, is an essential step in being able to address them.

Section 24(f) of *The Saskatchewan Human Rights Code, 2018* requires the Commission to, “conduct and encourage research by persons and associations actively engaged in the field of promoting human rights.” The Commission supported the initial grant application, and is now serving as a member of the research team.

As the community partner, the Commission offers expertise on hate speech and in-kind support to the project. The total SSHRC Partnership Engagement Grant COVID-19 Special Initiative grant amount is \$24,966. The grant also supports undergraduate, Masters, and PhD students who will review the research literature, capture, and analyze data.

COVID-19 AND FACE MASKS FAQs

Q1. How do the Public Health Orders affect businesses and service providers?

Businesses and other services providers have an obligation to protect their employees and customers. Reasonable public health and safety measures taken to prevent and reduce the spread of COVID-19, especially in accordance with directives from Saskatchewan Public Health authorities, are unlikely to violate *The Saskatchewan Human Rights Code, 2018*.

Q2. What kinds of people should not have to wear a mask?

Masks are **not required** for the following individuals or in the following circumstances:

- Children under 2 years of age
- Anyone who is unconscious, incapacitated or unable to remove the mask without assistance
- People whose medical condition prevents them from wearing a mask (as determined by a health professional)
- People who, due to cognitive impairment, an intellectual disability, or a severe mental health condition are unable to understand the requirement
- The short-term removal of the mask is necessary for the purposes of identifying the individual
- It is necessary for the individual to uncover their nose, mouth, or chin for the purposes of receiving a health or personal service, for the duration of the treatment or service only.
- When providing personal support services to an individual with a disability when wearing a mask could hinder the ability of that individual to receive the service, such as hindering the individual's ability to lip read.
- While in an area of the enclosed setting to which members of the public do not normally have access, and the individual is alone.
- While participating in aquatic activities masks may be removed while in a pool, but must be worn in common areas of aquatic facilities, including the pool deck. For all other fitness activities, masks are required.
- In a courthouse or courtroom, where wearing a mask poses a security risk.

- In a proceeding before an administrative tribunal established by legislation or a court where the decision maker determines that removing the mask is essential to ensure the integrity of the proceeding.
- The following individuals while speaking during a television or other media news interview or conference:
 - Municipal, Provincial, or Federal Government officials.
 - Media broadcasters.
 - Clergy members or religious leaders who are leading a service or ceremony while speaking from a podium, lectern, platform, stage, desk or other standing or seating area dedicated to speaking.

Q3. How can a business or service provider accommodate a person unable to wear a mask, while also protecting the health and safety of employees and other patrons?

An individual who cannot wear a mask as a result of a recognized medical condition is entitled to accommodation. The particular accommodation should fit the person's need(s) and the circumstances of the business or service to the point of undue hardship.

As such, suitable accommodations will likely differ on a case-by-case basis. In some circumstances, the suitable accommodation may be to allow the person to receive services without a mask. However, a reasonable accommodation might instead take other forms, including:

- Curbside pickup
- Delivery options
- Alternative hours of service
- Personal shopper
- Remote delivery of services, through telephone, email or videoconferencing
- Other options.

In assessing an accommodation request, employers and service providers must balance the duty to accommodate with any resulting health and safety risks.



Q4. I am a service provider. I understand that each situation is unique, but I need to advise my employees how to respond to a person who either claims to have a medical reason for not wearing a mask or just refuses to wear a mask.

Given the significant potential health and safety concerns associated with COVID-19, and the apparent breach of Public Health Orders by individuals who do not fall within the exemptions, it is reasonable for a business to require a medical note confirming that the bearer is unable to wear a mask for medical reasons. The medical note is not required to include specific information or details, only that you require accommodation.

This issue should be addressed on a case by case basis. In many cases the business may be reasonably satisfied of the veracity of the individual's accommodation request without a medical note.

In many cases, it will be obvious that a customer is unable to wear a mask, such as with infants and with some types of disabilities. In cases that are not obvious, you may wish to have a manager or supervisor respond to the customer.

You may also want to prominently display your "mandatory mask" policy, along with options for

accommodation for persons unable to comply with the mask policy. You will want to make sure your employees are informed about the policy, how to implement it, and what to do when a person wants to enter without a mask.

If you determine that a customer without a mask cannot be admitted to your business or service, you will want to provide the service in an alternate way – unless doing so creates an undue hardship.

Q5. I have been denied service at a business or service provider because I'm unable to wear a mask, what can I do?

The Commission is aware that some individuals are refusing to wear masks in public spaces without any medical justification. The Code does not provide someone with a general right to refuse to wear a mask.

The Commission will not accept a complaint from someone who is refused service for breaching Public Health Orders.

However, persons who believe they have been subject to discrimination on the basis of disability, or other prohibited grounds, may contact the SHRC.

Forming strategic alliances, working with stakeholders, and engaging with community leaders helps the Commission to best serve the people of Saskatchewan.





**SERVING
COMMUNITY**

COMMUNITY CHAMPIONS



ALI ABUKAR

Ali Abukar is the CEO of the Saskatoon Open Door Society. He has worked with refugees and newcomers both as a frontline professional and as a leader in Canada and abroad. Ali is passionate and committed in his work around refugee advocacy, education, literacy, mental health, reconciliation, and community building. He works towards building a diverse and inclusive community where refugees and newcomers are able to succeed.



ANGELA BISHOP

In her career, Angela Bishop, LLB, has been a consultant to the Royal Commission on Aboriginal Peoples, an advisor to the Standing Committee on Aboriginal Affairs, one of Canada's representative for Comprehensive Claims, and one of Canada's advisors for the strategic resolution of Metis claims in Ontario and Manitoba. During the COVID-19 pandemic, she formed a group called the Masked Makers and began distributing masks to protect northern residents and help prevent the spread of the novel coronavirus throughout Saskatchewan.

The Commission works to identify and engage with passionate and compassionate members of communities throughout the province.

The Commission recognizes the contributions of these individuals, and is committed to establishing close working relationships that serve the people of Saskatchewan.

Human Rights Community Champions are dedicated to promoting and recognizing the inherent dignity and the equal and inalienable rights of all members of the human family.

These individuals are committed to furthering public policy in Saskatchewan that ensures every person is free and equal in dignity and rights. They are also committed to discouraging and eliminating discrimination in the province.





THE HONOURABLE PAUL FAVEL

The Honourable Paul Favel was appointed to the Federal Court in 2017. Prior to that, Justice Favel served as Deputy Chief Commissioner with the Saskatchewan Human Rights Commission and as a member of the Oversight Committee established pursuant to the Indian Residential Schools Settlement Agreement. In addition, he was a partner at McKercher LLP in Saskatoon, and was a sessional lecturer for a course on First Nations economic development at the University of Saskatchewan's College of Law.



DR. RACHEL LOEWEN WALKER

Dr. Rachel Loewen Walker is the Ariel F. Sallows Chair in Human Rights with the College of Law at the University of Saskatchewan.

Before that, she served as the executive director of OUTSaskatoon for nearly seven years where she worked with an incredible team to support 2SLGBTQ people in Saskatoon and across the province.



THE HONOURABLE ROY J. ROMANOW

The Honourable Roy J. Romanow was the 12th Premier of Saskatchewan from 1991 to 2001. He was first elected to the Saskatchewan Legislature in 1967. Between 1971 and 1982, Mr. Romanow served as Deputy Premier of Saskatchewan. Mr. Romanow retired from politics in February 2001, and shortly thereafter was appointed head of the Royal Commission on the Future of Healthcare in Canada. Mr. Romanow was instrumental in the creation of the Saskatchewan Human Rights Commission.



DR. FERN STOCKDALE WINDER

Dr. Stockdale Winder is a clinical psychologist who has been practicing psychology for more than two decades. She has worked in a variety of settings, including seven years as the Professional Leader of Psychology/Director of Clinical Health Psychology in what was then the Saskatoon Health Region. In 2013, she was appointed Commissioner of the Mental Health and Addictions Action Plan and tasked with the job of leading a provincial review of mental health and addiction services in Saskatchewan.

ADVISORY COMMITTEE



The Commission established an Advisory Committee to help it better understand and serve the province. The Committee is comprised of 11 community leaders whose diverse backgrounds and experiences help inform Commission strategies and initiatives.



ADVISORY COMMITTEE MEMBERS

- Cooper Muirhead – Inclusion Thought Leader
- Donnie Speidel – Indigenous Elder and Thought Leader
- Elliot Paus Jenssen – Retired Social Worker and Anti-Ageism Thought Leader
- Lauren Scharfstein – Lawyer and Anti-Hate Speech Thought Leader
- Murray Scharf – Retired Professor and Anti-Ageism Thought Leader
- Tasnim Jaisee – Student Thought Leader
- Nancy Winder – Engineer and Women in Non-Traditional Roles Thought Leader
- Nora Cummings – Senator and Métis Elder and Thought Leader
- Robert Doucette – Métis Elder and Thought Leader
- Ruth Cameron – Indigenous Elder and Thought Leader
- Jeanny Buan – Entrepreneur and Philanthropist Thought Leader

IN THE NEWS



FSIN STRATEGIC ALLIANCE

On March 19, 2021, the Saskatchewan Human Rights Commission and the Federation of Sovereign Indigenous Nations (FSIN) held a press conference at the Dakota Dunes Hotel to announce a strategic alliance between the two organizations.

The strategic alliance recognizes that the Commission and the FSIN have a shared commitment to combatting racism and discrimination in Saskatchewan, and must work together to promote both the Truth and Reconciliation Commission's (TRC) Calls to Action and the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG) Calls for Justice.

The strategic alliance also details the significance of treaty rights, Indigenous rights, and human rights, as well as the importance of the *United Nations Declaration on the Rights of Indigenous Peoples* principles in guiding the path toward reconciliation.

At the press conference, FSIN Chief Bobby Cameron acknowledged that the strategic alliance would make for easier communication and create a stronger relationship that will help ensure Indigenous peoples' rights and dignity are respected.

"Every day, we have First Nation's people who live in the towns and cities of Saskatchewan, calling us. We field several calls, several emails, several texts on a daily basis about what they went through, and how

they were treated (negatively)," Chief Cameron told the socially distanced room. "This strategic alliance with the Saskatchewan Human Rights Commission is a positive step forward. It's a positive step to addressing the racism that still exists here in this province and this country."

Chief Commissioner David Arnot thanked Chief Cameron and the FSIN for entering into the alliance, and stressed the importance of the TRC Calls to Action and the MMIWG Calls for Justice.

"Both the Calls for Justice and the Calls to Action are clear, impassioned, and unequivocal," said Chief Commissioner Arnot. "They will change the lives of Indigenous people and communities. They will transform systemic and societal issues that have afflicted us for far too long. They will allow us to heal and to forge new, stronger, lasting relationships."

Chief Commissioner Arnot continued by saying:

We must heed these calls. We must act. And we must also focus on the positive aspects of our shared relationship. Our shared history needs to be more broadly understood so that relationships can be repaired. The strength, courage, and resilience of First Nations people needs to be acknowledged. And we need to respect the rights of all people by promoting equality, equity, and diversity.

STRATEGIC ALLIANCE



BY DAVID FISHER, *Executive Director of Concentus*

The Concentus Citizenship Education Foundation began as part of the Citizenship Education Project (CEP), an initiative of the Saskatchewan Human Rights Commission and the Government of Saskatchewan in 2012.

The Commission initiated the CEP following their identification of three serious societal concerns facing democracies worldwide. The three concerns which are apparent in Canada and beyond include:

- Citizens' ignorance of civic knowledge and processes;
- The rise in citizen alienation from politics and civil society; and
- A prevalence of agnosticism towards the values of democracy and democratic citizenship.

In 2016, the CEP was “spun off” as a registered charity, separate from the Commission. The declared purpose of the Concentus Citizenship Education Foundation is to:

- Educate and empower individuals to understand their rights.
- Encourage responsible, respectful and participatory citizenship.
- Promote a commitment to justice in a pluralistic society.

While the massive disruption caused by the COVID-19 pandemic had a great impact on the activities and efforts of the Concentus Citizenship Education Foundation, much was still accomplished in this tumultuous year.

Spring 2020 saw all Saskatchewan school divisions react to the unprecedented pandemic crisis. At that time Concentus was in active partnership with five divisions:

- Saskatoon Public Schools;
- Greater Saskatoon Catholic Schools;
- Regina Public Schools;
- Regina Catholic Schools; and
- Holy Trinity School Division (Moose Jaw and area).

Concentus agreed, with all divisions, to “press pause” on our undertakings while fundamental issues of student safety and engagement could be properly addressed. As a result of this appropriate suspension, ongoing research with Dr. Scott Tunison at the University of

Saskatchewan (into teacher resource efficacy) was also put on a corresponding hold.

Fundraising efforts continued with submissions to numerous regional and national funding sources. A formal three-year business plan was developed in consultation with Systems Bright Consulting. Funding briefings were provided to the Government of Saskatchewan (Justice and Education Ministries) as well as the Government of Canada's Department of Canadian Heritage CSMARI Program (Community Support, Multiculturalism, and Anti-Racism Initiatives).

Concentus has continued to act as a consultant organization for the Saskatchewan Teacher's Federation (Re-Imagine Education). In the fall of 2019 Concentus agreed to assist the Institute for Canadian Citizenship (ICC) in its efforts to develop a more robust digital engagement platform for new Canadians.

The Concentus Citizenship Education resources were continually updated throughout 2019 and 2020. All resources are housed and freely available at www.concentus.ca and we remain vigilant for outdated and broken weblinks within our resources. Numerous formatting issues were resolved within the website, and special attention was given to refining the French translation within the resources.

A significant addition to the Concentus resources was included in the form of a new section titled "Teacher Toolkit". This is a collection of strategies, lessons, and work plans provided by teachers throughout the province. These materials have been created and used in classes, and are shared as examples and inspirations that complement the original resources.

Outreach for Concentus took new form with a focus on social media. Beginning in 2021, Concentus consistently posts on Twitter, Facebook, and Instagram. A consistent, but not exclusive format is to notify our teacher base of upcoming days (or months) that align with Concentus' themes of Rights, Responsibility, and Respect.

Production has begun on a series of audio podcasts that feature interviews with a range of individuals associated with Concentus. The resulting podcasts will serve as both general information for the public, and orientation for teachers. The body of podcasts are expected to be posted online mid-2021.

In 2020-21 Concentus' Board Chair David Arnot responded to several invitations to speak publicly about citizenship education and the Concentus resources. Chief Commissioner Arnot made an updated presentation via



Zoom and WebEx to the National Congress on Rural Education in Canada, the Saskatchewan Executive of the Canadian Bar Association, and the full executive of the Saskatchewan School Boards Association.

The COVID-19 pandemic has revealed a sad range of social failings. Racism, discrimination and the lack of respect for laws, people, and property are compounded by ignorance about difference, race, and gender. These are real and present threats to our society that the pandemic has brought into sharp relief.

Meaningful inclusion and belonging in every community requires a respectful, understanding, and engaged citizenry. Saskatchewan needs fully engaged citizens who critically examine, advocate, respect others, and defend responsibilities and democratic rights.

The education system plays a central role in this endeavor. Broad-based citizenship education is a meaningful solution to address these concerns and the threat they pose to democracy.

The desire by educators to support and improve our communities is unequivocal. Teachers and schools are ready and willing to make this a part of their classrooms. We work towards this being a vital aspect of the post-pandemic "new normal".

As a learning organization, the Commission aims to be a model of best practices and continuously pursues improvement in order to meet the needs of Saskatchewan citizens.





**EFFICIENCY OF
PROCESS**



MESSAGE FROM THE DIRECTOR OF RESOLUTION

Jocelyn Putland Wiebe

As Director of Resolution, I am responsible for overseeing the Commission's complaint resolution process from intake, through mediation, to the conclusion of the investigation process. It would be impossible to reflect upon the last fiscal year without acknowledging the impact of the COVID-19 pandemic. It was a challenging year for most individuals and organizations, and the Commission was no exception. The beginning of the 2020-2021 fiscal year saw most of the Commission's complaint resolution staff transition to remote work to protect the health and safety of our employees and the public. Teamwork and collaboration are essential to the work of the Commission. Throughout this "socially distanced" year, Commission staff made a concerted effort to remain connected with each other and maintain their passion for their work. The Commission adapted to continue to provide effective and restorative resolution of human rights complaints.

The Commission's intake consultants are the first point of contact for the public with the Commission. They are responsible for receiving telephone and e-mail inquiries from the public and providing information about the Commission's jurisdiction and the complaint process. Intake consultants also receive and assess formal complaints of discrimination filed with the Commission.

The early impact of pandemic restrictions was first noted in April with a dramatic decrease in the number of formal complaints received. At the same time, the number of telephone and e-mail inquiries significantly increased. Many of these inquiries came from individuals, worried how the pandemic and Public Health Orders might impact on their employment, education, child care, and other aspects of their lives. As the fiscal year progressed, the number of formal complaints received each month rebounded and, in fact, exceeded typical levels to end the fiscal year. Our intake consultants worked to stay current on the emerging issues presented by the pandemic. Website content was added and reviewed regularly to address frequently asked questions. Many of the inquiries received by the Commission related to COVID-19 did not involve issues of discrimination within the Commission's purview. In that case, intake consultants assisted callers to understand why the Commission did not have jurisdiction over the matter

and offered referrals to the proper organization or resources to assist.

Following intake screening, the Commission offers mediation early in the complaint resolution process. Early mediation is an effective, efficient and often restorative process. Typically, mediation sessions occur in-person at the Commission's office in Saskatoon or Regina. However, during the pandemic, the Commission's mediation process was adapted to eliminate in-person meetings. Commission mediators adopted new technology and engaged in training on virtual mediations. Although virtual mediation sessions lack some advantages of in-person communication, they present certain benefits such as being less costly, easier to schedule, and more accessible for rural and remote parties. Commission mediators have effectively used new tools and technology to continue to facilitate the voluntary resolution of many human rights complaints.

Finally, during this fiscal year, the Commission has completed an unprecedented number of investigations. Commission investigators reported some delays early in the fiscal year as parties to complaints faced challenges such as shut-downs, lay-offs, and lack of access to records due to remote work. However, these delays did not persist beyond the early weeks of the pandemic restrictions. Commission investigators adapted to conducting online interviews and new technology was adopted. A complete review of investigation procedures was also completed during this fiscal year with a view to reducing delays and improving timeliness of investigations. These changes reaped demonstrated benefits as investigation completion times improved through the fiscal year and, as noted, a record number of investigations were concluded and presented to the Chief Commissioner for decision.

The Commission has provided valuable information to hundreds of callers about their rights and responsibilities to others during this difficult year.

The Commission has met the challenges posed by the COVID-19 pandemic, and will take the lessons learned forward into the next fiscal as we continue to evolve to best serve the citizens of Saskatchewan.

EARLY RESOLUTION



Parties are encouraged to resolve their differences at all stages of the complaint process. Resolution can occur before a formal complaint is filed, throughout mediation, and during the investigation process.

DISABILITY AND DUTY TO ACCOMMODATE

John* had worked for the same company for five and a half years. Prior to being hired, he was diagnosed with chronic leukemia. At first, John was able to work without incident, then John's health deteriorated and he was hospitalized twice. He also spent several weeks at home bedridden.

During this time, John kept his employer updated about his medical condition. However, he noticed that advertisements to fill his work position had been posted online by the company.

John was cleared to gradually return to work by a physician, but his employer said they were unable to accommodate him.

A few months later, John was hospitalized again. Shortly after he was cleared to return to work, John's employment was terminated by the company and he was given three week's pay in lieu of notice.

John contacted the Saskatchewan Human Rights Commission. He believed his employer had refused to accommodate him to the point of undue hardship and refused to continue to employ him on the basis of his disability and, thereby, discriminated against him, contrary to section 16 of *The Saskatchewan Human Rights Code, 2018* (the Code).

The matter was resolved in mediation. The employer offered John compensation and provided him with a letter of work reference. John accepted and the file was closed.

SEXUAL HARASSMENT

Nadine* had been an engineer-in-training with the same company for three years. As part of her employment, she was required to attend a lecture led by a consultant, who was also the supervisor of her Master's thesis.

Nadine alleged that, during the lecture, the consultant mentioned that he didn't want this to be a "#MeToo" moment before describing a specific process in sexual terms, using sexual gestures.

Nadine reported the incident to the company's owner, who suggested she attempt to resolve the issue through an internal, facilitated conflict resolution process. Nadine agreed, but the process didn't go as smoothly as expected. She alleged that during the conversation about sexual harassment, the consultant called her an "emotional woman".

In a follow-up call with the company's owner, Nadine requested to work with a new consultant. The owner dismissed the request and told Nadine she would not be able to receive her Master's degree if she didn't work with the consultant as a co-supervisor – at minimum.

To further exacerbate matters, during another class, Nadine (who was the only woman in attendance) alleged that the consultant and other male colleagues made gender specific comments about the capacity of women working in the field of engineering.

Later that year, Nadine felt compelled to resign from the company and contacted the Saskatchewan Human Rights Commission. Nadine believed that the company, as well as the consultant, discriminated against her on the basis of sex and sexual harassment, contrary to section 9 of the Code.

The matter was resolved in mediation. The employer offered Nadine compensation that she accepted and the file was closed.



PREGNANCY

Sandra* was 6-months pregnant when she was hired by a local restaurant. The interview was conducted by phone and, as a result, the employer wasn't aware of Sandra's pregnancy.

Three weeks into her employment, a co-worker asked Sandra if she was expecting. Sandra said she was. Later that evening, Sandra's boss called to confirm the pregnancy. During the conversation, Sandra was told that she was required to inform the employer of her pregnancy during the interview process and that it was illegal for her to work in her condition.

Not long after the phone call, Sandra's employment was terminated via text message. She contacted the Commission, believing she had been discriminated against on the basis of sex (pregnancy), contrary to section 16 of the *Code*.

The matter was resolved in Directed Mediation. The employer offered Sandra compensation, the offer was accepted, and the file closed.

The Saskatchewan Human Rights Code, 2018 prohibits discrimination against people who are pregnant. Pregnancy-related discrimination is a form of discrimination based on the prohibited ground of sex. As such, pregnant employees are protected from discrimination in the workplace. This protection extends

to full-time, part-time, temporary, probationary, and contract workers.

Refusal to hire or promote, termination of employment, harassment, or negative treatment of an individual related to their pregnancy is against the law under the *Code*.

PRE-COMPLAINT RESOLUTION

During the 2020-2021 fiscal year, a complaint was filed with the Commission pertaining to the removal of gender markers on Saskatchewan E-Health cards issued at birth.

The complainant asked that the gender marker in the gender-change form either be removed, or an option for non-binary be provided.

As the point of first contact with complainants, the Commission's intake consultants are well-placed to seek an opportunity for a timely resolution that may not require a complaint to be formalized. The Commission refers to this process as pre-complaint resolution. In this case, the intake consultant reviewed the details of the complaint and contacted E-Health, which informed the consultant that the request for the change of sex designation to non-binary was to be implemented in March 2021. This information was relayed to the complainant and the file was closed before any formal documents were written or exchanged.

ANCESTRY/RACIAL DISCRIMINATION

On the way home from a family outing with her two step-children, Rebecca* stopped at a store in a local strip mall to purchase ingredients for homemade gummies.

As she was browsing the store, the cashier left the till and began to hover around Rebecca and her step-children. The cashier accused Rebecca of wanting to steal from the store and told her to “buy something or go.”

During the event, Rebecca videoed the encounter and posted it to Facebook. She then left the store embarrassed and in tears from the experience.

Rebecca contacted the Commission. As an Indigenous person, she believed she had been discriminated against on the basis of ancestry/race, contrary to section 12 of the *Code*.

The Commission formalized the complaint and the case was referred to the Commission’s mediation process. The mediator — who does not advocate for one party or another, and does not make a decision as to whether the *Code* was violated — engaged both parties to seek a resolution.

During the mediation process, the store owner offered to compensate Rebecca for damage to dignity. The owner also wrote a letter of apology to Rebecca and her two step-children, and agreed to review Truth and Reconciliation Commission literature provided by the complainant.

Rebecca accepted the compensation and the apology, and agreed to take down all social media posts relating to the incident.

AGE

Steve* had worked as a manager for a company for six years. He was 55 years old when a new workforce planning strategy was introduced that included an early retirement incentive.

Steve inquired about the incentive, but made no mention of an intention to retire.

Three months later, Steve began an approved unpaid leave. During the leave, Steve returned for a meeting to discuss the workforce plan. His employer informed him that his position was being eliminated. Reference was made to his “early retirement”.

A month later, when Steve returned to work, he was moved to a cubicle in a corner away from his colleagues

and his projects were assigned to someone else. The next day, Steve was given a six-month working notice that his position would be eliminated and his employment with the company was to be terminated.

Steve was not offered an early retirement incentive or another position, despite being senior to other managers retained.

Steve believed the company was targeting older employees in their 50s and 60s, and that after he raised this concern with them, they discriminated against him by ending his employment based on age, contrary to section 16 of the *Code*.

The company claimed that the elimination of two positions, including Steve’s position, was determined a year prior to their workforce planning strategy and they denied discriminating on the basis of age.

The matter was brought to the Commission and was settled in investigation. The company offered Steve compensation. He accepted and the file was closed.

* Names have been changed





MESSAGE FROM THE GENERAL COUNSEL TO THE COMMISSION

Scott Newell

Litigation is one of the processes through which the Commission addresses complaints of discrimination. Participants in the Commission's litigation process regularly resolve their complaints without the need for a hearing. As the Commission's General Counsel, I oversee the work of the Commission's Legal Department.

The core of our department's work is litigation and resolution after the conclusion of the investigation process. The Commission's lawyers also provide advice to the Commission's personnel throughout the intake and investigation process.

The 2020-2021 fiscal year presented new legal and practical issues for us. Most notably, the Court of Queen's Bench reduced its operations to avoid unnecessary risk associated with the COVID-19 pandemic. Due to the pause in Court operations and the resulting scheduling backlog, the Commission had not attended at any Pre-Hearing Conferences for the first seven months of last fiscal year. Since that time, the Commission has commenced a larger-than-usual number of matters in Court to work through the backlog.

During the first seven months of the fiscal year, our focus shifted to our recently opened files ready for Directed Mediation. We conducted 35 Directed Mediations in the 2020-2021 fiscal year. We also settled 30 files and conducted four Pre-Hearing Conferences.

Despite the scheduling issues arising from the pandemic, the Commission had twelve active complaint files before the Courts last fiscal year, including a two-week hearing which was held in March of 2021. Notably, the Commission also had a matter before the Court of Appeal in the 2020-2021 fiscal year that was resolved prior to the appeal hearing.

Looking forward, the Commission's Legal Department is preparing to address new legal issues arising from the COVID-19 pandemic. As large numbers of Saskatchewan workers return from remote work arrangements, the pandemic will likely have a lasting impact on the labour market and on society more generally.

Directed Mediation is a facilitated discussion between the parties to a complaint. This discussion is conducted by the Commission and takes place at the discretion of the Chief Commissioner. The Chief Commissioner reviews the findings of the investigation and determines that the complaint has sufficient merit to proceed to a hearing.

The Commission does not provide legal representation to any party but, in some cases, the Chief Commissioner may ask the Commission Lawyer to participate in Directed Mediation. In such cases, the role of the Commission Lawyer is to represent the Commission rather than any party.

The parties may also have a lawyer assist them with Directed Mediation. At the same time, the mediator works on behalf of the Commission to help the parties to the complaint arrive at a mutually agreeable settlement.

The complaint process is not open to the public. Settlement discussions in the Directed Mediation are confidential. If the parties are unable to reach a settlement agreement, the complaint goes to the Court of Queen's Bench for a hearing. At this point, the process is open to the public.



LEGAL AND LITIGATION

DIRECTED MEDIATION RESOLVES DISABILITY COMPLAINT

In 2015, Michael* was required to discontinue his program of post-secondary studies due to misconduct. His educational institution was aware of a disability which was linked to the misconduct. Michael was unable to complete his course of studies and missed employment opportunities as a result of being required to discontinue his studies.

The respondent denied discriminating against Michael and maintained its actions were appropriate in light of the misconduct.

At a Directed Mediation, the parties agreed to, among other things, a monetary settlement to compensate for loss of anticipated earnings.

DISABILITY COMPLAINT PROCEEDS TO COURT OF QUEEN'S BENCH

Dianne* required a leave of absence from work due to a disability beginning in the Fall of 2014. She returned to work briefly later in 2014 and again in the Spring of 2015. After seeking various avenues of medical treatment for her disability, Dianne's physician recommended a gradual return to work beginning in the Summer of 2016. The employer did not accommodate her physician's recommendations, and terminated her employment in September of 2016.

The respondent denied discriminating against the complainant and asserted that it had reached the point of undue hardship.

This matter proceeded to a six-day hearing in March of 2021 after an adjournment of hearing dates at the respondent's request. As of June, 2021, the parties are awaiting a decision from the Court of Queen's Bench.

COMPLAINT RESOLVED THROUGH PRE-HEARING CONFERENCE

In 2018, Brianna* had surgery which required several weeks of recovery time. Brianna's job required standing for long periods. When Brianna was ready to return to work for partial shifts, her supervisor refused to schedule her. Her supervisor also made negative comments about her disability while discussing her proposed return to work.

The respondent denied discriminating against Brianna and disputed many of the facts asserted by the complainant. It also argued that Brianna had lost little or no income as a result of the alleged Code breach.

At a Pre-Hearing Conference, the parties agreed to resolve this complaint for a monetary amount to compensate for damage to dignity under section 40 of the Code.



REASONABLE OFFER

Caitlyn* resided in a rental property where she had lived for a number of years. Caitlyn is an Indigenous woman who smudges as a cultural and spiritual practice. She had smudged daily in her home without issue until 2017. Her landlord delegated duties to a property manager, and had retained a new property manager. The new property manager communicated to Caitlyn that she must stop smudging in her home. Caitlyn moved to another rental home as a result.

Both the landlord and the property manager were listed as respondents to the complaint. At a Directed Mediation, they jointly advanced a global offer of settlement to compensate Caitlyn for damage to dignity under section 40 of the Code. Caitlyn did not accept the offer, asserting that it did not adequately compensate her for damage to dignity, and (among other things) moving expenses.

The respondents asked for the complaint to be dismissed pursuant to section 33(3) of the Code. The Chief Commissioner decided that the respondent had made a reasonable offer that was equal to or greater than the complainant's losses, and that the complainant had refused to accept it. Accordingly, he dismissed the complaint conditional upon the delivery of the funds set out in the respondent's offer.

* Names have been changed

HOW WE DO BUSINESS

If a person feels someone has discriminated against them, complaints can be made to the Saskatchewan Human Rights Commission in the following ways:

PHONE



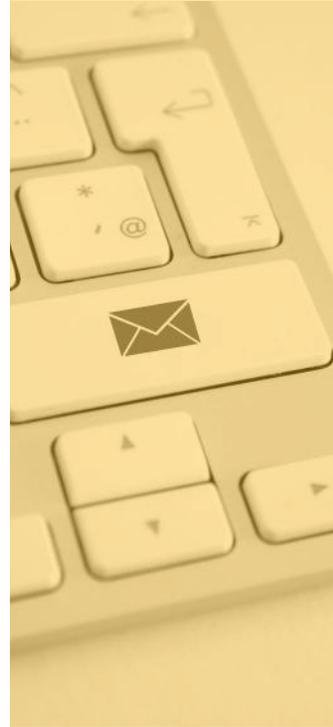
(306) 933-5952
Toll Free: 1-800-667-9249

POST



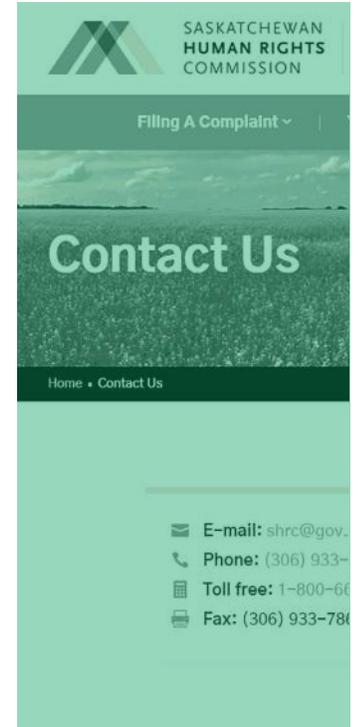
P.O. Box 6011
Saskatoon SK S7K 4E4

EMAIL



shrc@gov.sk.ca

ONLINE



www.saskhumanrights.ca

In-person or face-to-face meetings are by appointment only. The Commission does not accept walk-in traffic.

ARE YOU FOLLOWING US ON SOCIAL MEDIA?



BY THE NUMBERS

Total number of new complaints received	407
Complaints formalized	83
Total number of inquiries	1,958
Percentage of formalized complaints alleging sexual harassment	12%
Disability-related complaints formalized	54
Number of files closed in 2020/21	371
Number of business line inquires	332
Percentage of formalized complaints alleging discrimination based on sex/pregnancy	8.4%

**Table 1: Summary of Complaints Formalized
April 1, 2020 to March 31, 2021 by Grounds and Category**

Total number of
new complaints
in 2020/2021:

407

Total number of
complaints formalized
in 2020/2021:

83

CATEGORY	Age	Aboriginal Ancestry	Other Ancestry ²	Marital Status	Disability	Religion	Sexual Harassment	Sex / Gender / Other	Sex / Pregnancy	Family Status	Sexual Orientation	Public Assistance	Total Grounds	Grounds Cited
	Education	0	0	2	0	1	0	0	0	0	0	0	0	3
Employment	5	2	12	1	47	1	10	0	5	1	2	0	86	83.5%
Housing	0	0	0	0	2	0	0	0	0	0	0	0	2	1.9%
Public Services	0	0	1	0	4	1	0	2	2	0	1	1	12	11.7%
TOTAL GROUNDS	5	2	15	1	54	2	10	2	7	1	3	1	103 ¹	100%
% Grounds Cited	4.9%	1.9%	14.6%	1.0%	52.4%	1.9%	9.7%	1.9%	6.8%	1.0%	2.9%	1.0%		
% Total Complaints	6.0%	2.4%	18.1%	1.2%	65.1%	2.4%	12.0%	2.4%	8.4%	1.2%	3.7%	1.2%		

Notes:

¹ Some complaints allege several grounds of discrimination. For this reason, the total number of grounds cited (103) exceeds the total number of complaints formalized (83).

² Other Ancestry includes colour, nationality, place of origin, race, and perceived race.

Table 2: Files Opened and Closed

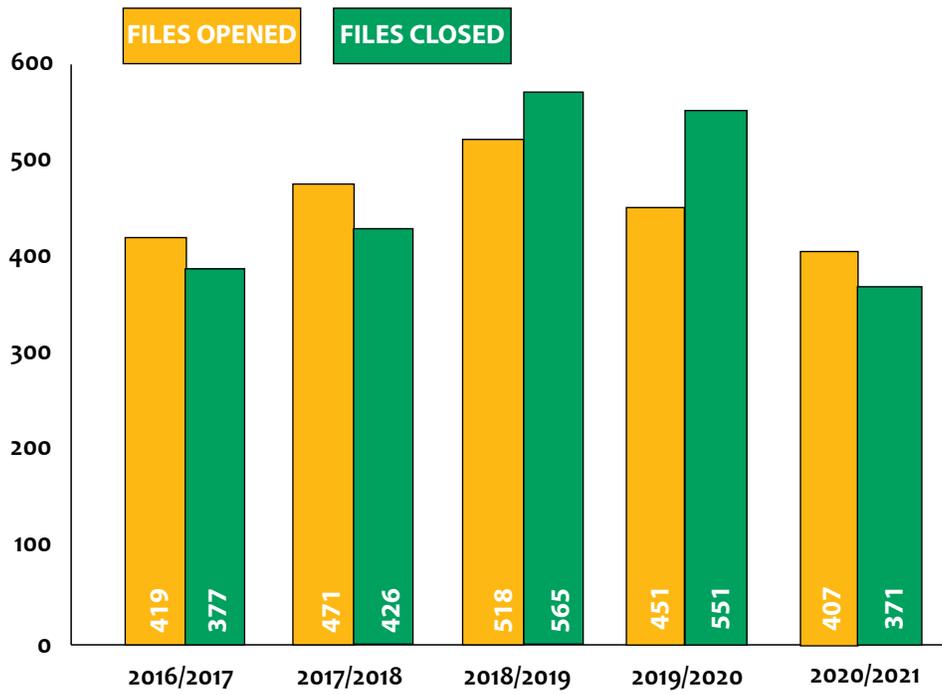
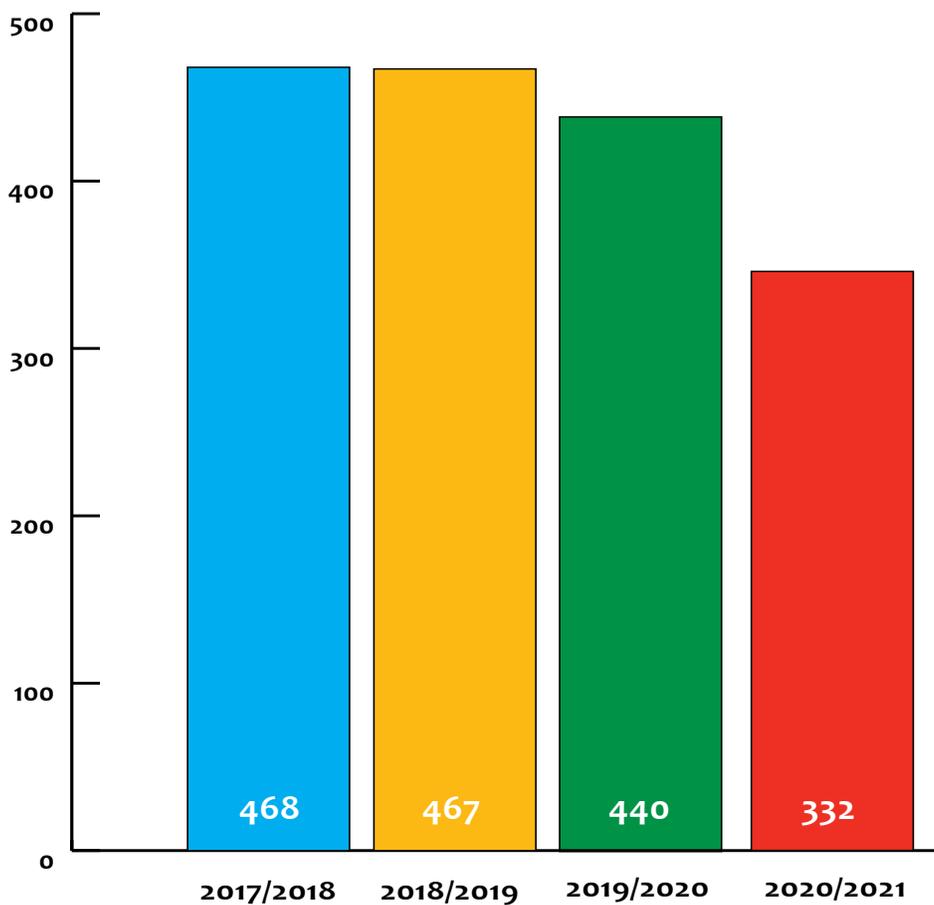


Table 3: Business Line Inquiries



127,209

page views on the
Commission's website in
2020-2021

8.4%

of complaints formalized in 2020-
2021 alleged discrimination based
on sex/pregnancy

198,261

people reached via the Commission's Facebook account

83.5%

of complaints formalized
occurred in the area of
employment

44%

increase in
Instagram
followers

18,517

views of COVID-19 and Human Rights sections
on the Commission website

6%

of complaints
formalized alleged
discrimination
based on age

Formalized complaints alleging discrimination based on sexual harassment

12%

48,440

visits to the Commission's website in 2020-2021

Approximately

12%

of formalized complaints occurred in the area of public services

130%

increase in Facebook followers

33%

increase in Twitter followers

\$2,421,000

The Commission's 2020-2021 approved budget





MESSAGE FROM THE DIRECTOR OF SYSTEMIC INITIATIVES Darrell Seib

Systemic discrimination is deeply rooted in most societies, affecting social interactions and attitudes in subtle and overt ways. Subtle because many of the underlying rules and norms in society are unspoken and unwritten. They are learned and passed on through experience and exposure, and less apparent because “that’s just the way things are.” Overt racism, sexism, ageism, and ableism, while frequently shocking, are also pervasive.

This poses a dilemma for change. When an individual speaks or acts in a racist way, for example, the individual can be held accountable for their actions. When a system perpetuates the ideas that one group is “better” or “lesser” than another, because “that’s just the way things are,” who is responsible for change?

The United Nations Educational, Scientific, and Cultural organization states that, “All human beings belong to a single species and are descended from a common stock. They are born equal in dignity and rights and all an integral part of humanity.” This statement mirrors the very essence of our provincial motto, “from many peoples, strength,” and aligns with the Commission’s mandate, “to promote recognition of the inherent dignity and the equal and inalienable rights of all members of the human family.”

Through their efforts, the stakeholders that participated in the many large-scale systemic initiatives described in this annual report have demonstrated that systems, like people, can change. They have acknowledged that

systemic discrimination affects the inherent dignity and equality of groups of people in our province. Their commitment to change demonstrates that this burden need not be carried solely by those with lived experience.

Over the course of the last year, the Commission built on this commitment and cooperation to improve access to services for people with disabilities, as well as to address healthcare, education, and voting concerns. This

furthered the Commission’s obligations under *The Saskatchewan Human Rights Code, 2018* to “prevent and address systemic patterns of discrimination.”

Unlike previous years, however, the inequity faced by groups, or cohorts, of racialized and marginalized Saskatchewanians, in particular, has been deeply underscored by clear and differential impact the COVID-19 virus has had on many groups of people.

“ *All human beings belong to a single species and are descended from a common stock. They are born equal in dignity and rights and are all an integral part of humanity.* ”

Leaders, policy-makers, advocates, and health care professionals are responding to this inequity, wading through the health-care concerns, as well as pre-existing social conditions. The pandemic has made abundantly clear what “systemic” means.

This past year, opportunity for systemic change came through collaboration and consensus between individuals, advocates, and policy-makers, all of whom contribute important perspectives. This takes time, commitment, and dedication to generate the results which, in every file, speak for themselves.

SYSTEMIC ADVOCACY



D/DEAF AND HARD OF HEARING

Following a comprehensive consultation with members of the D/deaf and Hard of Hearing (D/dHoH) community, the Commission published “Access and Equality for Deaf, deaf, and Hard of Hearing People: A Report to Stakeholders” in May 2016.

In 2020, the Government of Saskatchewan announced \$350,000 to fund services for deafblind and Deaf-plus persons. Previously, there were no specialized deafblind services for Saskatchewan residents who were ‘acquired deafblind,’ meaning they lost hearing and sight later in life.

Deaf-plus persons are people who are Deaf but also have additional needs. The Canadian Deafblind Association and Saskatchewan Deaf and Hard of Hearing Services will work in partnership to provide deafblind persons with one-on-one support from sign language interpreters and intervenors. (Intervenors are professionals who provide visual and auditory information to a deafblind client to alleviate the isolation that person may be facing.)

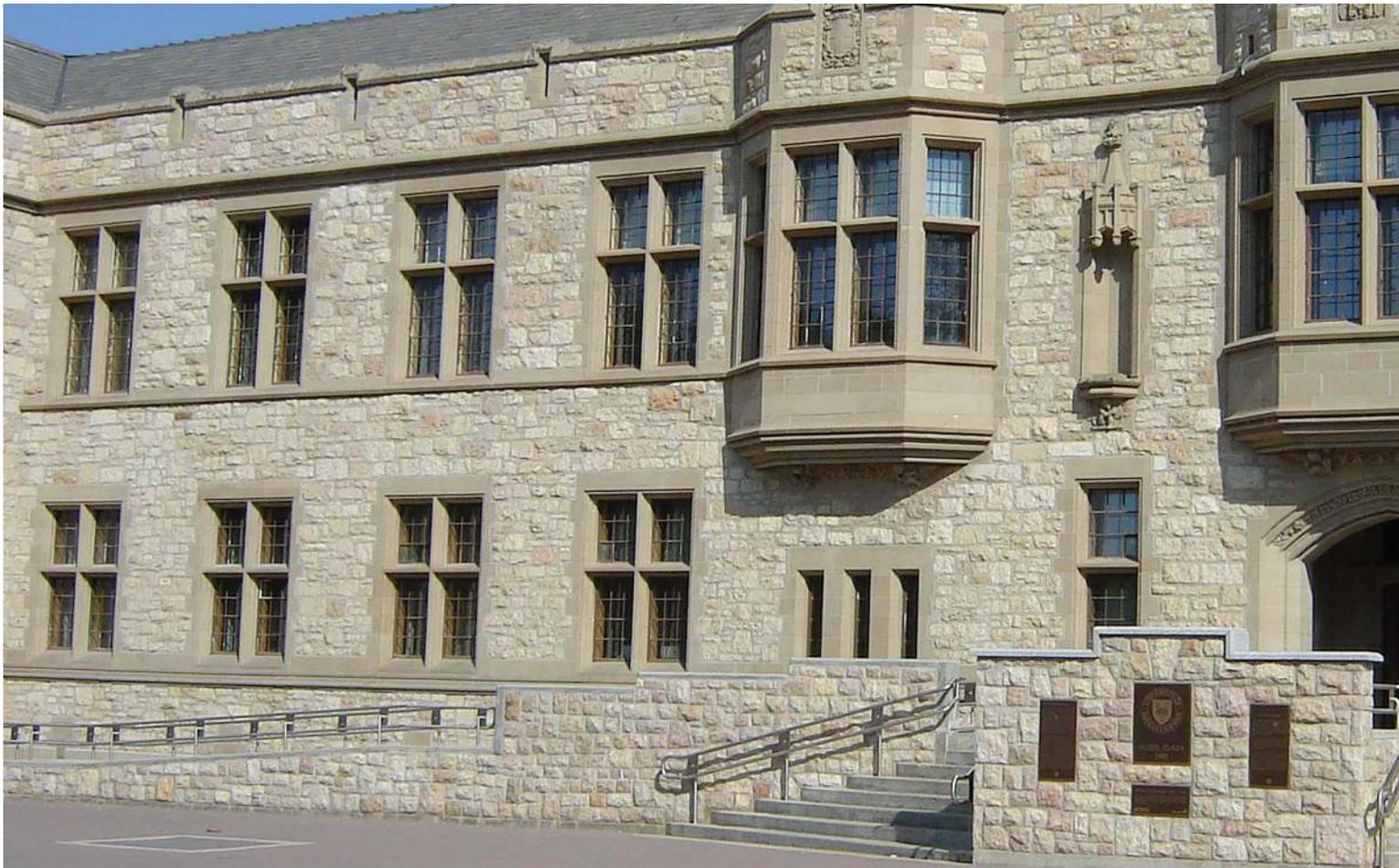
The funding will also allow people who are deafblind to access a 24-hour interpreter and intervenor line for

emergency support. Subsequent announcements have committed to expanding this funding to support more deafblind intervenors, new ASL interpreters, and other workers, and will bring the total investment in this area to more than \$1 million per year.

Many members of the D/dHoH communities rely on speech-reading to communicate. This became more difficult during the COVID-19 pandemic as it became common for people to use facemasks. As well, social distancing and the proliferation of plexiglass barriers has made it more difficult for everyone to communicate, especially for those with reduced hearing. At the same time, members of the public became much more familiar with ASL, as SDHHS ASL interpreters were featured prominently during public health press conferences.

Since the release of “Access and Equality for Deaf, deaf, and Hard of Hearing People: A Report to Stakeholders” in May 2016, the Commission has been working with a diverse group of stakeholders to address the systemic concerns of D/dHoH communities in Saskatchewan.

Over that time, there have been many achievements and notable improvements. Many of these achievements will be documented in an Update Report to be released in 2021.



HEALTHY CAMPUS SASKATCHEWAN

In March 2021, the Commission became a community partner with Healthy Campus Saskatchewan, a cooperative effort between 19 post-secondary institutions in the province focused on improving the student experience. Healthy Campus Saskatchewan supports the overall well-being and mental health of students through information sharing, research, and implementing practices that enhance and expand on well-established equity and accommodation services.

Since January 2021, the stakeholder institutions have worked together to create new tools, resources, and learning opportunities for students. This includes awareness and prevention strategies that respond to suicide, sexual violence, and substance use. Healthy Campus Saskatchewan is also responding to the effect of the COVID-19 health crisis on each of these concerns, as well as on many other factors that influence a student's life.

To foster healthy and resilient campus communities, online training events have been offered on a regular basis. This outreach includes webinars for students that promote new and existing social, psychological, and spiritual supports.

As well, workshops for instructors, faculty, and staff have explored engagement and supportive communication strategies.

The Commission regularly collaborates with educators, administrators, and government leaders to promote and support equity and equality in Saskatchewan's education systems. The Commission also pursues its own public education mandate to eliminate discriminatory practices by working with organizations, like Healthy Campus Saskatchewan, that advocate for human rights and the interconnected principles of respect and individual responsibility.

RENTERS IN RECEIPT OF PUBLIC ASSISTANCE

In 2015, advocates from multiple agencies told the Commission their clients were facing a multitude of issues, including: discriminatory advertising for rental accommodation; landlords refusing to rent to people receiving public assistance; and income or damage deposit requirements that, in effect, prohibit those in receipt of public assistance from obtaining housing.

In response to these concerns, the Saskatchewan Human Rights Commission launched a systemic advocacy initiative to address discrimination in housing.



In 2017, the Commission, working collaboratively with local community organizations, hosted four public consultation sessions and heard directly from renters affected by discrimination. People spoke of their lack of affordable housing options, the inadequacy of some of the available rental accommodations, and policy barriers to securing and maintaining housing, as well as direct discrimination by landlords.

In May 2018, the Commission released a comprehensive, 40-page report called, “Access and Equality for Renters in Receipt of Public Assistance: A Report to Stakeholders”. This report documented discrimination and inequity experienced by people with disabilities, Indigenous persons, and people marginalized by mental health and addiction issues, within the housing system.

The Commission also convened a working group of stakeholders, including advocates, landlords, and government agencies, to coordinate on issues affecting renters in receipt of public assistance.

Since 2018, this group has gathered information and coordinated responses to a number of housing-related issues in Saskatchewan, and contributed to policy reviews regarding proposed landlord licensing

in Saskatoon, and changes to the system of public assistance in Saskatchewan.

In 2020, a number of issues relating to the COVID-19 pandemic were foremost, including the temporary suspension on evictions. In 2020, the Commission also worked with stakeholders to update our Report. This updated report will be released in 2021 and documents the successes in improving access to housing along with the ongoing challenges.

EMPLOYMENT EQUITY

The Commission maintains an Employment Equity program pursuant to section 55 of *The Saskatchewan Human Rights Code, 2018*. The program allows participating employers to develop equity plans designed to eliminate or minimize barriers to effective workplace participation and inclusion experienced by members of the four equity groups – Aboriginal Peoples, Women in Underrepresented Occupations, Visible Minorities, and People with Disabilities.

The Commission is mandated by *the Code*: “(a) to promote recognition of the inherent dignity and the equal and inalienable rights of all members of the human family; (b) to further public policy in Saskatchewan that every person is free and equal in dignity and rights and to discourage and eliminate discrimination.”

Saskatchewan employers and educational institutions have used Commission equity plans to develop respectful, equitable workplaces and learning environments. The Commission’s equity program helps equity partners create effective plans suited to their own needs.

The Commission approves employers’ applications to become Equity Partners, as well as their equity plans which are designed to address employment gaps in relation to members of the equity groups. Without this approval, programs that confer advantages based on prohibited characteristics could be in breach of the *Code*. The Commission also receives reports from Equity Partners. These reports provide information pertaining to performance in meeting the Commission’s equity targets with a view to reviewing the effectiveness of the plans.

Although there have been marginal improvements in the representation of members of the four equity groups identified in the Commission’s policy on Equity Programs employers remain far from meeting the equity targets.

To assist program partners achieve their goals, the Employment Equity policy was reviewed and policy and programmatic changes have been recommended for implementation in the 2021-22 fiscal year.

Public education is an effective way to inform children, youth, and adults about their rights and responsibilities as citizens.





PUBLIC
EDUCATION

PUBLIC OUTREACH

**PAW
2021**

**UNIVERSITY OF
SASKATCHEWAN**

A two-day, online conference event | Feb 2 & 3, 2021
internationaloffice.usask.ca/paw

Unprecedented circumstances related to the COVID-19 pandemic forced organizations throughout Saskatchewan, and around the world, to pause, pivot, and make remarkable changes over the course of the past year.

Early on in the pandemic, lockdowns, social distancing, and other measures to curb the spread of the virus caused events to be postponed, if not completely canceled.

It wasn't long, however, before a new way of working and communicating was established. Not only did organizations implement work-from-home measures, but meetings, events, and conferences shifted completely online.

During the past fiscal year, the Commission participated in a number of online events providing presentations, workshops, and keynote addresses to help educate the public about human rights, while increasing its presence in the community.

PEOPLE AROUND THE WORLD CONFERENCE 2021

In February 2021, the University of Saskatchewan hosted the 4th annual People Around the World (PAW) Conference. The two-day, online event focused on the exchange of innovative ideas, strategies, and collaborative efforts to re-examine the solutions required to address the United Nation's Decade of Action and the implementation of its 17 Sustainable Development Goals (SDGs). The goal of the conference was to bring together expert research, applied knowledge, and lived experiences to create the path forward for stronger, more resilient societies in the wake of COVID-19.

On February 2, the first day of the conference, Chief Commissioner Arnot delivered a keynote address titled "*Human Rights, Education, and Research: Facilitating Collaboration.*" He commended the U of S for using the SDGs as a foundation for the conference, and for demonstrating clear vision and commitment to ethical research and human rights.



KEYNOTE SPEAKER
**THE HONOURABLE
 JUDGE DAVID ARNOT**

Chief Commissioner
 for the Saskatchewan Human Rights Commission

“The SDGs seek to address some of humanity’s biggest challenges, not in some far off future, but within a few short years,” said Chief Commissioner Arnot. “To meet these challenges and solve our greatest problems, great vision is required. A vision that is collaborative, innovative, and informed by human rights. A vision fueled by research that leads to action.”

Research is foundational to effective decision making. It helps to assess needs, envision futures, and find answers. It helps us uncover and understand the complexity of real-world problems.

Chief Commissioner Arnot urged those in attendance to keep human rights in mind when conducting research saying:

A human rights lens is imperative given the increasingly international character of research. Within a global context, research requires consistency, credibility, accountability,

and transparency. Because of its universal nature, a human-rights based approach to research facilitates these goals, as well as the UN’s Sustainable Development Goals.

By conducting research through a human rights lens: you strengthen the capacity of individual rights holders and those with the duty to uphold those rights; you ensure that research is respectful of the fundamental rights of its participants and the public; and you make valuable contributions to the overall understanding and advancement of human rights.

Section 24(f) of *The Saskatchewan Human Rights Code, 2018* states that it is a duty of the Commission to “conduct and encourage research by persons and associations actively engaged in the field of promoting human rights.”

The Commission welcomes the opportunity to support research applications that have a human rights lens. In the past, the Commission has supported research grants submitted to both the Social Sciences and Humanities Research Council (SSHRC) and the Natural Sciences and Engineering Research Council of Canada (NSERC).

“The Commission is here to help,” Chief Commissioner Arnot told the online audience. “Not just with research, but also with your institution’s over-arching approach to human rights.”

He added that the Commission is ready to work with organizations and institutions throughout the province to help ensure inclusion and equity for everyone.

Chief Commissioner Arnot concluded the keynote address with a call for cooperation and collaboration:

The sustainable development goals are attainable. We need to accelerate their achievement. The pandemic has demonstrated the need to work harder – through coordinated, collaborative, cooperative study and action. As individuals, as citizens, as members of one human family, the pandemic has provided us an opportunity to look at ourselves in the mirror. To recognize and accept the unvarnished truths about the world we live in. To figure out where we went wrong, and to find solutions to our most pressing problems. We must work together to heal our planet, end poverty, revitalize democracy, reduce inequities, improve education, advance human rights – and make the world a better place.

WE RISE

On March 24-26, 2021, the Saskatchewan First Nations Women's Commission hosted the first annual We Rise Conference, dedicated to advancing a regional action plan for change.

Focusing on the *United Declaration of on the Rights of Indigenous People*, the Truth and Reconciliation Commission's *Calls to Action*, and *Reclaiming Power and Place: the Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls*, the three-day conference was designed to:

- Advocate for change;
- Reflect on what has been done; and
- Find solutions that will help society move forward on the path to reconciliation, together.

Chief Commissioner Arnot was a keynote speaker on the first day of the conference.

He delivered a presentation called "*Hope, Education, and Change: The Relationship Between Treaty Rights, Indigenous Rights, and Human Rights*," in which he spoke about hope and its ability to affect change.

"For the last 20 years I have maintained that there is hope," said Chief Commissioner Arnot. "I've said it time and time again to Indigenous and non-Indigenous persons and communities, to leaders, to governments, to educators and students. There is hope for a better future. There is hope for a better partnership, a better relationship between Indigenous and non-Indigenous people in Canada."

He explained how this hope is buoyed by the work of the Truth and Reconciliation Commission, of the National Inquiry into Missing and Murdered Indigenous Women and Girls, and of everyone in attendance "who value education, who are [eager] to learn, and who are calling for a fair, equitable and just future for Indigenous women and girls."

The presentation emphasized the power and importance of K-12 education, post-secondary education, education passed down from Elders, and the education Indigenous women pass on to their children as necessary agents of change.

Chief Commissioner Arnot also expressed the need to add a social component to education – a citizen education component.



- Denouncing and speaking out against the epidemic of violence experienced by Indigenous women and girls ;
- Learning about our shared history, and educating other people about it;
- Being an ally amplifying the voices of MMWIG, survivors, and their families;
- Reading the National Inquiry's final report;
- Being an advocate for citizenship education; and
- Respectfully and responsibly asking all governments to uphold and act on the Calls for Justice.





“We need the new 3 R’s,” explained the Chief Commissioner. “Rights, Responsibility, and Respect.”

The new 3 R’s along with the 5 E’s (which teach students to become Empathetic, Ethical, Empowered, Enlightened, and Engaged) are the foundation of the citizenship education resources created by the Saskatchewan Human Rights Commission.

In addition, Chief Commissioner Arnot highlighted the importance of treaty education, saying that everyone must learn “about the history of First Nations people, and understand all sides of the story. [We] are owed an honest assessment of what went right, what went wrong, and why we are in the situation we find ourselves today.”

The challenges faced by Indigenous peoples in Canada are the most pressing human rights issues facing our country today.

Chief Commissioner Arnot implored the conference attendees to address these issues, saying:

It is time for change. For action. The Truth and Reconciliation Commission carefully assembled 94 impassioned and clear Calls to Action. Actions that, if taken, will change the lives of Indigenous people who have been affected by the residential school system. The National Inquiry into Missing and Murdered Indigenous Women and Girls recommended 231 Calls for Justice – actions that need to be taken to transform systemic and societal values that continue to perpetuate violence against Indigenous women and girls. We must heed these calls. We must act ... People of good will, working in common purpose can make a difference ... As a province and as a country, we have an opportunity to rebuild relationships, make them stronger, and create transformative, lasting change.



FRAMING AFRICAN-DESCENT IDENTITIES THROUGH A HUMAN RIGHTS LENS

DECEMBER 2, 2020

SYMPOSIUM SERIES

Between December 2020 and February 2021, three virtual symposiums were held to mark the halfway point of the International Decade for People of African Descent, as proclaimed by the United Nations General Assembly.

The event partners included the University of Manitoba Faculty of Social Work, the Canadian Commission for the United Nations Educational, Scientific, and Cultural Organization (CC-UNESCO), and the Saskatchewan Human Rights Commission. The symposium series aligned with the three main, and interconnected, objectives set out by the United Nations for the Decade:

1. Recognition of the right to equality and non-discrimination;
2. Access to justice; and
3. Development, in terms of education, employment, health, and housing.

The first event, themed “Framing African-Descent Identities Through a Human Rights Lens,” took place on December 2, 2020, and explored the need to address the relationships between rights, equality, access to justice, employment, health, and housing.

National and international speakers observed that these needs were intensified during 2020 by well-publicized tragedies and other social inequities that have been amplified by the pandemic.

Reflecting on this premise, Chief Commissioner Arnot

delivered the keynote address during the premier event, focusing on the concept that “words matter.” He stated:

We must remember that words matter. We must act to eradicate bigotry, racism, and systemic discrimination in all its forms. In the aftermath of trauma and oppression, it is encouraging to see people from diverse backgrounds – irrespective of perceived race, creed or other distinguishing factors, which often divide society – come together in solidarity. This is evidence that there is more that unites us than divides us. We must accept that all people are created equal, have equal rights, and are equal before the law. As responsible citizens and members of one human family, it is our responsibility to respect others, to treat each other with dignity, and to protect and uphold the equality and rights of all human beings.

On January 21, 2021, 10 speakers from across Canada, and a guest speaker from France, put forward actions and ideas in response to the event theme, “Addressing Intergenerational Traumas of Slavery, Colonialism, and Racism” during the second symposium. Informed by the reality that “race” has no scientific basis, presenters exposed how the construct of “race” has been used throughout history to categorize people socially, politically, and economically.

“Recognizing & Overcoming Systemic Oppression: Advancing Health, Social and Economic Justice Together,” was the theme for the third and concluding event which took place on February 18. Presenters explored several examples of how existing human rights based policies, practice models, and strategies have supported healing and promoted sustained health,

PUBLIC EDUCATION 2020-2021



SVAW 2020
Sexual Violence Awareness Week

BRINGING JUSTICE

MONTE SHEPPARD
Senior Partner
Sheppard & Millar Law Office

NORMA GUNNINGHAM-KAPPAHN
Executive Director
Saskatchewan Human Rights Commission

**ACCESSING JUSTICE 101:
CIVIL, CRIMINAL AND OTHER RECOURSE**

DAY 5

Email womens.centre@ussu.ca
if you have any questions!

USSU

1. Education Session for Lawyers, Shift Project – September 24, 2020
2. University of Saskatchewan Students' Union Women's Centre, Sexual Violence Awareness – September 25, 2020
3. "Train Against Racism" Panel Discussion – September 25, 2020
4. Saskatchewan Union of Nurses Education Conference – October 27, 2020
5. Truly Alive Youth and Family Foundation Inc. Town Hall – November 21, 2020
6. University of Manitoba, Addressing Institutional and Systemic Oppression: Framing African-Descent Identities Through a Human Rights Lens – December 2, 2020
7. Addressing Intergenerational Trauma from Systemic Oppression: Addressing Institutional and Systemic Oppression, Human Rights Symposium – January 21, 2021
8. Canadian Bar Association Mid-Winter, Judicial Independence – January 28, 2021
9. People Around the World International Conference – February 2/3, 2021
10. Recognizing and Overcoming Systemic Oppression: Advancing Health, Social, and Economic Justice Together: Addressing Institutional and Systemic Oppression, Human Rights Symposium – February 18, 2021
11. University of Saskatchewan, College of Law, Just Rights, Human Rights In Pandemic Times: A Canadian Law School Conference – February 25, 2021
12. Saskatoon Public Schools Division UN International Day for the Elimination of Racism – March 19, 2021
13. We Rise – March 24-26, 2021
14. Saskatchewan Educational Leadership Unit Rural Educators Congress - Presentation – March 29, 2021

ENOUGH ALREADY

SEXUAL HARASSMENT IN THE WORKPLACE

On September 10, 2019 the Government of Canada announced nearly \$1.6 million over five years in funding for a province-wide strategy to address sexual harassment in the workplaces of Saskatchewan.

A coalition consisting of the Saskatchewan Human Rights Commission, the University of Saskatchewan – College of Law, the Saskatchewan Chamber of Commerce, the Public Legal Education Association of Saskatchewan, and the Saskatoon Industry-Education Council is responsible for the allocation of the funds.

Less than a year later, the Enough Already initiative was launched. The initiative was designed to address and prevent workplace sexual harassment in Saskatchewan by working with government, business, industry associations, unions and community organizations to make workplaces in Saskatchewan safe for everyone.

Over the course of the past fiscal year, Enough Already worked diligently to increase public awareness and knowledge about workplace sexual harassment.

In addition to strategic online education campaigns and the creation of a resource-filled website, the Enough Already team also conducted 26 education sessions throughout the province between May 2020 and March 2021.

As part of the five-year project, Enough Already provides:

- Access to information, advice, and employment counseling for people who have experienced sexual harassment in the workplace;
- Relevant, ready-to-use training resources for employees, employers and business leaders;
- Free employment coaching;
- Online training tools that help educate and raise awareness about sexual harassment in the workplace; and
- Access to two hours of free legal advice.

“Even amidst a pandemic, we’ve seen Saskatchewan employers reach out and work with Enough Already to empower their workforces,” said Nicole White, Project Lead for Enough Already. “We have been encouraged by the enthusiastic response to both our Employment Coaching and Bystanders campaigns.”

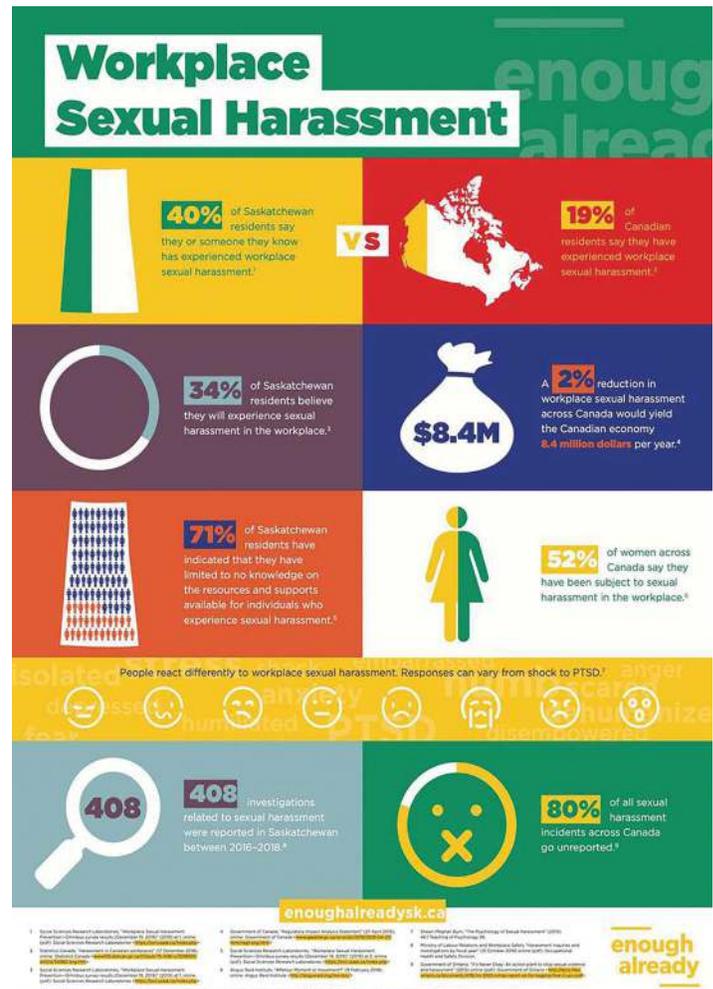
BYSTANDERS CAMPAIGN

In September 2020, Enough Already launched the first phase of its online public education and awareness campaign. The campaign focused on the role bystanders play in making sexual harassment a thing of the past.

“In so many areas of life and business we’ve made advances that have contributed to our health and prosperity, but in the area of sexual harassment in the workplace the numbers have not gone down. It’s 2020. Change is long overdue,” said White.

“Enough Already wants every bystander to know how vital their role is, and provide them with tools and techniques to safely diffuse sexual harassment when it happens.”

The campaign addresses the reluctance and fears of bystanders, while urging those who witness inappropriate behaviour in the workplace to stand up rather than step aside.





IT'S NOT MY PLACE

What's stopping you from doing something when a coworker is sexually harassed?

Stand up against sexual harassment at work.

**enough
already**sk.ca

COURAGEOUS CONVERSATIONS

As Saskatchewanians, Canadians, and as global citizens, we need to act on the responsibilities that accompany our citizenship. We need to learn about the issues that matter and initiate brave conversations that will have a positive impact in our schools, our workplaces, and our communities.

Since 2014, the Saskatchewan Human Rights Commission has been hosting its Courageous Conversation Speaker Series. The series was designed to explore issues afflicting our society within a human rights context. Issues pertaining to:

- Racial Discrimination;
- Indigenous Cultures and Awareness;
- Gender;
- Mental Health and Addictions;
- Disability; and
- The Holocaust.

These six topics were designated as cornerstones of the Courageous Conversation Speaker Series, making them more visible and accessible for discussion and action. An understanding of these issues is foundational to understanding what it means to be a responsible, respectful, and participatory citizen committed to justice and equality in a pluralistic Canadian democracy.

Courageous Conversations are usually held in-person, either at the Commission or a designated outside location. However, due to the COVID-19 pandemic, all Courageous Conversations during the 2020-2021 fiscal year were conducted online.



JAI RICHARDS - June 18, 2020



DR. ROSYLN COMPTON AND MARILYN BARSTOW - June 25, 2020



DR. MAHLI BRINDAMOUR
September 10, 2020



ALI ABUKAR - May 28, 2020



TRACI KEYS - September 24, 2020



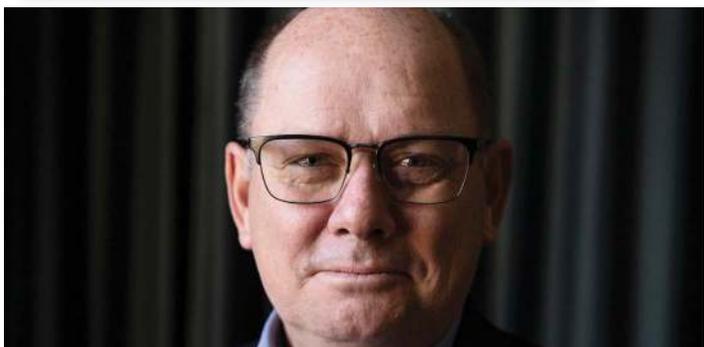
NICOLE WHITE - October 8, 2020



DAVE NELSON AND REBECCA RACKOW
May 28, 2020



DR. MARYAM MEHTAR
October 22, 2020



AMBASSADOR URBAN AHLIN
January 18, 2021



DR. RACHEL LOEWEN WALKER
November 19, 2020



HEATHER FENYES - January 18, 2021



DR. SARAH CARTER - November 19, 2020



LAUREN SCHARFSTEIN
February 25, 2021

IN THE NEWS

SHERI BENSON DIANE BOYKO BEV DUBOIS DR. LILLIAN DYCK SANDRA MASTERS NICOLE SARAUER ERIN PILLIPOW

REPRESENTATIVE EQUITY

WOMEN IN POLITICS

AN ONLINE COURAGEOUS CONVERSATION | MAR. 4 | 10AM

WOMEN IN POLITICS

On March 4, 2021, as part of its ongoing Courageous Conversation Speaker Series, the Commission hosted an online “Representative Equity: Women in Politics” panel discussion.

The panel consisted of Regina Mayor, Sandra Masters; former Canadian Senator, Dr. Lillian Dyck; Greater Saskatoon Catholic Schools Board Chair, Diane Boyko; former Saskatoon West Member of Parliament, Sheri Benson; Regina Douglas Park MLA, Nicole Sauer; Saskatoon City Councillor, Bev Dubois; and political research scientist, Erin Pillipow. CBC’s Leisha Grebinski moderated the discussion.

The event, attended by more than 160 people, served as a precursor to International Women’s Day (March 8) and addressed the day’s theme – “Women in Leadership: Achieving an Equal Future in a Post COVID-19 World.”

“Creating an equal and equitable future requires that we address the issues faced by women in our society,” said Chief Commissioner Arnot in his opening remarks. “Increasing women’s representation in politics is essential. Having more women at the political table, in positions of power, will lead to greater gender equality. It will lead to better social, economic, and political outcomes for all Canadians. It will also help create a democracy that is more equitable, vibrant, and inclusive.”

NATIONAL FACTS:

- Women represent 50.9% of Canada’s population.
- Women occupy 29.5% of seats in the House of Commons, and 48% of seats in the Senate.
- Canada ranks 60th of 193 countries worldwide for the representation of women in single or lower houses of national parliaments.

SASKATCHEWAN FACTS:

- In the 2020 Provincial election, the Sask Party ran 13 of 61 female candidates and the NDP ran 28 of 61 female candidates
- Currently, 17 of 61 female MLAs (28%) in Saskatchewan are female.
- Women constitute 50.3% of Saskatchewan’s population.





QUOTES

The Women in Politics panelists shared their political experiences with the audience, provided advice, talked about the importance of gender parity in politics, and urged more women to participate in political life.

“It seems like we’ve reached a tipping point in North America with regard to racism and sexism to some extent wherein women and marginalized minorities have had enough. We are rallying against colonial systems of white male privilege in workplaces, in society at large, and in politics as well. At this point in time it’s important to have more Black people, more Indigenous people, more people of colour, and more women in the Senate and in all political bodies in order to initiate the change we need. Because these are the people who drive the change, who bring pressing issues to the floor to be discussed.

Our laws are a reflection of society. As long as parliament and other legislative bodies are comprised mostly of men the laws, of course, are only going to reflect the male perspective on things. So it is important we diversify who is actually sitting in those legislative bodies.”

Lillian Dyck, Canadian Senator (retired)

“Women bring a different perspective to politics and, quite frankly, to every conversation and decision at every level. We think differently. And that’s a good thing. I’m a strong proponent of having equal representation at the table. We need a balance of men and women to bring different thoughts, different perspectives and, hopefully, at the end of the day that will help come up with the best ideas, the best solutions, and the best decisions for the people. At the end of the day, that is your job as a politician.”

Bev Dubois, Saskatoon City Councillor

“Whenever I see someone in the community who I think would be a great leader, who I think would be a great [politician], I try to have the habit of telling them. Encouraging them. I want to plant that seed in someone else, a million years ago, someone did that for me and I ended up being a Member of Parliament.”

Sheri Benson, MP (former)

“As a woman and an elected representative there is this sense of being polished by sandpaper from fighting to get into rooms and fighting to sit at tables. I feel if your head is hard enough and you’re determined enough, you can make space for yourself.”

Sandra Masters, Mayor, City of Regina

“Women have been told for centuries that leadership and government are not for them. Affirmative action changes that. Can you imagine how effective it could be if every political party put in the time for gender parity?”

Erin Pillipow, political scientist and law student

“We need to do better ... All of us, as a collective, have to be strong enough to change the narrative. We cannot simply accept the status quo that is out there in our spheres of influence. It’s about being the strong women that we are to [address sexism] and to cut it off right at the bud when it happens.”

Diane Boyko, Greater Saskatoon Catholic School Board Chair



“As a woman, harassment has been a key feature of my experience as an undergraduate student, as a graduate student, as a professor, as a Senator, and as a woman working in the field of science. Most women, especially young women looking to enter politics, need to be prepared for harassment. I didn’t expect to face it in the Senate, it is supposed to be the chamber of sober second thought filled with thoughtful and respectful persons, but there were a few toxic senators, and harassment is a partisan tool ... It can be used to derail initiative and to intimidate you and diminish your authority ... Women in politics face harassment and the reality of it is that it’s more vicious for women than it is for men. Some of the emails I received were unbelievable.”

Lillian Dyck, Canadian Senator (retired)

“You have to be self-aware, you have to know your own blind spots. Political life is multi-faceted. You need a roster of go-to people for support ... a small but mighty list of people you trust, who have your best interest at heart, and who have the knowledge and experience to share with you [to help you navigate politics].”

Sheri Benson, MP (former)

“We need to have women from different walks of life in politics. Women from different communities and cultures. We have to teach them what they need to know so that they can grow and have the confidence to run for office. We need them at the political table. Their views and roles are important for cities, provinces, and the country to move forward.”

Bev Dubois, Saskatoon City Councillor

“When I was formulating my (mayoral) campaign, when I actually started talking to people outside of my own personal echo chamber, people would get excited about the fact that I was a woman and I had the potential to win. They wanted to focus on that, but I dismissed it out of turn, which I think might’ve crushed some of the younger women on my team. But I just simply explained to them that ‘to focus on my gender reduces me as a person in some respects.’ I personally walk this really fine line between understanding and being appreciative of the significance of being a woman, being at the table, being in the room, and being in a position of leadership. And then resenting the distinction that makes me feel like a novelty.”

Sandra Masters, Mayor, City of Regina

“In the society we live in, the strategies discussed as solutions to gender equity issues are often individualistic in nature. Basically, some form of women self-empowerment. These types of strategies definitely have to be part of the solution, as well as broader societal changes. The problem with these types of solutions, though, is they take a really long time to actually affect change. One study I’ve read estimated that it will take a minimum of another 100 years for women to gain equity in Canadian governance if we continue to focus on individual or grassroots strategies ... The other strategy is affirmative action, of which there are many different kinds. Trudeau’s gender balanced cabinet is an example of affirmative action, which I’d like to see more of. At the same time, there are other, smaller actions that can be taken that can have a large impact. One action that would help improve gender parity is for political parties to ask women [to run for office], to ask them seven times, if that’s what it takes [for them to agree].”

Erin Pillipow, political scientist and law student

“Unfortunately sexism still exists. We as women have all experienced to one degree another, at different points in our lives and our careers.”

Diane Boyko, Greater Saskatoon Catholic School Board Chair

“A big reason for the inequity, for the lack of representation of women, is the discrimination against women that is normal in a society where women remain undervalued, underestimated, and paid less ... There is deeply embedded sexism in our society. Women are not seen as equal to men in many areas of our lives.”

Lillian Dyck, Canadian Senator (retired)

“[As a female politician] you can’t take things personally, you have to have thick skin and be honest in your convictions. Stand by what you believe ... Tell the truth, be kind, be transparent, and in most cases the negative comments are not directly aimed at you. The people making the comments are simply passionate about the issues and the discussions you are having.”

Bev Dubois, Saskatoon City Councillor

“Women need to want to be [in politics], women need



to believe they belong there, and women need to put their names forward and run.”

Sandra Masters, Mayor, City of Regina

“The truest form of democracy is when consensus

is built around the table ... In Nunavut there is collaborative government. People there, sit around the table and build consensus. In a perfect world, wouldn’t that be the perfect way to deal with almost all of our issues? If we would all come together to understand different perspectives, to approach issues with respect and trust?”

We have much more in common than we do differences. That is what we need to remember when we talk about consensus, when we speak about this in whatever political sphere, whether it be school board, municipal, or federal.

We are a collective. We are all there, bringing our experiences, bringing our own conversation, and recognizing we have the obligation to sit at that table.”

Diane Boyko, Greater Saskatoon Catholic School Board

“When I speak to younger people I often ask them if they’ve ever considered running for office. More often than not I get ‘I’m too young, I’m too this, I’m too that.’ I think many of us, especially young women, self-select ourselves out of running for office for a lot of different reasons. This needs to change.”

BUSINESS HELP LINE



The Commission's business
help line received

332

calls during the 2020-2021
fiscal year

In 2020-2021, the Commission fielded hundreds of inquiries relating to COVID-19. It responded to emerging issues by posting topic-specific FAQs to our website and updating the website as COVID-19 circumstances changed over time. Many questions relating to mask policy and the duty to accommodate a person for a disability were asked. Businesses and services needed information about how to respond to customers who were not wearing masks or were claiming an exemption. The Commission created quick reference FAQs and provided one-on-one information addressing specific circumstances.

Last fiscal year, the Commission received 332 inquiries to its Business Help Line. There was a marked decline in calls during the first two quarters of the year compared to previous fiscal periods, which coincided with the initial response to COVID-19. Over the remainder of the fiscal year, however, calls returned to comparable levels with previous years.



FREQUENTLY ASKED QUESTIONS

Q1. Can I lay off employees during COVID-19?

Yes. A lay off is not a termination of the employment relationship, but is a temporary furlough as defined under the *Saskatchewan Employment Act*. Note that there are some changes to layoff procedures during a public health emergency. However, an employee who has been ordered to self-isolate, due to contracting or being exposed to the coronavirus, will be eligible to access the new public health emergency leave for the duration of the order (usually 14 days), rather than receive a layoff. At the end of their isolation/recovery period, such an employee would expect to return to work.

Q2. Can I terminate employees during COVID-19?

Yes. This includes employees who are not recalled from layoff within the period outlined in the *Saskatchewan Employment Act*.

Q3. Do I have to recall all my employees who are on layoff?

No. However, employers must follow the procedures in the amended Act and *Regulations*.

Moreover, layoffs, recalls, and terminations must not be discriminatory under *The Saskatchewan Human Rights Code, 2018*. Employees who may have been exposed to the coronavirus, but have recovered or completed the isolation period, should not be excluded from the recall process.

Q4. My employee says they have contracted COVID-19, and cannot work – can I terminate their employment?

Retroactive to March 6, 2020, employees precluded from returning to work due to government, physician, or Public Health Order, have their jobs protected under the Saskatchewan public health emergency leave program. Terminating an employee because they have contracted or been exposed to the coronavirus may be discriminatory under the *Saskatchewan Human Rights Code, 2018*.

Q5. Can I require my employee to provide a doctor's note?

If the employee is required to isolate, or appears to have contracted COVID-19, then they are not required to provide a medical note. *The Employment Standard Regulations* under the *Saskatchewan Employment Act* were recently amended to remove the ability for an employer to require medical practitioner's certificate

for the purposes of accessing public health emergency leave. However, if the illness is not a COVID-19 illness, then an employer may still request a medical certificate.

Q6. My employee is sick with COVID-19 – when should I bring them back to work?

A person who has contracted COVID-19 will be required to isolate (typically for 14 days) and may have to seek treatment for symptoms relating to the disease, which may vary the time to recovery. Public Health officials will only allow exit from isolation, and thus return to work, after the appropriate period. In some cases, employees may be able to provide an employer with confirmation from public health officials or medical practitioner that they are cleared to return to work.

Q7. What if my employee(s) doesn't want to return to work?

Employees who are reluctant to return to work may feel so for a variety of reasons. Employers should inquire as to the reasons. Many employees feel uncertain about how safe their workplace is. Employers must make sure they are following the public health guidelines for distancing, personal protective equipment (PPE), and cleaning to meet occupational health and safety requirements. Employees who continue to have concerns about safety should follow Occupational Health and Safety (OHS) reporting procedures. However, some employees may not be able to return to work due to an underlying disability. COVID-19 may create additional risk factors for some disabilities. Employers have a duty to accommodate employees with a disability, and should engage them in the accommodation process.

As well, some employees may not be able to return to work because of a lack of available childcare. Employers have a duty to accommodate employees on the basis of family status for childcare requirements. Employers should engage with the employee in the accommodation process.

Q8. My employee says they are unable to return to work because they don't have childcare, can I dismiss them?

An employer has a duty to accommodate an employee on the basis of family status, including for childcare issues, where an employee does not have a reasonable way to obtain childcare. An employer is not required to pay an employee who is not working (unless the employee has access to workplace policies or a collective agreement that would entitle them to payment).

A YEAR IN PICTURES 2020-2021





LIFETIME ACHIEVEMENT AWARD

COMMISSIONER KUTTAI RECEIVES USASK LIFETIME ACHIEVEMENT AWARD

In March 2021, Saskatchewan Human Rights Commissioner Heather Kuttai was named a 2021 recipient of a USask Lifetime Achievement Award in recognition of her accomplishments and contributions to the social, cultural, and economic well-being of society.

Commissioner Kuttai's life-long commitment to inclusion for people with disabilities has had a positive and lasting impact on the University of Saskatchewan (U of S). After obtaining a job on campus as a student, she spearheaded the creation for the Disability Service for Students unit (now called Access and Equity Services), as well as the Student Central Services. These two services currently help students with disabilities navigate their academic careers at the U of S by ensuring they have the same opportunities as every other student.

“Heather has been a champion for human rights for most of her life, with an unwavering commitment to equity and equality,” said Chief Commissioner David Arnot. “Her groundbreaking work at the University of Saskatchewan in the student services office has had a long-lasting legacy for the students she has helped succeed in their post-secondary goals. She is an asset to the community and a credit to the University of Saskatchewan.”

In her acceptance speech for the USask Lifetime Achievement Award, Commissioner Kuttai thanked Chief Commissioner Arnot for his continuous encouragement and support. She also thanked the entire Commission.

“I want to thank the staff and my fellow Commissioners at the Saskatchewan Human Rights Commission who, among other things, believe in Section 1 of the UNESCO Declaration on Racism which says, and is arguably more important now than ever, that ‘all human beings belong to a single species and are descended from common stock’,” said Commissioner Kuttai. “Even in this time of great stress, I have faith that most of Saskatchewan believes this too.”

Commissioner Kuttai is an author, disability advocate, and human rights activist who lives in Saskatoon. She has a background in disability policy development, leadership in management, and post-secondary education administration.

She credits her success to her post-secondary education at the University of Saskatchewan, where she received both her Bachelor of Arts and Science (with Distinction) in 1994 and her Master of Science in Kinesiology in 2009.



COMMISSION STAFF 2020-2021

Commission Operations

Norma Gunningham-Kapphahn – Executive Director

Scott Newell – General Counsel to the Commission

Jocelyn Putland Wiebe – Director of Resolution

Darrell Seib – Director of Systemic Initiatives

Karen Materi – Executive Assistant to the Commission

Administration

Connie Windecker – Administrative Assistant

Dianne Jones – Legal Assistant

Leah Steuart – Legal Assistant

Tamika Salkey – Administrative Assistant

Media

Adam Hawboldt – Media and Communications

Legal

Meghan Seidle – Counsel

Adam North – Counsel

Julian Bodnar – Counsel

Amjad Murabit – Counsel

Alanna Carlson – Counsel

Complaint Resolution

Intake Consultants

Nicole Rimmer

Ken Truong

Paula Jane Remlinger

Shade Adeagbo

Maria Soonias Ali

Patricia Olusola

Avneet Nehel

Adeniji Soluade

Yemi Babatunde

Mediators

Clint Pederson

Carol Riekman

David Katzman

Investigators

Julie Fendelet - Senior Investigator

Lewanna Dubray – Senior Investigator

Andrea Halstead

Alanna Carlson

Allan Stromberg

Filip Cupial

Patricia Olusola

Systemic Initiatives

Robin Mowat –Systemic Specialist

Kayode Akomolafe – Systemic Specialist

David Katzman –Systemic specialist

Lola Ayotunde – Systemic specialist



SASKATCHEWAN
HUMAN RIGHTS
COMMISSION



ENDNOTES

- 1 National Library of Medicine, The Disproportionate Impact of COVID-19 on Racial and Ethnic Minorities in the United States, Don Bambino et al; February 16, 2021; National Library of Medicine, Disproportionate Impact of COVID-19 Pandemic on Racial and Ethnic Minorities in the US; Julius M Wilder, February 16, 2021.
- 2 The Centre for Disease Control and Prevention, Disparities in COVID-19 Deaths; December 10, 2020.
- 3 Canadian Medical Association, Health Equity and the Social Determinants of Health: A Role for the Medical Profession, CMA Policy.
- 4 Section 12(1) The Code
- 5 [Schedule B to the Canada Act 1982, c 11](#)
- 6 Article 25, Universal Declaration of Human Rights.
- 7 World Health Organization, Health is a Fundamental Human Right; WHO Newsroom December 10, 2017.
- 8 Preamble to the Constitution of WHO as adopted by the International Health Conference, New York, 19 June - 22 July 1946; signed on 22 July 1946 by the representatives of 61 States (Official Records of WHO, no. 2, p. 100)
- 9 World Health Organization
- 10 <https://www.ctvnews.ca/health/coronavirus/how-covid-19-affects-different-communities-based-on-race-and-ethnicity-1.5247269>
- 11 World Health Organization, Health Inequities and Their Causes, WHO Newsroom 22 February 2018.
- 12 Gabriela Panza-Beltrandi, “City of Saskatoon Calling on Province to Act Now to Help City’s Homeless During Pandemic” (2020) Global News, <https://globalnews.ca/news/6766251/city-of-saskatoon-homeless-covid-19-coronavirus/>
- 13 Nicole Di Donato, “It Was A Quick Jump: 27 Cases Linked to COVID-19 Outbreak at the Lighthouse” (4 November 2020) CTV News, <https://saskatoon.ctvnews.ca/it-was-a-quick-jump-27-cases-linked-to-covid-19-outbreak-at-the-lighthouse-1.5175384?cache=pawumraq>
- 14 Samantha Rodrigue, “Insights on Canadian Society: Hidden Homelessness in Canada” (15 November 2016) online: <https://www150.statcan.gc.ca/n1/pub/75-006-x/2016001/article/14678-eng.htm>.
- 15 Stephanie Taylor, “Saskatchewan Lacking Plan for Homeless During COVID-19 Pandemic, Advocates Say” (20 March 2020) <https://www.thestar.com/news/canada/2020/03/30/saskatchewan-lacking-plan-for-homeless-during-covid-19-pandemic-advocates-say.html>.
- 16 Canada Without Poverty, “The Right to Housing” online: <https://cwp-csp.ca/poverty/human-rights-violation/the-right-to-housing/>
- 17 United Nations Human Rights, Office of the High Commissioner, “The Right to Adequate Housing Toolkit” online: <https://www.ohchr.org/EN/Issues/Housing/toolkit/Pages/RighttoAdequateHousingToolkit.aspx>
- 18 Article 11, International Covenant on Economic, Social and Cultural Rights (16 December 1966) UNGA Resolution 2200A (XXI).
- 19 Article 27(3), Convention on the Rights of the Child (2 September 1990) UNGA Resolution 44/25.
- 20 Article 28, Convention on the Rights of Persons with Disabilities (24 January 2007) A/RES/61/106
- 21 Article 14(2), Convention on the Elimination of All Forms of Discrimination Against Women (3 September 1981) Treaty Series, vol. 1249.
- 22 Employment and Social Development Canada, “Everyone Counts 2018” Highlights – Report, online: <https://www.canada.ca/en/employment-social-development/programs/homelessness/reports/highlights-2018-point-in-time-count.html#3.1>
- 23 S.C. 2019, c. 29, s. 313 (assented 21 June 2019).
- 24 ILCC- International Longevity Centre Canada, Protecting Human Rights During and After COVID-19: Challenges to the Human Rights of Older People in Canada, A Report to the UNHRC
- 25 CIHI - Canadian Institute for Health Information, The Impact of COVID-19 on Long-Term Care in Canada: Focus on the First 6 Months
- 26 CIHI - Canadian Institute for Health Information, Pandemic Experience in the long-Term Care Sector; How Does Canada Compare with Other Countries? CIHI Snapshot, June 2020
- 27 NIA, CMA - National Institute on Aging, Canadian Medical Association, Pandemic Perspectives on Long-Term Care: Insights from Canadians in Light of COVID-19, March 2021
- 28 ENNHRI – European Network of National Human Rights Institutions, Human Rights of Older Persons and Long-Term Care Project: The Application of International Human Rights Standards to Older Persons in Long-Term Care, February 2017.

