

MHR Connections

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New Commissioners Announced

Justice Minister Gord Mackintosh has appointed four Manitobans to the Manitoba Human Rights Commission. They are Professor M.V. Naidu of Brandon, Sheena Rae Reed of Flin Flon, Elliot Leven of Winnipeg and Ajit Kaur Deol of West St. Paul.

All new commissioners attended their first board meeting on April 10th.

Ajit Kaur Deol says when she first stepped on Canadian soil as an immigrant woman thirty-three years ago, she brought with her the will to work and the desire to make a contribution to Canada. She is now a retired teacher but continues to be involved in her community.

Among her many activities Ms. Deol is the President of the East Indian Support and Advocacy Group, a position she has held since 1993. Her continuing involvement in such organizations as the Macauliffe Institute of Sikh Studies in Toronto, the Punjab Foundation in Winnipeg, the Manitoba Chapter of the National Indo-Canadian Council and Immigrant Women's Association of Manitoba, reveals a woman of dedication and energy.



Issues such as education, multiculturalism, social services and the status of women are driving forces in her life. She believes that it is everyone's responsibility to contribute to and be a catalyst for positive change in society.

Professor M.V. Naidu is the Chairman of the political science department at the University of Brandon. Over the last twenty-five years, Professor Naidu has taught at universities around the country and the world - from Carleton University in Ottawa to the University of South Pacific in the Fiji Islands and Jawaharlal Nehru University in India.



The recipient of many honours such as the Canadian Government's Citation for Citizenship and the Fulbright Scholarship Grant, Professor Naidu is also the past president of the Canadian Peace Research and Education Association and the Canadian Asian Studies Association.

He is a prolific writer having written many books and

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Mental Disability:

Let's Not Add Insult to Illness By Janet Baldwin Chairperson

The Canadian Mental Health Association Mental Health Week is May 6-12th, and I'd like to devote this month's column to a discussion of discrimination on the basis of mental disability.

The Human Rights Code prohibits discrimination on the basis of physical or mental disability. It requires employers, landlords, service providers and others to "reasonably accommodate" the special needs of disabled individuals or groups. Not every illness will be considered a "disability" under *The Code*. The physical or mental condition must be permanent or of some persistence, and a significant limit to carrying out some of life's important functions or activities – such as work.

In the last five years, complaints filed on the basis of mental disability have increased by 82%. At a recent meeting, our Board of Commissioners considered several cases where the issue was whether employers had discriminated against employees who were disabled as a result of a major depression. In some of these cases, the evidence established that the employer had not been informed of the complainant's disabling condition and the need for accommodation. The employers did not recognize that changes in their employee's work performance or attendance were due to a mental disability.

Sometimes the very symptoms experienced by a person who is mentally ill make it difficult to tell employers and others about the disability and the need for accommodation. Another important factor can be a reluctance to disclose the illness, given the very real stigma that continues to attach to those disabled by a mental illness.

We need to break down this stigma or prejudice, and challenge the stereotypes that we hold or encounter about persons who have a mental disability. Failure to do so means that many persons with mental disabilities will not be in a position fully to assert their human rights.

newspaper articles. The topics range from human rights to India-Pakistan relations. He also has been published in scholarly journals and has contributed numerous chapters to collaborative works. Well known for his community involvement, Professor Naidu founded the West Manitoba Multicultural Council, the Canada-India Friendship Association, the Citizens Committee for Medicare and the Civic Affairs Association of Brandon.

Even in the dead of winter you will see Elliot Leven walking and enjoying the outdoors.

Born and raised in Winnipeg's multicultural North End, Mr. Leven is a lawyer by profession and his preferred areas of practice are labour and employment law and Aboriginal law. He is an associate at Myers Weinberg and is a member of the Canadian Association of Labour Lawyers.

He is an active member of Winnipeg's gay and Jewish communities and is the co-chair of the Gay and Lesbian Issues subsection of the Manitoba Bar Association. He is also a veteran member of the Rainbow Resource Centre.

As the former editor of the Jewish Post, Mr. Leven continues to be active in the Jewish Community. He is the past president and life member of



Camp Massad, a Hebrew immersion residential camp for children ages eight to fifteen. He is a former board member of the Winnipeg Jewish Community Council, the Jewish Public Library and the Jewish Historical Society.

As well as being an outdoor enthusiast, Mr. Levin enjoys reading science fiction and, as a long time season ticket holder, cheers on the Winnipeg Blue Bombers every year.

Sheena Rae Reed was born and raised in Flin Flon. She confesses that as a child she was nicknamed "pronie" as in accident prone. She explains that she has experienced broken limbs, fishhooks embedded in her face, nails and hands and numerous stitches. Fortunately she has outgrown this tendency.

Ms. Reed's parents ran the Friendship Centre in Flin Flon and as a result she lived in a suite in the Centre from the time she was in grade seven until she went to University.



Her love of the north resulted in her returning to Flin Flon after receiving her Arts Degree from the University of Manitoba, studying law for two years and dabbling in hotel management. Once she returned, she began working in the area of Social Services where she remains today.

Coaching girl's gymnastics is one of Ms. Reed's favourite pastimes. She has also been involved in Big Brothers/Big Sisters and is the President of the Flin Flon Friendship Centre's Board of Directors. She is also the 1st Vice President of the Manitoba Association of Friendship Centres. Ms. Reed was the home caregiver for her father who had Alzheimer's for the last five years of his life. Although this was at times challenging for her, she says her father helped by maintaining his sense of humour.

Like Elliot Leven, Ms. Reed enjoys the outdoors but candidly admits her preference is for summer when she, accompanied by her dog Diamond, loves to go blueberry picking and swimming at the local beaches.

An after-work reception at the Legislative Building was held on April 18, 2002 for outgoing Commissioners Dianne Frith, Dr. Amarjit Arneja and Randall Smith, Q.C. There was also one vacancy on the Board of Commissioners when the appointments were made.

Sexual Harassment in the Workplace

A former employee of a residential care facility has succeeded in a complaint she brought against her former employer, for failure to terminate sexual harassment by a co-employee. Following an investigation by the Manitoba Human Rights Commission, an independent adjudicator was designated by the Minister of Justice to hear the complaint.

In his decision, Adjudicator Arnie Peltz found that a caretaker subjected the care worker to sexual harassment and that management was aware there was a problem. He also found that Jeanette Budge's dismissal from her job was related to her disclosure of harassment.

In his decision Mr. Peltz said, "this case highlights the fact that sexual harassment remains a blight on the working lives of too many women, despite years of formal condemnation." He commended Ms. Budge for defending her dignity and the dignity of other women employed at the facility.

Thorvaldson Care Homes Ltd was ordered to pay Ms. Budge 12 weeks wages plus \$4,000 in general damages for injury to dignity, feelings and self-respect.

Mr. Peltz also ordered that a harassment policy acceptable to the Manitoba Human Rights Commission be prepared, adopted and implemented expeditiously.

As well The Commission has been granted a monitoring order since the offending maintenance man is still employed at the Home. This order may be terminated if the man permanently leaves.

An application for a judicial review has been initiated by Thorvaldson Care Homes Ltd.

Upcoming Workshops

Employment Seminar

June 5, 2002 8:30 AM - 4:00 PM

Reasonable Accommodation in the Workplace

May 30, 2002 9:00 AM - 12:30 PM

Contact: MHRC 945-3007