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## The Fighting Spirit of Lee Williams

**Black History Month 2004**



**Lee Williams**  
1907 - 2002

On the face of it, being a Black porter in the early days of the railway seemed rewarding. They had steady employment, dressed in suits, travelled and were able to raise a family with some sense of security. They served royalty, politicians and movie stars. Others were exposed to the Montreal Jazz scene. In fact porters were considered the elite of the Black community and found they had "status".

Beneath the surface, however, the porter's job was very different.

Discrimination was rampant. Porters were not allowed to voice an opinion. They could converse with white men but had to be distant from the women. To be overly friendly with a white woman could result in being fired. Everyone was the porter's boss, from their immediate supervisors to the people they served.

The porters had to be courteous in the face of abuse. Racial slurs from passengers were commonplace and the porter had no choice but to tolerate it. If they didn't, the passenger could complain and the porter would be given demerit points. After 60 demerits, he was fired.

Another frustration was that porters could not apply for advancement or for other positions on the railway. They were hired as porters, and retired as porters. Conditions were basically unchallenged until the nineteen fifties. By then, things were about to change.

Lee Williams was a pioneer in the fight against racism and founder of the Black Porter's Union. Born in 1907 in Tabor, Oklahoma, his family moved to Canada three years later. Williams became a CNR Railway porter in Winnipeg in 1930. He retired forty-two years later. During this time he was determined to improve both the working conditions of porters and their chances of promotion. It took many years and two Prime Ministers, but in the end, that is exactly what he accomplished.

It began in 1955 when Williams took a resolution to a union convention stating that job discrimination be removed from the collective agreement of the Canadian Brotherhood of Railway Employees. Nothing changed.

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### The Rights Connection By Janet Baldwin - Chairperson Smudging or Smoking

Traditional smudging ceremonies are getting tangled up in the new smoking bylaw.

Previously we received a number of complaints stemming from how some businesses complied with the City of Winnipeg's then new smoking bylaw, which banned smoking in public places where children were present. Rather than banning smoking, some coffee shops banned minor patrons and employees. Complaints alleged that these refusals of service or employment unreasonably discriminated on the basis of age.

Winnipeg's smoking prohibition has since been extended to all public places, but compliance can still present human rights concerns. One of our intake officers recently received an inquiry which illustrates the kinds of problems which arise when standards are misapplied, or applied without regard to adverse affect on a group based on a characteristic protected under The Human Rights Code.

The caller belonged to an Aboriginal organization and had tried to book hotel space in Winnipeg for a conference. Three hotels had advised her that traditional smudging ceremonies would not be permitted, so as to comply with the smoking bylaw. Our intake officer contacted the City and confirmed that the bylaw did not apply to the burning of sweetgrass in a traditional smudging ceremony.

Standards must be designed with human rights protections in mind. These include the prohibition against discrimination on the basis of a protected characteristic and the duty to reasonably accommodate special needs, which are based on protected grounds such as religion. The City of Thompson is trying to do so as it develops its Smoking Bylaw, by incorporating a permit system for the ceremonial use of tobacco as an exception to the Bylaw.

Information and assistance at an early stage can often assist parties in understanding how The Human Rights Code applies to a situation and avoid any misinterpretations.

## Changes Benefit Persons with Disabilities

The Manitoba Human Rights Commission is pleased that a complaint against the Registrar of Motor Vehicles and the Medical Review Committee (MRC), established under the Highway Traffic Act, has been resolved through mediation. The complaint was to have gone to a human rights hearing late in January. The settled complaint has changed the process used to assess drivers with certain disabilities, particularly vision and hearing impairments.

The complainant, who lost some peripheral vision after a brain hemorrhage and surgery, had his driver's license cancelled by the Registrar. He subsequently appealed to the MRC and was provided with a restricted Class 5 license, which limited him to driving within a 30 kilometer radius of his home. He appealed this decision several times without success. He filed a complaint with the Manitoba Human Rights Commission.

Initial mediation efforts were not successful and the case was scheduled to go to adjudication. The Registrar of Motor Vehicles and the Medical Review Committee explained that originally, the complainant's license was restricted because of a standard, which requires drivers to have at least 120 degrees peripheral vision.

The Commission maintained that the strict application of the 120 degree standard failed to comply with recent human rights decisions by the Supreme Court of Canada, which state that such standards must be as inclusive as possible, so as not to unreasonably discriminate against persons with disabilities. The Commission contended that the decisions should be based on more comprehensive testing, including assessments by occupational therapists and physicians, which individually assess a person's functional ability to drive safely. The parties agreed to return to the mediation process before the scheduled hearing was to take place.

According to Dianna Scarth, the Executive Director of the Manitoba Human Rights Commission, "the changes in process, which have been agreed upon in this case, reflect a balance between the need to ensure that a driver is capable of operating a vehicle safely and the duty of the Registrar and Medical Review Committee to reasonably accommodate people with disabilities."

As a result of this successful mediation, individuals with certain functional limitations, particularly persons with vision and hearing impairments, will be entitled to comprehensive, functional assessments to ascertain whether or not driver's licenses will be issued.

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### *Williams continued from page 1*

Like many of his colleagues, however, he did meet his share of celebrities. He was on friendly terms with a young Saskatchewan Member of Parliament who frequently travelled on his route. The young MP was John Diefenbaker.

When Diefenbaker became Prime Minister, Williams wrote to him asking for help. Diefenbaker sent him a copy of Canada's Fair Employment Practices Act and some instructions on how to proceed. Williams charged the railways with discrimination under the Act. Again time stood still. Ten years later, Williams wrote to Prime Minister Lester Pearson saying he expected the law to be enforced.

Within days Pearson informed the railways that if they did not change their practice of discrimination, the government would change it for them.



## Upcoming Events

### FYI Youth Forum

#### Ideas into Action - It's All Up To Us

Saturday, March 13, 2004 9:30 am - 4:00 pm

Northwood Community Centre

1415 Burrows Avenue, Winnipeg

Admission is free - registration required

For more information or to register call:

Filipino Youth Initiative 204-231-0502

[www.filipinoyouthinitiative.com](http://www.filipinoyouthinitiative.com)

email: [info@filipinoyouthinitiative.com](mailto:info@filipinoyouthinitiative.com)

### Ka Ni Kanichihk Presents

#### Speak Out Against Racism

Thursday March 18, 2004 6:00 - 9:00 pm

4<sup>th</sup> Floor, 245 McDermot Avenue, Winnipeg

Free - Light Snacks and Door Prizes

Guest Speakers - Beverly K. Jacobs, Mohawk

Lawyer from Six Nations of the Grand River

Territory and Louis Ifill, Activist and Founder of

the Workers of Color Network

For more information call 953-5822

### Ugandan-Canadian Association of MB INC.

#### Fostering Respect and Understanding

Will host a Cultural Dinner,

Performance and Dance

Saturday March 20, 2004

All Saints' Church, 175 Colony Street

6:30 pm cocktails and 7:00 pm dinner

Speaker - John Bertrand, Regional Director of

CBC TV and Radio in Manitoba

For tickets and more information call

Hamza and Fatumah 253-4096

or Rose 957-0810

As a result of his efforts, Williams became one of the first African Canadian sleeping car conductors and was later promoted to supervisor. In 2002 he received a honorary Doctor of Laws degree from York University. He died on October 8, 2002 at the age of 94.

When Canadians celebrate Black History Month, we do so in recognition of the contribution to Canadian society of men like Lee Williams.

For those interested, in 1996 the National Film Board of Canada released "The Road Taken", a documentary about the life and times of Canada's Black porters. It also chronicles the struggle of Lee Williams in his successful attempts to gain equality for porters within the Canadian railway system.