

# MHR *Connections*

Published by the Manitoba Human Rights Commission

Volume 14 Number 3

March 2014

## “Equality of women is progress for all”



*Gertrude Hambira fought for the rights of farm workers in Zimbabwe.*



*The paintings, drawings, documentaries, and sculptures of Jackie Traverse speak to realities of being an Aboriginal woman.*

Those words echoed around the world as the theme to 2014 International Women’s Day. Here in Manitoba an event celebrating the diversity of women was held on March 7, 2014 at the Manitoba Legislative Building and hosted by Manitoba’s Women’s Advisory Council, (Manitoba Status of Women). Guest speakers included Ms Gertrude Hambira, a human rights defender, labour leader and film maker and the Honourable Kerri Irvin-Ross, Minister responsible for the Status of Women.

Acclaimed Anishinabe artist from Lake St. Martin First Nations, Ms Jackie Traverse worked on a painting throughout the event. Ms Traverse, a recent graduate from the school of fine arts at the University of Manitoba is already widely known in art communities across Canada. She works in all mediums from sculpture, mixed media, painting and video.

Each year on International Women’s Day, thousands of events are held throughout the world

where women connect to celebrate and honour the economic, political and social accomplishments of women.

### Former Chairperson of the Manitoba Women’s Advisory Council passes away

Professor Kim Claire, past Chairperson of the Manitoba Women’s Advisory Council and director of the University of Manitoba’s inner city social work program has died.

In 1993 Claire became director of the inner city program at the William Norrie Centre in Winnipeg. Over the years she taught thousands of inner city students. She was also the founder of the Legal Help Centre.



*February 22, 1952 - February 18, 2014*

THE MANITOBA HUMAN RIGHTS COMMISSION LA COMMISSION DES DROITS DE LA PERSONNE DU MANITOBA

[www.manitobahumanrights.ca](http://www.manitobahumanrights.ca)

### The Rights Connection by Yvonne Peters - Chairperson Looking for answers

The Commission is planning round table discussions on the emerging issues surrounding animal assistants. Questions, concerns and complaints are being fielded by staff. From those with animal with assistants, the issues range from “Am I being discriminated against when my landlord won’t accommodate my service dog,” to worried parents who want school boards to be more cooperative when dealing with students who rely on service dogs.

From landlords, service providers and employers we are asked how to determine if a dog is actually a *bona fide* “service dog” and not a comfort animal, and if Manitoba regulates the designation of “animal assistants”.

The questions are good ones. Human rights commissions across the country are now exploring issues such as the definition of an animal assistant, whether systems should be put in place to designate a “service animal” and what questions can be asked of someone requesting an accommodation.

The role of service animals is evolving every day. When a blind person is with a guide dog, the answers seem simple; but what about invisible disabilities, where animals are trained to alert a hearing impaired person or a deaf person, to remind someone to take medication or to calm a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack?

Today, human rights legislation determined whether or not a particular animal meets the definition of a service animal, or “other animal assistant” by considering the circumstances of each case. These considerations include whether the animal does work or performs a task for a person with a disability that relates to the disability, and whether the animal has been individually trained to do the work or perform the task that relates to the disability.

In the months ahead, the Commission will be asking those with service animals to speak about their experiences and concerns. The same opportunities will be given to service providers, landlords and employers as we walk down this sensitive path together. Please contact us by phone at (204) 945-5112 or email at [hrc@gov.mb.ca](mailto:hrc@gov.mb.ca) if you are interested in taking part in these discussions.

# Commission staff taking part in Human Rights Conference for Educators

Executive Director Azim Jiwa and Legal Counsel Isha Khan will be speaking at the 2014 Canadian Association for the Prevention of Discrimination and Harassment in Higher Education (CAPDHHE) conference to be held in Winnipeg this year.

CAPDHHE is a national non-profit organization that provides professional development opportunities on human rights, equity, diversity, discrimination and harassment issues to individuals working in institutions of higher education. The organization holds a conference once a year which attracts hundreds of delegates, all eager to advance their knowledge of the best practices in advancing diversity and addressing discrimination and harassment.

Mr. Jiwa will bring greetings to the conference as well as moderating a panel on sexual harassment. This session features Dianna Evangeline, one of the two Winnipeg waitresses who filed a harassment complaint with the Manitoba Human Rights Commission which resulted in a landmark Supreme Court of Canada decision. The complaint eventually defined sexual harassment as discrimination. Aaron Berg is the lawyer who took the case to the Supreme Court and Yude Henteleff, the original human rights adjudicator who first heard the case and whose decision was upheld by the Supreme Court of Canada are also on the panel. This year marks the 25th anniversary of that famous decision.

Isha Khan, Commission Legal Counsel will also present. Her topic is legal trends and the most notable human rights cases over the past year.

The keynote speaker will be Stephen Hammond, an author and educator in the field of workplace and community human rights. Since 1992 Stephen has rescued organizations from human rights disasters and enhanced businesses by encouraging them to change with the times.

In addition to Mr. Hammond, David Matas is presenting on "Academic Freedom and Freedom of Speech". Mr. Matas is a Winnipeg lawyer in private practice in the areas of refugee, immigration and international human rights law.

As well, Grant Mitchell, a Winnipeg lawyer with Taylor McCaffrey LLP, will speak on accommodation in the workplace.

For more information on the conference or to register please visit <http://capdhhe.org/web/>.



## New Board policies on website

The Manitoba Human Rights Commission has a wealth of information that many find useful when considering a complaint, responding to a complaint or seeking knowledge about protections from discrimination in Manitoba. This information also includes the Board of Commissioners' Policies.

Board policies are intended to assist in the understanding and application of *The Human Rights Code* ("*The Code*").

The newest policy is *Systemic discrimination*. Systemic discrimination is defined as "practices or attitudes that have, whether by design or impact, the effect of limiting an individual's or a group's right to the opportunities generally available because of attributed rather than actual characteristics."

Another recent policy is *Assessing whether a respondent offer of settlement is reasonable*. This policy is intended to help complainants and respondents understand what factors the Board considers when a respondent makes a settlement offer, but the complainant rejects it.

*The definition and interpretation of harassment* policy defines harassment under *The Code*, explains the concept of the reasonable person test, and outlines the obligations of the person responsible for the harassment.

These and other Board policies are available on the Commission's website [www.manitobahumanrights.ca](http://www.manitobahumanrights.ca).

## Musicians Honoured

Congratulations to Chantal Kreviazuk and Raine Maida the 2014 recipients of the Allan Waters Humanitarian Award. Both are extraordinary forces in the Canadian music industry and have used their talent and celebrity to champion human



*Chantal Kreviazuk and Raine Maida receive their award March 29, 2014.*

rights, world peace, education and the environment while contributing to charities world-wide.

The Allan Waters Humanitarian Award recognizes outstanding Canadian artists whose contributions have positively enhanced the social fabric of Canada and is named after CHUM Ltd. founder Allan Waters.

Kreviazuk is receiving an Honorary Doctor of Letters from the University of Winnipeg. At this time, the U of W also is recognizing humanitarian and champion of women's rights, Dr. Denis Mukwege, who will receive an Honorary Doctor of Laws. Joseph Stern also will receive an Honorary Doctor of Laws for his commitment to justice, development and good governance which have made a significant difference to communities both in Canada and abroad.

**The Canadian Association for the Prevention of Discrimination and Harassment in Higher Education invites you to CAPDHHE 2014 "MOVING BEYOND THEORY" WINNIPEG, MANITOBA MAY 7-9, 2014 Best Practices in Advanced Diversity and Addressing Discrimination and Harassment**