



City of Hamilton
COMMITTEE AGAINST RACISM
AGENDA

Meeting #: 22-03
Date: March 22, 2022
Time: 6:30 p.m.
Location: Due to the COVID-19 and the Closure of City Hall
All electronic meetings can be viewed at:
City's YouTube Channel:
<https://www.youtube.com/user/InsideCityofHamilton>

Sunil Angrish, Project Manager - Community Inclusion & Equity (905) 546-2424

	Pages
1. CEREMONIAL ACTIVITIES	
1.1. Roll Call	
1.2. Land Acknowledgement	3
2. APPROVAL OF AGENDA	
(Added Items, if applicable, will be noted with *)	
3. DECLARATIONS OF INTEREST	
4. APPROVAL OF MINUTES OF PREVIOUS MEETING	
4.1. DRAFT Feb 22, 2022 CAR minutes	5
5. COMMUNICATIONS	
5.1. Councillor Nann Updates	
6. DELEGATION REQUESTS	

7. **CONSENT ITEMS**
8. **PUBLIC HEARINGS / DELEGATIONS**
9. **STAFF PRESENTATIONS**
10. **DISCUSSION ITEMS**
 - 10.1. CAR workplan updates
 - 10.2. Reviewing two draft Citizen Committee Reports re: City of Hamilton Vaccine Policy 9
11. **MOTIONS**
 - 11.1. Motion to submit the Citizen Committee report, as selected and edited by the committee, to the Audit, Finance & Administration Committee
 - 11.2. Motion for members of the committee to delegate to the Audit, Finance & Administration Committee regarding the City of Hamilton's Vaccination Policy, and to speak to the Citizen Committee Report submitted regarding this matter
12. **NOTICES OF MOTION**
13. **GENERAL INFORMATION / OTHER BUSINESS**
 - 13.1. Community Updates
14. **PRIVATE AND CONFIDENTIAL**
15. **ADJOURNMENT**

From the City of Hamilton's Urban Indigenous Strategy

(<https://www.hamilton.ca/city-initiatives/strategies-actions/urban-indigenous-strategy>)

The City of Hamilton is situated upon the traditional territories of the Erie, Neutral, Huron-Wendat, Haudenosaunee and Mississaugas. This land is covered by the Dish With One Spoon Wampum Belt Covenant, which was an agreement between the Haudenosaunee and Anishinaabek to share and care for the resources around the Great Lakes. We further acknowledge that this land is covered by the Between the Lakes Purchase, 1792, between the Crown and the Mississaugas of the Credit First Nation.

Today, the City of Hamilton is home to many Indigenous people from across Turtle Island (North America) and we recognize that we must do more to learn about the rich history of this land so that we can better understand our roles as residents, neighbours, partners and caretakers.



Hamilton

MINUTES
Committee Against Racism
Tuesday, February 22, 2022
6:30 PM – PM
Webex

- Present:** Tyrone Childs, Taimur Qasim (Chair), Annie Law, Simone McWatt, Phillip Jeffrey (Recording Secretary), Marlene Dei-Amoah (Vice Chair), Gerry Smith
- Regrets:** Shamini Jacob, Councillor Narinder Nann (City Council Appointee)
- Absent:** Leslyn Gombakomba (resigned),
- Staff:** Sunil Angrish (Staff Liaison)
- Guests:** Matthew Sutcliffe (delegate)
-

1. Ceremonial Activities

1.1 Roll call

T. Qasim took roll call.

1.2 Land Acknowledgement

P. Jeffrey provided a Land Acknowledgement.

2. Approval of Agenda

(S. McWatt / G. Smith)

That the Agenda for today's meeting be approved as presented.

CARRIED

3. Declarations of Interest

No declarations of interest.

4. Approval of Minutes of Previous Meeting

(P. Jeffery / S. McWatt)

That the Committee Against Racism approves the minutes from the January 26, 2021 meeting, with the following amendment: under communication item 6.2, state the Committee's acceptance of Leslyn Gombakoma's resignation.

CARRIED

5. Communications

5.1 Mandatory Vaccination and Policy for Local Boards and Committees

(M. Dei-Amoah / G. Smit)

That the correspondence be received.

CARRIED

5.2 Councillor Nann Update

No updates.

6. Delegation Requests

6.1 W.Matthew Sutcliffe, LL.B., Director, Employee Health and Labour Relations, Human Resources, City of Hamilton, concerning Mandatory Vaccination and Policy for Local Boards and Committees

(P. Jeffrey / M. Dei-Amoah)

That the delegation request be approved.

CARRIED

7. Consent Items

No matters of consent.

8. Public Hearings/Delegations

8.1 W.Matthew Sutcliffe, LL.B., Director, Employee Health and Labour Relations, Human Resources, City of Hamilton, concerning Mandatory Vaccination and Policy for Local Boards and Committees

The delegate addressed questions sent to the staff liaison about the City's Mandatory Vaccination and Policy for Local Boards and Committees. And responded to any remaining questions and concerns following the delegation.

9. Staff Presentations

No staff presentation.

10. Discussion Items

No discussions.

11. Motions

11.1 Motion to request Committee Against Racism to provide a position on City of Hamilton mandates

This motion was brought forward to discuss how the Committee should reply to the letter that mandates the vaccination of staff and volunteer board members. As vaccine mandates disproportionately harm racialized communities.

(M. Dei-Amoah / P. Jeffrey)

That the motion be amended from the original motion to read as such: motion to prepare a CCR on the disproportionate impact of vaccine mandates on the BIPOC community and its volunteers, to be presented at next month's meeting for further discussion.

CARRIED

- 11.2 Motion to prepare a CCR on the disproportionate impact of vaccine mandates on the BIPOC community and its volunteers, to be presented at next month's meeting for further discussion.**

Whether or not the City changes their position on the vaccine mandate on March 1st. The Committee Against Racism will prepare a CCR to address implementing a vaccine mandate without considering the disproportionate impact on the BIPOC community. S. McWatt will prepare the CCR, and P. Jeffery and M. Dei-Amoah will support as needed.

(P. Jeffrey / M. Dei-Amoah)

That the Committee Against Racism accept the amended motion.

CARRIED

- 12. Notices of Motion**

No notices of motion.

- 13. General Information / Other Business**

No other information/business.

- 14. Private and Confidential**

No private or confidential matters.

- 15. Adjournment**

(S. McWatt / T. Childs)

That, there being no further business, the meeting be adjourned at 8:54 PM.

CARRIED

DRAFT



CITIZEN COMMITTEE REPORT

To:	Audit, Finance & Administration Committee
From:	Committee Against Racism <div style="text-align: right; margin-right: 100px;"> <hr style="width: 20%; margin: 0 auto;"/> Taimur Qasim, Chair </div>
Date:	March 4, 2022
Re:	City of Hamilton Mandatory COVID-19 Vaccination Verification Policy

Background

1. On February 11, 2022 members of the City of Hamilton's Committee Against Racism (CAR) received notification from W. Matthew Sutcliffe, LL.B., Director, Employee Health and Labour Relations, City Manager's Office, Human Resources which indicated that the City of Hamilton Council had approved amendments to the City of Hamilton's Mandatory COVID-19 Vaccination Verification Policy. The Policy requires that all volunteers and Council-appointed committee members be fully vaccinated or provide an approved medical exemption. The letter further stated that if members have made the personal decision to either not receive an approved vaccine and/or not to share that information with the City prior to May 31, 2022, they will be in violation of the Policy.

2. On February 14, 2022 the Government of Ontario announced it will lift proof of vaccination requirements on March 1, 2022

3. On February 18, 2022 a CAR member requested that the letter and vaccine requirement be placed on the CAR February 22, 2022 meeting agenda for discussion among the Committee and asked City staff if the Policy will be enforced after March 1, 2022 when the Province of Ontario has made proof of vaccination voluntary. The City Staff Liaison's to CAR invited W. Matthew Sutcliffe to attend our meeting to answer this question and any other questions committee members may have.

4. On February 22, 2022 CAR held its monthly meeting. At the meeting Mr. Sutcliffe told members that the City of Hamilton (the City) had not yet decided if they would uphold the proof of vaccination requirement after it was no longer mandated by the Province and that he would let CAR members know when he found out. Further, he clarified that as the Policy now stands, should CAR members choose not to get vaccinated or disclose their vaccination status and should they not meet the eligibility for an approved medical exemption they would be prohibited from participating on the Committee. This is very concerning to CAR members in a number of ways outlined below. Mr. Sutcliffe further explained that any requests for exemptions and accommodations made under the previously protected grounds of non-discrimination based on race, ancestry, place of origin, colour, ethnic origin, citizenship, religion, or creed are no longer being accepted by the City and the only exemptions being considered are approved medical exemptions as outlined in the letter. This is very concerning to the CAR as having these criteria as protected grounds of non-discrimination is crucial to maintaining health equity of Black people, Indigenous people and other people of Colour (BIPOC). Mr. Sutcliffe clarified that the Policy applies to all City staff and stated that some City staff are currently off on unpaid leave for not having received the required two doses or not disclosing their vaccination status and should they not report that they have received the approved two doses by the deadline they will be facing termination. This is very concerning to the CAR as BIPOC people and communities will likely be disproportionately harmed by unemployment, mental health, poverty and other social determinants of health fallouts.

5. Members of CAR raised a number of issues pertaining to these concerns. These issues included historical experiences of government-enforced medical interventions which traumatized BIPOC /racialized people, particularly Black and Indigenous peoples. The historical and contemporary contexts of systemic racism and resulting structural disparities cause racism to continue to be a public health crisis, resulting in Black people, Indigenous people and people of Colour excessively susceptible to lower health outcomes. Rigid mandates and coercing people to take two (or more) vaccinations with very little room for accommodation

as a condition of employment and/or participating in activities unduly harm BIPOC communities who are already disproportionately affected by issues surrounding health equity and the social determinants of health.

6. The City of Hamilton's Committee Against Racism is responsible for reporting on issues and concerns pertaining to racism and providing advice to address the impacts of racism in Hamilton. As such, the Committee Against Racism does not agree with the way in which this Mandatory COVID-19 Vaccination Verification Policy potentially impacts BIPOC communities.

7. Mr. Sutcliffe did acknowledge the City's awareness of challenges faced by BIPOC communities as evidenced by the primary determinants of health and their experience with historic racism and trauma. He indicated that included in the strategies of the City's vaccine rollout were direct contacts with BIPOC community leaders and the provision of accurate and medically sound data and information to combat mistrust and information.

8. Recommendations

CAR acknowledges and applauds the City of Hamilton's efforts at implementing its Covid 19 vaccine rollout but does have concerns with its Mandatory COVID-19 Vaccination Verification Policy. Based on the evolving national and provincial statements about vaccine mandates, is likely that the vaccine mandates will be removed in the near future. However, given the Committee's concerns identified above, we recommend the following:

i. Develop a framework for public health related mandates to include credible consultation with BIPOC communities. This includes but is not limited to addressing the impact of the vaccination mandate on City staff and volunteers; and, the exploration of strategies to correct discrimination against the persons who chose not to be vaccinated.

Analysis / Rationale (not edited)

1. It is widely known that Black and Indigenous peoples and other people of colour were used as medical experimental subjects against their will and with no informed consent countless times in our history and as such do not trust the government or its institutions as readily as white people. It is also known that

rigid, top-down “rules” and “interventions” end up privileging some and further disadvantaging those already on the margins. Further, including race, ancestry, place of origin, colour, ethnic origin, citizenship, religion, and creed as protected grounds of discrimination is a health equity strategy that aids in mitigating excessive harms faced by BIPOC peoples. Should BIPOC peoples choose not to participate in an experimental medical intervention their bodily sovereignty must to be respected and the City has the duty to accommodate.

2. The Committee Against Racism responds to the needs of all people of Hamilton, not just vaccinated people who choose to disclose their personal health information to the government. As such, should only vaccinated people who have disclosed their status be permitted to represent the voices of the people, the Committee would be perpetuating and upholding the very division and discrimination we are working towards eliminating.

3. The Policy could substantially affect the composition of the Committee Against Racism. The Committee stands a significant chance of disbanding as many committee members may refuse to disclose their vaccination status, may not have the required two doses, or may choose to leave on the principle of refusing to uphold division and discrimination. As such, if enough members are removed from or leave the Committee there would be no opportunity to do the work, much less to even achieve quorum, and the Committee would cease to exist.



CITIZEN COMMITTEE REPORT

To:	Audit, Finance & Administration Committee
From:	Committee Against Racism <div style="text-align: right; margin-right: 100px;">_____ Taimur Qasim, Chair</div>
Date:	March 4, 2022
Re:	City of Hamilton Mandatory COVID-19 Vaccination Verification Policy

Background

1. On October 22, 2021 members of the City of Hamilton Committee Against Racism (CAR) received a letter from W. Matthew Sutcliffe, LL.B., Director, Employee Health and Labour Relations, City Manager's Office, Human Resources stating that CAR members must adhere to the City of Hamilton Mandatory COVID-19 Vaccination Verification Policy (the Policy) and must receive two doses of an approved COVID-19 vaccine and upload their proof of vaccination to the City of Hamilton (the City) by November 20, 2021, otherwise participate in education and rapid testing.
2. On February 11, 2022 CAR members received a second letter from W. Matthew Sutcliffe outlining an amendment to the Policy which requires all volunteers and Council-appointed committee members be fully vaccinated or provide an approved medical exemption. The letter further stated that if members have made the personal decision to either not receive an approved vaccine and/or not to share

that information with the City prior to May 31, 2022, they will be in violation of the Policy.

3. On February 14, 2022 the Government of Ontario announced that commencing March 1, 2022 proof of vaccination requirements will no longer be required and will become voluntary for Ontario municipalities and businesses.
4. On February 18, 2022 a CAR member requested that the letter and vaccine requirement be placed on the CAR meeting agenda for discussion among the Committee and asked City staff if the Policy will be enforced after March 1, 2022 when the Province of Ontario has made proof of vaccination voluntary. The CAR chair invited W. Matthew Sutcliffe to attend the CAR meeting to answer this question and any other questions committee members may have.
5. On February 22, 2022 CAR held its monthly meeting. At the meeting Mr. Sutcliffe told members that the City of Hamilton had not yet decided if they would uphold the proof of vaccination requirement after it was no longer mandated by the Province and that he would let CAR members know when he found out. Further, he clarified that as the Policy now stands, should CAR members choose not to get vaccinated or disclose their vaccination status and should they not meet the eligibility for an approved medical exemption they would be prohibited from participating on the Committee. This is very concerning to CAR members in a number of ways outlined below. Mr. Sutcliffe further explained that any requests for exemptions and accommodations made under the previously protected grounds of non-discrimination based on race, ancestry, place of origin, colour, ethnic origin, citizenship, religion, or creed are no longer being accepted by the City and the only exemptions being considered are approved medical exemptions as outlined in the letter. This is very concerning to the CAR as having these criteria as protected grounds of non-discrimination is crucial to maintaining health equity of Black people, Indigenous people and other people of Colour (BIPOC). Mr. Sutcliffe clarified that the Policy applies to all City staff and stated that some City staff are currently off on unpaid leave for not having received the required two doses or not disclosing their vaccination status and should they not report that they have received the approved two doses by the deadline they will be facing termination. This is very concerning to the CAR as BIPOC people and communities will be disproportionately harmed by unemployment, mental health, poverty and other social determinants of health fallouts.
6. Government-enforced medical interventions have a complex and traumatic history for racialized people, particularly Black and Indigenous peoples. The historical and contemporary contexts of systemic racism and resulting structural disparities

cause racism to continue to be a public health crisis, resulting in Black people, Indigenous people and people of Colour excessively susceptible to lower health outcomes. Rigid mandates and coercing people to take two (or more) vaccinations with very little room for accommodation as a condition of employment and/or participating in activities unduly harm BIPOC communities who are already disproportionately affected by issues surrounding health equity and the social determinants of health.

7. The City of Hamilton Committee Against Racism is responsible for reporting on issues and concerns pertaining to racism and providing advice to address the impacts of racism in Hamilton. As such, the Committee Against Racism does not consent to nor agree with the Mandatory COVID-19 Vaccination Verification Policy and denounces the City's use and enforcement of vaccination mandates.

Recommendations

The City of Hamilton Committee Against Racism recommends the following:

- i. that the City remove the Mandatory COVID-19 Vaccination Verification Policy requiring all City staff and volunteers to be vaccinated as a condition of employment or volunteering;
- ii. that the City compensate staff and volunteers that have been placed on unpaid leave and/or reprimanded due to choosing not to be vaccinated and/or not disclosing their vaccination status;
- iii. that the City reinstate race, ancestry, place of origin, colour, ethnic origin, citizenship, religion, and creed as protected grounds for non-discrimination;
- iv. that the City take a leadership role in advocating for Hamilton services to remove vaccination mandates and proof of vaccination systems; and,
- v. that the City create a policy to ensure all City vendors comply with the requirement that they may not enforce vaccination mandates and/or proof of vaccination systems.

Analysis / Rationale

1. It is widely known that Black and Indigenous peoples and other people of Colour were used as medical experimental subjects against their will and with no informed consent countless times in our history and as such do not trust the government or its institutions as readily as white people. It is also known that rigid, top-down "rules" and "interventions" end up privileging some and further disadvantaging those already on the margins. Further, including race, ancestry, place of origin, colour, ethnic origin, citizenship, religion, and creed as protected

grounds of non-discrimination is a health equity strategy that aids in mitigating excessive harms faced by BIPOC peoples. Should BIPOC peoples choose not to participate in an experimental medical intervention their bodily sovereignty must to be respected and the City has the duty to accommodate.

2. The Committee Against Racism responds to the needs of all people of Hamilton, not just vaccinated people who choose to disclose their personal health information to the government. As such, should only vaccinated people who have disclosed their status be permitted to represent the voices of the people, the Committee would be perpetuating and upholding the very division and discrimination we are working towards eliminating.
3. The Policy would substantially affect the composition of the Committee Against Racism. The Committee stands a significant chance of disbanding as many committee members may refuse to disclose their vaccination status, may not have the required two doses, or may choose to leave on the principle of refusing to uphold division and discrimination. As such, if enough members are removed from or leave the Committee there would be no opportunity to do the work, much less to even achieve quorum, and the Committee would cease to exist.