



INFORMATION REPORT

TO:	Chair and Members Healthy and Safe Communities Committee
COMMITTEE DATE:	March 26, 2018
SUBJECT/REPORT NO:	Use of Indigenous Medicines Policy and Procedure (HSC18007/HUR18005) (City Wide) (Outstanding Business List Item)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Shylo Elmayan (905) 546-2424 Ext. 4081 John Ariyo (905) 546-2424 Ext. 1564
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SIGNATURE:	

Council Direction:

On July 10, 2015, Council Motion 7.1 directed staff to create an inclusion policy for Traditional First Nations Ceremonies in all public buildings inclusive of Smudging. This item was transferred from Access and Equity Division to Neighbourhood and Community Initiatives Division in August 2017.

Information:

Use of Indigenous Medicines Policy

The Use of Indigenous Medicines Policy confirms the City's commitment to supporting Indigenous peoples to use sacred medicines in ceremonies such as smudging or prayer pipe ceremonies in municipal facilities. The Policy (attached as Appendix A to Report HSC18007/HUR18005) addresses two main scenarios:

- (a) When city staff, students or volunteers are organizing an event or meeting where Indigenous medicines will be used in a ceremony; and,

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- (b) When a member of the public makes a booking at a municipal facility for an event where sacred medicines will be used.

A smudging ceremony is an Indigenous spiritual practice which involves the burning of sacred medicines such as sweetgrass, sage, and/or cedar. Indigenous peoples who lead smudging ceremonies have gained knowledge and teachings about the sacred medicines. It is often carried out at the beginning of a meeting, event, or conversation for purification and to create a positive mind set.

While developing Hamilton's Urban Indigenous Strategy, smudging ceremonies have been incorporated to begin the meetings of the Coordinating Circle in the Lister Block. Since the fall of 2017, weekly cultural competency training run by the Hamilton Police Services has also incorporated smudging ceremonies. The new Policy not only supports these important initiatives but will be used by other divisions and programs within the City that are working to build relationships with Indigenous peoples and create a welcoming environment in municipal locations.

Use of Indigenous Medicines Procedure

The accompanying procedure document outlines the steps that staff are expected to follow to accommodate the use of Indigenous medicines. A different process has been included for Recreation Centres, as those bookings are managed separately from other corporate bookings. Also included in the procedure is a list of designated locations that have already been assessed for their fire system and HVAC system requirements to accommodate burning of Indigenous medicines. This list may be expanded periodically as new locations are identified and assessed. The Use of Indigenous Medicines Procedure is attached as Appendix B to Report HSC18007/HUR18005.

Consultations

The following stakeholders were consulted in the creation or revisions made to this Policy:

- Energy, Fleet and Facilities Management Division, Public Works Department
- Health, Safety and Wellness Specialist, Health, Safety and Wellness Division, Human Resources
- Human Rights, Diversity and Inclusion, Human Resources
- Tourism and Culture Division, Planning and Economic Development Department
- Recreation Division, Healthy and Safe Communities Department
- Hamilton Fire Department, Healthy and Safe Communities Department
- Tobacco Control Program, Public Health Services – Healthy Environments Division, Healthy and Safe Communities Department
- Hamilton Aboriginal Advisory Committee
- Indigenous Elder-in-Residence, McMaster University
- Hamilton Executive Directors Aboriginal Coalition

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Public Works – Energy, Fleet and Facilities Management Division will play a significant role in the implementation of the Policy and Procedure and as such, staff were very thorough in identifying the correct steps to ensure any fire system or ventilation requirements are appropriately managed. Also, instrumental in the policy development were Health, Safety and Wellness Division, Hamilton Fire Department, Public Health Services – Healthy Environments Division, and Human Rights, Equity and Inclusion, Human Resources. During the policy development, some staff were able to experience a smudging ceremony to raise awareness and understanding.

Staff also sought the advice of Indigenous community partners such as the Hamilton Aboriginal Advisory Committee, the Hamilton Executive Directors Aboriginal Coalition and a local Elder. The Aboriginal Advisory Committee has advocated for years for an official policy on smudging ceremonies in City buildings. The committee opened its December 7, 2017 meeting with a smudging ceremony indoors, for the first time.

Research on Policies in Other Jurisdictions

Several universities across Canada have implemented policies and protocols to accommodate the use of Indigenous medicines by Indigenous students, staff and faculty. These policies were reviewed to identify aspects that are applicable to the City of Hamilton. In addition, staff also reviewed related policies from Hamilton Health Sciences and the Hamilton Wentworth District School Board.

Though very few municipalities in Canada have developed such policies, outreach was made to staff in Vancouver, Winnipeg, Ottawa and Toronto to understand how they currently approach requests from Indigenous peoples to burn sacred medicines in public buildings. These municipalities are at different stages of developing their own corporate policies.

Other considerations

The Ontario Human Rights Commission states, “Under the (Ontario Human Rights) Code, employers, unions, service providers, and housing providers under provincial jurisdiction have a legal “duty to accommodate” Indigenous spiritual beliefs and practices.” The Commission provides guidance on how to accommodate Indigenous spiritual practices in the workplace or in public buildings.

The new Policy also supports the Truth and Reconciliation Commission of Canada’s Final Report, in particular Call to Action #22 which calls for “recognizing the value of Aboriginal healing practices and use them in the treatment of Aboriginal patients in collaboration with Aboriginal healers and Elders where requested (in the health-care system).” Further, Articles 11.1 and 12.1 of the *United Nations Declaration on the Rights of Indigenous Peoples* recognize the rights of Indigenous peoples to practice cultural and spiritual traditions and ceremonies. With these in mind, the Policy and

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Procedure enable the City of Hamilton to take a step towards building respectful relationships with Indigenous peoples in Hamilton.

In addition, Section 13 of the 1994 *Smoke Free Ontario Act* also permits the burning of tobacco by Indigenous peoples for cultural or spiritual purposes.

Next Steps

A communications plan is being developed to inform staff, particularly those divisions that will interact the most with the policy – such as Energy, Fleet and Facilities Management Division, Public Works Department in Q2 2018. The remainder of the communications plan will be implemented over Q3 and Q4 2018 involving other divisions. Learning opportunities for staff on Indigenous spiritual practices will be explored.

The Use of Indigenous Medicine Procedure will be reviewed at least annually to update the list of designated City of Hamilton facilities.

Appendices and Schedules Attached

Appendix A to Report HSC18007/HUR18005: Use of Indigenous Medicines Policy

Appendix B to Report HSC18007/HUR18005: Use of Indigenous Medicines Procedure