

My Experience with the City of Hamilton

Navigating through a Complex Complaint Handling Process when dealing
with EDI and Unconscious Bias

May 31, 2023

Agenda

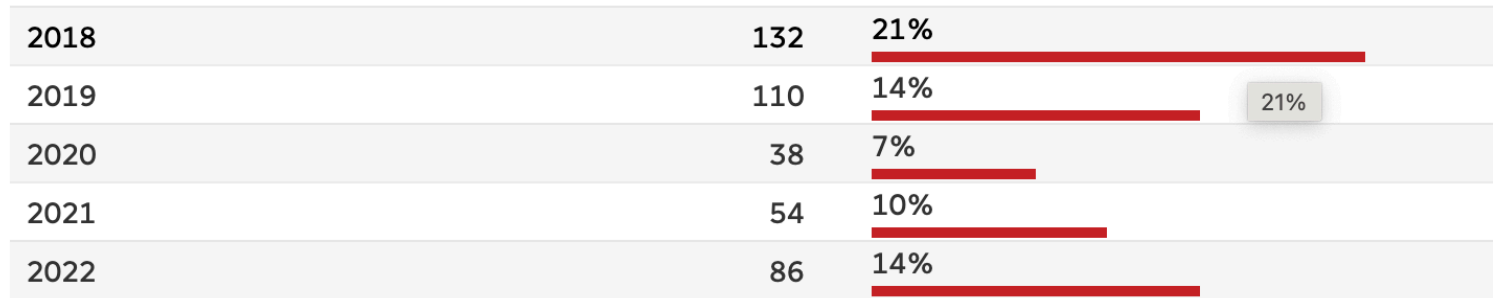
- Landscape of EDI issues facing Canadians – Canadian Human Rights Commission
- Current Issues Facing Taxpayers
- Transparency and Accountability
- Recommendation

Landscape of EDI issues facing Canadians – Canadian Human Rights Commission

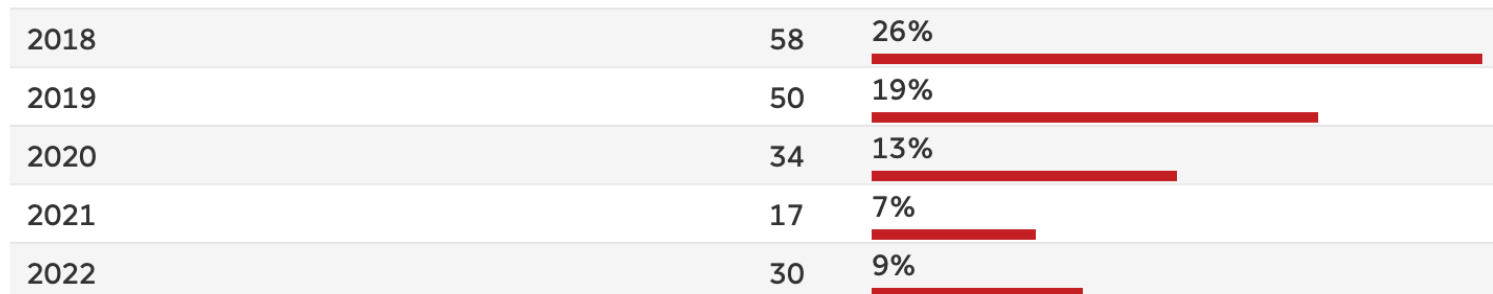
- The Canadian Human Rights Commission's recent numbers show it has been dismissing racism-based claims at a higher rate than other human rights complaints — but the commission insists it's working to change that.
- The year 2020 saw the largest disparity. The percentage of racism-based complaints the commission rejected — 13 per cent — was almost double the percentage of other types of claims it rejected (7 per cent).
- The commission accepted more racism-based claims in subsequent years, referring them either to mediation or to the Canadian Human Rights Tribunal. Last year, for example, the commission dismissed only nine per cent of racism-based claims, compared with a 14 per cent rejection rate for other types of claims.

Canadian Human Rights Commission – Racism-Based Complaints Rejection

Total dismissed complaints (Non-RCNEO¹)



Total dismissed complaints (RCNEO¹)



¹Race, colour, and/or national or ethnic origin

Current Issues Facing Taxpayers when dealing with EDI

- Complex Complaint Handling Process when dealing with City of Hamilton Management when City Staff have allegedly discriminated against taxpayers based on unconscious bias towards colour, race, religion, or nationality
- No Transparency or updates on the complaint – What’s happening, What Support is being provided to taxpayers, how is it impacting a taxpayers mental health, no mediations or contacts?
- What happens if a taxpayer suffers emotional distress or financial loss as a result of a City employee actions towards a taxpayer?
- Does this City Human Resources Dept have the up-to-date skill set to handle these complaints, are members represented in the community part of the complaint process, why isn’t it a third-party investigating taxpayers matters vs. city staff who report to management and is a conflict of interest as they are part of management and do not report to council such as other offices (i.e. Office of the City Auditor).

Transparency and Accountability

- Why are taxpayers not getting updates during the investigation?
- What happens at the end of the investigation?
- Support for Taxpayers on Mental Health and Community Support?
- What happens if a taxpayer suffered emotional distress, financial loss as a result of a city policy or employee action towards EDI issues (i.e. unconscious bias)?

Recommendation

- The Council of the City of Hamilton to recommend to management a report to review its complaint handling process when it comes to complaints dealing with city staff actions against taxpayers and impacts in undue hardship in taxpayers.
- Complaints should be handled by third party, involving mediation and transparency.
- Human Resources should not be the department to investigate these complaints as these complaints should be handled by a team representing the community reflecting a diverse view
- Management should report to council annually # of complaints it receives on EDI issues, report trends and recommendations.