



## Rady Faculty of Health Sciences Policy

<b>Policy Name:</b>	<b>Disruption of all Forms of Racism</b>
<b>Application/ Scope:</b>	Staff, Faculty Members and Learners of the Rady Faculty of Health Sciences and its Colleges and Programs
<b>Approved (Date):</b>	August 25, 2020
<b>Review Date:</b>	2 years from approval date
<b>Revised (Date):</b>	
<b>Approved By:</b>	Dean’s Council, Rady Faculty of Health Sciences: July 7, 2020 Faculty Executive Council, Rady Faculty of Health Sciences: August 25, 2020

### 1. **BACKGROUND and PURPOSE**

- 1.1 Senator Murray Sinclair has defined systemic racism as “when the system itself is based upon and founded upon racist beliefs and philosophies and thinking that has put in place policies and practices.”<sup>1</sup> The 2011 University of Manitoba Statement of Apology and Reconciliation to Indian Residential School Survivors recognizes the participation of the University in systemic racism both through its own structures and in its education and training of a workforce that participates in systems that also have deeply embedded racism. This is not less true today when we think of the pervasive impacts of racism in many systems including health care.
  
- 1.2 Existing University of Manitoba policies including the Prevention of Learner Mistreatment Policy (PLM, Max Rady College of Medicine), the Responsibilities of Academic Staff with Regard to Students Policy, the Equity, Diversity, and Inclusion Policy (Rady Faculty of Health Sciences), the Respectful Workplace and Learning Environment Policy, the Violent or Threatening Behaviour Policy, the Student Non-Academic Misconduct and Concerning Behaviour Procedure, the Student Discipline Bylaw and the Sexual Assault Policy, do not communicate an adequate understanding of the politics of race and the significance of racism as it pertains to BIPOC (Black, Indigenous and People of Color) learners, staff and faculty. If a policy does not take race into account in a meaningful way, then racism can remain “invisible” or can be deemed to be nonexistent and therefore allowed to persist and potentially increase. This Policy constitutes a formal recognition of racial harassment, discrimination, vilification, and racism. It is an affirmation of a) the histories of dispossession, enslavement, genocide and their legacies; b) ongoing settler colonial projects; and c) the humanity, rights, dignity and safety of BIPOC students, staff, and faculty.

<sup>1</sup> <https://www.theglobeandmail.com/politics/article-systemic-racism-not-present-in-rcmp-commissioner-says-though-some/>

1.3 The purpose of this Policy is to:

- (a) Define the multiple forms of racism that are present in the Rady Faculty of Health Sciences (“RFHS”) and to set out procedures for the reporting of and disruption of racism.
- (b) Affirm the responsibility of the RFHS to implement policies, procedures, education, and training to eliminate expression of racism in its myriad forms.
- (c) Describe the commitments and proactive steps of the RFHS to foster learning and work environments that fully respect peoples’ right to freedom from racism, racial discrimination, harassment, or vilification.
- (d) Set out the requirements for all RFHS Community members, especially those in an instructional, supervisory or managerial position, who have a duty to educate those for whom they are responsible regarding expectations for respectful conduct, including this Policy. It is further the duty of such individuals to intervene when observing any form of racism impacting learners, staff or faculty, and to deal appropriately with allegations regarding violations of this Policy.
- (e) Complement and build upon related policies including the EDI Policy and PLM Policy by defining the multiple forms of racism present within the RFHS and clarifying expectations for anti-racism.

1.4 More information on the context and background of this Policy is available on the RFHS Anti-Racism website.

## 2. DEFINITIONS

The terms in this Definition section are defined for the purposes of this Policy:

- 2.1 **“Academic Staff”** refers to all individuals whose primary assignment is instruction, research, and/ or service/ academic administration. This includes employees who hold an academic rank such as professor, associate professor, assistant professor, instructor, lecturer, librarian, or the equivalent of any of those academic ranks. This category also includes a dean, director, associate dean, assistant dean, chair or head of department, visiting scholars, senior scholars, and those holding unpaid academic appointments, insofar as they perform instructional, research, and/ or service/ academic administrative duties.
- 2.2 **“Faculty Member”** means all unionized and non-unionized academic staff of the RFHS, visiting professors, clinicians with academic appointments and including academic staff whose salary or stipend may be paid, in whole or in part, by another organization.
- 2.3 **“Intersectionality”** refers to the ways that racism, racial discrimination, harassment, and vilification are frequently linked/shaped/informed by other elements such as sex, gender and sexuality.
- 2.4 **“Learner”** means an individual registered at the University, within a program of the RFHS or one of its Colleges, on a full time or part time basis or as a special student. A Learner can be at the undergraduate, graduate or postdoctoral level, and includes medical students, non-professional graduate students, residents, and fellows and individuals registered at another institution but attending the RFHS on a temporary basis as part of an elective or similar program.

- 2.5 **“Race”** is one of the fundamental components of descriptive systems of difference in society (e.g., along with sex-gender, class, ability, and sexuality). At its inception “race” was defined as a natural or biological difference, indicated by physical features such as skin colour, hair texture and other bodily features. The creation of race as a key system of classification was created during European imperial and colonial domination as a means to justify hierarchies of humanity. Despite efforts to locate differences between different groups as evidence of biological and/or genetic differences as unsound, science demonstrates that the differences within different groups are greater than the differences between the so called “races.” However, there remains a significant investment in identifying racial differences as natural and inevitable, as evidence of intelligence, ability, worth, and so on. Rather, scholars and researchers recognize that race is a socio-historical and social construct.
- 2.6 **“Racism”** is the differential treatment of various human racial groups by a dominant racial group rooted in the belief of the superiority of one group over the other. Racism takes many forms, some of which include symbolic, embodied, psychological, institutional/systemic, everyday, and interpersonal. Experiences of racial discrimination, harassment and vilification can be affected by its intersection with other elements of identity such as sex-gender, sexuality, disability, and age. The following definitions of different forms of racism are illustrative and not exhaustive. Additional definitions can be found on the Anti-Racism Website.
- **“Everyday Racism”** refers to the “mundane” elements of everyday life that are typically not recognized because these manifestations of racism have become so normalized that they are typically not identified as racism. Everyday racism refers to tone, language, a gaze, forms of surveillance (in stores), differential service (being ignored in a store) and actions such as moving when an Indigenous, Black or racialized student is seated beside a person on the bus or in the classroom. Everyday racism is multidimensional and its impact is cumulative.
  - **“Gendered Racism”** refers to the allocation of resources along racially and ethnically ascribed understandings of masculinity and femininity as well as along gendered forms of race and ethnic discrimination.
  - **“Interpersonal Racism”** refers to attitudes, ideas, and behaviours that support, and therefore reinforce, racial inequality. It is important to note that interpersonal and institutional racism function both independently and in concert.
  - **“Systemic/Institutional Racism”** refers to the arrangements and practices that maintain racial hierarchies and racial inequality. It comprises policies, behaviours and practices that are part of the social, cultural or administrative elements of an organization and which produce or maintain positions of disadvantage for racialized individuals.
  - **“Racial Discrimination”** refers to behavior that impedes and disadvantages people, by withholding benefits, opportunities due to their perceived race, colour, nationality, ethnicity, ethno-religious or national origin.
  - **“Racial Harassment”** refers to an incident or a series of incidents having the effect of intimidating, offending or harming an individual or group because of their perceived ethnic origin, race or nationality. This includes verbal and/or physical abuse, insults and name-calling, bullying, threatening behaviour, damage to property, displaying and/or sharing racially offensive material and encouraging others to commit racist acts.
  - **“Racial Microaggressions”** are everyday slights, indignities, put downs and insults that BIPOC individuals experience in their day-to-day interactions with people.
  - **“Racial Vilification”** refers to a public act that inspires or provokes others to hate, have disrespect, or ruthlessly deride a person or group of people due to their perceived race, colour, nationality, ethnicity or ethno-religious or national origin.

- 2.7 **"RFHS Community"** means all RFHS members including Faculty/College/School Councils, employees, anyone holding an appointment with the RFHS, Learners, volunteers, external parties, contractors and suppliers.
- 2.8 **"RFHS Matter"** means any activity, event, or undertaking in which a member of the RFHS Community participates, which has a substantial connection to the RFHS, such as:
- (a) RFHS-related activities or events, including but not limited to:
- Any activity or event on property owned or controlled by the RFHS;
  - Learner placements, practica, or clinical training;
  - RFHS research activities, whether on or off campus;
  - Learner and/or employee exchanges arranged in connection with the RFHS;
  - Social events or networking, where matters regarding the RFHS or members of the RFHS Community are a significant focus of the activity;
  - RFHS field trips, travel-study tours, service-learning activities, and similar activities;
- (b) Activities or events involving members of the RFHS Community, where the actions of those members of the RFHS Community may reasonably reflect upon or affect the RFHS, including but not limited to:
- Any aspect of the employment or engagement of employees and contractors for roles and projects substantially connected to the RFHS;
  - Writings, photographs, artwork, audio or video recordings, and/or electronic communications, including communications through social media, where matters regarding the RFHS Community are a significant focus of the communication;
  - Matters related to The University of Manitoba Students' Union, the Graduate Students' Association, and their affiliated Learner groups to the extent that it affects the proper functioning of the RFHS or the rights of a member of the RFHS Community to use and enjoy the RFHS's learning and working environments; or
  - Matters of off-campus conduct that have, or might reasonably be seen to have an adverse effect on the proper functioning of the RFHS or the rights of a member of the RFHS Community to use and enjoy the RFHS's learning and working environments.
- 2.9 **"Third Party Reporting"** refers to a form of anonymous reporting where someone who has experienced racism can report it through someone else (described further below) who then accesses one of the established reporting mechanisms to report the experience.
- 2.10 **"Racial Equity Impact Assessments"** (REIAs) is a systematic examination of how different racial and ethnic groups will likely be affected by a proposed action or decision. REIAs are used to minimize unanticipated adverse consequences in a variety of contexts, including the analysis of proposed policies, institutional practices, programs, plans and budgetary decisions.

### 3. POLICY AND PROCEDURE STATEMENTS

- 3.1 The RFHS is committed to taking the necessary steps to ensure that no RFHS Community member is subjected to Racism, Racial Discrimination, Racial Vilification, and Racial Harassment while participating at the RFHS and to interrupt and address Racism when it is identified.
- 3.2 This Policy and Procedure applies to members of the RFHS Community in relation to any RFHS Matter.
- 3.3 Examples of Racism include, but are not limited to the following actions which the person experiencing them believes are based on perceived race, colour, nationality, ethnicity, ethno-religious (e.g. anti-Semitism or Islamophobia) or national origin of an individual or group:

#### Interpersonal:

- (1) Racial stereotyping, racial profiling of individuals on campus.
- (2) Subjecting an individual to racially or ethnically offensive remarks, names, slurs, racial epithets or jokes
- (3) Singling out an individual for teasing or jokes related to race, ancestry, place of origin, or ethnic origin.
- (4) Circulating racially offensive jokes, pictures or cartoons by e-mail/social media.
- (5) Comments ridiculing individuals because of race-related characteristics, religious dress.
- (6) Failing to deal with racial incidents or downplaying the seriousness of such conduct e.g., "that was not their intent".
- (7) Characterizing normal communication from Indigenous, Black and racialized learners, staff, and faculty as rude or aggressive.
- (8) Treating normal differences of opinion as confrontational or insubordinate when involved with Indigenous, Black and racialized persons.
- (9) Treating an Indigenous, Black, and racialized individuals' responses to racial incidents or bullying as a disciplinary problem without dealing with the underlying incident or considering the underlying incident as a mitigating factor.
- (10) Differential disciplinary action for BIPOC individuals.
- (11) Racist graffiti.
- (12) Penalizing a person for failing to get along with someone else (e.g. colleague, manager, fellow learner), when one of the reasons for the tension is racially discriminatory attitudes or behaviour.
- (13) Using a racial epithet.
- (14) Disparaging an individual based on their race.
- (15) Attributing the same characteristics to all members of a group, regardless of individual differences.
- (16) Failing to hire, train, mentor or promote a racialized person. Racialized persons may find themselves subjected to excessive performance monitoring and documentation or deviation from written policies or standard practices or may be more seriously blamed for a common mistake.
- (17) Normal differences of opinion or failing to get along with a co-worker/colleague/learner may be treated as more serious when a racialized person is involved.
- (18) Contrasting how a racialized person was treated with how others were treated in a comparable situation
- (19) A non-existent contradictory or changing explanation for why a racialized person was targeted.

- (20) Denial of mentoring or developmental opportunities and training which were made available to others.
- (21) Subjecting a BIPOC individual to threatening gestures. Verbally abusing, belittling, insulting, ridiculing or yelling or speaking in a sarcastic manner in public or private.
- (22) Assigning BIPOC individuals less desirable positions or duties or assigning duties as punishment rather than education.
- (23) Disproportionate blame for an incident or singling out a BIPOC individual for arbitrary treatment that is punitive.
- (24) Belief in the inherent superiority of one racial group, over another, through actions or criticism conducted in public that can be interpreted as embarrassing, humiliating and/or demeaning.
- (25) Incident or a series of incidents having the effect of intimidating, offending or harming a BIPOC individual or group.
- (26) Exclusion from formal or informal networks or opportunities. Neglecting or leaving a BIPOC individual out of communications.
- (27) Not providing racialized individuals with clear work/learning expectations yet holding them responsible for the expectations.
- (28) Committing an act of physical abuse or violence of any kind (e.g. throwing objects, aggressive violation of personal space) against a BIPOC individual.
- (29) Making unwelcome sexual comments, jokes, innuendos, or taunting remarks.
- (30) Using grades/poor reviews as punishment rather than as an objective evaluation of performance.
- (31) Threatening to fail, give lower grades, poor performance review or give a poor evaluation for anything other than documented performance issues.
- (32) Looks of contempt/hate.
- (33) Subjecting an individual to inappropriate references to racist organizations

Systemic/ Institutional:

- (34) Not allowing for time off for religious or spiritual practices other than Christian holidays.
- (35) Differential career trajectories, opportunities (e.g. time to promotion and/ or tenure) for different BIPOC populations.
- (36) Patterned exclusion from formal or informal networks, thereby providing advantages to the racial majority while disadvantaging others.
- (37) Differential practices such as excessive monitoring and documentation or deviation from written policies or standard practices for BIPOC populations.
- (38) Differential disciplinary action for BIPOC populations .
- (39) Disproportionate blame for an incident on BIPOC populations.
- (40) Unequal opportunity for employment related to hiring practices, union rules around seniority.
- (41) Failing to deal with racial incidents or downplaying the seriousness of such conduct e.g., “that was not their intent”.
- (42) Admissions criteria that reflect racial bias through exclusion, universalism or selective/simplistic representative inclusion.
- (43) Curriculum content that does not address issues of race and racism and/or promotes or reinforces racial bias or stereotypes.

- 3.4 All new policies, procedures and programs, and, at the time of their review, all existing policies, procedures and programs, of the RFHS and its member Colleges will undergo a Racial Equity Impact Assessment to identify any potential elements of systemic/institutional racism and propose mitigating measures. These REIAs will be done by the person/ committee responsible for the policy, procedure or program in partnership with the Anti-Racism Working Group and submitted with the draft policy/ procedure or program to the appropriate College or Faculty decision-making body.
- 3.5 The RFHS adopts a “no wrong door” reporting approach regarding Racism concerns that centers the needs of the person(s) who has experienced Racism, and is trauma- and violence-informed in its processes. The procedures for investigations and remediation/resolution of experiences of racism will rely on existing mechanisms at this time, which will be enhanced with the participation of individuals with specific anti-racism expertise. Existing potential mechanisms to report and address experiences of Racism that have procedures detailed in other related or relevant policies and include:
- (a) The Speak Up button (anonymous or non-anonymous reporting) and the Prevention of Learner Mistreatment Policy (*currently Medicine only but under review for expansion to the RFHS*);
  - (b) Report to a manager, supervisor, course leader, Department Head, Dean, or other trusted Academic Staff or Faculty Member who is expected to provide the person(s) with options for formal or informal reporting;
  - (c) Report to the Office of Human Rights and Conflict Management;
  - (d) Report to the Office or Associate Dean of Professionalism (*currently Medicine only*).
- 3.6 Nothing in this Policy is intended to discourage or prevent a member of the RFHS Community from filing a complaint with the Manitoba Human Rights Commission, or from exercising any other legal rights pursuant to any other law or policy.
- 3.7 In addition to the existing potential reporting mechanisms, breaches of this Policy can be reported through a third party(ies). Third Party Reporting offers the option of reporting the details of an experience or experiences of racism anonymously when individuals are not ready or willing to participate in an investigation because of the risk of reprisal or further racial violence. Third Party Reporting can be an important procedure to address under-reporting of racism.
- 3.8 Disciplinary options may be limited for breaches of this Policy reported anonymously or using Third Party reporting where that results in the unavailability of sufficient information. This does not preclude remedial action based on the information available or disciplinary action where the information available is sufficient or where a previous pattern of behaviour has been established through previous reporting (anonymous or non-anonymous).

3.9 When any form of Racism occurs and is reported, remedial measures will depend on multiple factors including the input of the person(s) who experienced the Racism (e.g. whether the complaint is formal or informal, and through what process the complaint is made), the circumstances, the seriousness of the behaviour, the frequency or duration of the behaviour, any mitigating factors and applicable University policy, bylaw, collective agreement or academic regulation. The following list provides examples of remedial measures and is not meant to be exhaustive or necessarily represent a progression of measures:

- Attendance at educational sessions on antiracism with evidence of reflective learning;
- A restorative justice based approach to mediation when all parties are willing;
- Prohibited or restricted access to the work or learning environment;
- Academic consequences such as remediation, probation, notation on the performance record, dismissal/ expulsion from the program of the RFHS/its College, termination of the academic appointment;
- Disciplinary consequences according to applicable policies and procedures for Faculty Members and staff;
- Reporting to legal authorities if the actions represent a potential violation of the Canadian Criminal Code.

#### **4. REVIEW AND EFFECT ON PREVIOUS STATEMENTS**

4.1 The Review Date for this Policy and Procedure is two (2) years from the date it is approved by the approving body. In the interim, this document may be revised or repealed if:

- (a) The Dean, RFHS & Vice-Provost (Health Sciences), with appropriate approvals, deems it necessary or desirable to do so;
- (b) It is no longer legislatively or statutorily compliant; and/or
- (c) It comes into conflict with another governing document of the RFHS or the University of Manitoba.

4.2 If this document is revised or repealed, any related RFHS documents shall be reviewed as soon as possible to ensure that they comply with the revised document, or are in term revised or repealed.

4.3 This Policy supersedes all previous governing documents dealing with the subject matter addressed in this document.

#### **5. REFERENCES**

This policy should be cross-reference to the following relevant governing documents, legislations and forms:

5.1 The Human Rights Code, C.C.S.M. c. H175;

5.2 The International Convention on the Elimination of all Forms of Racial Discrimination.

- 5.3 The Max Rady College of Medicine Prevention of Learner Mistreatment Policy
- 5.4 The United Nations Declaration on the Rights of Indigenous Peoples;
- 5.5 The University of Manitoba Respectful Work and Learning Environment (RWLE) Policy;
- 5.6 The University of Manitoba RWLE and Sexual Assault Procedure;
- 5.7 The University of Manitoba Responsibilities of Academic Staff with Regard to the Student
- 5.8 The University of Manitoba Sexual Assault Policy;
- 5.9 The University of Manitoba Violent or Threatening Behaviour policy and procedure;
- 5.10 The University of Manitoba Student Discipline Bylaw and procedures;

## 6. SOURCES

- 6.1 Alexander, C., & Knowles, C. (2005). Introduction. In C. Alexander, & C. Knowles (Eds.), *Making race matter: Bodies, space and identity* (pp. 1-16). New York, NY: Palgrave Macmillan.
- 6.2 Crenshaw, K. W. (1994). Mapping the margins: Intersectionality, identity politics, and violence against women of color. In M. A. Fineman (Ed.), *The public nature of private violence: women and the discovery of abuse* (pp. 93-120). New York, NY: Routledge.
- 6.3 Essed, P. (2002). Everyday racism: A new approach to the study of racism. In P. Essed, & D. T. Goldberg (Eds.), *Race critical theories: Text and context* (pp. 176-194). Malden, MA: Blackwell.
- 6.4 Hall, S. (1996). *Race the floating signifier*. The Media Education Foundation.
- 6.5 Matsuda, M. J., Lawrence III, C. R., Delgado, R., Words, & Crenshaw, K. W. (1993). *Words that wound: Critical race theory, assaultive speech, and the First Amendment*. New York, NY: Routledge.
- 6.6 Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls (2019).
- 6.7 Steinmetz, K. (February 20, 2020). "She coined the term 'intersectionality' over 30 years ago. Here's what it means to her today." *Time magazine*. Available at <https://time.com/5786710/kimberle-crenshaw-intersectionality/>.
- 6.8 Truth and Reconciliation Commission of Canada: Calls to Action (2015). Available at [http://trc.ca/assets/pdf/Calls\\_to\\_Action\\_English2.pdf](http://trc.ca/assets/pdf/Calls_to_Action_English2.pdf).
- 6.9 United Nations: International Convention on the Elimination of All Forms of Racial Discrimination (1969). Available at <https://www.ohchr.org/en/professionalinterest/pages/cerd.aspx>.

- 6.10 United Nations: Declaration on the Rights of Indigenous Peoples (2007). Available at <https://www.ohchr.org/en/professionalinterest/pages/cerd.aspx>.
- 6.11 United United Nations. Report of the Working Group of Experts on People of African Descent on its Mission to Canada (2017). Available at <https://ansa.novascotia.ca/sites/default/files/files/report-of-the-working-group-of-experts-on-people-of-african-descent-on-its-mission-to-canada.pdf>
- 6.12 Kendi, I. (2016). Stamped From the Beginning: the definitive history of racist ideas in America. New York, NY: Nation Books.

**7. POLICY CONTACT**

Please contact The Office of Equity, Diversity and Inclusion, RFHS, with questions regarding this document.