

SUPPORT DOCUMENT ON FEMALE
LEADERSHIP IN THEIR FIGHT AGAINST
DISCRIMINATION AND RACISM

BECOMING LEADERS IN THE FIGHT AGAINST DISCRIMINATION AND RACISM

*A Workshop Aimed at
Immigrant Women*

Michelle F. Hangnilo



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INTRODUCTION



Who are we?

The RAFIQ is a Quebec community organization of immigrant women that aims to promote consultation, research, action research, the sharing of knowledge and practices, training, the development of a specific analysis and the definition of priority demands for immigrant and racialized women in Quebec as well as mobilization around common issues and any activity promoting the autonomy and equality of these women.

The RAFIQ also fights to defend the rights of all immigrant and racialized women in Quebec from a feminist perspective and based on the values of equality between women and men. The RAFIQ is based upon respecting the values of equality between women and men, human dignity as well as on the principles formulated in the Canadian Charter of Rights and Freedoms as well as in the Charter of Human Rights and Freedoms of the Quebec.

Finally, the RAFIQ is based on principles opposing any discrimination mentioned in the preamble and by article 10 of the Quebec Charter of Human Rights and Freedoms as well as article 15 of the Canadian Charter of Rights and Freedoms.

We have been working for several years on various issues and more specifically around the development of the capacities and empowerment tools of the most marginalized immigrant and racialized women from a feminist perspective and based on the values of equality between women and men.

Who is this document for?

This document is a support tool meant to accompany the Power Point tool on the same theme for anyone wishing to lead a session and enrich the issues addressed in the workshop aimed at equipping immigrant women with ways to strengthen and develop their leadership on issues of discrimination and racism in Quebec on the one hand, and on the other hand, to enlighten them on their rights as well as the resources where they can assert these rights if necessary.

A. Développement et renforcement de leadership féminin en matière de lutte contre la discrimination et le racisme

From a perspective of social and personal transformation and for better, more harmonious collective living, Leadership is about the empowerment of immigrant women on issues they could face in their host society.

It is important to understand and properly appreciate what is Female leadership and empowerment in order to mobilize the strengths of immigrant women to fight against discrimination and racism in all its forms.

1. Definitions

Leadership

*"Ability of an individual to influence, motivate, and enable others to contribute to the effectiveness and success of the organizations of which they are members. It designates the behaviors that can be recognized in the person who performs the 'role of the leader.'"*¹

*"(...) the power (in the sense of ability, possibility) to make others want to get involved and act to achieve a collective ambition or achieve a common goal."*²

Empowerment

"The process by which an individual, community, association, etc. takes control of events that concern them. A kind of emancipation. We sometimes also hear about 'pouvoir d'agir' (meaning 'power to act'), 'capacitation', 'autonomization' or 'empowerment' among our Quebec friends. (...)

*Born in the United States at the beginning of the 20th century in a tense climate, this concept - which women used at the time to fight for the recognition of their rights - only arrived in France more recently. It can now be applied to many other situations (...)"*³

2. EXPERIENCES OF LEADERSHIP (exercise) Duration : 15 minutes

¹ House, R. J. *Culture, Leadership, and Organizations: The GLOBE Study of 62 Societies*, p.15 SAGE Publications, Thousand Oaks, 2004

² Bertrand Poulet, <https://www.demos.fr/blog/quest-ce-que-le-leadership-et-quoi-sert-il?>

³ Raphaële Granger, L'empowerment, un outil de management, 2021 <https://www.manager-go.com/management/developpement-du-pouvoir-d-agir.htm>

Procedure: The participants will have to work individually on their personal experience.

The exercise is individual even if it takes place in a group. A sheet will be distributed at the start of the activity. Each participant will be asked to list on this sheet the situations in which they have taken the lead or made "good moves" before and after their arrival in Quebec and their current expectations (i.e. areas in which they would like to take leadership).

The participants will keep the results of their exercise and those who wish can express their feelings or opinions during the discussion that follows. Those who wish to do so can present the areas in which they have demonstrated leadership.

The exercise applies to all areas: studies, work, involvement, sport, cooking, drawing, music, politics, family, children, etc.

3. AREAS OF LEADERSHIP ACCORDING TO THE CHALLENGES FACED BY IMMIGRANT WOMEN

- ✓ Here, we define the most important issues regarding immigrant women: employment, housing, health, education, etc.

Immigrant women and racialized ethnocultural minorities face several challenges in areas such as: employment, health, housing, education.

○ *Employment*

Statistical data, research, studies and testimonies of the experiences of immigrant women reveal several reasons that hinder their access to the labor market. Often highly educated, they are also the most victims of labor market access policies "From 2005 to 2009, Quebec welcomed 227,881 people, or 113,991 women and 113,890 men."⁴

"The findings of the Statistical Institute of Quebec, in its study on the Participation of immigrants in the labor market in Quebec in 2009, confirm that, throughout Canada, it is in Quebec that the situation of immigrant women and Economic immigrants, is the least favorable and that it is immigrant women who are at the bottom of the scale."⁵

"In 2005, a survey conducted by Statistics Canada among immigrant women revealed that 37% of them identified as major obstacles to their inclusion in the labor market the non-recognition of foreign qualifications and skills as well as the difficulties of access to a first

⁴ Ministère de l'immigration et des communautés culturelles, *Données préliminaires pour 2009, Direction de la recherche et de l'analyse prospective, Citoyenneté et Immigration Canada (février 2010).*

⁵ KILOLO-MALAMBWE, Jean-Marc, *Participation des immigrants au marché du travail au Québec en 2009, p.40 Québec, Institut de la statistique du Québec, 2011.*

work experience on Canadian soil. In 2006, the deskilling rate of immigrants was 42.1%. For immigrant women, the professional devaluation reached 44%.”⁶

Among the obstacles to the integration of immigrant women into the labor market are the non-valorization or recognition of acquired knowledge and skills from the country of origin, the requirement of Quebec experience, the constraint of returning to school that they hold university degrees, the requirement of mastery of French.

The lack of places in affordable childcare centers for those with children under 5 also limits their availability. Although graduates and accumulating years of work experience in their country of origin, many find themselves in small jobs.

- o Labor market indicators among immigrants and those born in Canada, results by sex, 2006-2020, Quebec.⁷

	Unité (↶)	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Temps partiel	k	493,4	493,1	501,9	518,1	510,6	498,5	501,8	511,3	513,4	439,0
Chômage	k	145,4	143,8	139,7	132,1	137,4	124,8	119,8	106,4	96,4	182,5
Taux de chômage	%	7,2	7,0	6,8	6,4	6,7	6,0	5,7	5,0	4,5	8,6
Taux d'activité	%	60,3	60,5	60,7	60,4	60,6	60,5	60,6	60,7	61,1	60,0
Taux d'emploi	%	56,0	56,2	56,5	56,5	56,5	56,9	57,2	57,6	58,4	54,8
Population née au Canada											
Population active	k	1 742,4	1 750,1	1 761,0	1 745,1	1 752,0	1 736,4	1 735,1	1 726,7	1 736,7	1 709,8
Emploi	k	1 635,7	1 641,8	1 656,9	1 647,3	1 651,8	1 645,1	1 649,8	1 647,9	1 672,1	1 579,0
Temps plein	k	1 196,8	1 210,1	1 218,9	1 195,4	1 208,5	1 214,0	1 221,9	1 221,9	1 248,5	1 211,0
Temps partiel	k	438,9	431,8	438,0	451,9	443,3	431,1	427,9	426,0	423,7	368,0
Chômage	k	106,7	108,3	104,1	97,8	100,3	91,3	85,3	78,8	64,5	130,9
Taux de chômage	%	6,1	6,2	5,9	5,6	5,7	5,3	4,9	4,6	3,7	7,7
Taux d'activité	%	60,7	60,9	61,3	61,0	61,1	60,6	60,5	60,4	60,9	59,5
Taux d'emploi	%	57,0	57,1	57,7	57,6	57,6	57,4	57,5	57,6	58,6	55,0
Ensemble des immigrants											
Population active	k	260,4	263,7	269,1	286,6	288,7	309,2	329,8	358,3	372,1	378,9
Emploi	k	223,8	232,3	236,0	254,4	253,5	278,2	297,8	334,0	344,4	333,5
Temps plein	k	173,7	178,9	176,9	194,6	190,9	218,9	229,8	254,7	264,5	268,3
Temps partiel	k	50,1	53,4	59,1	59,8	62,6	59,3	68,0	79,2	79,9	65,2
Chômage	k	36,7	31,3	33,1	32,2	35,2	31,0	32,0	24,4	27,7	45,4
Taux de chômage	%	14,1	11,9	12,3	11,2	12,2	10,0	9,7	6,8	7,4	12,0
Taux d'activité	%	57,8	58,4	56,6	57,2	57,8	60,0	61,8	62,3	62,2	62,3
Taux d'emploi	%	49,7	51,4	49,6	50,8	50,8	54,0	55,8	58,1	57,6	54,8

“Immigrant women are twice as unemployed as Canadian-born women, 13.3% versus 6.1%. Women from the Arab-Asian West group, which includes women of North African origin, have the highest unemployment rate, at 20.7%.”⁸

⁶ 6 Vérificateur général du Québec, Rapport du Vérificateur général du Québec à l'Assemblée nationale pour l'année 2010-2011 – Tome 1

⁷ Statistique Canada (SC) enquête sur la population active, 2020, adapté par l'institut des statistiques du Québec (ISC) : Indicateurs du marché du travail chez les personnes immigrantes et celles nées au Canada, résultats selon le sexe, Québec, Ontario et Canada 2006-2020,

⁸ CRÉ de Montréal, Un portrait socio-économique des femmes et des hommes de l'île de Montréal, 2001. <http://www.femmesdemontreal.org>

○ Housing

Access to housing for immigrant and racialized women is a socio-political issue of paramount importance. Finding a first home is not always easy for these women who are often rejected. Prejudices sometimes lead owners to conclude that immigrant women have large families and will therefore make a lot of noise, that their cooking will have a strong smell, etc.

○ Health

Several factors have been cited as having a negative effect on the health of immigrant and racialized women: violence, poverty, lack of childcare places and affordable housing, etc.

Other factors hindering access to health:

- *Language and cultural barriers were often cited as the main factors that impede immigrant and refugee women's full access to health services and affect the quality of care received.*
- *This influences "screening, diagnosis, treatment and treatment-related follow-up, as well as treatment adherence."*
- *The presence of interpreters, which is not always possible, also affects the health of women⁹*

○ Education

As the education system is not universal, the non-recognition of diplomas obtained elsewhere leads to professional deskilling. It is "(...) one of the main factors of the economic inequalities of which immigrants are victims, strongly contributing to certain mechanisms of professional ghettoization experienced by newcomers, and more particularly women. The public debate around the recognition of prior learning and skills (RAC) is often limited to regulated professions and the role of professional orders, whereas it is much broader: it generally affects qualified immigrants, particularly those who hold university degrees, who settle in Quebec, and even more so immigrant women."¹⁰

The comparative evaluation of studies done outside Quebec with the Ministère de l'Immigration, de la Francisation et de l'Intégration (MIFI) is not recognized by all employers.

⁹ Amel Belhassen, *Améliorons nos conditions de vie : En route vers le leadership des femmes immigrées ! P.13 Un guide d'entraînement des femmes immigrées au leadership, Table de concertation des organismes au service des personnes réfugiées et immigrantes (TCRI) et le Comité de réflexion sur la situation des femmes immigrées et racisées, 2010-2011*

¹⁰ <https://revuelespritlibre.org/la-reconnaissance-des-acquis-et-competences-entre-autonomie-des-universites-et-discrimination>

Lettre d'opinion - La reconnaissance des acquis et compétences, entre autonomie des universités et discrimination systémique des personnes immigrantes, ATF, Sept 2021

A return to studies thus becomes a compulsory step. This shatters the dream of being able to easily access the labor market by arriving in Quebec as a skilled worker in most cases.



○ *AREAS OF LEADERSHIP ACCORDING TO THE CHALLENGES FACED BY IMMIGRANT AND REFUGEE WOMEN*

Several settings offer immigrant women the opportunity to exercise their ability to question, defend or influence policies and/or measures that exclude them or that have negative repercussions on their development or integration into the host society.

Example: Participate in community activities such as Women's rights organizations, get closer to associations, be active in your own community, or be a member of the RAFIQ advisory committee.

A. Discrimination and Racism

1. Expériences of victims among the participants (exercice en groupe)

Duration : 30 minutes

Procedure: The participants will be invited to share in the large group experiences they have had or in which they have witnessed discrimination.

- Exchanges will take place on the various cases. (What do you think of this situation? What comments do you have about this situation?)
- These exchanges will make it possible to bring women to give their definition of discrimination and racism.

2. Defining discrimination and racism

What is discrimination?

Within the meaning of the Charter of Rights and Freedoms, the Commission des droits de la personne et des droits de la jeunesse (CDPDJ) :

Discrimination is defined as :

“A distinction, exclusion or preference causing the obstruction or jeopardizing one’s right to equality.”

As stated by the CDPDJ in its Consultation report on racial profiling and its consequences, “Discrimination is generally fueled by stereotypes and prejudices, conscious or not, which, in this case, disqualify or stigmatize individuals on account of their color, appearance or identify, real or presumed, in a group.”¹¹

According to the Canadian Human Rights Commission:

“Discrimination is when an individual is treated differently, negatively or unfavorably because of a ground of discrimination such as race, age, religion, sex, etc.”¹²

¹¹ Commission des droits de la personne et des droits de la jeunesse, [Profilage racial et discrimination systémique des jeunes racisés](#), Rapport de la consultation sur le profilage racial et ses conséquences, pp. 14-15; 2011 Commission des droits de la personne et des droits de la jeunesse, [Profilage racial et discrimination systémique des jeunes racisés, Rapport de la consultation sur le profilage racial et ses conséquences : un an après, état des lieux](#) p. 5-6. 2012

¹² Micheline Labelle : *Un lexique du racisme, 'Étude sur les définitions opérationnelles relatives au racisme et aux phénomènes connexes' p 27 tiré de la Commission canadienne des droits de la personne* <https://www.canada.ca/fr/commission-droits-personne.html> Coalition internationale des villes contre le racisme pour L’UQAM, 2006

- *The laws on human rights define discrimination as distinguishing between certain people or groups based on such grounds.*

Grounds of Discrimination and Examples

“Quebec is the only province that has a Charter of Rights and Freedoms that is not a simple anti-discriminatory statute, but a genuine fundamental law. Inaugurated in 1975, the Quebec Charter of Rights and Freedoms takes precedence over other laws and has almost the status of a constitution.”¹³

Discrimination is prohibited when it is based on:

- Race
- Color
- Sex
- Identity or gender expression
- Pregnancy
- Sexual orientation
- Marital status
- Age (except to the extent provided by law)
- Religion
- Political beliefs
- Language
- Ethnicity or nationality
- Social status
- Disability or the use of a means to compensate for said disability.¹⁴

Examples of Discriminations Based on Prohibited Grounds

Grounds of discrimination	Clarification	Examples
Pregnancy	Being pregnant and giving birth. This reason also includes everything related to pregnancy, such as health checks and maternity leave.	A woman is denied a job or a promotion because she is pregnant.
Race, color	Race and color are often interrelated grounds that refer to the concept of racism. Racial profiling is also a form of discrimination based on race or color.	To be denied entry to a bar for being black.

¹³ <http://www.ensemble-rd.com/discrimination/la-charte-des-droits-et-libertes-du-quebec>

¹⁴ <http://www.ensemble-rd.com/discrimination/la-charte-des-droits-et-libertes-du-quebec>

Sex	Being a woman or a man.	Being denied a job or promotion for being a woman.
Religion	It can be religion or beliefs, as well as having no religion.	Denying an absence for a religious holiday to an employee when this absence does not constitute undue hardship.
Disability	Disability includes a person's physical, mental, or psychological limitations. It also includes the means of reducing its effects, for example: using a wheelchair or having recourse to a guide dog.	Refusing to allow participation in a field trip due to a disability. ¹⁵



Reasonable accommodation

“Reasonable accommodation is a means used to put an end to any case of discrimination based on disability, religion, age or any other ground prohibited by the Charter.

- Accommodating a person may involve adapting a practice, or a general operating rule or granting an exemption to a person in facing discrimination. Cependant, Il n’y a pas d’obligation d’accommodement en cas de contrainte excessive.

An accommodation may cause undue hardship if:

- the cost is too high for a company to absorb
- it interferes with the proper operation of the organization
- it significantly impairs the security of others or infringes on the rights of others”

Systemic Discrimination

According to the CDPDJ, “systemic discrimination is understood as:

[...] the sum of disproportionate exclusion effects that result from the combined effect of attitudes imbued with prejudice and stereotypes, often unconscious, and by policies and practices generally adopted without taking into account the characteristics of the members of the targeted groups by the prohibition of discrimination.”

Systemic discrimination often has lasting effects on an identifiable group of individuals based on characteristics such as gender, age, skin color, disability, etc. In the employment system, this form of discrimination can, among other consequences, result in disproportionately disadvantageous hiring and advancement prospects, particularly for women, Aboriginal peoples, ethnic minorities, visible minorities and people with disabilities.

- In the case between Action travail des femmes (ATF) and Gaz Métro, the Human Rights Tribunal defined systemic discrimination as follows:

¹⁵ Cet exemple est tiré de : <https://www.defenseurdesdroits.fr/fr/institution/competences/lutte-contre-discriminations>

"The sum of disproportionate effects of exclusion which result from the combined effect of attitudes imbued with prejudice and stereotypes, often unconscious, and of policies and practices generally adopted without taking into account the characteristics of the members of groups targeted by the prohibition of discrimination."¹⁶

- Systemic discrimination is a "situation of cumulative and dynamic inequality resulting from the interaction of practices, decisions or behaviors on the labor market, individual or institutional, having harmful effects, intended or not, on the members of groups covered by the 15 of the Charter"¹⁷

What are the different types of discrimination?

Direct Discrimination

- "Direct discrimination is the most rudimentary and blatant form of discrimination. It applies 'when a person is subjected to different treatment based on a prohibited ground of discrimination, in an open and avowed manner.'"¹⁸
- There is often a clear intent to discriminate against an individual or a group of individuals because of group characteristics, whether they be real or presumed. However, it is not necessary to demonstrate intent to conclude that there is discrimination.¹⁹

Direct discrimination: "Direct discrimination refers to a concrete social practice based on an individual's personal characteristics, the effect of which is the denial of equal treatment in matters of education, employment, access to public services and the denial of human rights. It results in behaviors that, in various areas of social life, inferiorize individuals and hinder equality as well as their participation in the labor market, public institutions, the media and the political system."²⁰

¹⁶ CDPDJ et ATF c. Gaz Métro, Tribunal des droits de la personne, paragraphe 37.

¹⁷ Chicha-Pontbriand, M.T. *Discrimination systémique: Fondement et méthodologie des programmes d'accès à l'égalité en emploi*, p. 85, Cowansville, Yves Blais, 1989

¹⁸ Commission des droits de la personne et des droits de la jeunesse, [Profilage racial et discrimination systémique des jeunes racisés](#), Rapport de la consultation sur le profilage racial et ses conséquences, p.13, 2011, Commission des droits de la personne et des droits de la jeunesse, [Profilage racial et discrimination systémique des jeunes racisés](#), Rapport de la consultation sur le profilage racial et ses conséquences : un an après, état des lieux, p. 8-9, 2012

¹⁹ Andrews c. Law Society of British Columbia,] 1 R.C.S. 143, 174-175 [1989)

²⁰ Micheline Labelle : *Un lexique du racisme*, ' Étude sur les définitions opérationnelles relatives au racisme et aux phénomènes connexes ' p 29 tiré de la Commission des droits de la personne et des droits de la jeunesse du Québec <https://www.cdpdj.qc.ca/fr/vos-obligations/ce-qui-est-interdit/la-discrimination> , Coalition internationale des villes contre le racisme pour L'UQAM 2006

Some Examples²¹

- Direct discrimination is open, communicative and blunt.
Example: Refusing to rent an apartment to a person because of their origin.

Other Examples of Direct Discrimination:

- Rejecting an application because an individual belongs to an ethnic minority (discrimination based on ethnicity);
- Dismissing an employee after learning that they have HIV (discrimination based on disability);
- Refusing to rent an apartment to an individual because of their low income (discrimination based on social status);
- Denying access to young children in a restaurant (discrimination based on the marital status of the parents and the age of the children);

Indirect Discrimination

- “(...) case where a seemingly neutral factor such as a provision, criterion or practice, cannot be so easily complied with by persons belonging to a specific group.”²².
- “Adverse effect discrimination is a much more subtle form of discrimination than direct discrimination. It usually occurs without the intention of discrimination. Rather, the discriminatory situation arises from the uniform application of a norm, policy, rule or practice, which is neutral at first sight, but nevertheless has a discriminatory effect on an individual or a category. of individuals by imposing on them obligations, penalties or restrictive conditions not imposed on others. Norms or practices may therefore have a discriminatory effect, ‘even if that effect was not expected nor intended.’”²³
- Indirect discrimination is imperceptible.

Some Examples of Indirect Discrimination²⁴ :

- The use of height as a criterion for hiring is a practice that excludes women who are on average shorter than men or certain short people belonging to other groups.
- The prohibition of pets.

“Many public places, such as hospitals, schools, and commercial establishments, prohibit the presence of pets. The same is generally true inside workplaces.

²¹ Les exemples sont tirés de l'étude sur les définitions opérationnelles relatives au racisme et aux phénomènes connexes, p.28. UQÀM, Numéro 1

²² Commission européenne contre le racisme et l'intolérance (ECRI), Recommandation de politique générale sur la législation nationale pour lutter contre le racisme et la discrimination raciale, p.5, N*7, Strasbourg, Conseil de l'Europe 2003

²³ Commission des droits de la personne et des droits de la jeunesse, « Avis sur les directives de l'assurance maladie du Québec en matière d'accommodement raisonnable », pp.2-7 par Me Daniel Carpentier, 22 février 2010

²⁴ <https://www.defenseurdesdroits.fr/fr/institution/competences/lutte-contre-discriminations>

This rule is particularly aimed at health and safety objectives. However, if it is applied automatically, without any real consideration of the accessibility of certain clientele, it is highly likely to have discriminatory effects on them.

For people with disabilities whose means of mitigating the disability is a guide dog or an assistance dog, a relaxation of the regulations appears necessary. Otherwise, the accessibility of the blind, the deaf or hard of hearing, PDD children and their families or even people in need of assistance with motor skills will be compromised. In order to respect the right to equality of this category of people, the standard must include the possibility of accommodation. For the different environments the prohibition of domestic animals will generally be maintained, but the rule will include an exception with regard to guide or assistance dogs.”²⁵

What is racism?

“Racism consists in defining a group by natural attributes, in deducing from it intellectual and moral characteristics which are valid for each of the members of this whole, whatever their action and their will, and in possibly extending these representations by practices of inferiorization and/or exclusion.”²⁶

Systemic Racism

The notion of systemic racism is very controversial despite the fact that several groups currently use it. According to the CDPDJ, it is a “Sum of disproportionate effects of exclusion which result from the combined effect of attitudes imbued with prejudice and stereotypes, often unconscious, and of policies and practices generally adopted without taking into account the characteristics of the members of groups targeted by the prohibition of discrimination.”²⁷

*NB: Let us note that this definition of systemic racism is the same as that of systemic discrimination advocated by the CDPDJ.*²⁸

“Cumulative and dynamic situation of inequality resulting from the interaction, on the labor market, of individual or institutional practices, decisions or behaviours, having harmful effects, intended or not, on the members of groups covered by the 15 of the Charter.”²⁹

What is Racial Discrimination?

“(…) Any and all distinction, exclusion, restriction or preference based on race, color, descent, national or ethnic origin, which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, in conditions of equality, of human rights and fundamental

²⁵ CDPDJ. <https://www.cdpedj.qc.ca/fr/formation/accommodement/Pages/html/formes-discrimination.html>

²⁶ Micheline Labelle : *Un lexique du racisme, ' Étude sur les définitions opérationnelles relatives au racisme et aux phénomènes connexes ' p 33. Centre de recherche sur l'immigration, l'ethnicité et la citoyenneté (CRIEC), 2006*

²⁷ Par Wissam Mansour, Julia Posca, *Qu'est-ce que le racisme systémique ? p.1 Billet 4 juin, Commission des droits de la personne et des droits de la jeunesse (CDPDJ), rubrique Inégalité, Institut de recherche et d'informations socioéconomiques (IRIS), 2020*

²⁸ <https://www.cdpedj.qc.ca/fr/formation/accommodement/Pages/html/formes-discrimination.html>

²⁹ Idem

3. CASES OF DISCRIMINATION BY SECTORS (employment, health, housing and education)

Employment

In the workplace, no employer can rely on a prohibited ground of discrimination to treat a person differently. This is determined by section 16 of the Quebec Charter of Rights and Freedoms.

- “If a job posting or public notice says ‘Women cannot apply’ or “Foreigners do not qualify,’ the message is clear...and discriminatory.”
- “Some people find themselves being denied a job or a promotion simply because they are in the wrong age group or the wrong sex, have this or that skin color or come from this or that country.”³¹
- “In 2005, a survey conducted by Statistics Canada among immigrant women revealed that 37% of them identified the non-recognition of foreign qualifications and skills as well as the difficulties of access to a first work experience on Canadian soil as major obstacles to their inclusion in the labor market.”³²

Housing

- This phenomenon is underestimated due to the very limited data available in relation to discrimination in housing because people generally do not file complaints. Rental offers that openly say they do not want children are becoming increasingly common. FRAPRU and the housing committees are closely examining the issue and receiving complaints dealing with such cases.

³⁰ ONU, *Convention internationale sur l'élimination de toutes les formes de discrimination raciale, Article 1er, AG dans sa résolution 2106 du 21 décembre 1965*

³¹ Micheline Labelle, *un lexique du racisme, Étude sur les définitions opérationnelles relatives au racisme et aux phénomènes connexes, p.28. Centre de recherche sur l'immigration, l'ethnicité et la citoyenneté (CRIEC), 2006*

³² *Statistique Canada, Enquête longitudinale auprès des immigrants du Canada (ELIC), 2005.*

Example 1

Anne-Sophie Poirée published on April 18, 2021 in the Journal de Montréal, “Mothers of families they struggle so much to find a healthy and affordable apartment in a context of scarcity of housing, they say they are victims of discrimination.”

Some testimonials from the article:

- Katia Belisle. "Clearly, you should never say that you have children, and even less that you are a single mother." The 41-year-old nurse laments having suffered "dozens of refusals" before an landlord accepted her, her newborn and her two boys of 10 and 15 years old in his building, in June 2020.
- Émilie Provost, 27, mother of two young children. “We call the owners, and they are very interested. But every time we say we have children, they tell us that, ultimately, there are people waiting and that we would be better off looking elsewhere.”
- Sandy Bélisle, who is looking for a five and a half in Montreal for herself, her spouse and their five children. “I wrote to seven owners, and six of them told me that they did not want anything to do with children,” launches the young woman of 26 years. “This is totally discrimination!”

Example 2

A participant in a study conducted by the TCRI, “confided that, ‘every time I have to look for housing, I have to drag my mother (who is a white Quebecer) with me.’ Other testimonies (from black women) had similar implications. Another participant told us, ‘I was once looking for accommodation and was told: I don't want cockroaches.’”³³

Health and Social Services

Example 1:

The Joyce Echaquan Case: A 37-year-old indigenous woman and mother of 7 children died at the Joliette hospital in September 2020. Before her death, she broadcast a video showing the mistreatment she suffered as well as the racist and degrading remarks made to her by the care team. Her death is seen as a clear indication of anti-Indigenous racism in Quebec and Canada.³⁴

³³ TCRI, *Projet sur la situation des femmes immigrées et racisées au Québec: Rapport de tournée auprès des femmes immigrées et racisées*, p.61, Comité de réflexion sur la situation des femmes immigrées et racisées, 2012

³⁴ www.Ledevoir.com/societe/587114/les-dernieres-heures

Example 2 :

Up until very recently, children born in Quebec to parents with precarious immigration statuses were unjustly deprived of free health care.³⁵

Education

Some decisions of the Commission des droits de la personne et des droits de la jeunesse in the field of education³⁶

Example 1 :

Montreal, December 7, 2020: Discrimination related to skin color

The Commission des droits de la personne et des droits de la jeunesse (CDPDJ) asked the former Commission scolaire Marguerite-Bourgeoys to pay a mother and her two black children \$65,000 in damages for acts of aggression and racial harassment at school, including name-calling with the "N" word, and for failing to provide young people with a racism-free school environment.

Exemple 2 :

Montreal, December 16, 2020: Discrimination related to skin color:

"It is the turn for the Sir Wilfrid Laurier School Board to have to pay a mother and her two black children the sum of \$30,000 in damages for her failure to act against acts of aggression and harassment racially at school, including exposure to slurs with the "N" word.

Example 3: Montreal, July 13, 2017: Discrimination based on religion in the workplace:

Jewish employer ordered by Quebec Human Rights Tribunal to pay Jewish employee \$12,500 for religious discrimination.

"In October 2011, the owners of Spa Orazen hired Mr. Zilberg, who is of Jewish faith, as a hairstylist and colorist. He worked there an average of 30 hours a week, including Saturdays.

In July 2012, the owners, who were also Jewish, informed Mr. Zilberg that he could no longer work on Saturdays because he is Jewish, and that Jews are not allowed to work on Shabbat. However, although he identifies as spiritually Jewish, he does not consider working Saturdays to be against his personal beliefs. He therefore considers it unacceptable that his employers imposed their beliefs on him.

Furthermore, Mr. Zilberg wondered why the salon was open on Saturdays if Jews are not supposed to work on Shabbat. He was told that the business could be open on Saturdays if profits made on

³⁵ Rapport du Protecteur du citoyen, Donner accès au régime québécois d'assurance maladie aux enfants nés au Québec de parents au statut migratoire précaire, p.4, 2018. <https://protecteurducitoyen.gc.ca/fr/enquetes/rapports-speciaux/acces-ramq-enfants-parents-statut-migratoire-precaire>

³⁶ <http://www.crarr.org>

Shabbat were donated to charity. When he asked why the policy was changed, he was told not to tell anyone and to just say that Saturday was a day off for him.”³⁷



³⁷ Une décision de la Commission des droits de la personne et des droits de la jeunesse, Montréal, le 13 juillet 2017, <http://www.crarr.org>

PART 3

A. Resources to help face discrimination and racism

1. Support resources

Discrimination and harassment are prohibited by law in Canada. If you believe you have been discriminated against, you may be able to file a complaint with the Commission, or with a provincial or territorial human rights agency. Here's how to ask for help "without taking any wrong turns!"

Fields	Support resources
Employment	<p>ATF "Action travail des femmes (ATF) is an autonomous non-profit organization working to support socio-economically disadvantaged women of all ages and backgrounds in their efforts to access decent jobs, particularly in non-traditional fields." 7001, rue Hutchison Montréal (Québec) H3N 1Y9 Telephone: 514.768.7233 Fax: 514.768.8697 http://www.atfquebec.ca/</p>
Health	<p>ACCÉSSS The Alliance of Cultural Communities for Equality in Health and Social Services is a group dedicated to the accessibility and adequacy of social and health services for people from ethnocultural communities. 7000, ave du Parc, Montréal, QC, H3N1X1, Bureau 408 Telephone: 514-287-1106 Fax: 514-287-7443 https://accesss.net/</p>
Housing	<p>RCLALQ Nearly fifty housing committees and tenant associations in Quebec (non-profit organizations) help tenants understand and defend their rights. Find the one in your neighborhood by visiting: The Regrouping of Housing Committees and Tenant Associations of Quebec (RCLALQ) 514 521-7114 ou 1-866-521-7114 E-mail : rclalq@rclalq.qc.ca https://rclalq.qc.ca/</p>

	<p>FRAPRU The Popular Action Front in Urban Redevelopment (FRAPRU) is a national group for the right to housing. It aims for greater control by all citizens over their housing conditions, the development of their neighborhood and their living environment. 1431 Rue Fullum, Montréal, QC H2K 0B5 Telephone: (514) 522-1010 https://www.frapru.qc.ca/a-propos/</p> <p>TAL Tribunal: Tribunal administratif du logement (Le TAL du Québec) is an agency of the Government of Quebec that governs relations between landlords and their tenants. The TAL officially replaces the Régie du logement du Québec since August 31, 2020. Telephone: <u>Montréal, Laval et Longueuil</u> 514 873-2245 <u>Other regions</u> 1 800 683-2245 E-mail: Village olympique 5199, rue Sherbrooke Est Bur. 2360 Montréal (Québec) HIT 3X1 https://www.tal.gouv.qc.ca/</p>
<p>Education</p>	<p>CRARR Center for Research-Action on Race Relations 460, rue Sainte-Catherine Ouest, bur. 610 Montréal H3B 1A7 Tel: (514) 939-3342 Fax: (514) 939-9763 crarr@primus.ca http://www.crarr.org/</p> <p>FCRR Canadian Race Relations Foundation The Canadian Race Relations Foundation is the country's leading organization dedicated to the elimination of racism and all forms of racial discrimination in Canadian society. To achieve this, the foundation relies on knowledge sharing and community support in a quest for equity and social justice supported by the desire to bring about the necessary systemic changes. 6, cour Garamond. Bureau 225 Toronto, Ontario M3C 1Z5 Telephone: 416 441-1900 1 888 240-4936 Fax: 416 441-2752 1 888 399-0333 https://www.crrf-fcrr.ca/fr/</p>

2. Resources for filing complaints

Fields	Resources for filing complaints
Employment	<p>Labor standards (After hiring process, must already be employed). Tel: 1 800 361 6477 https://www.cnesst.gouv.qc.ca/fr/organisation/documentation/formulaires-publications/normes-travail-au-quebec</p> <p>Commission des droits de la personne et des droits de la jeunesse. Tel: 1 800 361 6477</p> <p>Even when in doubt, “When you have the impression of having been the victim of discrimination”, you can file a complaint. An analysis of the situation (establishing the reality and seeing the possibilities of demonstrating that there was discrimination) will make it possible to determine whether the CDPDJ has jurisdiction.</p> <p>If not, it is the Commission for Standards, Equity, Health and Safety at Work (CNESST) that should be contacted. It is the main organization responsible for the application of labor laws in Quebec.</p> <ul style="list-style-type: none"> • A job at the Federal, comes out of the charter of Quebec. The complaint cannot be filed with the CDPDJ. Examples: Canada Post, Army, Customs, Airport, Train, Sea Freight • In the context of unionized employment, the complaint cannot be filed with the CDPDJ. It will be directed at the union (the collective agreements being based on the charter of human rights and freedoms). In the event of non-satisfaction with the decisions, an appeal could be made against the union before the Administrative Labor Tribunal. <p>https://www.cdpedj.qc.ca/fr</p> <p>Who can file a complaint? A person or group of people who has been the victim of discrimination or harassment, an organization on behalf of one or more victims, a witness when the victim is an elderly or disabled person (family member, friend, neighbour, volunteer or other). You do not have to have a lawyer to file a complaint with the Commission. If you hire a lawyer, you will have to pay the fees for their services.</p> <p>When to file a complaint? File a complaint as soon as possible. At the latest 3 years after the facts or, at the latest 6 months after the facts if the situation involves a police department or a municipality. The Commission may decide not to deal with a complaint if the event dates back more than 2 years.</p> <p>Information to be provided You will need to explain what happened in detail.</p>

<p>Health</p>	<ul style="list-style-type: none"> - Step 1: Speak with the person responsible for the service - Step 2: Complaints commission and quality of services <p>You can file a complaint in writing or verbally, at the local access point of the Service Quality and Complaints Commission of the facility in question.</p> <p>You can also dial 1 844 630-5125, ou write at : commissariat.plaintes.comtl@ssss.gouv.qc.ca.</p> <p><u>The second instance appeal:</u> Citizen Ombudsman: Mission: Ensure respect for the rights of citizens in their relations with public services. A complaint in three steps: BEFORE FILING A COMPLAINT WITH THE CITIZEN'S PROTECTOR, MAKE SURE THAT YOU ARE CONTACTING THE RIGHT PLACE. The Québec Ombudsman only handles complaints against Québec government departments and agencies as well as institutions in the health and social services network (as a second resort in this case). To find out more, see the section Can we handle your complaint?</p> <p>Telephone : 418 643-2688 Sans frais : 1 800 463-5070 Fax : 1 866 902-7130 Post : 800, place D'Youville, 19e étage, Québec (Québec) G1R 3P4 1080, côte du Beaver Hall, 10e étage, bur. 1000 Montréal (Québec) H2Z 1S8 Canada https://protecteurducitoyen.qc.ca/fr/nous-joindre</p> <p>Offices are open Monday to Friday from 8:30 a.m. to 12 p.m. and from 1 p.m. to 4:30 p.m.</p>
<p>Housing</p>	<p>Commission des droits de la personne et des droits de la jeunesse</p> <ul style="list-style-type: none"> • Cases of discrimination have been reported in the context of a request to visit a vacant dwelling advertised for rent. Throughout the process of accessing housing, as soon as you think you have been the victim of discrimination, a complaint can be filed. <p>https://www.cdpdj.qc.ca/fr/porter-plainte/je-veux-porter-plainte-pour-discrimination-ou-harcelement</p>
<p>Education</p>	<p>The Québec Ombudsman only handles complaints against Québec government departments and agencies as well as institutions in the health and social services network (as a second resort in this case). To find out more, see the section Can we handle your complaint?</p> <p>Telephone : 418 643-2688 Sans frais : 1 800 463-5070 Fax : 1 866 902-7130 Post : 800, place D'Youville, 19e étage, Québec (Québec) G1R 3P4 1080, côte du Beaver Hall, 10e étage, bur. 1000 Montréal (Québec) H2Z 1S8 Canada https://protecteurducitoyen.qc.ca/fr/nous-joindre</p> <p>Offices are open Monday to Friday from 8:30 a.m. to 12 p.m. and from 1 p.m. to 4:30 p.m.</p>

CONCLUSION

- It is important to note that the Government of Quebec launched in December 2020 an action plan against racism entitled: Racism in Quebec Tolerance Zero. This action plan has enabled the implementation of various actions since 2021. In particular to put an end to police discrimination; the launch of a national anti-racism awareness campaign as well as ongoing training, particularly for police forces and public service employees; measures to promote the education of young people on the issue of racism and discrimination throughout their school career, through various programs offered by the elementary and secondary school network; the appointment of Benoit Charrette since February 2021 as Minister responsible for the fight against racism and finally, various actions aimed at combating racism and discrimination against Indigenous communities.
- As part of the project led by the RAFIQ entitled "Developing the leadership of immigrant and racialized women by fighting against racism and discrimination", an advisory committee on discrimination and racism against immigrant women was put in place since June 2021. It is possible for workshop participants to get involved...

Organizations consulted

- *Alliance des communautés culturelles pour l'égalité dans la santé et les services sociaux (ACCÉSSS)*, www.accesss.net
- *Fédération des Communautés Culturelles de l'Estrie*, www.fccestrie.ca
- *Le Collectif* www.cfiq.ca
- *La Maison d'Haïti*, www.mhaiti.org
- *La Maisonnée*, www.lamaisonnee.org
- Regroupement des comités logement et associations de locataires du Québec (RCLALQ) www.rclalq.qc.ca
- Action Travail Femmes <https://atf.typepad.fr/>

- 1- Action Travail des Femmes, guide d'information sur l'accès à l'égalité, p.10, 2013
- 2- Allison Harvey, La participation des femmes dans les organismes féministes mixtes, p.2, Centre de documentation sur l'éducation des adultes et la condition féminine, CDEACF.
- 3- Amel Belhassen, Améliorons nos conditions de vie : En route vers le leadership des femmes immigrées! P.13, Un guide d'entraînement des femmes immigrées au leadership, Table de concertation des organismes au service des personnes réfugiées et immigrantes (TCRI) et le Comité de réflexion sur la situation des femmes immigrées et racisées, 2010-2011.
- 4- Bertrand Poulet <https://www.demos.fr/blog/quest-ce-que-le-leadership-et-quoi-sert-il>
- 5- CDPDJ et ATF c. Gaz Métro, Tribunal des droits de la personne, paragraphe 37.
- 6- Chicha-Pontbriand, M.T., Discrimination systémique : Fondement et méthodologie des programmes d'accès à l'égalité en emploi, p.85, Cowansville, Yves Blais, 1989.
- 7- Chicha-Pontbriand, Discrimination systémique : Fondement et méthodologie des programmes d'accès à l'égalité en emploi, p.85, Cowansville, Yves Blais, 1989
- 8- Coalition internationale des villes contre le racisme. Indicateurs pour l'évaluation des politiques municipales visant à contrer le racisme et la discrimination UQAM. 2006.
- 9- Commission européenne contre le racisme et l'intolérance p.5, 2003. <https://WWW.coe.int>
- 10- CRÉ de Montréal, Un portrait socio-économique des femmes et des hommes de l'Île de Montréal, 2001. <http://www.femmesdemontreal.org>
- 11- Décision de la Commission des droits de la personne et des droits de la jeunesse, Montréal, le 16 décembre 2020, <http://www.crarr.org>
- 12- Décision de la Commission des droits de la personne et des droits de la jeunesse, Montréal, le 07 décembre 2020, <http://www.crarr.org>
- 13- House, R. J. (2004) Culture, Leadership, and Organizations: The GLOBE Study of 62 Societies, p.15, SAGE Publications, Thousand Oaks, 2004
- 14- <https://www.manager-go.com/management/developpement-du-pouvoir-d-agir.htm>
- 15- KILOLO-MALAMBWE, Jean-Marc (2011). Participation des immigrants au marché du travail au Québec en 2009, p.40, Québec, Institut de la statistique du Québec
- 16- Micheline Labelle : Un lexique du racisme, 'Étude sur les définitions opérationnelles relatives au racisme et aux phénomènes connexes' p.28, tiré de la Commission des droits de la personne et des droits de la jeunesse du Québec, Coalition internationale des villes contre le racisme pour L'UQAM 2006
- 17- Micheline Labelle : Un lexique du racisme, Étude sur les définitions opérationnelles relatives au racisme et aux phénomènes connexes, p.29, tiré de la Commission des droits de la personne et des droits de la jeunesse du Québec <https://www.cdpedj.qc.ca/fr/vos-obligations/ce-qui-est-interdit/la-discrimination>
- 18- Ministère de l'Immigration et des Communautés culturelles, Direction de la recherche et de l'analyse prospective, et Citoyenneté et Immigration Canada, Données préliminaires pour 2009 (février 2010).
- 19- ONU, Convention internationale sur l'élimination de toutes les formes de discrimination raciale, Article 1er, AG dans sa résolution 2106 du 21 décembre 1965

- 20- Rapport du Protecteur du citoyen, Donner accès au régime québécois d'assurance maladie aux enfants nés au Québec de parents au statut migratoire précaire, p.4, 2018
- 21- Statistique Canada (SC) enquête sur la population active, 2020, adapté par l'institut des statistiques du Québec (ISQ) : Indicateurs du marché du travail chez les personnes immigrantes et celles nées au Canada, résultats selon le sexe, 2006-2020, Québec,
- 22- Statistique Canada, Enquête longitudinale auprès des immigrants du Canada (ELIC), 2005.
- 23- Table de concertation des organismes au service des personnes réfugiées et immigrantes (TCRI), Projet sur la situation des femmes immigrées et racisées au Québec: Rapport de tournée auprès des femmes immigrées et racisées, p.61, Comité de réflexion sur la situation des femmes immigrées et racisées, 2012
- 24- Vérificateur général du Québec, Rapport du Vérificateur général du Québec à l'Assemblée nationale pour l'année 2010-2011 – Tome1
- 25- Wissam Mansour, Julia Posca, Qu'est-ce que le racisme systémique ? p.1 Billet 4 juin, Commission des droits de la personne et des droits de la jeunesse (CDPDJ), rubrique Inégalité, Institut de recherche et d'informations socioéconomiques (IRIS), 2020

OTHER WEBSITES CONSULTED

- 1- <https://www.cdpcj.qc.ca/fr/porter-plainte/je-veux/porter-plainte-pour-discrimination-ou-harcelement>
- 2- <https://www.defenseurdesdroits.fr/fr/institution/competences/lutte-contre-discriminations>
- 3- <http://www.ensemble-rd.com/discrimination/la-charte-des-droits-et-libertes-du-quebec>
- 4- <https://atf.typepad.fr/files/atf-guide-dinformation-2013.pdf>
- 5- https://www23.statcan.gc.ca/imdb/p2SV_f.pl?Function=getSurvey&SDDS=4422
- 6- https://www.vgq.qc.ca/Fichiers/Publications/rapport-annuel/2010-2011-T2/fr_Rapport2010-2011-T2-Chap07.pdf
- 7- <http://www.crarr.org/>
- 8- <https://www.cdpcj.qc.ca/fr>
- 9- <https://revuelespritlibre.org/la-reconnaissance-des-acquis-et-competences-entre-autonomie-des-universites-et-discrimination>
- 10- <https://www.cnesst.gouv.qc.ca/fr/organisation/documentation/formulaires-publications/normes-travail-au-quebec>
- 11- <https://www.cdpcj.qc.ca/fr>
- 12- <https://protecteurducitoyen.qc.ca/fr/nous-joindre>
- 13- <https://www.frapru.qc.ca/a-propos/>
- 14- <https://www.tal.gouv.qc.ca/>
- 15- <https://rclalq.qc.ca/>
- 16- <http://www.atfquebec.ca/>
- 17- www.Ledevoir.com/societe/587114/les-dernieres-heures
- 18- <https://protecteurducitoyen.qc.ca/fr/enquetes/rapports-speciaux/acces-ramq-enfants-parents-statut-migratoire-precaire>
- 19- <http://www.ensemble-rd.com/discrimination/la-charte-des-droits-et-libertes-du-quebec>
- 20- <http://www.ensemble-rd.com/discrimination/la-charte-des-droits-et-libertes-du-quebec>
- 21- <https://www.defenseurdesdroits.fr/fr/institution/competences/lutte-contre-discriminations>
- 22- <https://www.cdpcj.qc.ca/fr/formation/accommodement/Pages/html/motifs-discrimination.html#note>

