



ASSOCIATION OF  
ADMINISTRATIVE +  
PROFESSIONAL  
STAFF AT UBC

*Submission by the*

Association of Administrative and Professional Staff of  
The University of British Columbia

*to*

Ravi Kahlon

Parliamentary Secretary for Sport and Multiculturalism

*for the*

Human Rights Commission Public Consultation

November 17, 2017

## **Introduction**

The Association of Administrative and Professional Staff of The University of British Columbia is the professional association for the Management and Professional staff group at UBC. Our over 4,300<sup>1</sup> members play vital roles in every function of the University. They provide leadership and professional expertise to UBC's central service departments as well as within academic faculties and on research initiatives. Our members are located at UBC's two main campuses at Point Grey in Vancouver and the Okanagan Campus. They also work at hospitals and on research sites around the province.

The Association of Administrative and Professional Staff (AAPS) conducts collective bargaining, represents our members during investigatory, human rights, and grievance issues with their employer UBC, and works with members and the University to create a workplace that is inclusive, professional, and free from discrimination.

AAPS is very supportive of the government reinstating the B.C. Human Rights Commission.

## **Recommendation**

We recommend that the reinstated B.C. Human Rights Commission be given a broad educational and advocacy mandate, and be well funded and well-staffed over the long-term to effectively carry out this important work and make a real and lasting impact on the lives of all British Columbians.

We recommend that the mandate include strong education and advocacy components. These components will allow the Commission to actively engage in education and preventative measures for employers such as UBC, as well as the ability to address broad and systemic issues of human rights discrimination through research, reporting, and policy development.

We see the reinstatement of a well-funded human rights commission with a broad educational and advocacy mandate as the Provincial Government fulfilling its obligations under the B.C. Human Rights Code:

“To foster a society in British Columbia in which there are no impediments to full and free participation in the economic, social, political, and cultural life of British Columbia.”

## **Prevention Through Education**

Currently, there is no support system available to educate employers as well as citizens of British Columbia on human rights in a substantial, authoritative, and meaningful way. As a labour relations organization, AAPS would like to see less human rights violations happening in the workplace and more consistent and professional processes for dealing with human rights-related issues.

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<sup>1</sup> [2016/2017 AAPS Annual Report](#). AAPS at UBC. Web (accessed: 2017-10-06)

A human rights commission with a broad mandate for education and advocacy can work with employers and the general public to better educate them about timely and appropriate interpretations of human rights. Better education and awareness means that problems or conflicts may be nullified. Better education for employers would mean that when a human rights violation does occur in the workplace, employers are using up-to-date best practices as a means of interpreting the human rights code. A commission with a broad educational mandate would also be able to prepare policy recommendations and guidelines that employers and individuals could easily follow.

We hope that education and advocacy of human rights issues would result in an increased voluntary adoption of policies and guidelines. It has been our experience that punitive measures typically do not lead to compliance or collaboration.

Human rights violations are difficult on workers and workplace culture. They can cause significant disruptions to team dynamics and productivity. The tribunal process although sometimes necessary, is long and can be damaging to careers and mental health. As a province with an eye towards innovation, we should be doing all that we can to prevent human rights violations from happening in the first place. For the health and wellbeing of our citizens and our economy, a human rights commission should be an essential part of B.C.'s human rights system.

### **The Tribunal Only Process is Restrictive and Personal**

When we look at how the current human rights system impacts our members in the workplace, we note that a Human Rights Tribunal only system has significant limitations for our members.

The Human Rights Tribunal is a necessary and important venue for human rights dispute resolution. However, it requires an individual be willing to come forward and have their name and case be made part of the public record. Tribunals are a valuable but limiting structure for dealing with human rights issues. They can create a stigma or worse, retribution. For our members there is no just cause protection in their collective agreement, creating a very high risk for members to come forward with issues. Despite the lack of just cause protection, we have still seen an increase in bullying/harassment issues through our labour relations work with our members over the last few years.<sup>2</sup>

A human rights commission would be able to address systemic issues and patterns of behaviour outside individual cases. They could anonymize complaints, but still make recommendations for policy or legislative changes to address these issues.

For our members specifically, the policy grievance clause in their collective agreement does not allow the AAPS to bring forward policy grievances to the employer without an individual case attached. This severely limits our ability as an organization to make systemic changes to human rights issues at UBC. We would find the support of a human rights commission to be valuable to our labour relations work.

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<sup>2</sup> [2016/2017 AAPS Annual Report](#). AAPS at UBC. Web (accessed: 2017-10-06)

Even though there are challenges for individuals coming forward with a human rights complaint, our members that do choose to come forward have the full support and expertise that any other member of a labour relations association would have.

We recognize that this is not the case for many British Columbians as they do not enjoy the professional support and protection of a union or association in their workplace. For these workers across the province, a human rights commission is all that more vital.

### **Impact of a Human Rights Commission Outside of the Workplace**

While our work is focused on the employee/employer relationship, we recognize the value of having a provincial human rights commission with a broad educational and advocacy mandate to make positive impacts on the lives of our members outside the workplace.

In their report, the Canadian Centre for Policy Alternatives notes that other provinces across Canada have experienced the benefits of having a human rights commission to impact social issues that are important to citizens in their everyday lives.<sup>3</sup> A commission can conduct research, address systemic human rights issues, gather data, and make policy and guideline recommendations on a number of topics that are important to British Columbians. For our members, these are some of the broader human rights-related issues that they have brought forward:

- unable to afford or find the reasonable basic need of shelter
- overt or subtle discrimination of those with caregiving needs such as childcare or eldercare
- fear of telling employer they are pregnant and fear of losing job after they return to work
- overlooking or undervaluing the professional skills of immigrants
- lack of understanding of what accommodations mean

These are areas that need to be addressed in the Province, and these are areas that are important to our members who are leaders and professionals in their fields. A human rights commission can help move B.C. forward in an equitable way on these issues, providing that the commission is well-funded with a broad mandate.

### **Conclusion**

Thank you for making the time to consider our recommendations as part of your public consultation process. We hope that through considering our feedback and that of many other organizations and individuals that you will put in place a B.C. Human Rights Commission that serves the people of British Columbia.

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<sup>3</sup> Gwen Brodsky and Shelagh Day, *Strengthening Human Rights: Why British Columbia Needs a Human Rights Commission* (Vancouver: The Poverty and Human Rights Centre and Canadian Centre for Policy Alternatives – BC Office, 2014)

## ABOUT THE ASSOCIATION OF ADMINISTRATIVE AND PROFESSIONAL STAFF OF THE UNIVERSITY OF BRITISH COLUMBIA

**The Association of Administrative and Professional Staff of The University of British Columbia (AAPS)** is the professional association for the Management and Professional Staff group at UBC.

Management and Professional Staff (M&P Staff) play critical roles in every function of the University. Their leadership and professional expertise are essential to a world-class institution of learning, research, innovation, and community engagement.

AAPS members are highly qualified professionals overseeing information technology; conducting and facilitating research; directing academic and community programs; managing facilities and infrastructure; guiding and supporting students as academic advisors, counsellors, coaches, program administrators, career and co-op advisors, and travel abroad program coordinators. AAPS members lead industry initiatives and seek partnerships with the broader community for economic development, education, and communication.

AAPS is the legal bargaining agent for the M&P Staff group and represents its over 4,300 members in collective bargaining and dispute resolution with the University.

AAPS supports members in resolving workplace issues and strives to improve their work experience at UBC. The Association also creates a connected community of members through networking and professional development opportunities.

AAPS is registered under the B.C. Societies Act.



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