

June 11, 2020

Dear All,

Please accept this letter as my resignation from the position of Human Rights Officer at the Canadian Human Rights Commission. It is with deep regret that I tender my resignation, as I took on this role, just over two years ago, with tremendous fervour to work for Canada's national human rights institution, whose mandate is to promote and protect human rights through a fair and effective complaints process.<sup>1</sup> Unfortunately, my experience at the Commission has reflected the opposite of its mandate. I have been particularly distressed by recent events in the aftermath of Chief Commissioner Landry's statement on anti-Black racism, which declares that, "Racist comments and racist acts, no matter how subtle, must no longer be ignored or tolerated in Canada...when we are complacent, we are complicit. When we are silent, we are complicit."<sup>2</sup>

I am deeply distressed by the complacent and silent response within the Commission. When companies stopped operations in the aftermath of events that sparked the Black Lives Matter protests all over the world, and some even gave their employees time off to recuperate, the Complaints branch carried on, business as usual. A Music and Donut party was held. People exchanged jokes over e-mail. I am saddened that no one contemplated the traumatizing impact the "business as usual" routine must have on racialized employees who were deeply upset by the events of the preceding weeks. We were simply asked to re-tweet the Chief Commissioner's statement. When racialized employees—the handful of us—attempted to schedule a phone call with the Mental Health champion at the Commission, the Mental Health champion rescheduled on us twice. This call has not occurred to date.

My experience of enduring racism-related trauma at the Commission long precedes the anti-Black racism statement and the subsequent institutional duplicity, however. I have attended countless meetings within the Complaints branch where racist comments have been made about Black, Indigenous, and Muslim people. While I have spoken up each time I have heard racist comments, I have been deeply troubled that I've had to hear them in the first place, by longstanding employees of the Commission: the very institution that has been entrusted by the Canadian public to mitigate racism in federal spaces.

This letter is not my first time speaking up about the racist comments I have heard. I have brought them up again and again with senior management. Recently, I brought up the inability to discuss race issues "safely" during team meetings, because managers (all of whom are non-racialized) are often unaware of the experiences of racialized Canadians. I expressed that I have difficulty being the only racialized voice in the room raising the perspective of a person of colour. It's exhausting. This sentiment was echoed by another racialized colleague, who also expressed difficulty raising the perspective of a person of colour, because meetings at the Commission are not safe spaces to talk about race-related issues. Where a racialized employee raises their perspective on a race-related complaint, they are made to feel marginalized, isolated, and "wrong" for raising their "unpopular" perspective. When I brought up this issue with senior management, I was told that I should take conflict management training and learn how to have difficult conversations with my manager. This is deeply troubling, because the onus should not fall upon the racialized employee to figure out how to create a safe space for themselves. This is not a conflict management issue. It is a health and safety issue for racialized employees.

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<sup>1</sup> Canadian Human Rights Commission, About us: Our Mandate <https://www.chrc-ccdp.gc.ca/eng/content/about-us>

<sup>2</sup> Statement – Anti-Black racism in Canada: Time to face the truth <https://www.chrc-ccdp.gc.ca/eng/content/statement-anti-blackracism-canada-time-face-truth>

Moreover, I have been forced to draft reports stating that a race complaint is “frivolous” because a manager tells me, “people of colour always believe things are happening to them because of their race.” In the event that I refuse to draft a “frivolous” report because I believe the complainant has made out a prima facie case of discrimination based on their race, I have been forced to draft a “trivial” report – simply another way to dismiss a race complaint. Even if I believe the complaint is far from “trivial,” refusal to draft such a report would be insubordination, and I would risk losing my (already insecure) contract job and livelihood. The trauma from such experiences, which have attacked my core values of a commitment to justice and serving the public interest, has been difficult to forget.

I am deeply troubled by the Complaints branch’s commitment to ensuring that a race complaint—where a prima facie case of discrimination has been established and the respondent has not provided a reasonable defence—does not go to Tribunal. It is no wonder that case law on race from the federal Tribunal is so underdeveloped.<sup>3</sup> It is as if race complaints are predestined for dismissal when they arrive at the Commission because of deeply entrenched biases against racialized complainants, such as, “they are just playing the race card.” Instead of spending time obtaining information from a complainant to ask them to establish a link between the alleged negative treatment and their race, more time is spent—to put colloquially—figuring out how to send the complainant away. The latter is the easier option, and the one that increases the volume of reports the Commission produces, but certainly not the most fair.

Furthermore, I am extremely disheartened that the Race Pilot Project has been a mere optics exercise. This Project has received no credence from senior management, no buy-in from staff, and has been set up to fail. If a project is to succeed, it must be given value by senior management through clear messaging to staff. While I will not speak for my learned colleagues, in my experience, three women of colour have been burdened with the immense weight of this Project, without our voices being heard or respected, and without anyone asking us how our mental health has deteriorated in the face of resistance and subtle forms of aggression. In my view, we have poured ourselves into this Project in hopes for change, only to feel devalued and hurt by the lack of safety created for us to do our work.

Any efforts to improve the assessment of race complaints have been insincere and mediocre at best. Important considerations were raised at the external stakeholders’ meeting in March. Before this meeting, messaging from senior management warned staff that, “these people are emotional.” It is hurtful to refer to experts from diverse racial background as a homogenous lump of “these people” and even worse to call them “emotional.” Additionally, any feedback from that meeting has not been properly disseminated to the Complaints branch, so that all Human Rights Officers might have an awareness of racialized stakeholders’ concerns. While I have proposed initiatives to strengthen the assessment of race based complaints, I have realized over the last few days that with half-hearted endorsement from senior management, these will inevitably fail and my mental health will suffer.

Chief Commissioner Landry, in light of your bold statement on anti-Black racism, I implore you to take a look within your own institution. Your racialized employees are hurting; our mental health is compromised; we are tired of fighting an oppressive work environment. We tolerate overt and subtle racism day in and day out. Those in positions of power, who make racist statements, get away with them without suffering consequences. When we speak up, we risk losing our jobs or being labeled angry women of colour – or worse, accused of “playing the race card.”

The decision to resign has been tough for me amidst the uncertainty of employment in covid19. But I cannot handle another second of the mental anguish that I have been subjected to at the Commission as a

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<sup>3</sup> We still cite *Basi v Canadian National Railway* (1988), 9 C.H.R.R. D/5029 from 1988—over 30 years ago—because race complaints rarely make it past the Commission’s “gatekeeping” function to the Tribunal, for the Tribunal to grapple with the merits of race complaints.

racialized employee. Most importantly, I cannot justify being part of a process that obstructs access to justice for racialized Canadians, with no sincere willingness to change. I took an oath as a public servant to serve Canadians, and by continuing to work for the Commission, I would be doing them a disservice. While my letter may get buried in the dust, I implore you, Chief Commissioner, to turn your mind to the state of your organization, for the sake of the Canadians we serve. I am speaking up today, in hopes of a better future for the human rights of Canadians, tomorrow. The fervour with which I began my job at the Commission has dwindled, and I must set out to find it again.

Sincerely,

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