| STAFF REPORT |
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| SUBMITTED BY: Chris Frotten |
| DATE: November 26, 2024 |
| SUBJECT: Advancing Accessibility and DEI Initiatives |
| STRATEGIC OBJECTIVE: 3.5 |

## ORIGIN

The purpose of this report is to provide an overview of the municipality's responsibilities under the Nova Scotia Accessibility Act and the Dismantling Racism and Hate Act, and propose a phased plan for advancing accessibility and diversity, equity, and inclusion (DEI) initiatives to meet these legislative requirements.

## BACKGROUND

The province of Nova Scotia has introduced legislative frameworks that prescribe municipalities to prioritize accessibility, diversity, equity and inclusion (DEI) as key components of public service delivery. This includes obligations to create, implement, and sustain plans that remove barriers to participation and address systemic inequities.

**Nova Scotia Accessibility Act**

The Accessibility Act, enacted in 2017, aims to make Nova Scotia fully accessible by 2030. Under the Act, municipalities must:

- Establish an Accessibility Advisory Committee to provide guidance and identify barriers.
- Develop and implement an Accessibility Plan addressing barriers in areas such as the built environment, transportation, goods and services, and information and communication.
- Review and update the Accessibility Plan every three years to ensure it remains relevant and responsive to the community's needs.

**Dismantling Racism and Hate Act**

The Dismantling Racism and Hate Act, passed in 2023, sets out obligations for public sector organizations to combat systemic racism and foster equity. Key requirements include:

- Developing a DEI Plan to identify and address systemic inequities.

- Providing training on anti-racism and DEI principles for staff and promoting public awareness.
- Establishing frameworks for equitable service delivery and engagement with marginalized communities.

This Act underscores the need for proactive measures to create welcoming and inclusive environments for all residents, especially those from historically marginalized groups.

**Current Municipal Status**

The municipality has made progress in improving accessibility by establishing an Accessibility Committee, which oversaw the implementation of an Accessibility Plan. The plan focuses on improving physical infrastructure, accessibility of information, and inclusive policies. The current plan will be reviewed in April 2025 to align with emerging legislative requirements. The Municipal Clerk has acted as the Accessibility Coordinator, providing leadership in implementing these efforts.

Over the past two years, accessibility projects and initiatives have included the installation of visual aids at the arena, redesigning and updating accessible entrances and ramps at the administrative building, placing mobi-mats at Stoney Island Beach and conducting accessibility audits of all municipal facilities to identify and address barriers. Additionally, the municipality has updated the way it communicates with the public by ensuring that information shared on Facebook and the municipal website meets accessibility standards, such as providing alternative text for images and using plain language.

On the DEI front, internal training initiatives have been undertaken, with staff completing self-directed courses through an online platform. These courses have provided foundational knowledge and DEI, including equipping staff to better serve the diverse needs of the community.

To promote inclusive recreation, the municipality has introduced sensory-friendly skates and adaptive swimming lessons, catering to individuals who benefit from reduced sensory input environments. Our recreation equipment loan program facilitates access and inclusion by providing residents with the necessary tools to participate fully in recreation opportunities, breaking down barriers and promoting equal opportunities for all community members. For example, the skates for loan at the arena were purchased with the goal of engaging newcomers and international students in winter activity and socialization. These initiatives have been well-received and demonstrate the municipality's commitment to inclusivity.

In addition to the specific progress and initiatives outlined above, accessibility and DEI work is important across all municipal departments, fostering a more inclusive approach to service delivery and decision-making. This is particularly evident in the role of our Senior Safety and Services Coordinator, whose work intersects directly with many vulnerable populations.

While progress has been made, I recognize that more structured efforts are needed to meet legislative requirements and community expectations.

## DISCUSSION

After carefully assessing our current priorities, resources, and obligations under the Accessibility Act and Dismantling Racism and Hate Act, I propose the following as a practical and achievable approach. This approach balances the legislative requirements with our available staff capacity, budgetary constraints, and operational demands. It focuses on phased steps that address immediate compliance needs while laying the groundwork for more robust accessibility and DEI initiatives in the future.

**Phase 1: Foundational Work (January to April 2025)**

The first phase would focus on establishing a foundation to ensure compliance with legislative requirements while preparing for more extensive efforts in accessibility and DEI. The work would begin with an internal self-assessment involving municipal staff and council. This process would identify gaps in current policies and practices related to accessibility and inclusion, providing a clearer picture of where we are.

During this phase, training and capacity-building efforts will be prioritized. Staff would continue to complete online self-directed training courses that cover essential accessibility and DEI topics, and workshops or seminars may be added to provide targeted learning opportunities. Council members would also participate in focused training to enhance their understanding of legislative obligations and how they can support inclusive decision-making.

The Accessibility Plan, which was previously developed and guided by the municipality's Accessibility Committee, will undergo a review and update. The updated plan would incorporate new legislative standards, such as handling accommodation requests within specific timeframes and documenting actions in a detailed and systematic manner.

Additionally, preliminary work on developing a DEI framework will begin. While still in the early stages, this framework would outline initial goals and strategies for promoting inclusivity in municipal operations and community interactions.

**Phase 2: Preparing for Growth (April to December 2025)**

Following the foundational work of Phase 1, Phase 2 would shift focus toward growth and the development of sustained capacity for accessibility and DEI initiatives. A significant milestone in this phase would be the hiring of an Accessibility and DEI Coordinator. We would finalize the job description, secure budget approval, and begin recruitment for this new position. The coordinator would play a pivotal role in leading and implementing accessibility and DEI strategies, ensuring that our efforts are well-coordinated and impactful.

To complement internal efforts, the municipality would seek external support where needed. Partnerships with organizations such as the Association of Municipal Administrators of Nova Scotia (AMANS) or engaging consultants with expertise in accessibility and DEI would be considered. These external resources would provide specialized guidance in developing detailed plans and advancing initiatives that exceed minimum compliance standards.

## BUDGET IMPLICATIONS

The budget implications of implementing phase 1 of the proposed approach can be executed within current budgets and would primarily involve human resources, training, and operational adjustments. A significant expense would be related to phase 2 due to the hiring of an Accessibility and DEI Coordinator, which entails costs for salary, benefits, and associated administrative overhead.

Training for staff and council, which has already begun in a limited capacity, would also require additional investment. While many initial training opportunities are cost-effective or online, expanding these efforts to include workshops, specialized sessions, or external facilitators would incur expenses.

Updating the Accessibility Plan and developing a DEI framework would require time and potentially external expertise. While the municipality may use in-house resources where possible, engaging external consultants or organizations such as the Association of Municipal Administrators of Nova Scotia (AMANS) for technical advice or specialized input could increase costs.

## LEGAL IMPLICATIONS

Under the Nova Scotia Accessibility Act and the Dismantling Racism and Hate Act, municipalities are legally required to develop and maintain Accessibility and DEI Plans to address systemic barriers and promote inclusivity. Additionally, provincial legislation will impose minimum standards for all Nova Scotian public serving organizations and businesses. Failure to meet these prescribed obligations could result in significant consequences, including the potential loss of funding from provincial programs. Beyond financial risks, non-compliance would reflect poorly on the municipality, undermining public trust and possibly damaging its reputation. Proactively addressing these requirements demonstrates a commitment to equity and accessibility while ensuring continued eligibility for government support.

## PUBLIC CONSULTATION/COMMUNICATIONS

Public consultation and communications will play a critical role in the successful implementation of accessibility and DEI initiatives. Engaging residents, particularly underrepresented and marginalized groups, will ensure that our plan is informed by lived experiences and community needs.

Community engagement would begin once the foundational plan is in place. This could include opportunities for public input, awareness campaigns to highlight our commitment to accessibility and inclusion, and regular updates to keep the community informed of progress.

## RECOMMENDATION

After considering the amount of time and effort required to ensure adherence to provincial legislation, I recommend that Council approve the proposed plan and direct staff to begin implementation in January 2025, including steps to hire a coordinator in the 2025-26 budget cycle.

This plan represents a balanced approach to meeting legislative requirements while leveraging current resources and preparing for future needs. It provides a clear path to compliance by April 1, 2025, while setting the stage for more robust initiatives in subsequent years. The outlined steps are sufficient to meet provincial expectations, but council may consider seeking external assistance for a more detailed plan if desired.

## SUGGESTED MOTION

Move that it be recommended to Council to approve the Accessibility and DEI plan as outlined in this report, directing the CAO to proceed with the plan starting January 2025 and include hiring a coordinator in the 2025-26 budget.

## ALTERNATIVES

1. Instead of relying on internal resources, we could engage external consultants to develop a detailed accessibility and DEI plan. These consultants would bring specialized expertise, ensuring a comprehensive approach and addressing legislative requirements effectively. However, this option would require additional funding and might limit long-term capacity-building within the municipality.
2. Establish a temporary task force comprising of staff, council members, and community representatives to oversee the development of the plan. This task force could provide strategic direction and take responsibility for initial self-assessments, training, and policy updates. While this approach leverages existing resources, it might overextend staff capacity and delay progress on other priorities.
3. Focus solely on meeting the minimum legislative requirements by April 1, 2025, without initiating broader DEI or accessibility initiatives. This could include updating the current Accessibility Plan, providing basic training, and completing a self-assessment with existing resources. While cost-effective in the short term, this approach might hinder progress toward fostering a truly inclusive community and could impact the municipality's reputation.

## ATTACHMENTS

- Nova Scotia Accessibility Act
- Nova Scotia Dismantling Racism and Hate Act
- Equity and Anti-Racism Primer
- Equity and Anti-Racism Plans Guidance for Municipalities and Villages
- Equity and Anti-Racism Self Assessment Tool

# Accessibility Act

CHAPTER 2 OF THE ACTS OF 2017

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CHAPTER 2 OF THE ACTS OF 2017

# An Act Respecting Accessibility in Nova Scotia

**Table of Contents**

(The table of contents is not part of the statute)


| | Section |
|---|---|
| Short title | 1 |
| Purpose of Act | 2 |
| Interpretation | 3 |
| Act with stronger protection of rights prevails | 4 |
| Act binds Crown | 5 |
| Supervision of Act | 6 |
| Mandate of Minister | 7 |
| Annual report of Minister | 8 |
| Delegation by Minister | 9 |
| **Accessibility Directorate** | |
| Establishment of and role | 10 |
| Executive Director and staff | 11 |
| Duties | 12 |
| **Accessibility Advisory Board** | |
| Board composition | 13 |
| Term | 14 |
| Chair and Vice-chair | 15 |
| Board meetings and reports | 16 |
| Duties | 17 |
| Standard development committees | 18 |
| Standard development committee composition | 19 |
| Remuneration and expenses | 20 |
| **Accessibility Standards** | |
| Considerations for a recommendation | 21 |
| Considerations for recommending a time period | 22 |
| Consultation | 23 |
| Separate recommendations | 24 |
| Form and availability of recommendations | 25 |
| Proposed accessibility standard | 26 |
| Contents of accessibility standard | 27 |
| Application may be general or specific | 28 |
| Application to individuals or organizations | 29 |
| Classes of persons, activities or aspects of built environment | 30 |
| May define a class | 31 |
| More than one accessibility standard may apply | 32 |
| Must be publicly available | 33 |
| Comments re proposed accessibility standard | 34 |
| Recommendation to Governor in Council | 35 |
| Records | 36 |
| Compliance period | 37 |
| Incentive-based measures | 38 |
| Accessibility plans | 39 |
| Accessibility plan must include | 40 |
| Input for accessibility plan | 41 |
| Updated and publicly available | 42 |
| Joint accessibility plan | 43 |
| Accessibility advisory committee | 44 |

Compliance and Enforcement

Director of Compliance and Enforcement ... 45
Inspectors and other persons to assist ... 46
Identification card ... 47
Inspections ... 48
Public Inquiries Act ... 49
Powers of inspector ... 50
Court order ... 51
Order or finding of inspector ... 52
Director may review decision of inspector ... 53
Review of inspector's order ... 54
Administrative penalty ... 55
Limitation period ... 56
Certificate filed with Court ... 57
Effect of payment of administrative penalty ... 58
Use of administrative penalty fees ... 59
Appeal ... 60
Duties of Director on appeal ... 61
Powers of court ... 62
Appeal operates as stay ... 63
Director's report ... 64
Documents to be provided in accessible format ... 65
Review of Act and accessibility standards ... 66
No action lies ... 67
Offence and penalty ... 68
Offence by employee ... 69
Liability of directors, officers and agents ... 70
Regulations ... 71
Disabled Persons' Commission Act repealed ... 72
Effective date ... 73

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WHEREAS, under the United Nations Convention on the Rights of Persons with Disabilities, Canada agrees to take appropriate measures to achieve accessibility and to develop and monitor minimum accessibility standards;

AND WHEREAS the *Canadian Charter of Rights and Freedoms* grants equality rights to all persons without discrimination on the basis of a disability;

AND WHEREAS the *Human Rights Act* recognizes that the Government, public agencies and all persons have a responsibility to ensure equal opportunity for every individual to enjoy a full and productive life;

AND WHEREAS persons with disabilities disproportionately live in conditions of poverty;

AND WHEREAS there is diversity among persons with disabilities;

AND WHEREAS persons with disabilities continue to face attitudinal and environmental barriers that prevent them from achieving their full and equal participation in society;

AND WHEREAS persons with disabilities who are subject to multiple forms of discrimination face additional barriers;

AND WHEREAS achieving accessibility will improve the independence and well-being of persons with disabilities;

AND WHEREAS the Government acknowledges it must take a leadership role in the process of achieving an accessible Nova Scotia:

**Short title**

**1** This Act may be cited as the *Accessibility Act*. 2017, c. 2, s. 1.

**Purpose of Act**

**2** The purpose of this Act is to

(a) achieve accessibility by preventing and removing barriers that disable people with respect to

(i) the delivery and receipt of goods and services,

(ii) information and communication,

(iii) public transportation and transportation infrastructure,

(iv) employment,

(v) the built environment,

(vi) education, and

(vii) a prescribed activity or undertaking;

(b) provide for the involvement of persons with disabilities, the public sector and other stakeholders in the development of accessibility standards;

(c) facilitate the timely implementation of accessibility standards with a goal of achieving an accessible Nova Scotia by 2030;

(d) monitor, review and enforce compliance with accessibility standards; and

(e) establish an Accessibility Directorate that is responsible for supporting accessibility initiatives and advancing broader disability-related issues. 2017, c. 2, s. 2.

**Interpretation**

**3** **(1)** In this Act,

(a) "accessibility plan" means a plan to address the identification, removal and prevention of barriers in the policies, programs, practices and services of a public sector body;

(b) "accessibility standard" means an accessibility standard established under this Act;

(c) "barrier" means anything that hinders or challenges the full and effective participation in society of persons with disabilities

including a physical barrier, an architectural barrier, an information or communications barrier, an attitudinal barrier, a technological barrier, a policy or a practice;

(d) "Board" means the Accessibility Advisory Board established under this Act;

(e) "built environment" means the human-made space in which people live, work, learn and play and includes buildings, rights-of-way and outdoor spaces;

(f) "committee" means a committee established under this Act;

(g) "Court" means the Supreme Court of Nova Scotia;

(h) "Director" means the Director of Compliance and Enforcement appointed pursuant to Section 45;

(i) "disability" includes a physical, mental, intellectual, learning or sensory impairment, including an episodic disability, that, in interaction with a barrier, hinders an individual's full and effective participation in society;

(j) "Government" means Her Majesty in right of the Province;

(k) "inspector" means an inspector appointed under this Act;

(l) "Minister" means the Minister of Justice;

(m) "organization" includes the Government, a sole proprietorship, corporation, society, association, partnership and limited liability partnership, any association of individuals and any similar body;

(n) "order" means an order made under this Act;

(o) "prescribed" means prescribed by the regulations;

(p) "public sector body" means

(i) the Government,

(ii) a prescribed municipality,

(iii) a prescribed university, and

(iv) a prescribed organization.

**(2)** A document or information is publicly available if it is posted on a website or made available in a prescribed manner. 2017, c. 2, s. 3.

**Act with stronger protection of rights prevails**

**4 (1)** Nothing in this Act or the regulations diminishes the rights and protections offered to persons with disabilities under the *Human Rights Act*.

**(2)** Where a provision of this Act or the regulations conflicts with a provision of another enactment, the provision of this Act or the regulations prevails unless the other enactment provides a higher level of accessibility for persons with disabilities. 2017, c. 2, s. 4.

**Act binds Crown**

**5** This Act binds Her Majesty in right of the Province. 2017, c. 2, s. 5.

**Supervision of Act**

**6** The Minister is responsible for the general supervision and management of this Act and the regulations. 2017, c. 2, s. 6.

**Mandate of Minister**

**7** **(1)** The mandate of the Minister is to achieve accessibility for persons disabled by barriers by

(a) raising awareness of how persons with disabilities are disabled by barriers;

(b) promoting and encouraging the prevention and removal of barriers;

(c) overseeing the development and implementation of accessibility standards necessary to attain the purpose of this Act;

(d) assisting in the integration of applicable accessibility standards into the activities of all persons in the Province; and

(e) ensuring persons in the Province are consulted in the development of accessibility standards and informed about their duties and responsibilities under the standards once created.

**(2)** Within one year of the coming into force of this Act the Minister shall adopt, and make publicly available, an implementation strategy setting out how the Minister plans to achieve the goal of an accessible Nova Scotia by 2030. 2017, c. 2, s. 7.

**Annual report of Minister**

**8** **(1)** The Minister shall annually prepare a report of the actions the Minister has undertaken pursuant to Section 7 during the preceding fiscal year and make that report publicly available.

**(2)** The Minister shall table the report in the House of Assembly within 15 days after it is completed or, where the Assembly is not then sitting, file it with the Clerk of the Assembly. 2017, c. 2, s. 8.

**Delegation by Minister**

**9** **(1)** The Minister may, in writing, delegate any power or duty conferred or imposed on the Minister under this Act to

(a) an employee of the Government;

(b) an employee of a municipality; or

(c) another person,

who, in the Minister's opinion, has the requisite qualifications and experience.

**(2)** Where the Minister delegates a power or duty under subsection (1), the Minister may

(a) specify how the power or duty is to be exercised or performed and impose any requirement in relation to or restrictions on the exercise or performance of the power or duty that the Minister considers appropriate; and

(b) provide that the delegate be paid for, or reimbursed for the cost of, exercising or performing the delegated power or duty.

**(3)** Before making a delegation to a person under clause (1)(a) or (b), the Minister shall consult with and obtain the consent of the employer of the person.

**(4)** Before making a delegation to a person under clause (1)(c), the Minister shall obtain the consent of the person.

**(5)** The Minister may revoke a delegation made under subsection (1). 2017, c. 2, s. 9.

## ACCESSIBILITY DIRECTORATE

**Establishment of and role**

**10** **(1)** The Accessibility Directorate is hereby established.

**(2)** The role of the Accessibility Directorate is to

(a) support the implementation and administration of this Act and the regulations;

(b) address broader disability-related initiatives by acting as a central government mechanism to ensure that the concerns of persons with disabilities respecting policy, program development and delivery are advanced and considered by the Government. 2017, c. 2, s. 10.

**Executive Director and staff**

**11** **(1)** The Minister shall appoint an Executive Director and the staff of the Accessibility Directorate.

**(2)** The Executive Director shall lead the Accessibility Directorate and liaise with the Board.

**(3)** The staff of the Accessibility Directorate shall be appointed pursuant to the *Civil Service Act*. 2017, c. 2, s. 11.

**Duties**

**12** The Accessibility Directorate shall

(a) provide policy, programming, communication and administrative support on all aspects of this Act and the regulations;

(b) conduct research and develop and implement programs of public education and awareness on the purpose of this Act;

(c) examine and review measures, policies, practices and other requirements to improve opportunities for persons with disabilities; and

(d) identify and study issues of concern to persons with disabilities and recommend action where appropriate. 2017, c. 2, s. 12.

## ACCESSIBILITY ADVISORY BOARD

**Board composition**

**13 (1)** There shall be an Accessibility Advisory Board consisting of 12 members appointed by the Governor in Council on the recommendation of the Minister.

**(2)** In making recommendations to the Governor in Council for the purpose of subsection (1), the Minister shall take into consideration

(a) the skills and assets the Minister considers necessary to ensure an effective and optimally functioning Board; and

(b) representation by stakeholder groups that will be subject to the accessibility standards.

**(3)** The majority of the members of the Board must be persons with disabilities. 2017, c. 2, s. 13.

**Term**

**14 (1)** A person appointed to the Board holds office for a term of three years.

**(2)** No person may be appointed to the Board for more than two consecutive terms. 2017, c. 2, s. 14.

**Chair and Vice-chair**

**15 (1)** The Governor in Council, on the recommendation of the Minister, may designate members of the Board as the Chair and the Vice-chair of the Board.

**(2)** The Vice-chair shall act as Chair if the Chair is absent or unable to act or when authorized to act by the Chair. 2017, c. 2, s. 15.

**Board meetings and reports**

**16 (1)** The Board shall hold at least four regular meetings in each year and meet with the Minister at least once every 12 months.

**(2)** The Board shall prepare a summary report after each regular meeting and make the report publicly available.

**(3)** The Board shall annually prepare a report of its activities and operations during the preceding fiscal year, file it with the Minister and make the report publicly available. 2017, c. 2, s. 16.

**Duties**

**17** The Board shall advise and make recommendations to the Minister about accessibility and, in particular, shall

(a) suggest measures, policies, practices and requirements that may be implemented by the Government to achieve accessibility;

(b) assess whether existing measures, policies, practices and requirements are consistent with the purpose of this Act;

(c) set priorities for the establishment and content of accessibility standards and the timelines for their implementation;

(d) set long-term accessibility objectives for furthering the purpose of this Act; and

(e) respond to requests for accessibility advice from the Minister. 2017, c. 2, s. 17.

**Standard development committees**

**18 (1)** The Board shall, with the approval of the Minister, establish standard development committees to assist the Board with making recommendations to the Minister on the content and implementation of accessibility standards.

**(2)** The Board shall prepare terms of reference for each standard development committee that include deadlines for each stage of the standard development process.

**(3)** The Board may, with the approval of the Minister, establish a subcommittee of technical experts and other individuals familiar with issues specific to the standard being developed. 2017, c. 2, s. 18.

**Standard development committee composition**

**19 (1)** A standard development committee established under Section 18 must have

(a) one half of its membership consist of persons with disabilities or representatives from organizations representing persons with disabilities;

(b) representatives of organizations and classes of organizations likely to be affected by the standard being developed; and

(c) representatives from departments of the Government that have responsibilities related to the standard being developed.

**(2)** A person does not need to be a member of the Board to be a member of a committee or subcommittee. 2017, c. 2, s. 19.

**Remuneration and expenses**

**20 (1)** The Board, committee and subcommittee members not employed in the public service of the Province shall be paid such remuneration as is determined by the Minister.

**(2)** The Board, committee and subcommittee members shall be reimbursed for their reasonable expenses incurred in the performance of their duties. 2017, c. 2, s. 20.

## ACCESSIBILITY STANDARDS

**Considerations for a recommendation**

**21** When making a recommendation to the Minister on a proposed accessibility standard, the Board shall consider

(a) the accessibility objectives for the activity or undertaking, the class, the aspect of the built environment or the individuals or organizations to which the standard relates; and

(b) the measures, policies, practices and other requirements that the Board believes should be implemented, including

(i) how and by whom they should be implemented, and

(ii) the period for implementing them. 2017, c. 2, s. 21.

**Considerations for recommending a time period**

**22** When recommending time periods for implementing an accessibility standard, the Board shall consider

(a) the nature of the barriers that the measures, policies, practices and other requirements are intended to identify, remove or prevent;

(b) any technical and economic considerations that may be associated with implementing the standard; and

(c) any other matter requested by the Minister. 2017, c. 2, s. 22.

**Consultation**

**23** When preparing recommendations under Sections 21 and 22, the Board shall ensure that the following persons have been consulted:

(a) persons with disabilities;

(b) representatives from organizations representing persons with disabilities;

(c) representatives of those engaged in the activity or undertaking, or the individuals or organizations, or representatives of the class that may be made subject to the proposed accessibility standard;

(d) representatives of government entities that have responsibilities relating to the activity, undertaking or class that may be made subject to the proposed accessibility standard; and

(e) other individuals or organizations that the Minister considers advisable. 2017, c. 2, s. 23.

**Separate recommendations**

**24** The Board shall attempt to achieve a consensus among its members on its recommendations but one or more members may submit recommendations if a consensus is not achieved. 2017, c. 2, s. 24.

**Form and availability of recommendations**

**25 (1)** The recommendations must be submitted to the Minister in the form and within the period specified by the Minister.

**(2)** The Minister shall make the recommendations publicly available. 2017, c. 2, s. 25.

**Proposed accessibility standard**

**26** Upon receipt of the recommendations, the Minister may prepare a proposed accessibility standard adopting the recommendations in whole, in part or with any modifications the Minister considers appropriate. 2017, c. 2, s. 26.

**Contents of accessibility standard**

**27** An accessibility standard may

(a) specify the individuals or organizations that are subject to the standard;

(b) set out measures, policies, practices and other requirements for

(i) identifying and removing barriers, and

(ii) preventing barriers from being established; and

(c) require the individuals or organizations that are subject to the standard to implement those measures, policies, practices and other requirements within the period specified in the standard. 2017, c. 2, s. 27.

**Application may be general or specific**

**28** An accessibility standard may be general or specific in its application and may be limited as to time and place. 2017, c. 2, s. 28.

**Application to individuals or organizations**

**29** Accessibility standards may apply to individuals or organizations that

(a) employ others;

(b) offer accommodation;

(c) own, operate, maintain or control an aspect of the built environment other than a private residence with three or fewer dwelling units;

(d) provide goods, services or information to the public; or

(e) engage in a prescribed activity or undertaking or meet other prescribed requirements. 2017, c. 2, s. 29.

**Classes of persons, activities or aspects of built environment**

**30** An accessibility standard may apply to different classes of individuals or organizations or aspects of the built environment and, without limiting the generality of the foregoing, may apply to classes with respect to any attribute, quality or characteristic, or any combination of those things, including

(a) the number of persons employed by an individual or organization or its annual revenue;

(b) the type of activity or undertaking in which an individual or organization is engaged or the sector of the economy of which an individual or organization is a part; or

(c) a particular characteristic of an aspect of the built environment, such as the type of infrastructure or the size of a building, a structure or premises, that is owned, operated, maintained or controlled by an individual or organization. 2017, c. 2, s. 30.

**May define a class**

**31** An accessibility standard may define a class to include or exclude an individual or organization, or an aspect of the built environment, having the same or different attributes, qualities or characteristics. 2017, c. 2, s. 31.

**More than one accessibility standard may apply**

**32** An individual or organization may be subject to more than one accessibility standard. 2017, c. 2, s. 32.

**Must be publicly available**

**33** The Minister shall make a proposed accessibility standard publicly available. 2017, c. 2, s. 33.

**Comments re proposed accessibility standard**

**34** Within 60 days after a proposed accessibility standard is made publicly available, or within any other longer period specified by the Minister, an individual or organization may submit comments about the proposed standard to the Minister. 2017, c. 2, s. 34.

**Recommendation to Governor in Council**

**35** After consulting with the Board with respect to any comments and, if the Minister considers it appropriate, revising the proposed accessibility standard, the Minister shall recommend the standard to the Governor in Council for approval as a regulation. 2017, c. 2, s. 35.

**Records**

**36** An individual or organization that is subject to an accessibility standard shall

(a) prepare and keep records in accordance with the regulations; and

(b) make the records available for inspection and examination under this Act and the regulations. 2017, c. 2, s. 36.

**Compliance period**

**37** An individual or organization that is subject to an accessibility standard shall comply with it within the period specified in the standard. 2017, c. 2, s. 37.

**Incentive-based measures**

**38** Where the Minister believes it is in the public interest to do so, the Minister may recommend that the Governor in Council prescribe incentive-based measures to encourage and assist an individual or organization, or a class of individuals or organizations, to meet or exceed an accessibility standard. 2017, c. 2, s. 38.

**Accessibility plans**

**39 (1)** Every public sector body shall prepare and make publicly available an accessibility plan within one year of the coming into force of this Act.

**(2)** A municipality, university or organization shall prepare and make publicly available an accessibility plan within one year of being prescribed as a public sector body. 2017, c. 2, s. 39.

**Accessibility plan must include**

**40** An accessibility plan must include

(a) a report on measures the public sector body has taken and intends to take to identify, remove and prevent barriers;

(b) information on procedures the public sector body has in place to assess the following for their effect on accessibility for persons with disabilities:

(i) any of its proposed policies, programs, practices and services, and

(ii) any proposed enactments or by-laws it will be administering; and

(c) any other prescribed information. 2017, c. 2, s. 40.

**Input for accessibility plan**

**41** A public sector body shall seek input from persons with disabilities and representatives of organizations representing persons with disabilities when preparing an accessibility plan. 2017, c. 2, s. 41.

**Updated and publicly available**

**42** A public sector body shall update its accessibility plan every three years and make it publicly available. 2017, c. 2, s. 42.

**Joint accessibility plan**

**43** Two or more public sector bodies may agree to have a joint accessibility plan. 2017, c. 2, s. 43.

**Accessibility advisory committee**

**44 (1)** Every public sector body shall establish an accessibility advisory committee or continue any such committee that was established before the coming into force of this Act.

**(2)** At least one half of the members of an accessibility advisory committee must be persons with disabilities or representatives from organizations representing persons with disabilities. 2017, c. 2, s. 44.

## COMPLIANCE AND ENFORCEMENT

**Director of Compliance and Enforcement**

**45 (1)** The Minister shall appoint a Director of Compliance and Enforcement.

**(2)** The Director shall

(a) carry out the powers and duties assigned to the Director under this Act;

(b) advise the Minister with respect to compliance and enforcement matters; and

(c) perform such duties as are assigned by the Minister.

**(3)** The Director may delegate the exercise of any of the Director's duties, powers or functions, other than the power to review an order or decision. 2017, c. 2, s. 45.

**Inspectors and other persons to assist**

**46 (1)** Inspectors and other persons required to administer compliance with and enforcement of this Act and the regulations shall be appointed by the Minister in accordance with the *Civil Service Act*.

**(2)** Notwithstanding subsection (1), the Minister may engage, upon such terms and conditions as the Minister considers necessary, the services of such persons as the Minister requires for administering compliance with and enforcement of this Act and the regulations. 2017, c. 2, s. 46.

**Identification card**

**47 (1)** An inspector carrying out an inspection under this Act shall produce, on request, an identification card provided by the Minister for that purpose.

**(2)** A copy of an identification card purporting to be signed by the Minister is proof in any court of law that an individual is an inspector. 2017, c. 2, s. 47.

**Inspections**

**48 (1)** An inspector may carry out an inspection in response to a complaint or in relation to an activity as directed by the Director.

**(2)** An inspector may carry out any inspection, examination or test reasonably required to

(a) determine compliance with this Act and the regulations;

(b) verify the accuracy or completeness of a record or of other information required to be prepared under this Act and the regulations; or

(c) perform any other duty or function that the inspector considers necessary or advisable in the administration or enforcement of this Act and the regulations.

**(3)** When carrying out an inspection under this Section, an inspector may

(a) require the production of any document or record for inspection and copying; and

(b) inspect the physical premises and equipment. 2017, c. 2, s. 48.

**Public Inquiries Act**

**49** An inspector has all the powers, privileges and immunities of a commissioner appointed under the *Public Inquiries Act*, with the exception of the powers of contempt, arrest and imprisonment. 2017, c. 2, s. 49.

**Powers of inspector**

**50** **(1)** Subject to subsection (2), an inspector may, at any reasonable time, enter

(a) any land or any building, structure, premises or place that is subject to this Act or the regulations; or

(b) any other premises or place where the inspector has reasonable grounds to believe that records or things relevant to the administration or enforcement of this Act or the regulations are kept,

for the purpose of administering and enforcing this Act or the regulations.

**(2)** An inspector may not enter a private dwelling place or any part of a place that is designed to be used and is being used as a permanent or temporary private dwelling place except

(a) with the consent of the occupant of the place; or

(b) under an order granted under Section 51. 2017, c. 2, s. 50.

**Court order**

**51** **(1)** Where a justice is satisfied on evidence under oath by an inspector that

(a) there are reasonable grounds to believe that it is appropriate for the administration of this Act for the inspector to do anything set out in Section 48; and

(b) the inspector may not be able to carry out duties under this Act effectively without an order under this Section because

(i) no person is present to grant access to premises that are locked or otherwise inaccessible,

(ii) a person has denied the inspector access to premises or there are reasonable grounds for believing that a person may deny the inspector access to premises,

(iii) a person has prevented the inspector from doing one or more things set out in Section 48 or denied the inspector access to something, as a result of which the inspector is unable to do one or more things set out in Section 48,

(iv) there are reasonable grounds to believe that a person may prevent an inspector from doing one or more things set out in Section 48, or may deny the inspector access

to something as a result of which the inspector may be unable to do one or more things set out in Section 48,

(v) it is unpractical, because of the remoteness of the premises to be inspected or because of any other reason, for the inspector to obtain an order under this Section without delay if access is denied, or

(vi) there are reasonable grounds to believe that an attempt by the inspector to do anything set out in Section 48 without the order might defeat the purpose of that Section or cause an adverse effect,

the justice may issue an order authorizing the inspector to do anything set out in Section 48 that is specified in the order for the period set out in the order.

**(2)** The period referred to in subsection (1) may not extend beyond 30 days after the date on which the order is made, but the order may be renewed for any reason set out in subsection (1) for one or more periods, each of which may not be more than 30 days.

**(3)** An application for an extension under subsection (2) may be made before or after the expiry of the period.

**(4)** An order under this Section may be issued or renewed on application without notice. 2017, c. 2, s. 51.

**Order or finding of inspector**

**52 (1)** An inspector who finds that this Act or the regulations are being or have been contravened may issue an order, in the form prescribed, requiring the individual or organization responsible for the contravention to remedy it.

**(2)** Where an inspector carries out an inspection and finds that this Act or the regulations are not being or have not been contravened the inspector shall document the finding and any relevant information leading to the finding. 2017, c. 2, s. 52.

**Director may review decision of inspector**

**53** The Director may, on the Director's own motion, review any decision of an inspector that does not result in the issuance of an order and may confirm the inspector's decision or direct the inspector to issue an order under subsection 52(1). 2017, c. 2, s. 53.

**Review of inspector's order**

**54 (1)** An individual or organization named in an order made under subsection 52(1) may request the Director to review the order.

**(2)** A request must be made in writing and must include the individual's or organization's name and address, the reasons for requesting the review

and any additional information that the individual or organization wants to be considered by the Director.

**(3)** The Director is not required to hold a hearing when a request for review is made.

**(4)** A request for review operates as a stay of the inspector's order pending the outcome of the review by the Director.

**(5)** The Director may confirm, revoke or vary the order.

**(6)** The Director shall, within 60 days of the request for review being made, provide the individual or organization who requested the review with

(a) a copy of the Director's decision, with written reasons; and

(b) notification of the right to appeal the decision to the Court under Section 60.

**(7)** Where a request for review of an inspector's order is not received by the Director within 30 days after the order is served, the inspector's order is final. 2017, c. 2, s. 54.

**Administrative penalty**

**55 (1)** Subject to Section 56, where the Director is of the opinion that an individual or organization has failed to comply with an inspector's order within the period specified in the order, the Director may issue a written notice requiring the individual or organization to pay an administrative penalty in the amount prescribed.

**(2)** Notice of an administrative penalty may only be issued after the period for appealing an order has expired or, where an appeal has been filed, after a decision has been made on the appeal.

**(3)** The notice of administrative penalty must be served on the individual or organization required to pay the penalty. 2017, c. 2, s. 55.

**Limitation period**

**56** No penalty may be issued by the Director more than three years after the act or omission that renders the individual or organization liable to a penalty first came to the knowledge of the Director. 2017, c. 2, s. 56.

**Certificate filed with Court**

**57 (1)** The Director may file a certificate with the Court signed by the Director and setting out

(a) the amount of the administrative penalty issued; and

(b) the individual or organization against whom the penalty is issued.

**(2)** A certificate filed under this Section has the same force and effect as if it were a judgment obtained in the Court for the recovery of a debt in the amount set out in the certificate and may be enforced in the same manner as a judgment of the Court. 2017, c. 2, s. 57.

**Effect of payment of administrative penalty**

**58** An individual or organization who pays an administrative penalty for an incident of non-compliance may not be charged with an offence with respect to that non-compliance unless the non-compliance continues after the penalty is paid. 2017, c. 2, s. 58.

**Use of administrative penalty fees**

**59** Administrative penalties paid under this Act must be used for the purpose of accessibility initiatives, including public education and awareness. 2017, c. 2, s. 59.

**Appeal**

**60 (1)** Any individual or organization who is directly affected by a decision of the Director made under

(a) Section 54 with respect to an order; or

(b) Section 55 with respect to an administrative penalty,

may appeal the decision by filing a notice of appeal with the Court and serving a copy on the Director and any other person who the Court orders to be served.

**(2)** An appeal may be made on the following grounds:

(a) in the case of a decision under Section 54, that the finding of a contravention of this Act or the regulations was incorrect; or

(b) in the case of an administrative penalty, that

(i) the amount of the penalty was not determined in accordance with the regulations, or

(ii) the amount of the penalty is not justified in the public interest.

**(3)** An appeal may not be commenced more than 30 days after the individual or organization receives a decision of the Director. 2017, c. 2, s. 60.

**Duties of Director on appeal**

**61** On receipt of the notice of appeal under subsection 60(1), the Director shall file with the Court true copies of

(a) all documents and materials that were before the Director when the Director made the decision;

(b) the Director's decision; and

(c) the Director's written reasons for the decision. 2017, c. 2, s. 61.

**Powers of court**

**62 (1)** On hearing an appeal under Section 60, the Court may confirm, vary or dismiss the decision or refer the matter back to the Director.

**(2)** The Court may make any order as to costs on an appeal that the Court considers appropriate. 2017, c. 2, s. 62.

**Appeal operates as stay**

**63** The commencement of an appeal under Section 60 operates as a stay of the decision pending the outcome of the appeal. 2017, c. 2, s. 63.

**Director's report**

**64 (1)** The Director shall maintain a database of all complaints of non-compliance, inspector visits, orders issued, Director reviews, notices of administrative penalties and appeals and shall provide the Minister with a summary report annually or at any more frequent interval as requested by the Minister.

**(2)** The Minister shall share the report prepared pursuant to subsection (1) with the Accessibility Directorate and the Accessibility Advisory Board.

**(3)** The Minister may issue public reports disclosing details of orders and decisions made and administrative penalties issued under this Act which may include personal information as defined in the *Freedom of Information and Protection of Privacy Act*. 2017, c. 2, s. 64.

**Documents to be provided in accessible format**

**65** The following documents must be provided in an accessible format and at no charge to a person within a reasonable period after the person requests it from the Minister or a public sector body:

(a) in the case of the Minister,

(i) the recommendations of the Board,

(ii) a proposed accessibility standard,

(iii) a review conducted under Section 66,

(iv) any educational and awareness tools made publicly available,

(v) a summary report prepared by the Board,

(vi) an accessibility plan; and

(b) in the case of a public sector body, its accessibility plan. 2017, c. 2, s. 65.

**Review of Act and accessibility standards**

**66** **(1)** Within four years after the coming into force of this Act, and at least every five years thereafter, the Governor in Council shall appoint a person to undertake a comprehensive review of the effectiveness of the Act and the accessibility standards and report on the person's findings to the Minister.

**(2)** The person undertaking the review under this Section shall consult with

(a) persons with disabilities;

(b) representatives from organizations representing persons with disabilities; and

(c) representatives from organizations affected by the implementation of the accessibility standards.

**(3)** Within 30 days of receiving the report, the Minister shall

(a) make the report publicly available; and

(b) table the report in the House of Assembly if the Assembly is then sitting or, where the Assembly is not then sitting, file it with the Clerk of the Assembly. 2017, c. 2, s. 66.

**No action lies**

**67** No action lies against the Minister, the Accessibility Directorate, the Board, the Director, an inspector or any other person acting under the authority of this Act for anything done, or omitted to be done, in good faith, in the exercise or intended exercise of a power or duty under this Act or the regulations. 2017, c. 2, s. 67.

**Offence and penalty**

**68** An individual or organization who

(a) repeatedly fails to

(i) prepare and keep records in accordance with the regulations,

(ii) make the records available for inspection and examination, or

(iii) comply with an accessibility standard as required under Section 37;

(b) knowingly makes a false or misleading statement to the Minister or an inspector acting under the authority of this Act;

(c) knowingly makes a false or misleading statement in a record or report given or required under this Act;

(d) hinders, obstructs or interferes with, or attempts to hinder, obstruct or interfere with, the Minister or an inspector acting under the authority of this Act; or

(e) continues to fail to comply with an inspector's order after having been issued an administrative penalty, regardless of whether the penalty is paid,

is guilty of an offence and liable on summary conviction to a fine of not more than $250,000. 2017, c. 2, s. 68.

**Offence by employee**

**69** In a prosecution of an offence under this Act, it is sufficient proof of the offence to establish that it was committed by an employee or agent of the accused whether or not the employee or agent is identified or has been prosecuted for the offence, unless the accused establishes that the offence was committed without the knowledge or consent of the accused. 2017, c. 2, s. 69.

**Liability of directors, officers and agents**

**70** Where an organization commits an offence, a director, officer or agent of the organization who authorized, permitted or acquiesced in the offence is also guilty of the offence and liable on summary conviction to the penalty set out in Section 68, whether or not the organization has been prosecuted or convicted. 2017, c. 2, s. 70.

**Regulations**

**71 (1)** The Governor in Council may make regulations

(a) prescribing municipalities, universities and organizations as public sector bodies;

(b) prescribing the manner in which a document must be made publicly available;

(c) prescribing an activity, undertaking or other requirements for the purpose of clause 29(e);

(d) establishing accessibility standards;

(e) exempting an individual or organization or a class of individuals or organizations, or an aspect of the built environment, from the application of any provision of this Act or the regulations and prescribing terms and conditions for the exemption;

(f) respecting record-keeping and reporting requirements for individuals and organizations that are subject to an accessibility standard;

(g) respecting incentive-based measures to encourage and assist an individual or organization, or a class of individuals or organizations, to meet or exceed an accessibility standard;

(h) respecting accessibility plans, including the content, timing and preparation of such plans;

(i) respecting the offices, positions, territorial jurisdiction and duties of inspectors generally or specifically;

(j) establishing rules governing the qualifications, office, position, duties, conduct and discipline of inspectors;

(k) respecting the form of the order an inspector may make, including the content of the order and the method of its service;

(l) prescribing the form an inspector must use when making an order under Section 52;

(m) prescribing the form an inspector must use to document a finding that the Act or the regulations has not been contravened;

(n) for the purpose of Section 55, respecting administrative penalties for contraventions of this Act, including regulations

(i) prescribing the form and content of the notice of administrative penalty,

(ii) respecting the determination of amounts of administrative penalties, which may vary according to the nature or frequency of the contravention and whether it is an individual or organization in non-compliance, and

(iii) respecting any other matter necessary for the administration of the system of administrative penalties provided for under this Act;

(o) respecting the specific use to be made of any funds collected through the imposition of administrative penalties;

(p) respecting the manner in which any order, notice or other document under this Act may be served, given or provided to any individual or organization;

(q) defining any word or expression used but not defined in this Act;

(r) respecting any matter or thing the Governor in Council considers necessary or advisable to effectively carry out the intent and purpose of this Act.

**(2)** The exercise by the Governor in Council of the authority contained in subsection (1) is a regulation within the meaning of the *Regulations Act*. 2017, c. 2, s. 71.

**Disabled Persons' Commission Act repealed**

**72 Chapter 130 of the Acts of 1989, the *Disabled Persons' Commission Act*, is repealed.** 2017, c. 2, s. 72.

**Effective date**

**73** This Act comes into force on such day as the Governor in Council orders and declares by proclamation. 2017, c. 2, s. 73.

Proclaimed - September 15, 2017
In force - September 18, 2017

# Dismantling Racism and Hate Act

CHAPTER 3 OF THE ACTS OF 2022

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CHAPTER 3 OF THE ACTS OF 2022

# An Act to Dismantle Racism and Hate

**Table of Contents**

(The table of contents is not part of the statute)


| | Section |
|---|---|
| Short title | 1 |
| Interpretation | 2 |
| Supervision and management of Act | 3 |
| Implementation of Act | 4 |
| Principles of Act | 5 |
| Objective of Government | 6 |
| Focus areas | 7 |
| Government strategy to address systemic hate, inequity and racism | 8 |
| Public body plans to address systemic hate, inequity and racism | 9 |
| Community network | 10 |
| Data standards | 11 |
| Annual report | 12 |
| Review of Act | 13 |
| Regulations | 14 |
| Effective date | 15 |


———————

WHEREAS a committee consisting of Assembly members from all currently sitting parties was created to support the development of equity and anti-racism legislation;

AND WHEREAS the all-party committee developed the equity and anti-racism legislation through the work and co-operation of the following Assembly members:

Ali Duale, member for Halifax Armdale,

(Honourable) Pat Dunn, Minister responsible for the Office of Equity and Anti-Racism Initiatives and member for Pictou Centre,

Suzy Hansen, member for Halifax Needham,

(Honourable) Tony Ince, member for Cole Harbour,

Lisa Lachance, member for Halifax Citadel–Sable Island,

Angela Simmonds, member for Preston,

Kent Smith, member for Eastern Shore;

AND WHEREAS it is recognized that marginalized and racialized individuals and communities in Nova Scotia experience harmful and unjustifiable inequities and disparities because of systemic hate, inequity and racism;

AND WHEREAS systemic hate, inequity and racism is often caused by government and public body policies, practices and procedures that appear neutral but have the effect of disadvantaging marginalized and racialized groups and can be perpetuated by a failure to identify, monitor and correct disparities and inequities;

AND WHEREAS eliminating systemic hate, inequity and racism and advancing racial equity supports the economic success and well-being of society, and everyone benefits when individuals and communities are no longer marginalized;

AND WHEREAS this Act is intended to establish a commitment by the Government to address systemic hate, inequity and racism to enhance the economic success and well-being of all Nova Scotians;

AND WHEREAS it is important to recognize the heritage of Mi'kmaw communities and the contributions they have made and continue to make to Nova Scotia;

AND WHEREAS it is important to recognize the heritage of African Nova Scotian communities and the contributions they have made and continue to make to Nova Scotia:

**Short title**

**1** This Act may be cited as the *Dismantling Racism and Hate Act*. 2022, c. 3, s. 1.

**Interpretation**

**2** In this Act,

(a) "hate" means provocation, hostility or intolerance by means of threats, harassment, abuse, incitement or intimidation motivated by the actual or perceived race, religion, national origin, ethnicity, gender, gender identity, gender expression, disability or sexual orientation of any person;

(b) "Minister" means the Minister responsible for the Office of Equity and Anti-Racism Initiatives;

(c) "Office" means the Office of Equity and Anti-Racism Initiatives;

(d) "prescribed" means prescribed by the regulations;

(e) "public body" means

(i) the Government,

(ii) a prescribed municipality,

(iii) a prescribed university, or

(iv) a prescribed organization;

(f) "racism" means the discrimination or antagonism by, or the prejudice of, an individual, community or institution against a person or people based on the person's or people's membership or perceived membership in a racial or ethnic group, and having the power to carry out that discrimination, antagonism or prejudice through institutional policies and practices that shape cultural beliefs and values of a society. 2022, c. 3, s. 2.

**Supervision and management of Act**

**3** The Minister is responsible for the general supervision and management of this Act and the regulations. 2022, c. 3, s. 3.

**Implementation of Act**

**4** **(1)** The Office is responsible for the implementation of this Act on behalf of and under the supervision of the Minister.

**(2)** In implementing this Act, the Office's responsibilities include

(a) facilitating education on equity and anti-racism;

(b) facilitating equity and anti-racism policy development;

(c) evaluating existing policy to address systemic hate, inequity and racism;

(d) implementing initiatives that address systemic hate, inequity and racism;

(e) co-ordinating equity and anti-racism actions, policies and programs within the Government and its agencies;

(f) enabling and facilitating meaningful engagement with marginalized communities; and

(g) enabling and facilitating public reporting and accountability for equitable and anti-racism outcomes. 2022, c. 3, s. 4.

**Principles of Act**

**5** This Act is based on the following principles:

(a) everyone deserves to be treated with dignity and respect;

(b) the Government is committed to eliminating systemic hate, inequity and racism;

(c) the achievement of equity and anti-racism is a shared responsibility among governments, the private sector and all Nova Scotians;

(d) systemic hate, inequity and racism require urgent action;

(e) appreciating the impact of intersectionality is crucial in addressing systemic hate, inequity and racism; and

(f) such other principles as may be prescribed. 2022, c. 3, s. 5.

**Objective of Government**

**6** **(1)** The objective of the Government is to achieve equity and anti-racism and to eliminate disparities, hate and inequities that negatively impact marginalized and racialized individuals and communities in the Province.

**(2)** To achieve its objective, the Government shall

(a) raise awareness of the importance of equity and anti-racism and the elements that contribute to equity and anti-racism;

(b) create the conditions necessary for equity and anti-racism, including regulation, programs and initiatives to encourage actions and innovation by local governments, businesses, non-government organizations and Nova Scotians for the purpose of making progress in achieving equity and anti-racism; and

(c) adopt, support and enable initiatives that are aligned with the principles and focus areas established under this Act and the regulations. 2022, c. 3, s. 6.

**Focus areas**

**7** Actions and initiatives established under this Act and the regulations must align with the following focus areas:

(a) the demonstration of leadership and commitment to equity and anti-racism;

(b) the transition to stronger equity and anti-racism policies within the Government;

(c) better and sustained engagement with marginalized and racialized communities;

(d) the creation of conditions supporting equity and anti-racism;

(e) better public reporting on progress towards equity and anti-racism; and

(f) such other focus areas as may be prescribed. 2022, c. 3, s. 7.

**Government strategy to address systemic hate, inequity and racism**

**8 (1)** The Government shall create a strategy to address systemic hate, inequity and racism within the Province by July 31, 2023.

**(2)** The strategy must include

(a) specific initiatives that the Government will advance to address systemic hate, inequity and racism;

(b) actions and initiatives, identified through community engagement,

(i) that recognize the unique history and contributions of Indigenous Nova Scotians and the impact of systemic anti-Indigenous hate, inequity and racism,

(ii) that recognize the unique history and contributions of African Nova Scotians and the impact of systemic anti-Black hate, inequity and racism,

(iii) to address hate, inequity and discrimination based on gender identity, gender expression or sexual orientation,

(iv) to address psychological safety, including systemic hate, inequity and racism in workplaces within the Province, and

(v) to address the impact of intersectionality in relation to systemic hate, inequity and racism;

(c) definitions of specific types of systemic hate, inequity and racism that are informed by marginalized and racialized communities, including but not limited to definitions of anti-Black racism, anti-Indigenous racism, Islamophobia, anti-Semitism, anti-Asian rac-

ism, ableism, gender-based discrimination and hate based on gender identity, gender expression or sexual orientation;

(d) a health equity framework, developed and implemented through community engagement, including but not limited to engagement with African Nova Scotians, Indigenous Nova Scotians, other racialized communities and those who have experienced hate, inequity and discrimination based on gender identity, gender expression or sexual orientation;

(e) public reporting requirements, including measures and indicators to evaluate the strategy's effectiveness; and

(f) public engagement plans demonstrating

(i) that the Government meaningfully engaged with marginalized and racialized communities in the creation of the strategy, and

(ii) how the Government will sustain meaningful engagement with marginalized and racialized communities through the implementation of the strategy. 2022, c. 3, s. 8.

**Public body plans to address systemic hate, inequity and racism**

**9** All prescribed public bodies shall create a plan to address systemic hate, inequity and racism with the form and content and by the date prescribed. 2022, c. 3, s. 9.

**Community network**

**10 (1)** The Minister shall create a community network to engage and work with marginalized and racialized communities on the actions and initiatives established under this Act and the regulations by July 31, 2023.

**(2)** The network referred to in subsection (1) must be created in collaboration with, and include ongoing participation from, traditional, elected and nominated leadership representing communities negatively impacted by systemic hate, inequity and racism.

**(3)** The network referred to in subsection (1) must focus on

(a) intersectionality in addressing systemic hate, inequity and racism; and

(b) eliminating systemic intercultural hate, inequity and racism. 2022, c. 3, s. 10.

**Data standards**

**11 (1)** The Minister shall establish data standards for the Government for the collection and use of information to identify, monitor and address systemic hate, inequity and racism.

**(2)** The Minister shall ensure marginalized and racialized communities are engaged in the development of the data standards referred to in subsection (1). 2022, c. 3, s. 11.

**Annual report**

**12** **(1)** The Minister, in consultation with other members of the Executive Council as appropriate in relation to their respective mandates, shall report annually to the House of Assembly on the progress made toward the objective of achieving equity and anti-racism, including progress in relation to the measures and indicators referred to in clause 8(2)(e).

**(2)** Beginning in 2023, the Minister shall table the annual report referred to in subsection (1) in the House of Assembly on or before July 31st of each calendar year or, where the House is not then sitting, file it with the Clerk of the House. 2022, c. 3, s. 12.

**Review of Act**

**13** The Minister shall conduct a review of this Act, the regulations and the strategy referred to in Section 8 no later than five years after this Act comes into force, and at any other time as the Minister deems necessary or advisable. 2022, c. 3, s. 13.

**Regulations**

**14** **(1)** The Governor in Council may make regulations

(a) establishing further principles and focus areas for achieving equity and anti-racism;

(b) respecting initiatives to achieve equity and anti-racism consistent with the principles and focus areas established under this Act and the regulations;

(c) governing reporting and record-keeping requirements for any purpose related to this Act;

(d) respecting data standards for the collection and use of information to identify, monitor and address systemic hate, inequity and racism;

(e) prescribing municipalities, universities and organizations as public bodies;

(f) respecting the form, content, due date and any other aspect of public bodies' plans to address systemic hate, inequity and racism;

(g) defining any word or expression used but not defined in this Act;

(h) further defining any word or expression defined in this Act;

(i) respecting any matter that the Governor in Council considers necessary or advisable to carry out effectively the intent and purpose of this Act.

**(2)** The exercise by the Governor in Council of the authority contained in subsection (1) is a regulation within the meaning of the *Regulations Act*. 2022, c. 3, s. 14.

**Effective date**

**15** This Act comes into force on such day as the Governor in Council orders and declares by proclamation. 2022, c. 3, s. 15.

Proclaimed - September 13, 2022
In force - September 13, 2022

# Equity and Anti-Racism Primer for Municipalities and Villages

## *Office of Equity and Anti-Racism*

This resource is intended to provide prescribed municipalities and villages with definitions and concepts that are essential to meaningfully engage in the development of equity and anti-racism plans in accordance with the *Dismantling Racism and Hate Act*. Municipalities and Villages will be the first public bodies prescribed under the *Dismantling Racism and Hate Act* requiring them to have plans in place by April 1, 2025. Recognizing municipalities and villages may have existing knowledge and awareness of the concepts, in-depth review of this resource may not be necessary for some.

This resource can be used for self-directed or group learning by municipalities and villages in tandem with other supports offered through the Office of Equity and Anti-Racism (OEA) and the Association of Municipal Administrators of Nova Scotia.

If you have any questions, please contact the Office of Equity and Anti-Racism – OEAengagement@novascotia.ca.

## 1. Introduction to Foundational Concepts

### Defining Hate and Racism

**Hate** means provocation, hostility or intolerance by means of threats, harassment, abuse, incitement or intimidation motivated by the actual or perceived race, religion, national origin, ethnicity, gender, gender identity, gender expression, disability or sexual orientation of any person.

**Racism** means the discrimination or antagonism by, or the prejudice of, an individual, community or institution against a person or people based on the person's or people's membership or perceived membership in a racial or ethnic group, and having the power to carry out that discrimination, antagonism or prejudice through institutional policies and practices that shape cultural beliefs and values of a society.

In order to understand racism, it is first important to understand that race is a social construct that artificially divides people into distinct groups based on characteristics such as physical appearance (particularly colour), ancestral heritage, cultural affiliation, and racial classification to suit the social and economic interests of the dominant group at that time. Race is a false construct that conflates skin color and ancestry with behavior, intelligence, and culture. Though race is a false construct, it has real consequences for all people.

Racism:

- is a belief that one group is better than another group because of race or skin colour;
- can be a conscious or unconscious attitude or value based on an assumption about characteristics of a particular group or religion;
- can be deeply rooted and displayed openly in racial jokes and slurs or hate crimes;
- can happen on an individual level, or on a systemic or institutional level;
- can result in profiling or stereotyping of individuals because they belong to a certain race;
- can occur when policies or practices that may seem neutral on their surface or are intended to be neutral but that may have discriminatory effects on individuals based on racial, ethnic, national or religious group identity; and
- can result from historical privilege of people who have power.

**Anti-racism** is defined as the work of actively opposing racism by advocating for changes in political, economic, and social life. This is achieved through the identification and elimination of racism by changing oppressive systems, structures, policies, practices, and attitudes so that historic, current, and future harm can be eliminated and so that power is redistributed and shared equitably.

Anti-racism:

- Identifies, isolates and challenges racism
- Challenges beliefs that foster racism
- Uses direct action at personal and institutional levels
- Creates and implements actions to fight racism for individuals and within an organization or workforce.

An antiracist organization is an organization that:

1. Has restructured all aspects of institutional life to ensure full participation of racialized people, including their worldview and culture; and the full participation of white people as allies in eliminating racism;
2. Has the ability to diagnose and address different types of racism within the organization in a manner that builds strength, community, and trust;
3. Implements structures, policies, and practices with inclusive decision-making and other forms of power-sharing throughout the institution;
4. Commits to the struggle to dismantle racism in the wider community; and
5. Builds clear lines of accountability to racially oppressed communities.

**RESOURCES**:

- Evidence-informed practices for anti-racism in government: Embedding anti-racism in the workplace and policy
- Antiracism and Organizational Change Guide
- Race Equity and Inclusion Action Guide

## Equality, Equity and Inequity

**Equality** is one of the central principles of democracy and is based on the belief that all people should have the same opportunities to be successful and have a productive, enjoyable life. The idea of equality is key to the notion that everyone will be able to achieve based on their efforts and contributions to society instead of their status or position.

**Equity** recognizes that everyone doesn't begin in the same place in society. Some people face adverse conditions and circumstances making it more challenging with the same effort to achieve the same goals. Equity advocates for those who may have been historically disadvantaged, making it difficult for them to be successful. What is "fair" as it relates to equity isn't a question of what is the same but rather the point from which a person begins. Equity considers historical and other factors in determining what is fair.

**Inequity**, by contrast, refers to a state of unfairness or lack of justice in which biases are being perpetuated and individuals or groups are treated differently and unequally, often resulting in systematic and patterned disparities in opportunities, resources, rights, or outcomes. Inequity can stem from past and current decisions, systems of power and privilege, policies and the implementation of those policies made on social, economic, racial, or gender-based distinctions, and it can manifest in various areas of life, including education, healthcare, employment, and access to basic services.

Think of **equity** as: The intentional creation of opportunities for historically underserved and underrepresented populations to have equal access to resources. Equity enables proactive measures and reasonable accommodation necessary to identify structural, systemic and cultural barriers; discrimination, unfairness, and disadvantage; and ensure equitable pathways and opportunity structures for Indigenous peoples,

visible/racialized minorities, persons within the 2SLGBTQIA+ community, persons with disabilities, and, in some cases women, in all spheres of life.[1]

Equity of all kinds acknowledges that inequalities exist, and our work should aim to eliminate them and seeks to balance disparities. In developing equity and anti-racism plans, Municipalities and Villages should seek to:

1. Call attention to and identify patterns of inequitable outcomes.
2. Take personal and institutional responsibility for the success of their constituents.
3. Critically reassess policies and practices.
4. Demonstrate race-consciousness.
5. Understand the social and historical context of exclusionary policies and practices.

**Summary**:

- Equality means everyone is treated the same exact way, regardless of differences. It means access and distribution of a set of resources evenly across individuals. When everyone gets the same opportunity, that is considered fair to those who come with an existing (and often unconscious) unfair advantage.
- Equity helps even the playing field so that everyone can thrive. Equity of all kinds acknowledges that inequalities exist, and our work should aim to eliminate them and seek to balance disparities.

## Diversity

**Diversity** means having a variety of people from a range of different social, economic and ethnic backgrounds, gender identities, sexual orientations, life experiences, competencies and faiths represented on teams, in workplaces in general and particularly in processes like engagement. Representational diversity is an outcome of proactive measures to correct systemic disadvantage, and to create equitable opportunity structures and pathways for a critical mass of those who are historically underserved and underrepresented.

Diversity can be reflected in three different dimensions, all of which shape our identity, as outlined below.

- Demographic diversity (our gender, race, gender identity and/or expression, sexual orientation, and so on) is tied to our identities of origin — characteristics that classify us at birth and that we will carry around for the rest of our lives.
- Experiential diversity (our affinities, hobbies, and abilities); influences we might call identities of growth.
- Cognitive diversity (how we approach problems and think about things) makes us look for other minds to complement our thinking: what we might call identities of aspiration.

## Inclusion

**Inclusion** encompasses norms, practices, and intentional actions to promote participation, engagement, empowerment, and a sense of belonging for members of historically underrepresented and underserved groups in all aspects of life. It is about celebrating, valuing, and amplifying perspectives, voices, styles, and identities that have been marginalized by promoting an institutional culture and practices to ensure all can experience a welcoming space of fairness, dignity, and human flourishing.

Think of **inclusion** as: the active, intentional, and ongoing engagement with diversity. Diversity is what we are, and inclusion is what we do.

Where diversity may focus on the quantitative representation, inclusion focuses on the qualitative experience of belonging. Diversity may exist with inequity, isolation, and marginality, but social inclusion focuses on culture and practices that deepen participation and engagement. Inclusion requires proactive measures to transform cultures and relations of power and privilege, resulting in the social exclusion of under-represented groups so that there are no impediments to full participation by members of equity-deserving groups.

[1] https://www.ucalgary.ca/equity-diversity-inclusion/literacy-education/edi-glossary

# 2. Social Identities, Underserved and Underrepresented Groups & Intersectionality

## Social identity

A **social identity** is a category of differences that describes a set of common physical traits, characteristics, or attributes[2]. It is influenced by social categories such as class, gender, ethnicity, sexual orientation, and by the social groups we belong to. A social group is a group of people who share a range of physical, cultural, or social characteristics within one of the social identity categories.

Below is a non-exhaustive list of examples of social identity categories:

- **Sexual identity and romantic orientation:** Asexual, gay, heterosexual, bisexual, gay, lesbian
- **Persons with Disabilities:** Invisible and/or visible disabilities.
- **Race**: Black, East Asian, Latin American, Middle Eastern, South Asian, White
- **Indigenous Identity**: Mi'kmaw, First Nations, Inuk/Inuit, Métis
- **Religious Identity**: Buddhist, Christian, Hindu, Jewish, Muslim, Sikh
- **Age**: Elders, adults, youth, children
- **Gender identity**: Woman, man, two-spirit, trans, gender diverse
- **Ethnicity**: African Nova Scotian, Hispanic, South Asian descent, European descent

## Underrepresented and Underserved Communities in Nova Scotia

When we speak of underrepresented and underserved communities, we are referring to those groups who experience discrimination and exclusion because of unequal power relationships across economic, political, social, and cultural dimensions.

This includes systemic inequity and/or racism towards people based on one or more protected characteristics as identified in the *Human Rights Act*, which includes: age, race, colour, religion, creed, sex, sexual orientation, gender identity, gender expression, physical or mental disability, ethnicity, national or Indigenous origin, family status, marital status, source of income, and political belief, affiliation, or activity. Below are examples of underrepresented and underserved groups in Nova Scotia. Each of these groups has their own unique story, historical setting and history of discrimination and marginalization (this list is not exhaustive and may not include all groups):

- Mi'kmaw and Persons of Indigenous descent;
- African Nova Scotians and Persons of African descent;
- Persons of Colour;
- Newcomers (immigrants and refugees);
- 2SLGBTQIA+--2 Spirit, Lesbian, Gay, Bisexual/Biromantic, Transgender, Queer and/or Questioning, Intersex, Asexual/Aromantic and others whose identities are not reflected;
- Persons with disabilities (physical and mental);
- Persons who are neurodivergent; and
- In some contexts, women.

## Intersectionality

Intersectionality is defined as the complex, cumulative way in which the effects of multiple forms of discrimination (for example, racism, sexism, and classism) combine, overlap, or intersect, especially in the experiences of marginalized individuals or groups. The wheel of power and privilege can be used as a visual tool for promoting awareness and understanding of interconnected systems of privilege, oppression, and power dynamics within society. It provides examples within the Canadian context to illustrate how intersectionality of thirteen categories of social identity uphold power and privilege and shape our interactions

[2] https://snohomishcountywa.gov/5686/Social-Justice-Terms

and experiences. Mapping out these complex dynamics can help to recognize personal positions of privilege as well as understand how systemic inequalities impact different groups within society. This understanding is essential for:

- identifying and addressing barriers to participation;
- guiding efforts to ensure inclusive, meaningful, equitable and accessible programs and services for all members of the community;
- navigating conversations around inequities, ensuring diverse perspectives are heard and valued; and
- developing strategies to address power imbalances and create more equitable outcomes in projects, programs, polices, and decision-making processes.

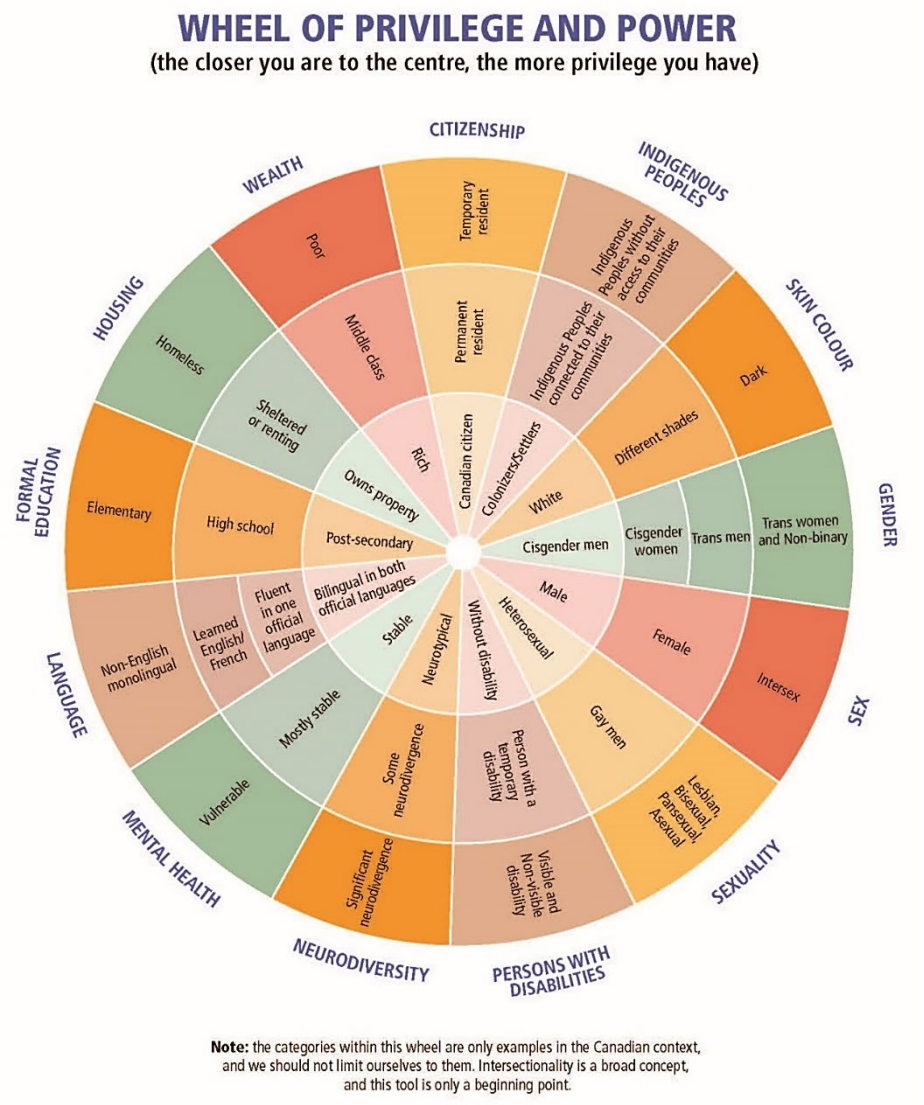



Image adapted from Sylvia Duckworth (2020).

**WATCH:**

- Intro to Intersectionality
- Kimberlé Crenshaw - On Intersectionality
- What is Intersectional Feminism?
- There is no hierarchy of oppressions - Audre Lorde

## 3. Understanding Power and Privilege

Power and privilege are two related concepts that influence the dynamics of social injustice. Understanding how these concepts interact and overlap can assist individuals in creating practical ways to foster a more equitable society.

**Power** is the capability to influence the behaviour, thoughts, and decisions of others, oneself, and/or the course of events. It can be derived from the economy, government, or community. Economic power involves managing money and resources, while political power entails implementing changes in government decision-making processes. Social power involves using cultural values, beliefs, and norms to alter people's actions, thoughts, and emotions.[3]

**Institutional Power** is the ability or official authority to decide what is best for others. The ability to decide who will have access to resources. The capacity to exercise control over others.

**WATCH**:

- How to understand power - Eric Liu - YouTube

**Privilege** refers to unearned access to resources that enhance one's chances of getting what one needs in order to lead a comfortable, productive and safe life. It is only readily available to some people as a result of their advantaged social group membership and is often invisible to those who have it.

Privilege can be based on a variety of social identities such as race, gender, religion, socioeconomic status, ability status, sexuality, age, education level and more. Determining who has privilege or disadvantage is complex because cultural, social, and historical changes affect which groups are privileged and which groups are not. When talking about privilege, most folks feel uncomfortable. Having privilege is not inherently a bad thing, but it is how you utilize it and how others are impacted by it, that you must vigilantly attend to.

Privilege can be experienced on personal, interpersonal and institutional levels. The social, economic, political and psychological unearned advantages that privileged groups hold come at the expense of marginalized groups. In Canada, privilege is typically granted to people who have membership in one or more of these social identity groups: white people, males, heterosexuals, wealthy, middle or owning class people, Christians, English-speaking people, and able-bodied people. They have historically held dominance and power over underrepresented and underserved groups. Some everyday examples of privilege:

- An able-bodied person can make plans to visit somewhere new without concern for how the sidewalks are maintained or if the building has mobility supports like a working elevator or ramps. This is an example of able-body privilege.
- White and light-skinned people can easily find and purchase products like bandages, makeup and stockings labeled "nude" or "flesh" that match their skin tone. This is an example of white privilege.
- A person who can expect their work or school holiday schedule to reflect the religious holidays they celebrate has religious privilege.

Once someone acknowledges their privilege, they can move forward in leveraging that privilege to confront societal and institutional discrimination. Other ways a person can leverage their privilege are to have brave conversations with family and friends, advocate for folks without the same privileges, and utilize bystander intervention techniques to support someone you see being harassed because of their identity.

**WATCH:**

- Does Privilege Make You Angry?
- Privilege is power, how you can use it to do some good!

[3] https://joeydolls.com/easy-guide-social-justice-talking-about-power-privilege/

- What Is Privilege?
- How Privileged Are You?
- Unboxing Privilege
- Pedagogy of Privilege

**RESOURCES**:

- Explaining white privilege to a broke white person
- Unpacking the Invisible Knapsack

## 4. Discrimination and Systems of Oppression

**Discrimination** is the act of denying equal treatment and opportunities to individuals and groups. It operates through policies or practices that exclude or limit an individual or groups from accessing services, employment, housing and enjoying all the benefits of society.

**Oppression** occurs when individuals are mistreated and excluded from society due to their identity. Oppression is the combination of prejudice and institutional power which creates a system that maintains advantage and disadvantage based on social group memberships. Oppression discriminates against some groups (often called “target groups”) and benefits other groups (often called “dominant groups”).

**WATCH**:

- Oppression 101
- The 4 I’s of Oppression: Ideological, Institutional, Interpersonal, and Internalized

**RESOURCES:**

- Institutionalized Oppression Definitions
- Oppression Matrix
- Download this fact sheet on privilege and oppression in American society from Kalamazoo College
- AORTA Continuum on Becoming a Transformative Anti-Oppression Organization

### Systems of Oppression

The term "**systems of oppression**" helps us better identify inequity by calling attention to the historical and organized patterns of mistreatment. Examples of these systems or “isms” are racism, sexism, heterosexism, ableism, classism, and ageism. These systems enable dominant groups to exert control over target groups by limiting their rights, freedom, and access to basic resources such as health care, education, employment, and housing. Society's institutions, such as government, education, and culture, can all contribute to or reinforce the oppression of marginalized social groups while elevating dominant social groups.[4]

Systems of oppression run through our language, shape the way we act and do things in our culture, and are built around what are understood to be “norms” in our societies. A norm signifies what is “normal,” acceptable, and desirable and is something that is valued and supported in a society. It is also given a position of dominance, privilege, and power over what is defined as non-dominant, abnormal, and therefore, invaluable or marginal.[5]

[4] https://nmaahc.si.edu/learn/talking-about-race/topics/social-identities-and-systems-oppression
[5] https://simmons.libguides.com/anti-oppression

**RESOURCE**:

- Lens of Systemic Oppression - The lens of systemic oppression is a lens intentionally employed to sharpen focus on the ways in which any given form of oppression (race, gender, class, language, sexual orientation, etc.) may be negatively impacting people's ability to make progress on the things they care about and/or preventing individual or collective action toward the achievement of a particular goal.[6]

## 5. Implicit Biases, Stereotypes and Microaggressions

Implicit biases, stereotypes and microaggressions are interrelated concepts. Implicit biases are developed through exposure to stereotypes and other forms of misinformation over time. These implicit biases can then lead well-intentioned people to commit microaggressions against racialized people, Indigenous people, and others with marginalized identities.

**Implicit bias** refers to unconscious, subtle, involuntary assumptions or judgments we make every day based on our prior experiences and culture. This happens "below the surface", deep in the subconscious, where there is no awareness or intention of bias. Implicit bias is also "activated" involuntarily, it is not something that can easily be turned on or turned off. Additionally, implicit bias can be positive or negative.

Examples of implicit bias

- We tend to see an individual as a representation of a particular group rather than as an individual.
- We tend to favor, prefer, and associate positive characteristics with members of the group to which we belong.
- We tend to associate negative characteristics with or disfavor members of groups to which we do not belong.

**RESOURCES:**

- Understanding Prejudice: Implicit Association Test
- Teaching Tolerance: Test Yourself for Hidden Bias
- Act, Communicating, Implicit Bias (racialequitytools.org)

**WATCH**:

- Implicit Bias Defined
- Implicit Bias – Concepts Unwrapped
- Verna Myers: How to overcome our biases? Walk boldly toward them - YouTube
- Breaking Bias - Unlearning: Breaking Bias. Building Community. - YouTube

**Stereotypes** refer to the widely held, oversimplified ideas we hold about a person or people based on their identities (real or perceived). Usually, stereotypes are based on assumptions, popular opinion, or misinformation, are generally negative, are sweeping and simple, and are often characterized by words such as "always" and "never."

**WATCH**:

- When you picture Doctors Without Borders, what do you see?
- Why Do You Think Stereotypes Are True? | Decoded | MTV News - YouTube

**EXERCISE**:

- Deconstructing Stereotypes

**RESOURCE**:

- When & How to Avoid Stereotypes | LiteraryTerms.net
- Teaching About Stereotypes 2.0 | Learning for Justice

Implicit biases and stereotypes can impact our relationships and interactions with each other in many ways. They can lead us to commit microaggressions.

**Microaggressions** are subtle verbal or nonverbal insults or denigrating messages communicated toward a marginalized person, often by someone who may be well-intentioned but unaware of the impact their words or actions have on the target.

Microaggressions are more than just insults, insensitive comments, or generalized jerky behavior. They're something very specific: the kinds of remarks, questions, or actions that are painful because they have to do with a person's membership in a group that's discriminated against and/or subject to stereotypes.

**WATCH**:

- Microaggressions (Clean) - YouTube
- Understanding Microaggressions - YouTube
- If Microaggressions Happened to White People | Decoded | MTV News - YouTube

**RESOURCE**:

- What are Anti-Black Racism Microaggressions?
- The Micropedia of Microaggressions - the first encyclopedia of microaggressions.
- 21 Racial Microaggressions You Hear On A Daily Basis (buzzfeed.com)

**EXERCISE**:

- What is the message? (Versions A-E)

Confronting microaggressions may result in a defensive response, but it is important to actively combat inequitable and/or racist behaviour when you are able. One way to address these types of inequitable and/or racist comments is to ask for clarification on the comment and challenge the person to consider the impact of their words. For example, if someone were to say, “our colleague doesn’t act Black/gay/like a woman,” ask what they mean. By asking this question, it forces the person to examine what they’re saying. This challenge may raise their awareness that they are reinforcing the idea of what ‘acting Black/gay/like a woman’ means based on generalization and harmful stereotypes.

**Summary:**

- Implicit biases are unconscious assumptions or judgements that reinforced or created by stereotypes and other influences.
- Stereotypes are widely held, oversimplified ideas we hold about a person or people based on their identities (real or perceived). Many stereotypes are rooted in prejudice.
- A prejudice is a belief or opinion. It refers to biased thinking. Prejudice is an opinion that is not based on reason or actual experience and usually negative feelings or attitudes toward members of a group; they often come from a place of suspicion, fear, or intolerance.

- Microaggressions are an expression of our prejudiced attitudes through words or actions, often unconsciously or unintentionally. They are closely tied to implicit biases.

## 6. Inclusive Language and Communication

Being committed to equity and anti-racism requires the use and adoption of inclusive language and communication. Language is not neutral - it is closely tied to the personality of the communicator and the culture and society in which it is used. Language is not always intended to exclude a person or a group, but it may unintentionally have that effect.

**Inclusive Language -** language that acknowledges diversity, conveys respect to all people, is sensitive to differences, and promotes equal opportunities.

A central tenet of inclusive language is for people to think about the impact their words and phrases have on others. Inclusive language avoids terms, phrases, or expressions that could be racist, sexist, or biased against any group of people. Inclusive language is more than just avoiding the use of a few antiquated or offensive terms and phrases. It is about embracing communication that acknowledges the power differentials and dynamics of our society and their deleterious effects. It is about showing appreciation for the diversity everyone brings to the table. And finally, it is about creating cultures where people can feel free to be their full authentic selves.[7]

Essential ideas relating to Inclusive Language:

- **Observe, confirm, and utilize the terminology that people use to describe themselves:** It is always good practice to observe how the individual refers to themself, and to check with the person to see which terms they may personally prefer. Start by listening to how people talk about themselves.
- **"Person-First" approach:** This approach emphasizes the humanity in all of us by using terminology that puts the person before a particular aspect of their identity. For example, the person-first approach would use phrases such as "person with a physical disability" rather than "disabled person", or "people who use drugs" instead of "drug users". This person-first approach can be helpful for creating inclusive spaces for every person, and this approach can also complement the "identity-first" approach.
- **Language and terminology are always evolving:** Language and terminology constantly change to reflect the ever-evolving values and mindsets of our society. A phrase or term once used may now have a different meaning or may have added connotations when said, so that term may now be outdated and should no longer be used. Be attentive to changes in language used among identity communities.
- **We all must continue learning:** Mistakes can and will happen as we are always learning the best way to use inclusive language as we adapt strive to be inclusive.

**WATCH**:

- How language shapes the way we think
- Why Gender Pronouns Matter

**RESOURCES:**

- Using Inclusive Language in the Workplace: An Introduction Written by Katharine Park, Advocacy Lead, Wellness Works Canada
- A Short Guide to Inclusive Language
- What is Inclusive Language in the Workplace? Examples, Steps, & Strategies
- Words Matter: Guidelines on using inclusive language in the workplace (2018)

[7] https://www.apa.org/ed/precollege/psn/2022/09/inclusive-language

NOVA SCOTIA

# Equity and Anti-Racism Plan Guidance for Municipalities and Villages

*Office of Equity and Anti-Racism*

## Introduction

**This resource is designed to help municipalities and villages to develop equity and anti-racism plans by April 1, 2025, as required under the *Dismantling Racism and Hate Act* and associated regulations.**

In addition to this resource, the Office of Equity and Anti-Racism (OEA) will provide municipalities and villages with a self-assessment tool that can help identify areas of focus for their equity and anti-racism plans, as well as an equity and anti-racism primer resource that introduces foundational concepts. The Association of Municipal Administrators of Nova Scotia will also be supporting municipalities and villages as they undertake this work.

### Nova Scotia's *Dismantling Racism and Hate Act*

Nova Scotia has committed to addressing systemic hate, inequity, and racism, and to supporting underrepresented and underserved communities and the intersectionality between and amongst them.

The *Dismantling Racism and Hate Act*, passed in 2022, was developed by an all-party committee following engagement with Nova Scotians, and it outlines the provincial government's approach to addressing systemic hate, inequity, and racism. Recognizing the important role municipalities and villages play in addressing racism, hate and inequity, the Equity and Anti-Racism Strategy identified them as being the first public sector bodies that would be required to develop equity and anti-racism plans. This exercise requires municipalities and villages to undergo a planning process to identify actions that will promote equity and anti-racism by considering the needs of underrepresented and underserved communities.

### Municipalities and Villages as Prescribed Public Sector Bodies (PPSBs):

Municipalities and villages are important partners in becoming an equitable, anti-racist and accessible province. PPSB organizations, including municipalities and villages, represent a wide range of sectors and cover essential areas of the lives of people in the province.

Both the *Dismantling Racism and Hate Act* and *Accessibility Act* allows government to prescribe public sector organizations to meet several legislative obligations including the creation of plans to address the goals of each Act. OEA and the Accessibility Directorate are working collaboratively to support municipalities and villages to meet requirements under both the *Dismantling Racism and Hate Act* and *Accessibility Act* into one interconnected planning approach. Municipalities and villages are encouraged to use this resource in tandem with resources prepared by the Accessibility Directorate to develop a single plan that meets legislative requirements of both Acts (i.e., combine efforts to produce a single equity, anti-racism and accessibility plan for 2025-28).

Other public sector bodies that are not yet prescribed under the *Dismantling Racism and Hate Act* are encouraged to consider equity and anti-racism in the updating of their accessibility plans and in other activities and/or planning exercises where applicable. Accessibility plans, to be truly effective, must incorporate the intersectionality that exists within the disability community. PPSBs that are not municipalities and villages are welcome to voluntarily create equity and anti-racism plans using this guide.

# Overview of Equity and Anti-Racism in Nova Scotia

Did you know..

- In 2021, there were 52,425 Indigenous people in Nova Scotia, making up 5.5% of the population[1].
- Respondents to the 2021 Census were asked whether they identified with specific categories of visible minority. These racialized groups accounted for 9.8% of the population in Nova Scotia[2].
    - Nova Scotians that identified as Black made up the largest population in a racialized group in Nova Scotia (28,220). This was followed by those who identified as South Asian (21,655), those who identified as Chinese (11,600), those who identified as Arab (10,610) and those who identified as Filipino (6,615).
- Nova Scotia the highest proportions of transgender and non-binary people aged 15 and older in Canada (0.48% or almost 1 in every 200 people living in Nova Scotia) and amongst aged 15 to 34 among the provinces this statistic increases (1.17% or 1 in every 100 people living in Nova Scotia)[3].
- In 2020, the number of police reported hate crimes[4] increased by 70% in Nova Scotia (roughly six incidents per 100,000 population)[5].

## Underrepresented and Underserved Communities in Nova Scotia

When we speak of underrepresented and underserved communities, we are referring to those groups who experience discrimination and exclusion because of unequal power relationships across economic, political, social, and cultural dimensions.

This includes systemic hate, inequity and/or racism towards people based on one or more protected characteristics as identified in the *Human Rights Act*, which includes: age, race, colour, religion, creed, sex, sexual orientation, gender identity, gender expression, physical or mental disability, ethnicity, national or Indigenous origin, family status, marital status, source of income, and political belief, affiliation or activity.

Below are examples of underrepresented and underserved groups in Nova Scotia. Each of these groups has their own unique story, historical setting and history of discrimination and marginalization (this list is not exhaustive and may not include all groups who would identify as underrepresented and/or underserved):

- Mi'kmaq and Persons of Indigenous descent
- African Nova Scotians and Persons of African descent
- Persons of Colour/Racialized Persons
- Newcomers (immigrants and refugees)
- 2SLGBTQIA+
- Persons with disabilities
- Minority faith-based groups
- Persons who are neurodivergent
- In some contexts, women.

## Intersectionality

It is important to take intersectionality into account as many policies impact individuals in multiple ways as a result of their intersecting identities. The wheel of power and privilege can be used as a visual tool for promoting awareness and understanding of interconnected systems of privilege, oppression, and power dynamics within society. It provides examples within the Canadian context to illustrate how intersectionality of

[1] https://www12.statcan.gc.ca/census-recensement/2021/as-sa/fogs-spg/page.cfm?lang=E&topic=8&dguid=2021A000212
[2] https://novascotia.ca/finance/statistics/news.asp?id=18264
[3] https://www150.statcan.gc.ca/n1/daily-quotidien/220427/cg-b004-png-eng.htm
[4] "Police-reported hate crime is defined as a criminal violation against a person or property motivated by hate, based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation or gender identity or expression, or any other similar factor."
[5] https://www150.statcan.gc.ca/n1/pub/85-002-x/2022001/article/00005-eng.htm

thirteen categories of social identity uphold power and privilege and shape our interactions and experiences. Mapping out these complex dynamics can help to recognize personal positions of privilege as well as help to understand how systemic inequalities impact different groups within society. This understanding is essential for:

- identifying and addressing barriers to participation;
- guiding efforts to ensure inclusive, meaningful, equitable and accessible services and engagement initiatives for all members of the community;
- navigating conversations around inequities, ensuring diverse perspectives are heard and valued; and
- developing strategies to address power imbalances and create more equitable outcomes in projects, programs, polices, and decision-making processes.

### What do we mean by Equity and Anti-Racism?

When thinking about what to include in your equity and anti-racism plan, it is important to understand that this plan is not the same as traditional equity, diversity and inclusion (EDI) plans. EDI plans have traditionally been focused internally on an organization and mainly on the employees of an organization. They include actions that promote diversity within the organization and equitable hiring practices.

While equity and anti-racism includes EDI, it is not solely EDI. In your equity and anti-racism plans, public sector bodies are expected to look at: the way that policies and programs are developed; how services are delivered; and how budgetary decisions are made. It is not enough for an organization to be actively improving on the diversity of those at all levels of their organization through traditional EDI plans. Organizations also need to be considering its policy making process including: who they engage with to determine their priorities for a given year; who they engage with to determine what options are appropriate for a particular policy, program or service; how they determine impacts; and how they make decisions on the options to pursue.

The provincial Equity and Anti-Racism Strategy includes this policy and engagement focus. The provincial government is committed to enhancing its policy development process by including equity impact assessments (EIA) and evaluations. The EIA supports departments in incorporating an equity and anti-racism focus at every step of developing, for example, a new law or regulation or a new program. And equity evaluations support analysis of existing laws, regulations and policies to determine if they are perpetuating systemic hate, inequity and racism.

Please keep this policy and engagement focus while considering what to include in your plans. OEA and the Association of Municipal Administrators of Nova Scotia will be there to help you along the way.

## Creating your Equity and Anti-Racism Plan

### Plan Requirements

Your plan is an opportunity for you to share publicly your organization's commitment to equity and anti-racism. Equity and anti-racism plans **must** be:

- informed by engagement with underrepresented and underserved communities within the jurisdiction that the plan covers;
- in place by April 1, 2025;
- publicly available in an accessible format; and
- updated every three years, in line with *Accessibility Act* requirement.

### Planning Process Summary

Municipalities and Villages are encouraged to follow the same process for developing their equity and anti-racism plans as outlined in the Toolkit for Updating Accessibility Plans as developed by the Accessibility Directorate. Municipalities and villages may choose to adapt or follow their own planning process. Appendix A

offers a proposed structure that municipalities and villages may want to consider for the development of their plan.

Some requirements and specific considerations are outlined below that should be embedded within your planning process.

- **Complete an assessment of any previous diversity, equity and inclusion plans**. Document progress including:
    - the actions that were fully completed;
    - actions that were started and are still underway (partially completed); and
    - actions where work has not yet started.
- **Identify and document what you learned** from implementing other equity, inclusion and diversity plans and efforts. Here are some questions that can help:
    - What challenges did you experience implementing these plans? Why did they occur?
    - What successes did you experience implementing these plans? What factors contributed to the success?
- **As an organization, reflect on what actions should your municipality or village take in the next three years to advance equity and anti-racism.**
    - What equity and accessibility issues have emerged over the past few years?
    - For an understanding of hate motivated crimes and acts of hate in your municipality or village, in addition to listening to community voices, considering consulting with your local law enforcement agencies to hear about their experiences.
    - What concerns have underrepresented and underserved communities raised—historically or currently? Are there themes?
    - What policy areas may have significant impacts on underrepresented and underserved communities (e.g., land use and zoning by-laws)?
    - What programs are accessed by underrepresented and underserved communities? Do we know if these programs are meeting their needs? Do we know if there are barriers that are preventing them from accessing programs? Are we aware of gaps in programming?
    - What is working well from the actions that have been taken so far to improve equity and anti-racism?
    - What changes have you noticed in the community in terms of culture, such as inclusion, when people with underrepresented and underserved communities are valued and engaged? What actions should be considered in the plan to address or recognize these changes?
- **Some broader equity and anti-racism priority area examples** to consider including in your plan include:
    - Equity and Anti-Racism in Service Delivery
    - Anti-Racism Training and Education
    - Diverse Representation and Inclusion
    - Equitable Hiring and Promotion Practices
    - Language and Cultural Accessibility
    - Equity and Anti-Racism in Planning and Development
    - Community Engagement and Consultation
    - Equitable Access to Economic Opportunities

**Example of an Action within an Equity and Anti-Racism Plan**

Recreation Nova Scotia's Anti-Racism Charter in Recreation provides unifying guidelines for the recreation sector to address and combat systemic racism within the sector. Municipalities and villages can become signatories to this charter as a commitment to a more equitable and inclusive recreation system as a part of their equity, anti-racism and accessibility plan and identify specific actions to support this commitment (e.g. initiatives that introduce recreation programs to racialized communities, identify practical and financial barriers and plan to address these barriers).

- **Ensure that underrepresented and underserved communities that your municipality or village serves are engaged in the development and implementation of your plan.**
    - Before you begin planning engagement, develop an understanding of the demographics of the people you serve to inform your engagement approach and ensure underrepresented and underserved populations are included.
        - Appendix B provides a summary of Indigenous and African Nova Scotian communities in Nova Scotia. Where applicable, plan to involve these the community(-ies) in the development of your equity and anti-racism plan.
    - What community-based organizations and not-for-profits exist in your municipality or village that serve underrepresented or underserved communities? Can you partner with them on engagement or for advice and input into your equity, anti-racism and accessibility plan?
    - Before you engage community, identify the key questions you are looking for input on (you may use questions similar to the previous prompt). Since you have already assessed progress made through previous equity and anti-racism plans and efforts, you may have a draft framework and guiding principles ready for direct input.
    - When considering how to include underrepresented and underserved communities in your work, be mindful and reflective of your existing relationships or lack thereof with these communities. Consider previous initiatives undertaken with these communities and how these can positively or negatively impact efforts related to your equity and anti-racism plan.
    - For more information and guidance on community engagement, please review OEA's Public Engagement Guidebook available at oeaengagement.ca.

**An Example of Community Engagement**

To further the (Halifax) Anti-Black Racism Framework, a phased approach for public engagement was undertaken to aid the development of the Anti-Black Racism Strategy and Action Plan. Collaboration with internal and external stakeholders to receive input, suggestions, and recommendations into the process was central to the development the strategy and plan.

*-Halifax Regional Municipality Website*

- **Invite feedback from your partners and community on a draft plan,** particularly underrepresented and underserved communities, including persons with disabilities and representatives from organizations representing underrepresented and underserved communities. For example, posting it online or holding an in-person meeting.
    - Consider contacting the Office of Equity and Anti-Racism (OEA@novascotia.ca) for feedback on your draft plan.
- **Revise and update** the plan based on feedback.
- **Publish your plan publicly in an accessible format**.
- **Email a link to your approved and published plan** to OEA@novascotia.ca. While government does not currently approve or endorse each organization's plan, compliance monitoring will be undertaken.

# Appendix A – Example Equity and Anti-Racism Plan Template

- **Executive Summary and/or Opening Message**
  - Overview of the municipality/ village's commitment to equity and antiracism.
  - Key objectives.
  - Summary of key initiatives.
  - Can take the form of summary or a message from mayor of municipality, chair of a village, or other lead/sponsor.
- **Overview/How the plan was developed**
  - Purpose of the action plan.
  - Acknowledgement of underserved and underrepresented constituents/members you serve
  - Who did we hear from and work with to create this plan and who will be involved in implementing it?
  - How will we track progress and measure success.
- **Action Plan Commitments/Areas of Focus**
  - Group actions/commitments in thematic areas. Aim for at minimum 3-5 areas of focus for the next three years.
  - Identify specific, measurable, achievable, relevant, and time-bound (SMART) indicators associated with actions and commitments where possible.
  - Identify any key partners for commitments/areas of focus (e.g., community-based organizations, other municipalities).
- **Conclusion/Closing Section**
  - How will we commit to continuous improvement and revisiting the plan as needed?
  - Reaffirm commitments to equity, anti-racism and accessibility, including ongoing engagement with underserved and underrepresented communities.

# Appendix B – Mi’kmaq and African Nova Scotian Communities in Nova Scotia

**Mi’kmaq Communities**

The Mi’kmaq are the Indigenous people of Mi’kma’ki. Mi’kma’ki encompasses what is known as present-day Nova Scotia, Prince Edward Island, Quebec (Gaspé Peninsula), New Brunswick (north of the St. John watershed), parts of Newfoundland and Labrador, and parts of Maine.

Mi’kmaq have been rooted in Mi’kma’ki for over 13,000 years according to the carbon dating of artifacts from the Mi’kmawey Debert site.

**Seven Districts of Mi’kma’ki:**
1. Unama’ki aq Ktaqmkuk
2. Epekwitk aq Piktuk
3. Eskikewa’kik
4. Sipekne’katik
5. Kespukwik
6. Siknikt
7. Kespek

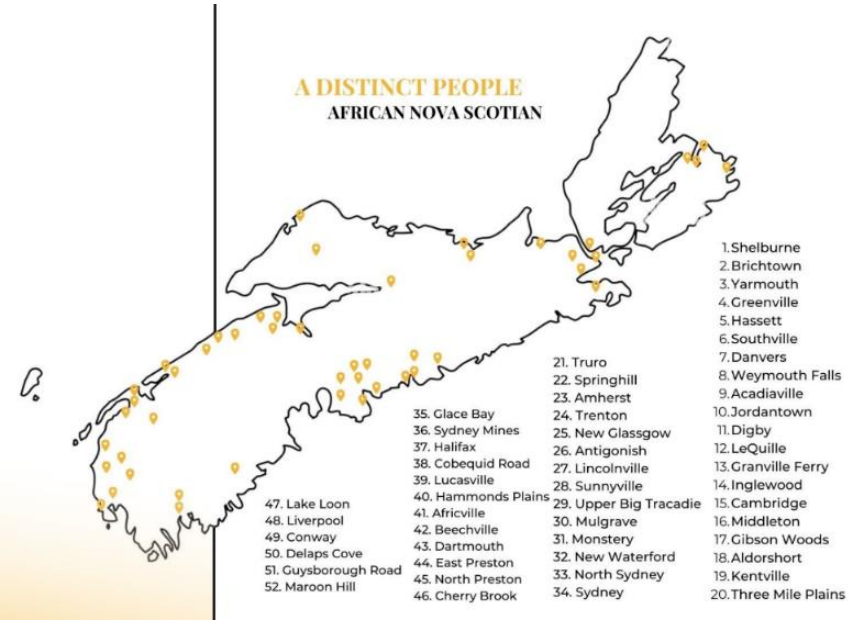
**Thirteen First Nation communities in Mi’kma’ki:**
Acadia First Nation
Annapolis Valley First Nation
Bear River First Nation
Eskasoni Mi’kmaw Nation
Glooscap First Nation
Membertou First Nation
Millbrook First Nation
Paqtnkek Mi'kmaw Nation
Pictou Landing First Nation
Potlotek First Nation (formerly Chapel Island)
Sipekne'katik First Nation (formerly Indian Brook/Shubenacadie)
Wagmatcook First Nation
We'koqma'q First Nation

**African Nova Scotian Communities**

African Nova Scotians inhabited land in Nova Scotia over 400 years ago.

There were multiple known waves of migration into Nova Scotia, such as the Black Loyalists in 1783, the Jamaica Maroons in 1796, refugees from the War of 1812 between 1813-1814 and a Caribbean migration in 1904. In each migration, African Nova Scotians settled in different parts of the province.

The relationship between ANS settlers and Mi'kmaw communities started early. This relationship between communities was essential to the survival of ANS communities. Many settlers learned skills and knowledge of how to live off the land. This included using natural medicines, farming, fishing, and building/labour.



# Equity and Anti-Racism Self-Assessment Tool

## *Office of Equity and Anti-Racism*

This tool was developed for municipalities and villages to meet requirements to develop equity and anti-racism plans under the *Dismantling Racism and Hate Act*, but it can be broadly used by any organization interested completing a self-assessment exercise. It can be used in a facilitated group setting or by individual self-assessment(s).

To meaningful address systemic hate, inequity, and racism, organizations must engage in critical reflection and evaluation of current practices. By using this tool, your organization can identify strengths and reflect on aspects where the organization is excelling in equity and anti-racism efforts. It will also help identify areas of improvement where the organization can enhance its commitment to equity and anti-racism and begin the process of developing an action plan and monitoring the progress as the organization evolves and new equity and anti-racism goals are established.

This tool asks users to self-assess 12 different organizational characteristics in relation to equity and anti-racism using a spectrum. For each characteristic, select where you think your organization is in terms of progress, and respond to the questions that follow.

The final section of the tool is a precursor to the process of developing an action plan. It prompts users to review the completed self-assessment and identify high level areas that they see as priorities for action. This self-assessment is intended to be a dynamic tool for ongoing improvement. Organizations are encouraged to regularly revisit and update it to reflect the evolving nature of equity and anti-racism policies.

Examples of equity and anti-racism actions and commitments that have been undertaken by municipalities in other jurisdictions are appended to this resource to help generate ideas and discussion.

Please feel free to contact us if you have any questions or would like to discuss: OEAEngagement@novascotia.ca.

## Section 1: Assessing Your Organizations Characteristics

For each characteristic, identify where you are on the spectrum of progress and answer the questions that follow.

### Vision: clear articulation, commitment, and defined direction for growth to achieve equity, inclusion, and anti-racism across all aspects of its mission, values, and strategic objectives.

| ☐ **Not yet started** | ☐ **Ready to start** | ☐ **Launched** | ☐ **Well on the way** | ☐ **Leading** |
|---|---|---|---|---|
| The vision does not articulate a clear focus on achieving equity, inclusion, and anti-racism. | Recognizes the importance of equity, inclusion and anti-racism and it is addressing the next steps. | Understand the significance of equity, inclusion and anti-racism and is in the process of developing/changing its vision related to equity, inclusion, and anti-racism. | Developed an equity, inclusion, and anti-racism vision and is working to align policies and operations with this vision. | Integrated equity, inclusion and anti-racism in the vision statements which are actively being used to guide policies and operations. |

| If selected Not yet started, identify ways your organization can begin to make progress- What are the opportunities and barriers? | If selected Ready to start, Launched, Well on the way or Leading- list the evidence that supports how your organization fulfils this indicator? |
|---|---|
| | |

### Leadership Commitment: The extent to which organization leadership demonstrates a commitment to equity and anti-racism principles.

| ☐ **Not yet started** | ☐ **Ready to start** | ☐ **Launched** | ☐ **Well on the way** | ☐ **Leading** |
|---|---|---|---|---|
| Leadership (management and staff) have not focused on issues related to equity and anti-racism. | Members of management and staff are beginning to have discussions related to equity and anti-racism. | Equity and anti-racism lens are leading the discussions within management and staff. | Management and staff are consistently integrating equity and anti-racism principles into decision-making. | Management and staff are using an equity and anti-racism lens when creating policies and programs. Management demonstrates accountability to communities and partners. |

| If selected Not yet started, identify ways your organization can begin to make progress- What are the opportunities and barriers? | If selected Ready to start, Launched, Well on the way or Leading- list the evidence that supports how your organization fulfils this indicator? |
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| | |

## Inclusive Policies: The presence of policies that actively promote inclusion, diversity, and anti-racism within the organization.

| ☐ **Not yet started** | ☐ **Ready to start** | ☐ **Launched** | ☐ **Well on the way** | ☐ **Leading** |
|---|---|---|---|---|
| Has limited or no policies related to inclusion, diversity, and anti-racism. | Is interested in developing and implementing inclusion, diversity, and anti-racism policies but may be unclear where to begin. | Has implemented inclusion, diversity, and anti-racism language in policies. | Has developed written policies explicitly addressing inclusion, diversity, and anti-racism. May be unclear how to operationalize it. | There are clear procedures and policies related to inclusion, diversity, and anti-racism. Has clear goals, strategies, and indicators of progress. |

| If selected Not yet started, identify ways your organization can begin to make progress- What are the opportunities and barriers? | If selected Ready to start, Launched, Well on the way or Leading- list the evidence that supports how your organization fulfils this indicator? |
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| | |

## Infrastructure: the presence of established systems, policies, and resources designed to support and sustain equitable practices, address systemic biases, and promote anti-racist initiatives within the organization's structure and operations.

| ☐ **Not yet started** | ☐ **Ready to start** | ☐ **Launched** | ☐ **Well on the way** | ☐ **Leading** |
|---|---|---|---|---|
| Does not have systems, policies and resources designed to support and sustain equitable practices. | Has some internal discussions but does not have the structures to guide the work. | Committee has been created to focus on implementing equitable practices, but it is not integrated into the work. | Has existing internal committees and has integrated equitable practises into the organizations work. | Using equitable practices to address systemic biases and uses an anti-racist lens in every aspect of the work. |

| If selected Not yet started, identify ways your organization can begin to make progress What are the opportunities and barriers? | If selected Ready to start, Launched, Well on the way or Leading- list the evidence that supports how your organization fulfils this indicator? |
|---|---|
| | |

## Training and Development: The provision of ongoing training and development opportunities focused on equity, diversity, and anti-racism education and awareness-building initiatives into organizational culture and practices.

| ☐ **Not yet started** | ☐ **Ready to start** | ☐ **Launched** | ☐ **Well on the way** | ☐ **Leading** |
|---|---|---|---|---|
| Has not done any training and development related to equity, diversity, and anti-racism education. | Had some internal decisions on accessing equity, diversity, and anti-racism education for the staff. | Some staff have participated in training and development related to equity, diversity, and anti-racism. | All management and staff have participated in training and development opportunities related to equity, diversity, and anti-racism education. | Engage in ongoing education to promote a culture of equity, diversity, and anti-racism. This knowledge is integrated into policies and programs. |

| If selected Not yet started, identify ways your organization can begin to make progress What are the opportunities and barriers? | If selected Ready to start, Launched, Well on the way or Leading- list the evidence that supports how your organization fulfils this indicator? |
|---|---|
| | |

## Data Collection, Analysis and Reporting: The organization's commitment to collecting, analyzing, and reporting data on diversity, equity, and anti-racism efforts.

| ☐ **Not yet started** | ☐ **Ready to start** | ☐ **Launched** | ☐ **Well on the way** | ☐ **Leading** |
|---|---|---|---|---|
| Does not collect, analyze, or report data on diversity, equity, and anti-racism efforts. | Does not collect, analyze, or report data on diversity, equity, and anti-racism efforts, but views this as a future goal. | Collects some data on diversity, equity, and anti-racism efforts, but not in a comprehensive way. | Collects, disaggregates, and analyzes the data but may not know what to do with the information. | Collects, analyzes (with those who the data is about), and reports the data. Based on the data, the organizations uses a diversity, equity, and anti-racism lens to create policies and programs. |

| If selected Not yet started, identify ways your organization can begin to make progress What are the opportunities and barriers? | If selected Ready to start, Launched, Well on the way or Leading- list the evidence that supports how your organization fulfils this indicator? |
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| | |

## Community Engagement: The organizations effort in intentionally engaging with and supporting underrepresented and underserved communities in meaningful ways (underrepresented and underserved groups include Mi'kmaq and/or people of Indigenous descent, African Nova Scotians, people of African descent, people with disabilities, 2SLGBTQIA+ people, newcomers, and minority faith-based groups). This includes establishing meaningful partnerships with underrepresented and underserved community organizations to address systemic inequalities and foster collaboration.

| ☐ **Not yet started** | ☐ **Ready to start** | ☐ **Launched** | ☐ **Well on the way** | ☐ **Leading** |
|---|---|---|---|---|
| Does not have any strong partnerships with underrepresented and underserved communities. | Recognizes the importance of building partnerships with underrepresented and underserved communities but may be unclear where to begin. | Beginning to build partnerships but has not yet created accountable and meaningful partnerships. | Actively strengthening partnerships and trust with underrepresented and underserved communities. | Has established strong and accountable partnerships and trust with underrepresented and underserved communities to address systemic inequalities. |

| If selected Not yet started, identify ways your organization can begin to make progress What are the opportunities and barriers? | If selected Ready to start, Launched, Well on the way or Leading- list the evidence that supports how your organization fulfils this indicator? |
|---|---|
| | |

## Decisions: The organisation's decision-making processes are guided by equity and anti-racism principles and a commitment to transparency and accountability with mechanisms in place to address racial biases and promote equity.

| ☐ **Not yet started** | ☐ **Ready to start** | ☐ **Launched** | ☐ **Well on the way** | ☐ **Leading** |
|---|---|---|---|---|
| Equity and anti-racism are not a factor into decision-making processes. | Interested in implementing equity and anti-racism principles into decision making processes but may be unclear where to begin. | Decisions are occasionally influenced by equity and anti-racism principles. | Decisions regarding policies, programs and resource allocation are informed by equity and anti-racism principles. | Decisions regarding policies, programs and resource allocation are systematically guided by an equity and anti-racism lens. |

| If selected Not yet started, identify ways your organization can begin to make progress What are the opportunities and barriers? | If selected Ready to start, Launched, Well on the way or Leading- list the evidence that supports how your organization fulfils this indicator? |
|---|---|
| | |

## Accountability Mechanisms: The presence of mechanisms to hold the organization accountable for progress in equity and anti-racism action planning. This includes regular assessment and evaluation of organizational practices, policies, and outcomes to identify areas for improvement and track progress towards equity and anti-racism goals.

| | | | | |
|---|---|---|---|---|
| ☐ **Not yet started**<br>Equity and anti-racism metrics are not included in the evaluations of programs. | ☐ **Ready to start**<br>May recognize the value of including equity and anti-racism metrics in the evaluations of program to focus on accountability. | ☐ **Launched**<br>Preparing to include or is currently including equity and anti-racism metrics in a few programs. | ☐ **Well on the way**<br>Equity and anti-racism are included in evaluations, which reinforces accountability mechanisms. | ☐ **Leading**<br>All evaluation and accountability mechanisms include specific equity and anti-racism metrics which has strengthened the relationship with underrepresented and underserved community. |

| If selected Not yet started, identify ways your organization can begin to make progress What are the opportunities and barriers? | If selected Ready to start, Launched, Well on the way or Leading- list the evidence that supports how your organization fulfils this indicator? |
|---|---|
| | |

## Accessibility and Inclusion: The extent to which the organization ensures physical and digital accessibility for all and actively includes diverse voices. This includes ensuring accessibility of resources, support services and opportunities for advancement for individuals from diverse backgrounds.

| | | | | |
|---|---|---|---|---|
| ☐ **Not yet started**<br>No effort is made to create an inclusive and accessible environment for staff. | ☐ **Ready to start**<br>Values the idea of being an inclusive and accessible environment but does not know where to begin. | ☐ **Launched**<br>Has created resources, tools and support services but has not implemented in the workplace. | ☐ **Well on the way**<br>Has integrated accessible and inclusive practises, resources, tools and support services into the workplace and organizations work. | ☐ **Leading**<br>Empowering all individuals which includes diverse voices. Ensuring accessibility of resources, support systems and opportunities for advancement for individuals from diverse backgrounds. |

| If selected Not yet started, identify ways your organization can begin to make progress What are the opportunities and barriers? | If selected Ready to start, Launched, Well on the way or Leading- list the evidence that supports how your organization fulfils this indicator? |
|---|---|
| | |

## Hiring Practices: The organisation's commitment to fair, unbiased and inclusive hiring practises that actively seek and prioritize diversity, equity, and inclusion.

| ☐ **Not yet started** | ☐ **Ready to start** | ☐ **Launched** | ☐ **Well on the way** | ☐ **Leading** |
|---|---|---|---|---|
| Does not have inclusive hiring practises or processes that actively seek diversity. | Recognizes the importance of implementing processes which can contribute to more equitable hiring practises. | Has committed to developing hiring practices that seek and prioritize diversity, equity and inclusion. | Has created processes which focuses on candidates' diversity, equity, and inclusion experience and expertise during the hiring and promotion practices. | Developed and implemented an inclusive hiring process that are intentionally designed to create equal job opportunities for all. |

| If selected Not yet started, identify ways your organization can begin to make progress What are the opportunities and barriers? | If selected Ready to start, Launched, Well on the way or Leading- list the evidence that supports how your organization fulfils this indicator? |
|---|---|
| | |

## Employee Resource Groups (ERGs): The existence and support of employee resource groups[1] focuses on promoting diversity, equity, and anti-racism. Employee Resource Groups are voluntary, employee-led groups whose aim is to foster a diverse, inclusive workplace aligned with the organizations they serve. They're usually led and participated in by employees who share a characteristic, whether it's gender, ethnicity, religious affiliation, lifestyle, or interest. The groups exist to provide support and help in personal or career development and to create a safe space where employees can bring their whole selves to the table. Allies may also be invited to join the ERG to support their colleagues.

| ☐ **Not yet started** | ☐ **Ready to start** | ☐ **Launched** | ☐ **Well on the way** | ☐ **Leading** |
|---|---|---|---|---|
| Have not taken any steps to establish or support ERGs focused on equity and anti-racism initiatives. | Recognizes the importance of ERGs in promoting equity and anti-racism efforts and is in the preliminary stages of planning and preparing for their establishment. | ERGs have been formally established within the organization. They may have a defined purpose, membership, and structure. However, activities and initiatives may still be in the early stages of development and implementation. | ERGs are actively engaged in organizing events, workshops, and initiatives aimed at promoting awareness, education, and dialogue within the organization. They have gained traction and are making visible contributions to the organization's equity and anti-racism efforts. | ERGs are recognized as influential drivers of change within the organization. They have established themselves as key stakeholders in decision-making processes, and their initiatives and advocacy efforts have significantly contributed to fostering a more inclusive and anti-racist organizational culture. |

[1] https://www.greatplacetowork.com/resources/blog/what-are-employee-resource-groups-ergs

| If selected Not yet started, identify ways your organization can begin to make progress What are the opportunities and barriers? | If selected Ready to start, Launched, Well on the way or Leading- list the evidence that supports how your organization fulfils this indicator? |
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| Identify any other organizational characteristics related to equity and anti-racism that is not mentioned in this tool, and your self-assessment in terms of progress. |
|---|
| |

# Section 2: Beginning steps to creating an action plan.

Based on the overall assessment, identify three (or more – add cells as needed) areas to enhance your commitment to equity and anti-racism. It is recommended that you identify clear and focused areas for improvement that can be included or considered in the development of an equity and anti-racism action plan for your organization. **A list of examples of actions and initiatives other municipalities have committed to are provided in Appendix A to help you in identifying possible actions for your municipality or village.**

The Equity and Anti-Racism Plan Guidance for Municipalities and Villages provides more detailed guidance on developing your plan.

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|---|
| 1. |
| 2. |
| 3. |

## Supplementary Resources and Reference Material

- Understanding Meyer's Diversity, Equity and Inclusion Spectrum tool, Meyer Memorial Trust
- Organizational Assessment Tools and Resources, racialequitytools.org
- Diversity, Equity and Inclusion Assessment, Centre for Diversity and Inclusion
- Complete_Comprehensive_DEI_Assessment.pdf, thecentermsu.org

# Appendix A – Examples of Municipal Equity and Anti-Racism Actions and Commitments

## Equity in Service Delivery

- Toronto Community Housing Corporation (TCHC) has implemented equity-focused service delivery strategies to address the diverse needs of residents, including targeted supports for marginalized communities.
- Vancouver's Equity Framework guides city departments in providing equitable services to all residents. The framework ensures that city services are accessible and responsive to the needs of diverse communities, including marginalized groups such as Indigenous peoples and newcomers.
- The City of Edmonton's Diversity and Inclusion Framework and Implementation Plan provides employees with the tools and support they need to identify and address systemic barriers and build a diverse and inclusive workforce. It gives employers the means to integrate diversity and inclusion values and practices into existing corporate processes, and to enable progress to be measured.

## Equity in Planning and Development

- Toronto's Planning Department incorporates equity considerations into land use planning processes, ensuring that development projects address the needs of all communities.
- Vancouver has implemented equity-focused policies in urban planning and development to address systemic inequalities. This includes prioritizing affordable housing developments in neighborhoods with diverse socioeconomic backgrounds and providing incentives for developers to incorporate affordable units in new developments. Vancouver also prioritizes accessibility in its urban planning and development projects, ensuring that new developments adhere to accessibility standards and guidelines.
- Montreal has established the Office of the Commissioner for Combating Racism and Systemic Discrimination to ensure that all units of the city act firmly and in a concerted manner to combat racism and discrimination. This includes integrating equity considerations into urban planning decisions to promote inclusive and equitable development across the city.
- Halifax has implemented equity-focused initiatives in planning and development to address historical injustices and promote inclusive growth for example Community Action Planning.

## By-law and Policy Development and Review

- Halifax has established its Community and Race Relations Policy, which aims to ensure that municipal facilities will not be used by individuals and groups that may violate or promote the violation of rights.
- Vancouver's Social Planning Department requires that issues related to multiculturalism and diversity be an administrator's priorities in all aspects or work.
- The Town of Kenora and the Kenora Police Service partnered with Grand Council Treaty 3 to review policies, practices and procedures relating to justice, and to ensure they have a positive impact on First Nations people. One goal was to increase the number of Aboriginal employees working in the justice system.
- Saskatoon's Race Relations Committee reviews policies, practices and programs of the City to recommend amendments and/or new actions with respect to: personnel, law enforcement, leisure services, housing and community services, education and training, use of municipal facilities, and planning and zoning.
- The City of Toronto developed a Fair Wage Policy that requires organizations that do business with the city pay a "fair wage" and to adopt an anti-discrimination policy.

## Community Engagement and Consultation

- The Sioux Lookout Anti-racism Committee delivered surveys on community attitudes to every postal box in the municipality. 90% of respondents reported race-related problems in the community.
- The City of Sudbury held focus groups among the Aboriginal, Francophone, multicultural and educational sectors. Participants identified service deficiencies that are perceived to be associated with institutional racism.

- The Town of Markham’s Race Relations Committee gathers information and consults with the community to advise the municipal council on issues involving race, ethno-cultural equity and related issues. They also partner with institutions and voluntary organizations to promote mutual trust among the town’s racial and ethno-cultural groups.
- The Town of Ajax's Diversity and Community Engagement Advisory Committee provides a forum for residents to discuss issues of diversity and how the Town can assist or respond to their concerns.
- The Town of Georgina’s Equity and Diversity Advisory Committee posts meeting agendas and minutes online.
- Edmonton has Women’s Advocacy Voice of Edmonton (WAVE) comprised of 15 community volunteers from diverse backgrounds and experiences who provide Edmonton City Council with advice on affairs relevant to municipal jurisdiction.

## Language and Cultural Accessibility

- Vancouver's Cultural Communities Advisory Committee advises the city on enhancing access and inclusion for racialized communities. This includes recommendations for language accessibility in city services and programs, such as providing translated materials and interpretation services for residents with language barriers.
- Montreal's police department ensures language accessibility to inform citizens and employees about their rights and recourse mechanisms. This includes providing information in multiple languages and offering interpretation services for residents who require assistance in accessing city services.
- Ottawa offers multilingual services and resources for residents with language barriers. This includes providing translated materials, interpretation services, and multilingual staff at city facilities to assist residents in accessing municipal services and information.
- Halifax's Office of Diversity and Inclusion works to promote language and cultural accessibility in city programs and services. This includes offering translation services, multilingual resources, and cultural competency training for city staff to better serve diverse communities.

## Accessibility of Public Spaces and Infrastructure

- The City of Toronto has implemented accessibility standards for public spaces and infrastructure, including accessible transit options and barrier-free building design.
- Ottawa has made efforts to improve accessibility in public spaces, including parks, community centers, and recreational facilities, by providing features such as accessible parking, ramps, and universal washrooms. The city also offers accessibility audits and consultations to businesses and organizations to help them improve accessibility in their facilities.
- Halifax has implemented accessibility initiatives in public spaces and infrastructure, including accessible playgrounds, trails, and waterfront areas, to ensure that people of all abilities can enjoy the city's amenities. The city also provides resources and support for businesses and organizations to improve accessibility in their facilities through programs such as the Barrier-Free Business Program.
- Calgary has taken steps to improve accessibility in public spaces and infrastructure, including parks, pathways, and recreational facilities, by installing features such as ramps, handrails, and accessible seating areas. The city also provides resources and support for accessibility improvements in private properties through programs such as the Barrier-Free Access Grant Program.

## Promoting and Supporting Community Initiatives

- Williams Lake co-hosts “Challenge Day” with community organizations and schools, where students, teachers and volunteers tackle bullying, racism and violence. The program allows students time to be heard and an opportunity for people to accept each other and realize that everyone has their own issues and differences.
- Abbotsford Community Services in B.C. organizes the Fraser Valley Cultural Diversity Awards Ceremony, to recognize best practices of local community organizations and businesses that work to promote inclusion and the diversity of the community. It features guest speakers from organizations that promote diversity, as well as representatives from different levels of government.
- Hamilton recognizes leaders of faith, culture and other groups and partners with leaders from large institutions and organizations.
- The Municipality of Chatham-Kent provides information on its website to help employers integrate new immigrants into workplaces, including information on how to hire foreign trained professionals, human resource tools on diversity and other resources available in the voluntary sector.

- The Halifax Immigration Partnership (HIP) works in collaboration with a wide range of partners, from settlement services organizations to government, from service providers to grassroots organizations, from educational institutions to faith groups, from community leaders to newcomers themselves, as part of their commitment to progressive approaches to ensure that Halifax is an inclusive and welcoming community.

## Responding to Incidents of Racism and Discrimination

- The Sioux Lookout Anti-Racism Committee provides trained community mediators to assist in achieving co-operative conflict resolution on issues such as discrimination, landlord/tenant and neighbour disputes and workplace relations. They also offer workshops for business and organizations.
- Municipalities in British Columbia, including Campbell River, Kamloops, Quesnel, Terrace and Cranbrook, have adapted the British Columbia Ministry of Community, Aboriginal and Women's Services Critical Incident Response Model for acts of racism, including hate crimes. A steering committee developed communitywide protocols in response to race-based incidents and created a racism preparedness manual to tell people how to effectively respond to racial incidents.
- Officials of the Town of Georgina visited local schools and other members of the community to encourage people to denounce the hate crimes that took place in their area.
- The Mayor of Thompson, Manitoba denounced hate materials that circulated in schools; the Mayor of Chilliwack spoke out against hate propaganda when it spread to that municipality. Similarly, Peterborough's Race Relations Committee held a press conference to denounce racist assaults against Asian Canadian anglers.

## Data Collection, Monitoring, Reporting and Evaluation

- The City of Thunder Bay conducted a voluntary self-identification workforce survey of its staff to identify demographic details of its workforce and compare these with the general population.
- York Regional Police monitors the number of hate crime investigations conducted. They also record incidents of possible hate, even if they are determined not to be criminal.
- The City of Saskatoon monitors police statistics and releases reports of incidents of racism.
- The City of Thunder Bay monitors the effectiveness of policies (e.g. whether employment policies help to increase retention of minority employees). This information is used while reviewing policies for revision.
- The City of Calgary is developing and integrating a strategy promote a practice of race-based data collection, use and sharing for City programs and services. They will Collect disaggregated race-based data on hate activities in public spaces, incorporate data analysis in public safety service delivery, and create disaggregated race-based data framework/guideline for public safety service delivery.

## Equitable Access to Economic Opportunities

- Vancouver's Economic Development Commission works to create an inclusive economy by supporting initiatives that provide equitable access to economic opportunities. This includes programs that promote entrepreneurship among marginalized groups, such as women, Indigenous peoples, and newcomers to Canada.
- Halifax's Economic Growth Plan includes strategies to promote equitable access to economic opportunities for all residents. This includes initiatives to support diverse businesses, such as procurement programs that prioritize contracts for minority-owned businesses and social enterprises.
- Calgary's Economic Development department works to create a more inclusive economy by supporting initiatives that provide equitable access to economic opportunities. This includes programs that promote workforce diversity and inclusion, such as job training and mentorship programs for underrepresented groups.

## Anti-Racism Training, Awareness and Education

- The City of Saskatoon provides cross cultural and cultural sensitivity training throughout the Corporation, so that both management and other employees can work towards eliminating systemic barriers and creating a welcoming and supportive environment for employees of all cultural backgrounds.
- Halifax integrates anti-racism, intersectionality, and multi-cultural content into existing, ongoing, and future training sessions for staff and elected members.

- Black History Month, Asian Hertiage Month, Pride and other heritages months are officially recognized and celebrated by many municipalities.  Multicultural festivals also help support better understanding and appreciation for the variety of cultures in community that may contribute to addressing racism and discrimination.
- The North Bay & District Multicultural Centre hosts a radio show that discusses the city's immigration program. Current and past programs are also available on North Bay Radio's website.
- The City of Calgary's Diversity and Inclusion office has partnered with internal and community partners to develop Indigenous Awareness to all employees as the foundation for meaningful long-term relationships and ways of knowing, contributing to providing inclusive and equitable services guided by The City of Calgary's Indigenous Policy and Indigenous Policy Framework. The City also hosts an annual event for employees to share and learn called Experience Inclusion.

## Diverse Representation and Inclusion

- Toronto's City Council has taken steps to increase diverse representation through initiatives such as the Toronto Youth Cabinet and the Women's Leadership Initiative. These programs aim to ensure that diverse voices are represented in decision-making processes and leadership positions within the city government.
- Vancouver's Racial and Ethno-Cultural Equity Advisory Committee (formerly known as the Cultural Communities Advisory Committee*) advises Council and staff on enhancing access and inclusion for racialized communities to fully participate in City services and civic life.
- Halifax established The African Descent Advisory Committee which advises Regional Council, through Executive Standing Committee, on the impact of municipal policies, programs, and services for People of African Descent.  They also have The Accessibility Advisory Committee advises and assists Regional Council, through the Executive Standing Committee, on the impact of municipal policies, programs, and services on persons with disabilities. They also have the Women's Advisory Committee, to support the creation of a gender inclusive municipality and provide advice to Council on matters relevant to the municipal mandate and the Youth Advisory Committee advises and assists Regional Council, through the Executive Standing Committee, on how municipal policies, programs, and services affect youth, and challenge the areas where they can do better.

## Equitable Hiring and Promotion Practices

- The City of Toronto has adopted blind recruitment practices and diversity hiring targets to promote equity in its workforce.
- The City of Saskatoon has an employment equity plan, monitored, and approved by the Saskatchewan Human Rights Commission.
- The City of Calgary has hired Equity, Diversity, and Inclusion Advisors for recruitment panels (e.g., General Managers, Green Line Board and other positions)