



Professional Engineers  
Ontario

# PROFESSIONAL ENGINEERS ONTARIO

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## ANTI-RACISM & EQUITY CODE

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Prepared for PEO by CN Consulting



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# PEO's Anti-racism & Equity Code v.1.1.

## A. Purpose, scope, and foundation

### 1. Purpose, origin, and approach

1.1 Professional Engineers Ontario (PEO) establishes this Anti-racism & Equity (ARE) Code to codify certain commitments to advance its fairness, human rights, and public interest obligations under the law. The eight (8) Principles and related commentary articulated in this ARE Code serve as a foundation and a framework to inform PEO's more particularized strategies and actions.

1.2 This ARE Code emerged from PEO's inaugural anti-racism initiative that was launched in November 2020 in the context of an unprecedented global reckoning regarding anti-Black racism. PEO's Anti-racism and Anti-Discrimination Exploratory Working Group (AREWG) was first tasked to scope PEO's vulnerabilities to systemic racism and make recommendations to address any risks. This culminated in the [AREWG's Phase 1 Report](#) and the AREWG engaged PEO's Council towards next steps. In November 2021, Council approved an expanded [AREWG Mandate](#) to reach "other equity and human rights affairs" in addition to racism. This is a vast scope and much more work remains to adequately perform this mandate.

1.3 Leveraging the AREWG's groundwork to date, this ARE Code was drafted primarily through a racial equity lens as a crucial start. The AREWG believes this is consistent with public policy in Ontario, which recognizes that "Black, Indigenous, and racialized populations" face the "most extreme forms of marginalization" and the "most critical forms of systemic racism and inequitable [consequences]", as **"confirmed by numerous reports and years of research and consultation."** These are continuing legacies – over centuries in Canada – from (cultural) Indigenous genocide, colonial atrocities, anti-Black chattel slavery, segregation, and continuing barriers that were actively constructed and are systemically reproduced today. Public policy in Ontario recognizes that a "targeted approach is urgently needed in order to change these consequences."<sup>1</sup> The AREWG has therefore centred this foundational document through the lens of "the most marginalized," with the intention that solutions designed accordingly will reach persons in between the most marginalized and the least marginalized. Starting in any other direction will rarely reach the most marginalized.

1.4 This ARE Code is drafted to align with the Ontario Human Rights Commission's [A policy primer: Guide to developing human rights policies and procedures](#) and its [Policy and Guidelines on Racism and Racial Discrimination](#). This ARE Code articulates PEO's commitments to various actions that the [AREWG's Phase 1 Report](#) recommended. It also responds to equity-related findings in PEO's [2019 External Regulatory Performance Review](#). (Pages 67 – 70 of the [AREWG's Phase 1 Report](#) provide a compilation of such findings.) Among other things, the external reviews identified a need to enhance PEO's policies in this area. PEO will perform more work to enhance all related policies and guidelines.

1.5 This said, until any PEO notice stating otherwise, all of PEO's existing guidelines and policy documents that help to promote equity and protect the public interest continue in effect. All professional engineers shall observe all obligations and expectations under all applicable laws and policies.

1.6 This ARE Code will also undergo enhancements over time as a living document. The AREWG will recommend appropriate enhancements, leveraging diverse stakeholder input, to advance

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<sup>1</sup> See example: <https://www.ontario.ca/page/annual-progress-report-2020-ontarios-anti-racism-strategic-plan> and [https://files.ontario.ca/ar-2001\\_ard\\_report\\_tagged\\_final-s.pdf](https://files.ontario.ca/ar-2001_ard_report_tagged_final-s.pdf)

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diversity, equity, and inclusion (“DEI”) objectives in keeping with public policy in Ontario. More generally, the AREWG will continue to advance its [mandate](#), which includes recommendations regarding: policy; consultations; strategy development; public reporting; accountability mechanisms; periodic reassessments; and collaboration with PEO’s people resources to further progress.

1.7 While it is a practical necessity for the AREWG to take an incremental approach to advancing its mandate, it is noteworthy that gender equity initiatives must also be among prioritized work. In Ontario (and Canada), approximately 80% of newly licensed engineers are men, whereas less than half the total population are men. This means a deep underrepresentation of women, for example. It is widely recognized that women face systemic barriers that inequitably impact their access to engineering and/or success within the profession. PEO must prioritize strategies to counter any systemic discrimination impacting persons based on gender identity – including female, two-spirit, intersex, transgender, and gender variant persons.

## 2. Application and influence

2.1 **At present, this ARE Code applies to PEO in its roles as a regulator, service provider, employer, and organization.** This ARE Code therefore applies to all persons employed or otherwise engaged by PEO to help to perform any of PEO’s activities, and it applies to the full scope of their PEO duties or activities. These persons include PEO’s: (i) staff at all levels; (ii) Councillors; (iii) volunteers; (iv) appointees; and (v) other agents, as PEO authorizes. The covered activities include, without limitation, all of PEO’s activities regarding: licensing and registration; complaints, discipline, compliance, and enforcement; professional standards, professional development, education, and guidance; engagement with PEO’s stakeholders; governance, transformation, and strategic activities; and staff functions, chapter functions, and other PEO activities.

2.2 As the regulator for Ontario’s engineering profession, PEO also intends that the commitments in this ARE Code also serve to encourage and inform the strategies, actions, and behaviours of all persons who are governed by PEO pursuant to the *Professional Engineers Act* (the “Act”). Such categories of persons listed in the Act are PEO’s: “members, holders of certificates of authorization, holders of temporary licences, holders of provisional licences and holders of limited licences” (“**PEO Governed Persons**”). Readers should also note that PEO’s own commitments as a regulator necessarily have implications for all PEO Governed Persons.

2.3 The ARE Code also serves to provide transparency to Ontario’s public. Engineering in Ontario is self-regulated and so the public interest must always be of paramount concern to PEO and the profession. Under a self-regulation model, the self-regulating profession is required to “**set aside their self-interest in favour of... the public interest**, and rel[y] on **an ethos of professionalism that includes a commitment to public service**.”<sup>2</sup> (emphasis added)

2.4 By knowing PEO’s commitments, members of the public are better positioned to engage meaningfully with PEO to help to ensure accountability in the public interest.

2.5 The AREWG also acknowledges that Indigenous peoples have a constitutionally protected right of self-determination and that Canadian governments in turn have a duty to consult Indigenous peoples before taking any steps that could potentially diminish their rights.<sup>3</sup> **This ARE Code shall not apply in any way that could negatively affect the rights of Indigenous peoples.** PEO commits to undertaking adequate consultations with Indigenous communities in Ontario regarding: this ARE Code; PEO’s duties in relation to recommendations from the [Truth and Reconciliation Commission’s Calls to Action](#); and any related future actions by PEO. Concurrently and continuously,

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<sup>2</sup> [Professional Governance | Office of Professional Governance \(professionalgovernancebc.ca\)](#)

<sup>3</sup> See Peter W. Hogg, *Constitutional Law of Canada* 5<sup>th</sup> ed., at pages 776 – 788.

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PEO commits to equitable treatment of Indigenous persons and communities, ensuring that they have equitable access to all services and opportunities that PEO offers. This commitment includes ensuring freedom from all forms of discrimination or harassment – based on Indigenous identity – throughout PEO’s organization, practices, actions, and inactions.

### 3. Foundational information

3.1 To properly understand this ARE Code, it is essential to read the [Policy and Guidelines on Racism and Racial Discrimination](#) issued by the Ontario Human Rights Commission (OHRC). [Appendix 4](#) also sets out links to several key OHRC policies and guidelines – for example regarding discrimination based on gender identity – which everyone in Ontario should read, as Ontario’s *Human Rights Code* obligations apply to everyone.

3.2 Human rights terms used in this ARE Code are defined and/or explained in the noted OHRC documents. [Appendix 4](#) below also includes links to glossaries, plus information about free legal support regarding human rights matters in Ontario.

3.3 To orient readers upfront, PEO notes the following foundational OHRC information:

- i. “Racial discrimination exists not just in individual behaviour but can also be systemic or institutionalized. **Systemic or institutional discrimination** is one of the more complex ways in which racial discrimination occurs. Organizations and institutions have a positive obligation to ensure that they are not engaging in systemic or institutional racial discrimination. Systemic or institutional discrimination consists of **patterns of behaviour, policies or practices that are part of the social or administrative structures of an organization**, and which **create or perpetuate a position of relative disadvantage** for racialized persons. These **appear neutral on the surface but, nevertheless, have an exclusionary impact** on racialized persons. However, systemic discrimination can overlap with other types of discrimination that are not neutral. For example, a discriminatory policy can be compounded by the discriminatory attitudes of the person who is administering it.”
- ii. systemic discrimination – including systemic racism – can be proven even if there was no *intent* to discriminate. Systemic discrimination manifests through the above noted patterns that have the effect of privileging some groups and disadvantaging others.
- iii. aside from inferences from numerical data, inferences from anecdotes and circumstantial evidence are often successfully used towards proving discrimination in Canadian courts and tribunals, because of the very nature of how discrimination manifests.
- iv. **“all organizations, institutions and levels of government should take steps to address historical disadvantage. This expectation is even higher for public bodies** as they are more likely to have contributed to the causes of historical disadvantage in the first place and because government has an enhanced responsibility to ensure that everyone can benefit equally from its services.”
- v. “we all have a shared responsibility for addressing historical disadvantage.”
- vi. “organizations and institutions have an obligation to be aware of whether their practices, policies and programs are having an adverse impact or resulting in systemic discrimination vis-à-vis racialized persons or groups. It is not acceptable from a human rights perspective to choose to remain unaware of the potential existence of discrimination or harassment, to ignore or to fail to act to address human rights matters, whether or not a complaint has been made.”

- vii. an “organization violates the [Human Rights Code](#) where it directly **or indirectly**, intentionally **or unintentionally** infringes the *Human Rights Code* or ... authorizes, **condones**, adopts or ratifies behaviour that is contrary to the *Human Rights Code*.”
- viii. organizations “have a **responsibility to take proactive steps to ensure that they are not** engaging in, **condoning or allowing** racial discrimination or harassment to occur. **Obligations... range from collecting numerical data** in appropriate circumstances, accounting for historical disadvantage, **reviewing policies, practices and decision-making processes** for adverse impact and **having in place and enforcing anti-discrimination and anti-harassment policies and education programs**, to name just a few.”

(See OHRC’s [Policy and Guidelines on Racism and Racial Discrimination](#) at pages 6, 37, 38, 40; emphasis added)

3.4 To further orient readers, PEO notes the following regarding persons whose disadvantage this ARE Code aims to help address:

- i. **“Equity seeking”** persons. For purposes of this ARE Code, this category refers to persons who self-identify as belonging to a “racialized” group, or another group recognized in human rights literature as facing systemic discrimination based on personal characteristics protected under the *Human Rights Code*. These protected characteristics include race, gender identity, creed, citizenship, place of origin, sexual orientation, disability, among others. (See [Appendix 4](#) for relevant OHRC policies)
- ii. **“Racialized”** persons. This category is a subset of “equity seeking” persons. The OHRC’s [Policy and Guidelines on Racism and Racial Discrimination](#) (pages 5 – 12): provides authoritative examples of groups that have been “racialized”; provides examples of their oppression throughout Canada’s history; and explains how “race” was socially constructed as a tool to justify and perpetuate exploitative systems such as anti-Black chattel slavery.
  - Racialized groups in Canada include: Black, Indigenous, Jewish, Muslim, Middle Eastern, South-Asian, East-Asian, Southeast Asian, and Latino populations. These descriptions represent a relatively high level of aggregation. Within each group, there are sub-groupings that may more closely reflect how individuals self-identify.

As the [OHRC’s policy](#) notes at its page 11:

- racialization is “the process by which societies construct races as real, different and unequal in ways that matter to economic, political and social life;” and
- racialization “extends to people in general but also to specific traits and attributes, which are connected in some way to racialized people and are deemed to be “abnormal” and of less worth. Individuals may have prejudices related to various racialized characteristics. In addition to physical features, characteristics of people that are commonly racialized include: accent or manner of speech; name; clothing and grooming; diet; beliefs and practices; leisure preferences; places of origin; citizenship.” Racism can manifest as discrimination based someone’s accent or diet associated with their “race”, for example.

## B. Listing of the ARE Code Principles

The Principles enshrined in this ARE Code are listed below. Commentary to aid understanding is provided in the subsequent section.

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**Principle 1: Measurement.** For purposes consistent with the *Human Rights Code*, PEO commits to gathering and publicly reporting disaggregated race-based data, other identity-based data, and DEI metrics, on the basis of voluntary express consent that is freely given, and in conformity with legally acceptable data collection and storage techniques, privacy laws, and other applicable laws. Throughout such activities, PEO will protect as paramount the anonymity of individuals to whom the data relates. PEO will also ensure that requested demographic data is securely kept completely separate from and has no bearing on PEO's licensing or discipline evaluations or decisions.

**Principle 2: Regulatory processes.** PEO commits to steadfast and continuous improvements that achieve equity and foster inclusivity in all its regulatory processes, with priority focus on licensing, complaints, and discipline processes.

**Principle 3: Professional obligations.** PEO commits to reforming rules, licence-holder reporting, and regulatory oversight processes and practices to reinforce the professional obligations of all licence holders to uphold human rights laws, and to encourage them to respect DEI principles.

**Principle 4: Training and influence.** PEO commits to continuously embedding a human rights culture throughout its organization and all its functions, and reinforcing similar expectations as part of the profession's ethos of professionalism. Among other things, this includes: ongoing anti-racism and equity training and competency tracking regarding PEO's staff, volunteers, and appointees; ensuring wider competency requirements; making appropriate trainings available to licence holders and certificate holders; and making publicly available and easily accessible all relevant regulations, policies, and procedures.

**Principle 5: Leadership and sponsorship.** PEO commits to steadfast and continuous improvements and adequate resourcing that promote and achieve equity, and foster inclusivity, across all leadership endeavours, leadership levels, opportunities, plans, and processes including: PEO's elections processes; committee selection processes; and other opportunities. PEO further commits to annually investing adequate people and financial resources necessary to sponsor, champion, lead, and drive delivery of all commitments in this ARE Code.

**Principle 6: Stakeholder engagement | talent pipeline.** PEO commits to continuously and appropriately engaging with engineering organizations; bridging programs; educational institutions; equity-seeking populations; industry participants; licence holders; public bodies; government representatives; and others. This stakeholder engagement will include, among other things, exploring the barriers and gaps preventing an equitable talent pipeline into the profession, and continuously taking all steps appropriate for a regulator to help to address the problem.

**Principle 7: Safeguards | accountability.** PEO commits to embedding and continuously improving measures that directly address racism and discrimination complaints, such as specialized and dedicated teams, with sufficient protections for parties involved. More generally, PEO commits to adequate accountability measures to fortify all Principles in this ARE Code, including periodic reassessments regarding systemic inequities, and performance appraisal measures.

**Principle 8: Equitable organization.** As the primary steward of Ontario's engineering profession, PEO commits to leading by example and ensuring equitable hiring and representation of persons from all equity-seeking backgrounds, with first focus on Indigenous, Black, and racialized groups, and high focus towards gender equity. PEO commits to achieving such representation at all levels in the organization, and fostering retention, inclusion, advancement, belonging and equity regarding equity-seeking persons and everyone, at all levels in the organization.

## C. Interpretation of the ARE Code Principles

To inform the interpretation, application, and fulfilment of the ARE Code Principles in practice, PEO provides important commentary in this Section C.

**Principle 1: Measurement.** For purposes consistent with the *Human Rights Code*, PEO commits to gathering and publicly reporting disaggregated race-based data, other identity-based data, and DEI metrics, on the basis of voluntary express consent that is freely given, and in conformity with legally acceptable data collection and storage techniques, privacy laws, and other applicable laws. Throughout such activities, PEO will protect as paramount the anonymity of individuals to whom the data relates. PEO will also ensure that requested demographic data is securely kept completely separate from and has no bearing on PEO's licensing or discipline evaluations or decisions.

### Commentary 1

#### Notable objectives

1.1 PEO will fulfil Principle 1 in order to, among other things:

- (i) know and be transparent to the public about the inclusion levels achieved in the organization and profession, and where focus may be needed for PEO to identify and take steps appropriate for a regulator, employer, organization, and service provider towards removing barriers within its control or influence.
- (ii) leverage data to continuously identify priority areas, set goals, tailor appropriate initiatives, and annually report to the public regarding measurable progress relevant to this ARE Code.
- (iii) leverage data to inform equitable and adequate allocation of people and financial resources annually, as being vital to drive needed improvements.

This also involves leveraging data to inform: (i) the setting and sequencing of priorities; (ii) the determination of the nature, timing, and amount of resources allocated, in proportion to the relative extents of the gaps and problems that the data identifies; and (iii) the kinds, degrees, and sequencing of stakeholder engagement needed to co-create solutions with impacted populations.

- (iv) measure and report on progress in areas prioritized for continuous improvement. For example, reporting statistics that breakdown by key identities: who are governed and managed; who are seeking entry; who are unsuccessful or delayed in the licensing process; who are the subjects of complaints; who are the recipients of disciplinary sanctions; and who are the recipients of key opportunities.
- (v) pay recognition to and learn from areas where representation numbers closely reflect Ontario's demographic diversity.
- (vi) leverage data for strategic planning and activities to further PEO's public interest purpose. For example, planning and communication related to the distribution of expertise that may be leveraged or bolstered within different communities and for unique community needs.

## Public policy expectations, standards and safeguards

1.2 PEO will fulfil Principle 1 in keeping with guidance from the Ontario Human Rights Commission (OHRC) and other established best practices in Ontario. These include: (i) the OHRC's [Policy and Guidelines on Racism and Racial Discrimination](#); (ii) the OHRC's [Count me in! Collecting human rights-based data](#); (iii) the [Anti-Racism Data Standards](#) (ARDS) issued by the Government of Ontario; and (iv) guidance from the Canadian Centre for Diversity and Inclusion.

1.3 The OHRC's [Policy and Guidelines on Racism and Racial Discrimination](#) makes clear that:

- (i) **“Numerical data that demonstrates that members of racialized groups are disproportionately represented may be an indicator of systemic or institutional racism.** Numerical data can be evidence of the consequences of a discriminatory system in the following ways: • Under-representation in an organization relative to the availability of qualified individuals in the population or in the applicant pool suggests systemic discrimination in hiring practices or may be indicative of on-the-job discrimination resulting in a failure to retain racialized persons. • Unequal distribution of racialized persons in an organization (for example, high concentration in entry-level positions and low representation in managerial positions) may demonstrate inequitable training and promotion practices.”
- (ii) “appropriate data collection is **necessary** for effectively monitoring discrimination, identifying and removing systemic barriers, ameliorating historical disadvantage and promoting substantive equality.”

1.4 In heeding the OHRC's guidance, PEO will utilize data to pinpoint where systemic barriers may exist and to ensure that it counters any identified barriers that are within its control or influence.

1.5 Using PEO's licensing process as an example: PEO should not, and does not intend to, grant licences where applicants do not meet fair licensure requirements. However, PEO takes seriously the findings and recommendations of its [2019 External Regulatory Performance Review](#) which identified areas for improvement to deliver fair treatment of applicants (for example, various internationally trained professionals). While PEO will not inappropriately license persons to artificially achieve representation numbers that reflect society's diversity, PEO recognizes that there may be many adequately trained applicants who experience undue difficulty to obtain a licence. Disaggregated identity-based data showing applicants' credentials compared to their experience at each stage of the licensing process, for example, can reveal insights regarding where, how, in relation to which subgroups, and to what comparative degrees, systemic barriers may be manifesting and inequitably impeding progress. PEO will generate such insights and in turn take appropriate corrective actions. A similar approach will be applied to areas other than licensing.

1.6 As safeguards in fulfilling Principle 1, PEO will follow the OHRC's guidance and ensure that all data collection occurs “in a way that follows accepted data collection techniques, privacy and other applicable legislation, and is [done] for purposes that are consistent with the *Human Rights Code*.”

1.7 Observing the [ARDS](#) and other best practices, PEO will also ensure that:

- (i) it tells individuals *why* it is requesting personal information from them and *how* it will use and protect the information. In particular, PEO will tell the individuals:

- about its reasons, methods, practices, and uses regarding such data collection as being consistent with relieving disadvantage / discrimination and advancing equitable opportunity; and
  - that the identity-based data it requests and collects through the said process (the “Collected Data”) will be securely kept completely separate from and **have no bearing on the evaluation of individuals for licensure or for discipline.**
- (ii) any Collected Data is collected directly from the individual to whom it relates and is based on **voluntary express consent that is freely given.**
- (iii) the coding of identities is based on how individuals voluntarily self-identify using coding options listed in PEO’s data requests, and that such coding options are inclusive.
- For example, when asking individuals to self-identify which race categories best describe them, PEO will use category descriptions that, at a minimum, reflect those in the [ARDS](#) and are otherwise consistent with language deemed inclusive within authoritative or credible DEI or human rights literature in Canada.
  - PEO’s coding options will also enable individuals to: select multiple categories (recognizing that mixed race, or multiple races, or multiple identity descriptions may apply); select “another” (recognizing that individuals may feel that none of the listed categories best describes them); or not select a response (recognizing the voluntary nature of the request).
  - Regarding coding options for gender identity descriptions: PEO will meaningfully consult with 2SLGBTQ+ populations to ensure an inclusive listing of gender identity descriptions.
- (iv) no program, service, or benefit is withheld because an individual does not provide, or refuses to provide, the personal information that PEO requests.
- (v) it makes any data requests in a manner that does not pressure recipients of the request.
- (vi) it deidentifies data sets before making any Collected Data statistics public, so that no individual is identified or identifiable, and privacy laws are fully respected.
- (vii) it implements robust processes for quality assurance and the security of personal information.
- (viii) it maintains and promotes secure systems and processes for retaining, storing, and disposing of personal information.
- (ix) it restricts access to and use of the Collected Data on a need to know basis and purely to fulfil purposes that are consistent with the *Human Rights Code*.

1.8 Regarding PEO’s commitment to protecting privacy as paramount, PEO will take a very robust approach to anonymizing any Collected Data statistics it discloses. PEO will ensure that readers will not be able to deduce the individual(s) to whom the information relates. For example, PEO will not disclose granular levels of analysis by locations or categories where the total count of individuals described is such that persons familiar with the area could narrow down the possibilities to specific persons.

#### Scope, uses, and approaches

1.9 Complying with the foregoing standards, PEO will request, analyse, and/or publicly report disaggregated race-based data, and other identity-based data and DEI metrics, in respect of persons and activities it governs, manages and/or services as a regulator, employer, and/or

service provider. PEO will prioritize data analyses and reporting regarding: (i) its licensing applicants and their experience throughout the licensing process; (ii) its staff and leadership composition at all levels; and (iii) measurements that convey its progress on commitments in this ARE Code. Once PEO also has adequate identity-based data regarding PEO Governed Persons, it will also prioritize data analyses and reporting regarding its complaints and discipline processes, in keeping with appropriate standards.

1.10 For example, regarding licensing applicants, PEO will:

- (i) conduct analyses and annually report to the public disaggregated statistics regarding applicants' experience at each stage of the licensing process;
- (ii) continuously strive to pinpoint where in the licensing process applicants are encountering barriers, and continuously leverage such data appropriately to address any obstacles that it identifies;
- (iii) analyse not only applicants' experience and outcomes, but also their credentials. For example, Statistics Canada data<sup>4</sup> released in 2021 shows that Black populations in the labour market core age group (25 to 54 years old) are "more likely to hold a bachelor's degree or higher" than populations that are not racialized. "However, Black Canadians with a university degree had a lower employment rate" and lower levels of remuneration. And Black populations are "deeply underrepresented" on corporate boards, and so forth. PEO will perform, publicly report, and take appropriate ameliorative actions based on similar kinds of analyses.
- (iv) cross-tabulate the data, recognizing the importance of intersectionality. That is, PEO will also analyse applicants' data based on combined identities (e.g. race and gender identity; race and disability; gender identity and disability; and a multitude of other intersections). This will enable insights regarding any heightened barriers that individuals face in compounding ways based on their intersecting identities. (See the OHRC's [Policy and Guidelines on Racism and Racial Discrimination](#) at pages 16 – 17)
- (v) prioritize focused ameliorative actions – leveraging the data insights – to advance equitable access, treatment, and opportunities. In delivering solutions, PEO will ensure first focus through lenses tailored to the identities that the data suggests are facing the greatest barriers in PEO's processes and practices.

1.11 PEO will take similar approaches with analyses, and appropriate ameliorative actions, relating to staff and other categories of persons and opportunities within PEO's scope.

1.12 The foregoing analyses will involve breaking down statistics to show representation based on equity-seeking subgroups.

1.13 Regarding the breakdown of race-based statistics, the [ARDS](#) uses the following definition:

"Disaggregated data is broken down into component parts or smaller units of data for statistical analysis. In the context of race-based data, this means breaking down the composite (aggregate) "racialized" category into its component parts such as Black, South Asian, East/Southeast Asian, Latino, Middle Eastern, White, etc."

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<sup>4</sup> See example: [The Daily — Study: A labour market snapshot of Black Canadians during the pandemic \(statcan.gc.ca\)](#) and <https://www150.statcan.gc.ca/n1/pub/11f0019m/11f0019m2021005-eng.htm>

1.14 PEO will also continuously develop analyses at more granular levels of disaggregation to identify any differential patterns within the larger groupings above. This will better enable PEO to identify and address systemic barriers that prevent equitable access and opportunities. For example, some [Statistics Canada data](#) shows that Filipino populations – along with Black and Indigenous populations – are the least represented among Canada’s industry executives. It is therefore insightful to also analyse at more granular levels than “Asian” or “Southeast Asian”, for example. To enable such analyses, PEO will continuously enhance its data collection questions to gather data at a sufficiently granular level to enable various levels of aggregation and cross-tabulation.

1.15 PEO will also follow the OHRC’s guidance outlined below to “proactively reduce perceptions of “reverse-discrimination””:

“clearly communicate the purpose, goals and methodology for collecting data, explain how [the licensing,] recruitment, hiring and promotion process[es] will be transparent, fair and based on merit, and highlight how collecting data can benefit all staff and the organization as a whole.”

“invit[e] questions and incorporat[e] feedback from key internal and external stakeholders ... to encourage broad-based support for and participation in a data collection project.”

develop training for personnel, particularly those involved in “[licensing], recruiting, hiring and promoting, to support a clearer understanding of the positive role equity-enhancing programs can play in fostering an inclusive, respectful [organization] that complies with human rights legislation.” (See OHRC’s [Count me in! Collecting human rights-based data](#) at page 16)

**Principle 2: Regulatory processes.** PEO commits to steadfast and continuous improvements that achieve equity and foster inclusivity in all its regulatory processes, with priority focus on licensing, complaints, and discipline processes.

## Commentary 2

2.1 PEO will fulfil Principle 2 in keeping with: (i) fundamental human rights obligations and principles (see above); (ii) the recommendations from PEO’s [2019 External Regulatory Performance Review](#); (iii) the guidance PEO has received from Ontario’s Office of the Fairness Commissioner (OFC); and (iv) the evolving legal and policy environment in Ontario.

2.2 While this commentary to Principle 2 does not repeat the human rights dimension, PEO urges readers to review all foregoing sections (especially [Section A.3](#)) above and understand that all human rights considerations apply equally to this Principle 2 and to all Principles in this ARE Code. Readers should also be sure to read the OHRC policies and guidelines mentioned in [Section A.3](#) above.

2.3 With this human rights foundation noted, PEO commits to assessing its regulatory performance through all applicable DEI and human rights lenses, with first focus areas as noted in [Section A.1](#) above. In turn, PEO commits to appropriate ameliorative actions.

2.4 PEO also encourages readers to review the [2019 External Regulatory Performance Review](#). The recommendations from that review are incorporated by reference into this ARE Code. PEO commits to continuing steadfast endeavours to deliver on those recommendations.

PEO has been undergoing significant transformation since accepting the 2019 review's recommendations. PEO will continue this transformation to realize its vision to be and remain a trusted leader in professional regulation.

2.5 With respect to the evolving legal and public policy environment in Ontario, PEO notes that the [Working for Workers Act, 2021](#) was enacted in December 2021 and it prohibits a regulated profession from retaining a Canadian experience requirement unless the Minister of Labour, Training and Skills Development grants an exemption for the purposes of public health and safety.

2.6 PEO also respects the following comments from the Office of the Fairness Commissioner (OFC) in relation to Principle 2. The OFC oversees PEO's performance under the [Fair Access to Regulated Professions and Compulsory Trades Act, 2006](#) ("FARPACTA") and has opined that it is appropriate for PEO as a professional regulator to play a leadership role in helping to embed anti-racism and anti-discrimination principles throughout the "engineering ecosystem," as a way to enable increased employment of internationally trained professionals. Regarding PEO's role in the engineering ecosystem, the OFC stated as follows:

"PEO undertakes its registration work as part of an ecosystem that includes educational institutions, immigration and settlement groups, bridging programs and organizations that employ professional engineers. We believe that PEO's adoption of the ARE Code will allow it to positively influence this entire ecosystem. We further believe that the adoption by PEO of the ARE Code would represent a watershed decision for the organization..."

2.7 PEO commits to doing its part as a leader in Ontario's engineering ecosystem. In particular, PEO commits to:

- (i) promptly taking all steps to come into compliance with new laws in this area;
- (ii) publicly reporting annually regarding its performance under *FARPACTA*, and regarding any public comments that the OFC has provided to PEO;
- (iii) publicly reporting annually on its progress as against the [2019 External Regulatory Performance Review](#) recommendations; and
- (iv) conducting an independent external assessment of its performance under *FARPACTA* every 3 to 5 years, or more frequently, and making the external report prominently available and easily accessible by the public.

2.8 As one example of the commitments noted above, PEO will continuously review its internet site to ensure that it continuously provides prospective applicants with information that: (i) is up to date, (ii) is adequate, (iii) is easy to understand (in language(s), formats, and flow of information), and (iv) accurately conveys the probability that internationally trained applicants will succeed in becoming registered, and the time that this process will realistically take.

2.9 It bears repeating under Principle 2 that all improvements to PEO's licensing process will be made towards achieving and maintaining a *fair* and *merit-based* process. PEO commits to reforming the licensing process to simultaneously enhance fairness and ensure that only candidates who meet the fair requirements for licensure are licensed. (See also: commentary to [Principle 1](#))

2.10 Although the above focuses largely on the licensing process, PEO commits to achieving equity in all its regulatory processes and practices, with priority attention to complaints and discipline areas, in addition to licensing. (See also: commentary to [Principle 1](#); [Principle 3](#); and [Principle 7](#))

**Principle 3: Professional obligations.** PEO commits to reforming rules, licence-holder reporting, and regulatory oversight processes and practices to reinforce the professional obligations of all licence holders to uphold human rights laws, and to encourage them to respect DEI principles.

## Commentary 3

### It is illegal and a breach of professional conduct requirements to discriminate

3.1 As the [Professional Engineers Act](#) mandates, PEO's "principal object" as a regulator is:

"to **regulate** the practice of professional engineering and **to govern** its members, holders of certificates of authorization, holders of temporary licences, holders of provisional licences and holders of limited licences in accordance with this Act, the regulations and the by-laws **in order that the public interest may be served and protected.**" (Section 2 of the Act; emphasis added)

3.2 As part of this duty, PEO is responsible to oversee the profession to instill respect for human rights laws and equity principles, and to address discrimination and inequities. (Also see [Section A.2](#) and [Section A.3](#) above)

3.3 Notably, everyone in Ontario – including individuals – is bound by the *Human Rights Code* and must observe the related OHRC policies and guidance. The OHRC's [Policy and Guidelines on Racism and Racial Discrimination](#) makes clear that, in noted social areas, it is illegal for anyone in Ontario to harass or discriminate against any individual based on any personal characteristic protected under the *Human Rights Code*, such as race, gender identity, and other grounds, as discussed above. The social areas are "employment, services, goods, facilities, housing accommodation, contracts and membership in trade and vocational associations." This means, for example, that it is illegal to "harass" or "discriminate" against anyone within a workplace context (based on personal characteristics protected under the *Human Rights Code*).

3.4 It necessarily follows that any PEO Governed Persons (that is, "practitioners" as defined in Regulation 941/90 – including licence holders and certificate holders) who breach the *Human Rights Code* thereby also breach PEO's professional conduct requirements. This is because:

- (i) PEO's regulations prohibit conduct that would "reasonably be regarded...as disgraceful, dishonourable or unprofessional". This is core to the definition of "professional misconduct" (Section 72(2)(j) of Regulation 941/90).
- (ii) illegal conduct as noted above is "disgraceful, dishonourable or unprofessional".

**3.5 Therefore, any engineering "practitioners" who breach the *Human Rights Code* thereby breach the professional misconduct provisions of Regulation 941/90 and are potentially subject to prosecution for disciplinary action per section 28 of the *Professional Engineers Act*.**

3.6 Illegal conduct as noted above also goes against the "ethos of professionalism that includes a commitment to public service", which applies to Ontario's engineers under the current model of self-regulation. (See [Section A.2](#) above)

3.7 Such illegal conduct also contravenes PEO's code of ethics enshrined in section 77 of [Regulation 941/90](#) and in particular the following subsections:

**“It is the duty of a practitioner to the public, to the practitioner’s employer, to the practitioner’s clients, to other members of the practitioner’s profession, and to the practitioner to act at all times with, (i) fairness ...to the practitioner’s associates, ...clients, subordinates and employees, (ii) fidelity to public needs, iii) devotion to high ideals of personal honour and professional integrity... 2. A practitioner shall, (i) regard the practitioner’s duty to public welfare as paramount.”** (Subsections 77(1)(i),(ii),(iii) and 77(2)(i) of the Regulation; emphasis added)

3.8 Engineering firms should also note the OHRC’s explanation that “a corporation, trade union or occupational association, unincorporated association or employers’ organization will be held responsible for any act or omission done in the course of his or her employment by an officer, official, employee or agent... Simply put, it is the OHRC’s position that vicarious liability automatically attributes responsibility for discrimination to an organization for the acts of its employees or agents, done in the normal course, whether or not it had any knowledge of, participation in or control over these actions.” (Pages 39 to 40, [OHRC policy](#))

3.9 It therefore behooves employers to strive to ensure that all employees abide by the *Human Rights Code*. Also, the OHRC makes clear that “all organizations, institutions and levels of government should take steps to address historical disadvantage.” (Page 6, [OHRC policy](#))

PEO has legal duties to act, which are separate from the roles of the courts and tribunals

3.10 Following from the *Human Rights Code*, PEO has notable responsibilities as a regulator, service provider, and employer. (See [AREWG’s Phase 1 Report](#) at its pages 42 to 45 for a detailed explanation, which relies on the [OHRC policy](#) above)

3.11 The OHRC lists the following factors as considerations for determining whether an organization met its responsibilities: procedures in place at the time to deal with discrimination and harassment; the promptness of the institutional response; the seriousness with which the matter was treated; resources made available; whether the organization provided a healthy work environment; and the degree to which the action taken was communicated to complainants. (Pages 37 to 39, [OHRC policy](#))

3.12 Notably, the possibility of remedies from human rights tribunals and courts does not remove an organization’s own human rights responsibilities. Put simply, PEO must have its own measures in place to “address historical disadvantage” and discrimination. It is properly within PEO’s scope to do so, and legally required.

3.13 Readers must also note that differential treatment does *not* constitute illegal discrimination if it qualifies as a program that counters historical disadvantage. The OHRC explains that the “[*Human Rights*] Code recognizes the importance of addressing pre-existing hardship and disadvantage in the section dealing with special programs. Section 14 of the [*Human Rights*] Code allows for programs to alleviate hardship or economic disadvantage or to assist disadvantaged persons or groups to achieve, or attempt to achieve, equal opportunity.” It is well established in Canada that such ameliorative measures further equity (that is, “substantive equality”).

3.14 Readers should also note that PEO’s authorizing statute mandates PEO:

1. To establish, maintain and develop standards of knowledge and skill among its members.
2. To establish, maintain and develop standards of qualification and standards of practice for the practice of professional engineering.

3. To **establish, maintain and develop standards of professional ethics** among its members.
4. To **promote public awareness of the role of [PEO]**.
5. To **perform such other duties and exercise such other powers** as are imposed or **conferred on [PEO] by or under any Act**. (Section 2(4) of the *Act*; emphasis added)

#### PEO's commitments to meet its duties

3.15 With this human rights foundation noted, PEO commits to assessing its regulatory performance through all applicable human rights lenses, with first focus areas as noted in [Section A.1](#) above. In turn, PEO commits to appropriate ameliorative actions.

3.16 In fulfilling Principle 3, PEO will perform actions that will include, among other things:

- (i) clarifying language in regulations, rules, policies, and procedures to articulate PEO's commitments, expectations of the profession, and consequences for non-compliance;
- (ii) undertaking a comprehensive review and achieving adequate improvements regarding all existing PEO policies and guidelines that aim to protect against discrimination or harassment, and/or that relate to the conduct of PEO's: (i) staff at all levels; (ii) Councillors; (iii) volunteers; (iv) appointees; and/or (v) other agents, as PEO authorizes. PEO accepts the recommendations noted in its [2019 External Regulatory Performance Review](#) and in the [AREWG's Phase 1 Report](#) regarding its policies.
- (iii) clearly articulating, prominently announcing, and making easily accessible all channels and processes by which licence holders can report and participate in addressing instances of non-compliance;
- (iv) fortifying mechanisms that address breaches of professional conduct requirements;
- (v) improving data collection and reporting vis-à-vis licence holders and workplaces to further Principle 1; and
- (vi) improving competency requirements.

3.17 More generally, PEO expects all licence holders to know and carefully observe PEO's [Guideline on Human Rights in Professional Practice \(2009\)](#) which continues in effect. In all aspects of their professional dealings, professional engineers shall:

- (i) be proactive in recognizing, understanding, and respecting principles of anti-racism, equity, diversity, and inclusion, consistent with the requirements under human rights laws and society's expectations regarding members of a noble profession;
- (ii) be familiar with applicable laws and policies, such as the Ontario [Human Rights Code](#) and this ARE Code;
- (iii) "avoid collusion in acts of harassment or discrimination – not only active collusion, but also collusion through silence or denial" (see page 13 of the [2009 document](#)); and
- (iv) follow appropriate complaint procedures when reporting claims of harassment or discrimination.

**Principle 4: Training and influence.** PEO commits to continuously embedding a human rights culture throughout its organization and all its functions, and reinforcing similar expectations as part of

the profession's ethos of professionalism. Among other things, this includes: ongoing anti-racism and equity training and competency tracking regarding PEO's staff, volunteers, and appointees; ensuring wider competency requirements; making appropriate trainings available to licence holders and certificate holders; and making publicly available and easily accessible all relevant regulations, policies, and procedures.

## Commentary 4

### Obligations

4.1 As a corollary to Principle 3, PEO commits to playing a leadership role – appropriate for a professional regulator – by directly offering substantial information, training, and influential measures that help to build a human rights culture throughout its organization and reinforce similar expectations among PEO Governed Persons as part of the profession's ethos of professionalism. (See also: commentary to [Principle 3](#))

4.2 Principle 4 is based on PEO's human rights duties. As the OHRC makes clear:

**“Human rights education is essential to developing a “human rights culture” within the organization, one that supports the values and principles that underlie the [Human Rights] Code. Without an understanding of human rights issues, and support for a human rights culture, human rights policies and procedures are unlikely to succeed...**

Beyond knowledge of the legal rights and responsibilities set out in the Code, it is important to understand discrimination and harassment related to the various [Human Rights] Code grounds, and how they manifest themselves. For example, **it will be very difficult for an organization to address and prevent systemic racial discrimination without educating its members** about what racism is, how it operates, common manifestations of racism and racial discrimination, and the legacy of racism in Canada...

All members of the organization should know the principles of the [Human Rights] Code, and their legal rights and responsibilities related to human rights. **People responsible for developing organizational strategy, policies and procedures on human rights issues will need more in-depth training** on human rights laws, **and regular updates** on new issues, policies and legal developments...

Organizations should make sure that all members are aware of internal human rights policies and procedures. Everyone should know what the standards are, what their rights and responsibilities are under the policies and procedures, and how they can get advice or assistance on human rights issues. Provide everyone with policies and procedures, together with training, when they are introduced. Share them with newcomers when they join the organization, and provide everyone with regular reminders and refreshers.

**Persons who will be responsible for implementing human rights policies and procedures will need more extensive training and information.** This includes managers and supervisors, as well as staff who may receive, investigate, mediate or decide on complaints or accommodation requests”.

(See [Education and training programs | OHRC](#); emphasis added)

4.3 PEO respects the [OHRC policy](#), which indicates that culture is one of the three key considerations for identifying and addressing systemic discrimination. The OHRC policy describes organizational culture as “shared patterns of informal social behaviour, such as

communication, decision-making, and interpersonal relationships, that are the evidence of deeply held and largely unconscious values, assumptions and behavioural norms. An organizational culture that is not inclusive can marginalize or exclude racialized persons.” (Page 34, [OHRC policy](#))

4.4 The OHRC has made clear that all organizations, especially public bodies, have “an obligation to be aware of whether their [patterns] are having an adverse impact ... It is not acceptable... to choose to remain unaware ... or to fail to act to address human rights matters, whether or not a complaint has been made.” (Page 37, [OHRC policy](#))

4.5 The OHRC also notes the following obligations, which PEO commits to meeting:

**“Education and training are ... central to any effort to build a “human rights culture” within an organization... [E]very member of the organization should have a solid understanding of their rights and responsibilities under the [Human Rights] Code, and of the organization’s policies, programs and procedures for preventing and addressing human rights issues...**

On an ongoing basis, **organizations should monitor human rights issues** that affect them, and provide their members with human rights education that is timely and appropriate. An effective human rights education program will include training on:

- Organizational policies and procedures related to human rights
- The principles and specific provisions of the *[Human Rights] Code*
- General human rights issues such as racism, ableism, sexism, homophobia, ageism, etc...

Training must be **tailored to the specific needs** of the various members of the organization... As well, specific education is required for the people responsible for:

- Complying with policies (everyone)
- Implementing policies (managers, supervisors)
- Providing expert advice, ensuring compliance (for example, HR)
- Overall human rights strategy (for example, the CEO)...

Organizations should **ensure that those who carry out human rights training have expertise in the specific subject area...**

**Training should emphasize** that human rights policies and programs are in harmony with the organization’s objectives, and have the **full support of senior management...**

Human rights education should not be a one-time event. **Ongoing training** should be provided to **address developing issues, and regular refreshers** provided to all staff. The **effectiveness of training should be monitored**, and **any identified gaps should be promptly addressed.**”

(See [Education and training programs | OHRC](#); emphasis added)

#### Audience / Delivery

4.6 To adequately fulfil Principle 4, PEO commits to:

- (i) prioritizing annual human rights training for PEO’s leaders at all levels: Councillors, Committee chairs, senior management, volunteer leaders, and other appointed leaders (“PEO Leaders”).

- (ii) prioritizing annual training for PEO Leaders related specifically to this ARE Code and the role that PEO Leaders play in helping to fulfil PEO's obligations.
- (iii) ensuring that trainings for staff occur during regular business hours and that staff are not expected to dedicate any personal time accordingly.
- (iv) ensuring adequate people and financial resources to fulfil Principle 4, and engaging appropriately with stakeholders, including partners and service providers where applicable.
- (v) incorporating PEO's human rights educational offerings alongside the ethics modules in its formal professional development program.
- (vi) ensuring that PEO's human rights trainings, learning materials, and support offerings are developed and delivered in meaningful engagement with persons with lived experience relevant to each topic, and that such persons are properly compensated for work performed. For example, as PEO ensures focused strategies to prevent discrimination against Indigenous, Black, racialized, and 2SLGBTQ+ populations, PEO commits to engaging and properly compensating persons from the respective populations who have the requisite experience and/or knowledge to help ensure relevant, equitable, and culturally appropriate provisions.
- (vii) consulting more generally with stakeholders to develop its human rights educational offerings, including soliciting insights from and about specific areas of engineering practice, to consider and continuously develop tailored offerings, as appropriate.
- (viii) making concerted efforts to engage appropriately with the Ontario Society of Professional Engineers (OSPE) and other organizations to ensure an efficient and effective approach to instilling an ethos of equitable professionalism throughout the engineering profession in Ontario.
- (ix) engaging across the profession, and ensuring the delivery or distribution of PEO's programs, services, policies, reports, and/or publications, in a manner that reinforces respect for human rights within the profession.
- (x) utilizing de-identified data and analyses in PEO's human rights educational endeavours to build awareness regarding concrete findings and the progress of PEO's commitments under this ARE Code.
- (xi) engaging in public education efforts to increase public confidence that PEO is adequately serving the public interest and delivering on its ARE Code commitments. This follows from PEO's duty under the *Professional Engineers Act* to "promote public awareness of the role of [PEO]." (Section 2(4) of the *Act*)

4.7 Regarding topics for training, PEO embraces the following suggestions from Engineers Canada, which are consistent with OHRC's guidance above. PEO commits to advancing training consistent with dimensions such as:

"sustained and meaningful training and engagement of PEO staff on: anti-racism principles, sex and gender diversity, ableism, 2SLGBTQ+ rights and communities, Indigenous histories and reconciliation principles, microaggressions, unconscious bias, positionality/power/privilege, and provincial and federal laws around harassment, discrimination and human rights. In order to support the goals of the ARE Code, staff need to understand the intersections of racial identity and other identities and lived experiences. For example, a Black transgender woman will face

different levels of discrimination than a Black cis-gender man. Understanding that the experience of a two-spirit engineer might be different from their heterosexual cis-gender client or colleagues is important in addressing anti-racism principles. In addition, different people face different types of racism that are intertwined by different systems, and... we must make space and work against all of them, simultaneously. Understanding different forms of systemic discrimination and the experience of a broad range of marginalized groups will create a strong foundation for PEO to embed anti-racism and equity within its organizational culture.”

**Principle 5: Leadership and sponsorship.** PEO commits to steadfast and continuous improvements and adequate resourcing that promote and achieve equity, and foster inclusivity, across all leadership endeavours, leadership levels, opportunities, plans, and processes including: PEO’s elections processes; committee selection processes; and other opportunities. PEO further commits to annually investing adequate people and financial resources necessary to sponsor, champion, lead, and drive delivery of all commitments in this ARE Code.

## Commentary 5

### Responsibility and commitments

5.1 In order to adequately protect the public interest and fulfil its human rights obligations, PEO must demonstrate leadership in “addressing historical disadvantage” and reinforcing respect for human rights. (See [Section A.3](#) above)

5.2 One key aspect of this responsibility is ensuring that PEO’s leadership structures and opportunities are equitable and inclusive. This is part of PEO’s responsibility to establish an inclusive “tone from the top” that functions as a beacon and a catalyst for improvements throughout the organization and profession.

5.3 To fulfil Principle 5, PEO will annually:

- (i) at the outset of each Council term, ensure orientation of all individuals “at the top” – including Councillors and senior management – regarding this ARE Code and their roles in relation to it.
- (ii) designate champions in PEO’s Council. These champions will help Council to ensure adequate attention to the ARE Code. They will also help to foster a culture of belonging, and a culturally safe environment for Councillors from equity-seeking backgrounds (and all backgrounds) to present as their authentic selves whilst respecting human rights principles.
- (iii) designate champions at all levels of PEO’s organization and in all its functions who are responsible to promote awareness of the ARE Code commitments and help to drive their delivery.
- (iv) designate champions to engage with stakeholders in the engineering ecosystem towards enabling fulfilment of the ARE Code principles and stakeholders’ own contributions to human rights objectives. (See also: commentary to [Principle 3](#))

- (v) identify, mentor, and sponsor persons from equity-seeking populations who have the potential to become PEO leaders. This is in keeping with PEO's obligation to "address historical disadvantage."

(Sponsorship involves actively identifying and helping to promote high performers and persons with high potential. It involves actively inviting individuals into networks and events; putting their names forward for consideration for opportunities; identifying their strengths and matching them with tasks and people to help them to maximize their potential; providing them with key information and guidance regarding how to navigate the paths for advancement, and so forth.

PEO recognizes that sponsorship often occurs in society for many persons who are not marginalized. PEO commits to ensuring annual focused sponsorship efforts that reach high potential equity-seeking persons (with first focus regarding Black, Indigenous, racialized, female, two-spirit, transgender, and gender variant persons – [Section A.3](#)).

- (vi) invest adequate people and financial resources necessary to sponsor, champion, lead, and drive delivery of all commitments in this ARE Code.
- (vii) evaluate the organization's succession plans and leadership composition, and report to the public regarding the representation of persons from equity-seeking populations.

5.4 In fulfilling Principle 5, PEO will also continuously improve to ensure that human rights ethics are embedded within, among other things:

- (i) the articulated and implicit policy directions, strategic directions, and control mechanisms governed by PEO's Council, recognizing that Council is ultimately responsible for the proper exercise of PEO's regulatory authority and the effectiveness of the regulator;
- (ii) the processes that determine how leadership seats and key opportunities are filled, including Council and other PEO elections processes and committee selection processes; and
- (iii) pipeline-building, capacity-building, competency-building, and disciplinary undertakings that shape and strengthen PEO's leaders.

#### Strengthening public confidence and reflecting society

5.5 PEO acknowledges the received wisdom in modern times that governments and organizations should reflect the diversity of the communities they serve. PEO commits to concerted and ongoing efforts to enable leadership structure compositions – including Council composition – that reflect Ontario's demographic diversity. This simultaneously involves ensuring that employment opportunities are filled based on merit, recognizing that there are many potential candidates from all backgrounds who can adequately fill opportunities, and that no one should face inequitable barriers to opportunities.

5.6 When PEO reflects communities served, it will increase: (i) the public's confidence in the regulator; (ii) the benefits of diverse perspectives and enhanced solutions; and (iii) the possibilities in society, as persons from all backgrounds may unwaveringly invest their best, seeing that realistic chances exist for them to become leaders of a noble profession.

5.7 In a similar vein, PEO respects the spirit of the federal government's [50 – 30 Challenge](#), which Engineers Canada describes as an initiative to "improve access to positions of influence

and leadership on corporate boards and in senior management for women, racialized persons including Indigenous people, Black [people], people who identify as LGBTQ2S+, and persons living with disabilities.” Engineers Canada called on PEO to formally take up this challenge, as Engineers Canada and many federal and provincial organizations have done. PEO commits to engaging with Engineers Canada and making steadfast efforts towards the objectives of the 50 – 30 Challenge.

5.8 The 50 – 30 Challenge is akin to the [30 by 30 Challenge](#), which Engineers Canada describes as an initiative to raise “the percentage of newly licensed engineers who are women to 30 per cent by the year 2030.” PEO also adopted the 30 by 30 Challenge further to Engineers Canada’s lead. PEO sees that the 50 – 30 Challenge is equally appropriate for professional regulators to embrace in performing their public interest functions.

**Principle 6: Stakeholder engagement | talent pipeline.** PEO commits to continuously and appropriately engaging with engineering organizations; bridging programs; educational institutions; equity-seeking populations; industry participants; licence holders; public bodies; government representatives; and others. This stakeholder engagement will include, among other things, exploring the barriers and gaps preventing an equitable talent pipeline into the profession, and continuously taking all steps appropriate for a regulator to help to address the problem.

## Commentary 6

### Stakeholder engagement generally

6.1 To adequately protect the public interest, PEO must be informed by the perceptions, needs, concerns, ideas, and aspirations of its stakeholders. PEO must therefore consult with stakeholders, particularly on matters of significant public interest and regarding any plans or actions by the regulator that may significantly impact stakeholders.

6.2 The problem of widespread systemic racism is one subject that has been a major focus of international, national, and provincial public attention, particularly since 2020. PEO takes seriously its duty to lead conversations that enable Ontario’s engineering profession to adequately serve the public interest regarding racial equity, and all equity affairs.

6.3 More generally, as PEO modernizes and works to continuously improve its performance as a regulator, it recognizes that stakeholder engagement is vital to its future success. When PEO receives meaningful input from a fair cross-section of stakeholders at appropriate junctures, this helps to ensure that its priorities, policies, strategies, and control mechanisms are fit for purpose, equitable, and future-ready.

6.4 PEO aims to consult stakeholders annually, utilizing a range of approaches in a spirit of equity, mutual respect, and meaningful engagement to invite, attract, and incorporate their input.

6.5 PEO recognizes that building and maintaining trust is a prerequisite to attract meaningful stakeholder participation. PEO is mindful, for example, that Indigenous, Black, and racialized populations have experienced the most critical forms of abuses of trust throughout Canadian history (see [Section A.3](#)). It is therefore vital to invest time, care, and resources to build the relationships and trust needed to co-create the solutions that [public policy in Ontario](#) states are “urgently needed”.

6.6 PEO's stakeholder engagement efforts regarding its ARE Code commitments will ensure:

- (i) first focus regarding populations most impacted by historical disadvantage (Indigenous, Black, and racialized populations).
- (ii) high priority through the lenses of gender identity (notably, women, two-spirit, intersex, transgender, and gender variant persons).
- (iii) continuously expanding focus through all equity lenses, including intersectional identities, sexual orientation, place of origin, citizenship, creed, disability, and other personal characteristics protected under the Ontario *Human Rights Code*.
- (iv) consultations with public officials and oversight bodies regarding fairness, human rights, and the public interest more generally. These include, among others: Ontario's Office of the Fairness Commissioner; and the Ontario Human Rights Commission.
- (v) consultations with engineering associations and industry associations. This stakeholder category includes, among others, associations that represent the interests of engineers, businesses, and workers in Ontario – such as engineering societies, engineering firms, labour unions, and workers associations.
- (vi) processes open to and easily accessible by individual members of the public and of the profession.

6.7 PEO's stakeholder engagement efforts will also involve activities that “promote public awareness of the role of [PEO]” (section 2(4) of the *Act*), particularly as it relates to PEO's performance in serving the public interest and delivering on its ARE Code commitments. PEO strives to ensure strong performance such that it can accurately convey information to the public and enhance the public's regard for the engineering profession.

#### Stakeholder engagement to help enable an equitable talent pipeline

6.8 As Ontario's Office of the Fairness Commissioner (OFC) notes, “PEO undertakes its registration work as part of an ecosystem that includes educational institutions, immigration and settlement groups, bridging programs and organizations that employ professional engineers.” The OFC's comments also implicitly recognize that it is appropriate for PEO to “positively influence this entire ecosystem.”

6.9 Consistent with initiatives like 30 by 30 – an effort across Canada to raise the percentage of newly licensed female engineers to 30 per cent by 2030 – PEO recognizes that engagement throughout the ecosystem is vital to enable an equitable talent pipeline into the engineering profession.

6.10 PEO is also mindful of the public interest in a sustainable, equitable, and qualified talent pipeline that can help to secure Ontario's economic viability in a rapidly changing world. Ultimately, a productive economy is necessary to enable the economic opportunities that in turn must be equitably made available to all without discrimination. Human rights laws exist precisely to offer protections regarding social areas that are essential to the survival and well-being of individuals and families, such as economic opportunities.

6.11 It has always been in the public interest to enable talent that serves society, through work done in industry. Ontario's labour needs make this a particularly pressing objective that is

appropriate for the steward of a profession to consider and assist. PEO commits to engaging within the engineering ecosystem to help to enable this multi-dimensional public interest objective.

6.12 PEO will work with engineering ecosystem participants to jointly enable the information sharing, interest-building to attract students and talent, mentorship, sponsorship, network building, bridging program efforts, and process reforms that the ecosystem can produce through combined effort. The sum of this combined effort can be much greater than its parts.

6.13 PEO is committed to such ecosystem engagement to actively include historically excluded groups (including Indigenous, Black, racialized, female, two-spirit, transgender, and gender variant persons, among others) into the talent pipeline. This simultaneously serves Ontario's ethical, aspirational, equitable, and economic objectives. It is good for everyone.

6.14 On the licensing side, as discussed under [Principle 3](#) above, PEO commits to performing its licensing functions appropriately, equitably, and expeditiously to serve the above public interest objective.

**Principle 7: Safeguards | accountability.** PEO commits to embedding and continuously improving measures that directly address racism and discrimination complaints, such as specialized and dedicated teams, with sufficient protections for parties involved. More generally, PEO commits to adequate accountability measures to fortify all Principles in this ARE Code, including periodic reassessments regarding systemic inequities, and performance appraisal measures.

## Commentary 7

### Safeguards

7.1 As the primary steward of Ontario's engineering profession, PEO is accountable for the effectiveness of the profession's control measures that aim to protect PEO's stakeholders.

7.2 One key area of focus to ensure adequate protections relates to complaints of racism or discrimination. In observing the OHRC's policy direction that it is "not acceptable... to choose to remain unaware of the potential existence of discrimination or harassment," PEO recognizes that a safe and effective complaints process is an important medium through which an organization can become aware of human rights issues. PEO is committed to achieving and maintaining fairness and effectiveness in processes dedicated to receiving and addressing human rights complaints. (Also see [Section A.3](#) above)

7.3 PEO is mindful of the following factors that the OHRC lists as considerations for determining whether an organization met its responsibilities: procedures in place at the time to deal with discrimination and harassment; the promptness of the institutional response; the seriousness with which the matter was treated; resources made available; whether the organization provided a healthy work environment; and the degree to which the action taken was communicated to complainants. (Pages 37 to 39, [OHRC policy](#))

7.4 PEO is committed to continuously enhancing its processes and activities to ensure adequate protections for parties in human rights matters. Notably, PEO will invest in and adequately support appropriate functions such as ombudsperson, whistleblower, workplace investigation, and other specialized complaints processes that are distinct from processes

designed to address technical incompetence. PEO's [2019 External Regulatory Performance Review](#) and the [AREWG's Phase 1 Report](#) also identified a need for such steps.

7.5 PEO will establish the foregoing additional supports in accordance with all applicable laws and best practices regarding human rights matters. PEO will also ensure adequate people and financial resources to properly sustain all procedures, processes, and safeguards that address human rights matters.

7.6 The scope of the foregoing processes and protections will relate to conduct alleged regarding any PEO: (i) staff at any level; (ii) Councillors; (iii) volunteers; (iv) appointees; (v) agents; or (vi) PEO Governed Persons. The processes will be available and easily accessible to any of the foregoing persons, or any member of the public who wishes to seek resolutions via these processes. PEO will ensure adequate and continuous safeguards to protect all parties involved in these processes in a manner that conforms with best practices for human rights complaint resolution mechanisms.

7.7 To fulfil public interest transparency objectives and enhance public confidence in PEO as a regulator, PEO will also provide annual reporting – for example, of deidentified data – to the public and the profession regarding its actions to address human rights complaints. Such reporting will respect applicable privacy laws and best practices to appropriately protect parties who were involved in the matters. The reporting will indicate, among other things:

- (i) the number of human rights complaints PEO received per year;
- (ii) the general categories of issues raised;
- (iii) general information regarding steps PEO took to address them; and
- (iv) general categories of outcomes.

7.8 As part of the foregoing reporting, and other public awareness building activities, PEO will prominently and continuously make publicly known what complaints and feedback mechanisms exist, and how to access them. PEO will ensure that these mechanisms are easily accessible and easy to navigate, to enable clients and communities that engage with the engineering profession to also engage with the professional regulator easily, where appropriate. PEO is mindful that raising public awareness – for example, regarding the safeguards and mechanisms for the public to access the regulator and its protections – is part of its duty under the *Professional Engineers Act* to “promote public awareness of the role of [PEO].” (Section 2(4) of the *Act*)

#### The ARE Code as a safeguard, and reinforcements for this code

7.9 More generally, PEO establishes this ARE Code as a foundational basis for safeguards and a range of strategies and activities aimed at protecting human rights.

7.10 To deliver on such safeguards and other commitments, it is vital to ensure adequate reinforcements for the foundational building block itself. PEO will therefore ensure the following annually, to serve as accountability mechanisms regarding the ARE Code itself:

- (i) allocation and enablement of adequate people and financial resources to achieve steadfast and continuous advancement of all Principles in the ARE Code;
- (ii) enablement, support, and fair and prominent recognition of the champions designated to drive delivery of the ARE Code commitments (see commentary to [Principle 5](#));

- (iii) engagement with stakeholders, including equity-seeking populations, in a meaningful way to strive to earn the levels of trust and participation necessary to fulfil the ARE Code commitments; and
- (iv) monitoring and public reporting of PEO's progress regarding the ARE Code commitments.

7.11 PEO also aims to ensure that its human rights strategies evolve appropriately in light of changes and possibilities in the environment over time. To obtain and leverage updated insights, every 3 to 5 years or more frequently, PEO will obtain independent assessments of its performance as against its ARE Code commitments. PEO will promptly make these independent reports prominently available and easily accessible by the public.

7.12 The foregoing independent assessments will help PEO to ensure that it receives guidance that is: not biased towards PEO; informed by rich subject matter expertise; and likely to enhance public confidence and trust in PEO as a regulator that utilizes independent assessments. To strengthen these prospects, PEO will ensure that its independent assessor(s) have the requisite:

- (i) subject matter expertise;
- (ii) connectedness to the lived experiences of equity-seeking persons; likelihood to have credibility with equity-seeking populations; and/or likelihood to be able to engage meaningfully with equity-seeking populations; and
- (iii) skills and other merit-based credentials relevant to the ARE Code.

7.13 PEO will also ensure that all its activities regarding attracting, selecting, engaging with, and compensating its independent assessor(s) are in keeping with the spirit of this ARE Code. At a minimum, PEO will:

- (i) request, attract, and evaluate bids in an equitable way;
- (ii) place appropriate value on the lived experience of bidders as relevant to the subject;
- (iii) provide the successful bidder(s) with adequate and timely information, cooperation, and connectedness with relevant PEO personnel; and
- (iv) compensate the successful bidder(s) in a fair and timely manner, in keeping with fair market prices and expectations.

7.14 Regarding the public reporting noted above, PEO will:

- (i) adequately consult stakeholders in the design of its progress measurables;
- (ii) ensure an integrated approach that appropriately incorporates key findings from external assessments and all monitoring approaches;
- (iii) ensure a comprehensive approach to reporting over time, with priority focus on areas noted in past external assessments as warranting priority focus; and
- (iv) ensure ample detail regarding priority focus areas and areas of significant public interest.

**Principle 8: Equitable organization.** As the primary steward of Ontario's engineering profession, PEO commits to leading by example and ensuring equitable hiring and representation of persons from all equity-seeking backgrounds, with first focus on Indigenous, Black, and racialized groups, and high focus towards gender equity. PEO commits to achieving such representation at all levels in the

organization, and fostering retention, inclusion, advancement, belonging and equity regarding equity-seeking persons and everyone, at all levels in the organization.

## Commentary 8

8.1 PEO has served Ontario for a century. PEO is keen to ensure that it evolves to meet the needs of a changing society. PEO aims to serve Ontario better for another hundred years and beyond. Living the Principles of this ARE Code is vital to that objective.

8.2 As an employer, PEO commits to truly living these Principles. Not only is this essential for PEO's future success as an employer, but it will also demonstrate to all employers within the profession the kinds of tangible advancements needed and benefits that can be derived in shaping equitable and inclusive workplaces.

8.3 PEO looks forward to recognizing the successes of equitable employers as Ontario's engineering profession grows the related rewards for everyone's benefit.

8.4 PEO commits to ensuring equity in its selection criteria, selection processes, and recruitment efforts that determine the composition of its committees and decision-making structures. This applies to all levels of PEO's organization and all of its activities – including those performed by volunteers.

8.5 In particular, PEO will continuously make concerted efforts to attract and appoint to such opportunities individuals from equity-seeking populations – with a first focus on persons from Canada's most marginalized populations (see [Section A.1](#)). These persons will:

- (i) have the requisite skill and experience to contribute meaningfully to the objectives of the relevant committee or structure; and
- (ii) be enabled with timely and adequate information, orientation, introductions to and connectedness with key decision-makers, equitable access to deliberations, equitable participation, respect, equitable consideration of their input, equitable opportunity to co-create solutions, and sponsorship. (See also: commentary to [Principle 5](#))

8.6 To help to demonstrate PEO's progress in leading by example, PEO will annually and equitably showcase notable achievements and contributions of individuals, including persons from equity-seeking groups. This will:

- (i) ensure that all equity-seeking groups are appropriately represented and portrayed, over time;
- (ii) ensure first focus on the most marginalized populations (see [Section A.1](#)), and other areas noted for high focus;
- (iii) include recognition in PEO's public publications and online materials;
- (iv) include appropriate recognition of champions and allies regarding PEO's human rights and DEI efforts; and
- (v) in all aspects, strive to avoid any appearance or reality of "tokenism."

The [OHRC policy](#) defines tokenism as "the practice of hiring a few members of racialized groups for relatively powerless positions in order to create an appearance of having an inclusive and equitable organization. In reality, these individuals have little voice in the organization. At the same time, they are seen as representative of the group to which they belong and, as a result, their thoughts, beliefs, and actions are likely to be taken as typical

of all in their group. Token measures to promote organizational diversity do not work and circumvent substantive change.” (Page 51, [OHRC policy](#))

8.7 PEO embraces its duty show leadership on matters relevant to this ARE Code. PEO embraces the following statements from key commentators:

- (i) PEO “becoming a leader [as an anti-racist and equitable regulatory body] will help engineering and the broader engineering community elevate its reputation... PEO must lead by example...” (statement by OSPE)
- (ii) “...the adoption by PEO of the ARE Code [will] represent a watershed decision for the organization” (statement by the OFC)

PEO will engage with all interested stakeholders to help to lead the organization and the engineering profession to a more successful and equitable future.



Science can amuse and fascinate us all, but it is  
engineering that changes the world.

ISAAC ASIMOV

Success takes a helping hand. You won’t get there on your own. Look for help.  
Take help. Give help. You can be a part of someone else’s climb.  
You can be the difference that allows someone else to rise.

URSULA BURNS

## Appendix 1: Acknowledgements

PEO’s AREWG developed this ARE Code in conjunction with its consultant Shashu Clacken of CN Consulting. From its inception in November 2020 to the present publication, the AREWG was comprised of:

- **Councillor Lisa MacCumber, P.Eng., FEC** (*de facto* Chair; formerly Vice Chair)
- **Past Councillor Wayne Kershaw, P.Eng., FEC**
- **Lieutenant Governor-in-Council Appointee, Councillor Qadira C. Jackson Kouakou, LL.B.**

The AREWG’s inaugural Chair was the late **Councillor Peter Cushman, P.Eng.**, who proposed the AREWG to PEO. The AREWG salutes him and dedicates its foundational work to the memory of him.

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### Internal recognition

The AREWG specially thanks the following PEO persons for their invaluable contributions:

- **2021-2022 President Christian Bellini, P.Eng., FEC:** who has been a strong contributor to the AREWG's work throughout his term. He chaired Council in support of various motions that significantly advanced the AREWG's objectives. He has been a champion for various PEO equity objectives and PEO's transformation to being a leader in self-regulation.
- **2020-2021 President Marisa Sterling, P.Eng., FEC:** who has been a champion at PEO for various equity objectives, most notably on Indigenous, gender, and 2SLGBTQ+ affairs. She chaired Council in support of the AREWG's historic formation and PEO's transformation progress.
- **2019-2020 President Nancy Hill, P.Eng., LL.B., FEC, FCAE:** who was a champion at PEO for various equity objectives, including gender and foundational human rights policy work (co-authoring PEO's 2009 guideline). She chaired Council to launch PEO's historic transformation.
- **PEO Councillors from 2019-2022:** who have demonstrated leadership, courage, and dedication to the public interest by passing various motions that have enabled PEO's significant governance and equity transformations. PEO's Council "speaks with one voice" as a Board. PEO's positive progress that is attracting strong commendations from public interest oversight bodies is due in part to its Councillors over the past three terms.
- **PEO Senior Management Team and Staff from 2019-2022:** who have worked extremely hard through a global pandemic to perform their vital operational functions for the regulator, and simultaneously enable and assist a historic governance transformation and a historic anti-racism and equity initiative.

### External recognition

- **Ontario's Office of the Fairness Commissioner (OFC).** For over a decade, the OFC has played a pivotal role in offering direction to PEO regarding its fairness obligations. The Fairness Commissioner Irwin Glasberg and key OFC staff generously reviewed the public consultation draft of the ARE Code and offered valuable comments, which strengthened the document. The former Fairness Commissioner Grant Jameson offered PEO valuable comments regarding its Canadian work experience requirement, which informed PEO's further inquiry.
- **Patricia DeGuire:** who is a human rights expert in Canada and was one of the AREWG's consultants in 2021. She played an instrumental role, including strengthening the AREWG's capabilities. She co-authored the [AREWG's Phase 1 Report](#), which underpins this ARE Code.
- **Canadian Centre for Diversity and Inclusion (CCDI):** whose publications provided rich insights that informed the AREWG's Phase 1 Report. CCDI's Executive Director Anne-Marie Pham generously offered valuable comments, which enhanced the ARE Code.
- **Organizations and groups: Engineers Canada | Ontario Society of Professional Engineers (OSPE) | ACEC-Ontario (Association of Consulting Engineering Companies of Ontario) | Black Engineers of Canada (BEC) | University of Toronto's Engineering Equity, Diversity and Inclusivity Action Group (EEDIAG).** These groups or members of their Boards offered valuable comments, which also improved the ARE Code.
- **Individual members of the public and the profession, including:** members of the engineering communities at University of Ottawa, University of Waterloo, and University of Western Ontario. Their considered feedback informed the evolution of the draft and will inform AREWG's work.

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## Appendix 2: Excerpt of the AREWG's Mandate

"The mandate of the AREWG is to assist Council in fulfilling its public interest duties by exploring and making recommendations regarding matters related to racism, and other equity and human rights affairs, relevant to PEO's function as a regulator, employer, and organization.

1. The AREWG will explore and recommend options for Council's approval to help fulfil Council's role as a governing board, ensuring policy, direction, and control in relation to the AREWG's mandate. These options may include:
  - a) A policy Code that addresses systemic racism and related equity issues in keeping with Ontario's public policy direction and the primacy of these matters per human rights laws.
  - b) Consultations with a fair cross-section of stakeholders relevant to the AREWG's mandate.
  - c) Contributions to Council's function regarding strategy development, review, and/or approval, using the lens of the AREWG's mandate.
  - d) Public reporting requirements regarding PEO's commitment and progress relevant to the AREWG's mandate.
  - e) Accountability mechanisms to help Council ensure effectiveness of the regulator regarding the AREWG's mandate.
  - f) Periodic reassessments to help ensure up-to-date recommendations and decisions..."

## Appendix 3: PEO's ARE Vision Statement

PEO recognizes that racism and discrimination exist in Canadian society and in its institutions, and that PEO is not immune. As the regulator for a self-regulated profession where the public interest is paramount, PEO recognizes our responsibility to play a leadership role in instilling respect for human rights principles, whether in our organization itself or the wider engineering profession. We assert our commitment to implement specific measures, as codified in our ARE Code, to address historical disadvantage and diligently engage in ameliorative actions as appropriate for a regulator.

We recognize and value the diversity of Ontario, of our profession, and of our own organization, along all dimensions of personal characteristics protected under the Ontario *Human Rights Code*. We strive to achieve and maintain equitable practices across all our activities, including our employment practices and delivery of services and activities as a regulator.

We strive to foster a culture of fairness and inclusivity, where everyone within our scope is treated equitably and has equitable opportunity to maximize their potential and serve the public interest. We strive to foster inclusivity and enable a sense of belonging for all, where individuals can simultaneously be their authentic selves and professionals within our scope.

We respect the constitutionally protected status of Indigenous peoples. We also acknowledge that Indigenous, Black, and racialized populations face the most critical forms of marginalization in Ontario. We strive to deliver on targeted strategies, as a first focus, to help to address such disadvantage.

We also strive to equitably include and enable female, two-spirit, transgender, and nonbinary persons as a high priority.

Ultimately, we strive to continuously expand our human rights endeavours to eliminate discrimination of all forms, wherever it is identified within our scope.

(Adapted from the OHRC's template: [OHRC policy](#), page 48)

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## Appendix 4: OHRC Policies | Glossaries | General Information

[Policy on Removing the “Canadian experience” barrier](#)

[Removing the “Canadian experience” barrier – A guide for employers and regulatory bodies](#)

[Count me in! Collecting human rights-based data](#)

[A policy primer: Guide to developing human rights policies and procedures](#)

[Policy and Guidelines on Racism and Racial Discrimination](#)

[Policy on preventing sexual and gender-based harassment](#)

[Policy on preventing discrimination because of gender identity and gender expression](#)

[Policy on discrimination and harassment because of sexual orientation](#)

[Policy on preventing discrimination based on creed](#)

[Policy on ableism and discrimination based on disability](#)

[Policy on preventing discrimination based on mental health disabilities and addictions](#)

[Policy on HIV/AIDS-related discrimination](#)

[Policy on discrimination and language](#)

[Policy on competing human rights](#)

See more online at: [https://www.ohrc.on.ca/en/our\\_work/policies\\_guidelines?page=2](https://www.ohrc.on.ca/en/our_work/policies_guidelines?page=2)

### **See Glossaries at:**

[Anti-Racism Data Standards](#) and

[Glossary for understanding gender identity and expression](#)

Also note that organizations have responsibilities under the [Accessibility for Ontarians with Disabilities Act](#) (AODA), which work together with responsibilities under the *Human Rights Code*. See training at: <https://www.ohrc.on.ca/en/learning/working-together-code-and-aoda>

Employers should also note duties under the [Occupational Health and Safety Act](#) regarding work-related problems unrelated to the *Human Rights Code*, which are relevant to fair treatment ethics.

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### **LEGAL SUPPORT:**

If individuals have concerns regarding potential breaches of the *Human Rights Code*, they can seek assistance from Ontario's [Human Rights Legal Support Centre](#) (HRLSC).

The HRLSC is an independent agency, funded by the Government of Ontario, to provide legal services to individuals who have experienced discrimination. The HRLSC's intake phone line is: Tel: (416) 597-4900 | Toll Free: 1-866-625-5179 | TTY: (416) 597-4903 | TTY Toll Free: 1-866 612-8627.

They also provide a listing of other free clinics in Ontario that provide guidance and support for legal matters: <https://www.hrlsc.on.ca/en/node/298#who%20can%20contact%20for%20legal%20help>

## CN CONSULTING

www.cnconsulting.ca



### Called to ON Bar, 2007

#### University of York, U.K.,

- Masters in Management: Strategic Management (top graduate)

#### Osgoode Hall Law

- LL.B. / J.D. (top tier graduate)

#### York University

- Business & Society: Economics & Poli. Sci. (top tier graduate)

## Prepared by

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Shashu Clacken is a transformation strategist and management consultant, who formerly practiced law. She remains licensed as a non-practising lawyer.

Clacken developed at a leading Canadian business law firm, where her practice focused on constitutional law and commercial law. She has worked closely with Canada's foremost Constitutional Law scholar, the late Professor Peter W. Hogg, and contributed to his seminal text. She has appeared before the Supreme Court of Canada on various occasions, and participated in the Ashley Smith inquest, concerning civil liberties. She was one of three lawyers from Canada who journeyed to southern Africa in an unprecedented effort by a Stephen Lewis organization towards building an international human rights case against Robert Mugabe.

Clacken progressed into strategic management, where she has successfully designed and led several large scale transformations, which have attracted high accolades.

Clacken is currently the Managing Director at CN Consulting. This firm assists organizations to transform their organizational processes, and to foster high performing, equitable, and inclusive teams.

**DISCLAIMER:** As consultants – not currently practising lawyers – Clacken and CN Consulting do not currently provide legal advice. Nothing in this document should be relied upon as legal advice.

The consultants and their related companies assume no responsibility or liability connected to the information contained in this document. Any steps that the PEO or its stakeholders may take further to this document will be strictly at their own risk.

## About Professional Engineers Ontario

Under the authority of the *Professional Engineers Act*, PEO governs over 90,000 licence and certificate holders and regulates professional engineering in Ontario. PEO's mission is to regulate and advance the practice of engineering to protect the public interest. Its vision is to be the trusted leader in professional self-regulation. Professional engineering safeguards life, health, property, economic interests, the public welfare, and the environment.