



FREQUENTLY ASKED QUESTIONS

2019 Addendum to the 2006 Canadian Human Rights Settlement Agreement

25. When was the Canadian human rights complaint that led to the 2006 Settlement Agreement first filed?

In 2003, a group of eight academics from across Canada filed human rights complaints alleging the CRCP discriminated against individuals who are members of protected groups under the Canadian Human Rights Act. In 2006, a settlement agreement was signed requiring the CRCP to implement specific measures to increase the representation of individuals from the four designated groups: women, persons with disabilities, Indigenous peoples and members of visible minorities. In 2017, the agreement was made a federal court order at the request of the complainants because they considered that not enough progress had been made over the ensuing 11 years in improving the representation and addressing the barriers within the program. In 2018, mediation between the CRCP, the complainants and the Canadian Human Rights Commission was held in lieu of federal court proceedings, and an addendum to the 2006 Settlement Agreement was subsequently signed in early 2019.

The CRCP recognizes the important contributions that Marjorie Griffin Cohen, Louise Forsyth, Glenis Joyce, Audrey Kobayashi, Shree Mulay, Susan Prentice, and the late Michèle Ollivier and Wendy Robbins have made to increase the level of representation within the program by way of their 2003 complaints and their concerted efforts in the mediation processes, which led to the 2006 Settlement Agreement and its addendum in 2019.

26. Is the 2006 Settlement Agreement and its 2019 addendum legally binding?

Yes. The Tri-agency Institutional Programs Secretariat (TIPS) is required to implement the 2006 Settlement Agreement and the [2019 addendum](#) in good faith and could be brought to federal court for not implementing and enforcing them. TIPS and its governance committees comprising president and vice-president representatives of the Canadian Institutes of Health Research, the Natural Sciences and Engineering Research Council, the Social Sciences and Humanities Research Council, and the Canada Foundation for Innovation, as well as deputy ministers and directors general of Health Canada, and Innovation, Science and Economic Development Canada, are strongly committed to implementing the agreement in collaboration with eligible institutions participating in the program. Working together will ensure that the inequities within the program are addressed, [building on the progress that has been made in recent years](#), and that meaningful equity, diversity and inclusion (EDI) is achieved.

These efforts are aligned with the [Canada Research Coordinating Committee's](#) priority area: “removing barriers faced by under-represented and disadvantaged groups to ensure equitable access across the granting agencies and establish Canada as a world leader in equity, diversity and inclusion in research.” They also build on the commitment and broader efforts being implemented by [Canadian universities](#) to reduce barriers within academia.

27. What was discussed during the mediation process between the parties leading up to the 2019 addendum?

Participants in the mediation process signed an agreement requiring all documents shared between the parties and discussions held during mediation to remain confidential.

28. How does the program define equity, diversity and inclusion?

These terms are defined as follows:

- **Equity** is the removal of systemic barriers and biases (see question number 30 below) enabling all individuals to have equal access to and to benefit from the program. To achieve this, the program and participating institutions must develop a strong understanding of the barriers faced by individuals from the four designated groups (women, persons with disabilities, Indigenous peoples and members of visible minorities) and put in place meaningful measures to address these, embracing both the value and excellence of their contributions.
 - **Diversity** is defined as differences in race, colour, place of origin, religion, immigrant and newcomer status, ethnic origin, ability, sex, sexual orientation, gender identity, gender expression, and age. Recognizing the need for and value of equity and diversity must be accompanied by concerted and meaningful efforts to ensure inclusion. A diversity of perspectives and lived experiences is fundamental to achieving research excellence.
 - **Inclusion** is defined as the practice of ensuring that all individuals are valued and respected for their contributions and equally supported. Ensuring chairholders are included and supported by the program is also fundamental to achieving research and training excellence.
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29. How does increased EDI lead to greater excellence in research?

Research [Footnote 1](#) shows that teams of diverse researchers are more innovative, have a greater collective intelligence, have more capacity to tackle complex issues and, ultimately, achieve excellence. For Canada to reach its full potential for innovation there needs to be a diversity of perspectives to tackle issues and respond to opportunities effectively that will have real impact.

Moreover, to retain excellent research talent in Canada, diverse researchers need to feel meaningfully welcomed, supported, valued and included.

Research also shows that diversity is good for innovation. In 2017, Bessma Momani and Jillian Stirk released the [Diversity Dividend: Canada's Global Advantage](#), a report based on extensive research that quantifies the benefits of a diverse workforce and outlines a number of measures needed to achieve a more diversified workforce. They show that a 1 per cent increase in ethno-cultural diversity is associated with an average 2.4 per cent increase in revenue and a 0.5 per cent increase in workplace productivity.

30. What are examples of systemic barriers faced by underrepresented groups in research and academia?

The persistent systemic barriers faced by underrepresented groups within the CRCP reflect those that exist and are well documented within academia and Canada's research ecosystem more broadly. Examples are:

- The 2018 report published by the Canadian Association of University Teachers, [Underrepresented and Underpaid: Diversity & Equity Among Canada's Postsecondary Education Teachers](#), highlights the lack of diversity in the academic workforce and wage gaps between men and women and between white, Indigenous and racialized staff.
 - [The Equity Myth: Racialization and Indigeneity at Canadian Universities](#) (PDF, 6.3MB), published in 2017 by Frances Henry, Enakshi Dua, Carl E. James, Audrey Kobayashi, Peter Li, Howard Ramos, and Malinda S. Smith, discusses the barriers in academia faced by racialized and Indigenous faculty, including unconscious or implicit biases such as CV and accent bias, bias in letters of reference, citation and self-promotion bias, affinity bias; precarious work; white normativity; tokenism; ineffective equity policies; wage gaps; and increased workloads (e.g., "the equity tax").
 - The 2012 Council of Canadian Academies report, [Strengthening Canada's Research Capacity: The Gender Dimension](#), highlights the bias, stereotypes, lack of role models and mentors, and barriers within institutional practices and policies faced by women in research that prevent their full participation.
 - Recent research conducted by [Holly Witterman, Michael Hendricks, Sharon Straus and Cara Tannenbaum](#) demonstrates a gender bias in peer review processes resulting in a 4 per cent lower success rate for women when the focus of the review is on the calibre of the researcher versus the quality of the research being proposed.
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31. What measures has CRCP taken to address the underrepresentation of individuals from the four designated groups?

Soon after the launch of the program in 2000, the CRCP recognized that a low number of women were being nominated to the program (14 per cent) and began working with institutions to address the issue. Since 2006, TIPS has implemented the 2006 Settlement Agreement. In May 2017, in response to recommendations made in the 15th-year evaluation of the program, the Government of Canada launched the [Equity, Diversity and Inclusion Action Plan](#). The plan stipulates that institutions must develop their own EDI action plans; publish information and data about the management of their Chair allocations on [public accountability and transparency web pages](#); and meet institutional equity targets by December 2019.

For more information, see an overview of the program's [equity, diversity and inclusion requirement and practices](#) and read the [open letter](#) to institutions outlining important milestones to date.

32. What is the current level of representation in the program of individuals from the four designated groups?

This data is available on the [Program Statistics](#) page and is updated twice a year.

Since the 2017 launch of the [Equity, Diversity and Inclusion Action Plan](#), institutions have implemented changes to their processes and increased the number of nominations for individuals from the four designated groups to the program. This is reflected in the results of the most recent intake cycle (April 2019) where institutions nominated 47 per cent women, 22 per cent visible minorities, 5 per cent persons with disabilities and 4 per cent Indigenous peoples. This is a notable improvement in the number of underrepresented groups taking up these prestigious Chairs as compared to previous years.

This strong progress is the result of collaborative efforts on the part of the participating institutions and the Government of Canada. Along with the efforts at an institutional level, the implementation of measures such as limiting renewal of Tier 1 Chairs and revising the distribution of regular Chair allocations across the federal research granting agencies have led to increased diversity and increased potential for research excellence in the natural sciences and engineering, health sciences, and social sciences and humanities.

33. Does this mean that the CRCP's current EDI measures will change?

Yes. However, the measures in the addendum include many of the measures that have already been in place since the launch of the program's [Equity, Diversity and Inclusion Action Plan](#) in May 2017. Some measures will need to be revised and new measures will also be implemented.

34. How and when will the measures within the Addendum be implemented? When will additional information be available?

In order to implement the 2019 addendum, the CRCP will develop and launch an updated Equity, Diversity and Inclusion Action Plan (EDIAP 2.0) in the winter of 2019-20 in collaboration with participating institutions.

Additional information will be provided in the coming months. The program will engage with stakeholders and support institutions regarding the changes. It is expected that EDIAP 2.0 will be made public in early 2020 (after the December 2019 deadline to meet equity targets).

35. Does the 2019 addendum have an impact on the December 2019 deadline for meeting current equity targets?

No. The addendum does not change or have an impact on the December 2019 deadline to meet institutional equity targets. All participating institutions are still required to meet their current equity targets by the December 2019 deadline. Note that all nominations submitted prior to or on the October 2019 nomination deadline will be counted toward an institution's targets.

36. How will the measures in the addendum be enforced?

The program will implement a number of measures through EDIAP 2.0 with specific deadlines for institutions to meet. In the case of an institution not meeting these deadlines or program requirements, the institution will not be permitted to submit new nominations to the program (other than in cases where a nomination contributes to meeting their equity targets) until it is compliant with program requirements. Other enforcement measures may also be implemented at the discretion of the CRCP's governance committees.

37. Why is the CRCP renaming its Institutional EDI Award to the Robbins-Ollivier Award for Equity, Diversity and Inclusion?

The late Michèle Ollivier and Wendy Robbins were part of the original group of eight academics who contributed to the 2006 Settlement Agreement. Both Robbins and Ollivier were well-known advocates for increased EDI in the academy. Along with the other complainants Marjorie Griffin Cohen, Louise Forsyth, Glenis Joyce, Audrey Kobayashi, Shree Mulay and Susan Prentice, they devoted a significant amount of (unpaid) time and energy to addressing the barriers and inequities within the program. This award will be presented to an institution on a yearly basis in

recognition of EDI best practices, and will also commemorate the efforts of the entire group of complainants, in the names of Robbins and Ollivier.

38. Why is it important that the level of diversity within the program generally reflect the level of diversity within the Canadian population?

Research demonstrates that achieving an equitable, diverse and inclusive work environment leads to increased excellence, innovation and impact (see question 29 above). As the program is founded on the principles of excellence, it is imperative that its design and implementation be exemplary and that it not perpetuate the systemic barriers that exist in academia and the research environment for women, persons with disabilities, Indigenous peoples and members of visible minorities.

[The labour market availability approach](#) to setting equity targets currently used by the program has been criticized as it can replicate the systemic barriers that underrepresented groups often face in employment. This new approach to setting diversity targets for the program will reflect the diversity within the Canadian population, and will ensure that the CRCP benefits from the wide diversity of perspectives and lived experiences within the research ecosystem necessary to fostering inclusive research excellence and innovation.

39. What will the new equity target goals be?

Staggered targets will be set incrementally over ten years by the program (2020-29) in order to meet the new equity target goals by December 2029 (see table below):

-	Current representation (June 2019)	Current equity targets	New targets (2029 deadline)
Women	33.7%	31%	50.9% (data source: 2016 census)
Persons with disabilities	1.6%	4%	7.5% (data source: see question 41 below)
Indigenous peoples	2.1%	1%	4.9% (data source: 2016 Census see question 42 below)
Members of visible minorities	15.8%	15%	22% (data source: 2016 Census)

Large institutions [Footnote 2](#) will also be required to set targets for Tier 1 and Tier 2 Chairs to ensure EDI in both the emerging (junior) and established (senior) ranks of chairholders (e.g., currently only 24 per cent of active Tier 1 chairholders are women, while 76 per cent are men).

Additional information will be available in the coming months; however, institutions should take these increased targets into account as they manage their Chair allocations. With sustained efforts and the implementation of [best practices in recruitment](#), and EDI more widely, it is

expected that institutions will be able to meet these increased equity targets by the ten-year goal of December 2029. It should be noted that the 2,285 Canada Research Chair allocations represent only 5 per cent of full-time faculty in Canada. There are many excellent researchers from the four designated groups, in all disciplines, at both the emerging and established levels, who could, given the opportunity, participate in the program.

40. Why is it necessary to set equity targets for the program?

The history of underrepresentation within the program demonstrates that the barriers for individuals from the four designated groups are systemic and persistent. Given the CRCP's mandate to support research excellence and the fact that being a Canada Research Chair is advantageous to the research careers and reputations of academics, it is imperative that all leading researchers have equal access to the program. The equity targets are a tool that will be used by the program and institutions to transform structures and address the barriers to participation in the program.

41. Why isn't the 2016 Census data being used to set targets for persons with disabilities?

The target for persons with disabilities takes into account that the current representation of persons with disabilities within the program is quite low (1.6 per cent), and acknowledges that this may be due in part to low self-identification rates based on the reluctance of individuals with disabilities to self-identify in an employment setting. The labour market availability (LMA) data for persons with disabilities is 4.9 per cent, based on Employment and Skills Development Canada Workforce Data^{Footnote 3}, while the 2016 Census population data is 14 per cent. The target of 7.5 per cent increases the program's current target from 4 per cent and moves beyond LMA, while acknowledging there may be specific challenges such as self-identification for this group.

42. How and when will the program engage with representatives of Indigenous communities to assess and revise the target-setting approach for Indigenous peoples?

As a best practice, the program will engage with Indigenous researchers to review and develop an approach to target setting that best reflects the unique needs of First Nations, Métis and Inuit researchers. If you are Indigenous and wish to participate in this process, please send a message to EDI-EDI@chairs-chaire.gc.ca.

In addition, the program will continue to emphasize the importance of recognizing and valuing the excellence and importance of research that is based in Indigenous ways of knowing and ensuring that research with and by Indigenous communities respects the [Indigenous research statement of principles](#).

43. How does the tri-agency Dimensions–Equity, Diversity and Inclusion Canada program align with the changes being announced to the Canada Research Chairs Program?

The changes announced in the 2019 addendum only apply to the CRCP. The [Dimensions – EDI program](#) builds on recent steps taken to improve equity, diversity and inclusivity across institutions and in the research community. It is broader in scope and applies to all disciplines and fields and all post-secondary institutions (CEGEPs, colleges, polytechnics and universities). It is addressing obstacles faced by, but not limited to, women, Indigenous peoples, persons with disabilities, members of visible minority/racialized groups, and members of LGBTQ2+ communities.

Many institutions and organizations have endorsed the Dimensions – EDI Charter and are starting the work on its implementation. The EDI measures in the CRCP support the efforts of institutions in the implementation of the Charter and its requirements.

44. What is meant by applying an intersectional lens to the program’s EDI work?

In 1989, [Kimberlé Crenshaw](#), currently professor of law at Columbia Law School and the University of California, Los Angeles, introduced the term “[intersectionality](#)” in a paper for the *University of Chicago Legal Forum* entitled “Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics” to explain how African-American women face overlapping disadvantages and discrimination related to sexism and racism. This approach or lens is a best practice and will assist the program and institutions to better understand and address the multiple barriers and disadvantages that individuals with intersecting social identities, such as race, gender, sexuality and class, face. Using an intersectional approach to develop policies and programs helps to better identify and address systemic barriers.

45. How will intersectionality be addressed for the CRCP’s target-setting approach?

Institutions will be required to consider intersectionality in the allocation of their Chairs moving forward, if they were not already doing so. This will involve reporting on the representation of diversity among their chairholders using an intersectional approach that looks at the qualitative and quantitative data informing institutions of the systemic barriers and lived experiences of not just the four designated groups, but individuals who identify across more than one group. Large institutions will be required to set targets for Tier 1 and Tier 2 Chairs to ensure that there is diversity in both the emerging and established ranks of chairholders. Institutions with underrepresentation are expected to implement measures to better understand the lived experiences and address potential barriers faced by faculty with intersecting identities.

46. How does the program consider and support LGBTQ2+ communities in its measures?

The program will be implementing a number of measures to support the participation of LGBTQ2+ faculty within the program, including:

- the collection of self-identification data;
- outlining best practices for the recruitment and retention of LGBTQ2+ faculty within the program; and
- requiring institutions to develop and implement measures within their institutional action plans that are specific to the LGBTQ2+ community.

As there is no reliable data on the representation of the LGBTQ2+ community in Canada, the program cannot set equity targets for the LGBTQ2+ community at this time.

47. What other measures are being implemented by Canada's research funding agencies to address EDI within the research ecosystem?

The federal research funding agencies are working closely to harmonize the measures in place across the various EDI-related initiatives in fulfillment of one of the Canada Research Coordinating Committee's mandated priorities to remove barriers faced by underrepresented groups and ensure equitable access to funding. These measures include the following examples of tri-agency initiatives:

- the collection of [self-identification](#) data with a harmonized self-identification form;
- the launch of [Dimensions—Equity, Diversity and Inclusion Canada](#) giving institutions an opportunity to undertake analyses of their environment and develop action plans, similar to what the CRCP has done for institutions' chair allocations;
- the [EDI institutional capacity-building grants](#) award up to \$200,000 per year for up to two years to projects for the development and implementation of policies, plans, resources and training related to EDI;
- SSHRC has adopted an [Indigenous Research Statement of Principles](#). This commitment emphasizes the importance of Indigenous perspectives and knowledge systems to increase and expand our knowledge and understanding about human thought and behavior; and
- committing to ensuring diversity and inclusion is considered when [organizing or participating in panels](#) or events; and
- the development and implementation of a tri-agency EDI action plan.



Further questions

If you have enquiries related to the program's equity, diversity and inclusion requirements and practices, please contact:

Sally Booth

Senior Policy Advisor, Equity, Diversity and Inclusion

Tel.: 613-947-9203

Email: sally.booth@chairs-chaire.gc.ca

Marie-Lynne Boudreau

Deputy Director, Policy, Performance, Equity, Diversity and Inclusion

Tel.: 613-943-7989

Email: marie-lynn.boudreau@chairs-chaire.gc.ca

Footnotes

Footnote 1

C. Francoeur, R., Labelle, and B. Sinclair-Desgagné, "Gender diversity in corporate governance and top management," *Journal of Business Ethics*, 81(1) (2008), 83-95;

A. Woolley, and T. Malone, "What makes a team smarter? More women," *Harvard Business Review*, 89 (6) (2011), 32-33; and

C., Díaz-García, A. González-Moreno and F.J. Sáez-Martínez, "Gender diversity within R&D teams: Its impact on radicalness of innovation," *Innovation: Organization & Management*, 15(2) (2013), 149- 160.

[Return to footnote 1 referrer](#)

Footnote 2

The University of British Columbia, the University of Alberta, the University of Calgary, the University of Saskatchewan, the University of Manitoba, the University of Waterloo, Western University, Laval University, the University of Ottawa, Université de Montréal,

McGill University, Queen's University, the University of Toronto, McMaster University and Dalhousie University.

[Return to footnote 2 referrer](#)

Footnote 3

[*Employment Equity Act: Annual Report 2017*](#)