

BRITISH COLUMBIA HUMANIST ASSOCIATION

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October 24, 2023

ENSURE CANADA SUMMER JOBS SUPPORTS HUMAN RIGHTS

Submission to the House of Commons Standing Committee on Human Resources,
Skills and Social Development and the Status of Persons with Disabilities

To the Honourable Members of the Parliamentary Committee,

I am writing on behalf of the British Columbia Humanist Association (BCHA), a registered charitable organization that provides a community and voice for Humanists, atheists, agnostics, and the non-religious of Metro Vancouver and British Columbia since 1982. The BCHA supports the growth of Humanist communities across BC, provides Humanist ceremonies and campaigns for progressive and secular values.

We are writing in response to your present study of the Canada Summer Jobs (CSJ) wage subsidy program. The BCHA received funding through the program in each of 2019, 2020 and 2022 to hire three staff members for eight weeks. These staff proved an immense value to our association's work as we were able to expand our research team and develop marketing strategies. That said, the short duration of these contracts severely limited our ability to both train our new staff members and realize their full potential in their roles. Where we had funding or capacity to maintain staff beyond that period (and in each year we received funding we were able to extend the contract of at least one staff member), those staff were able to see the data they helped collect translate to published research.

However, we want to direct our primary comments about the CSJ program to support the more recent attestation requirements.

Prior to 2017, the Abortion Rights Coalition of Canada calculated that at least tens of thousand of dollars was annually being given to explicitly anti-choice organizations.¹ In 2016-2017, two organizations that campaign to restrict the right to abortion, the Canadian Centre for Bioethical Reform and Campaign Life Coalition, received nearly \$100,000 between them. Beyond this,

¹ Abortion Rights Coalition of Canada. (2017, April 10). "Grants from Canada Summer Jobs Program support political attacks on human rights." Available at <https://www.arcc-cdac.ca/arcc-cdac-release-apr-10-17/>

numerous other groups have received CSJ funding while maintaining policies that discriminate against sexual and gender minorities in hiring or in the provision of their programs.

In late 2017, the Government of Canada added a requirement that applicants for the CSJ program attest that “both the job and the organization’s core mandate respect individual human rights in Canada, including the values underlying the Canadian Charter of Rights and Freedoms as well as other rights.” This specifically included “reproductive rights and the right to be free from discrimination on the basis of sex, religion, race, national or ethnic origin, colour, mental or physical disability, sexual orientation or gender identity or expression.” A year later, the rules were loosened to only restrict recipients from using funding “to undermine or restrict the exercise of rights legally protected in Canada.” In other words, those organizations whose “core mandate” was to undermine human rights in Canada were eligible for funding, provided the specific position being funded did not work to undermine those rights.

We supported the Government’s original position that organizations whose core mandate is antithetical to human rights should be ineligible for CSJ funding.

We believe that the CSJ program, and all government funding, should exclude organizations that discriminate in their programming or hiring practices based on any of the prohibited grounds in the Canadian Human Rights Act, such as race, national or ethnic origin, religion, sex, sexual orientation, gender identity or expression, marital status, family status or disability.

First, public funds should not be used to support organizations that undermine the values enshrined in the *Charter of Rights and Freedoms*. The CSJ program is funded by taxpayers’ money and should be accountable to the public interest. By excluding discriminatory organizations from the program, the government sends a clear message that it does not condone or endorse discrimination in any form.

Second, young people deserve to have quality work experiences that respect their dignity and diversity. The CSJ program aims to provide youth with opportunities to develop and improve their skills, respond to national and local priorities, and improve access to the labour market for youth, including those who face barriers to employment. However, these objectives are undermined if youth are exposed to discriminatory or hostile work environments that may harm their mental health, self-esteem, or career prospects. Given the finite funding available for CSJ positions, funding a discriminatory job posting means rejecting a more inclusive one.

Arguments against a stronger restriction on CSJ funding were tested at the Federal Court following the 2017 attestation requirement. Ultimately, Justice Kane found that “the limitation on the Applicants’ *Charter rights* was minimal” (*Right to Life Association of Toronto v. Canada*, 2021 FC 1125 at para 189).

“Against the important objective of creating an inclusive labour workforce by ensuring women, LGBTQ2 and minorities’ rights are protected, and that more broadly, organizations receiving funding respect Charter rights and human rights, including reproductive rights, the minimal interference with the

Applicants' sections 2(a) and 2(b) rights, in the limited context of an application for funding, reflects a proportionate balancing of the protections with the statutory objectives. The Minister's decision is reasonable." (ibid at para 190)

Similarly, the majority of the Supreme Court of Canada found that a decision by the Law Society of British Columbia to reject an application by Trinity Western University to open a law school was reasonable based on its discriminatory community covenant (*Law Society of British Columbia v. Trinity Western University*, 2018 SCC 32). These two cases underline that the government's interest in advancing human rights may mean the denial of certain privileges to organizations with policies that undermine those rights.

We urge the committee to recommend that the CSJ program reintroduce the stronger requirement that precludes organizations whose core mandate undermines human rights from receiving funding. We believe that this would be a positive step towards ensuring that the CSJ program fulfills its objectives and values while respecting human rights and equality.

Thank you for your attention and consideration.

Sincerely,

Ian Bushfield
Executive Director