

Black Femme Legal

Toolkit



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SYSTEM NAVIGATION

WORKPLACE SAFETY AND INSURANCE BOARD (WSIB)

An Insurance fund, paid into by Ontario businesses, that supports workers who have experienced work-related injuries or illness.

HUMAN RIGHTS TRIBUNAL OF ONTARIO (HRTO)

The HRTO resolves claims of discrimination and harassment brought under the Human Rights Code, a law that protects people in Ontario from discrimination and harassment in five areas, including employment.

CANADIAN HUMAN RIGHTS COMMISSION (CHRC)

The Canadian Human Rights Commission is independent from the government and has the authority to research, raise awareness and speak out on any matter related to human rights in Canada. The Commission is also responsible for administering the law, which protects people in Canada from discrimination when based on multiple grounds, including gender identity or expression.

CLAIM WITH THE MINISTRY OF LABOUR

You can file a claim with the Ontario Ministry of Labour if your employer breaches its obligations under the Employment Standards Act (ESA), the Employment Protection for Foreign Nationals Act (EPFNA), or the Protecting Child Performers Act (PCPA).

HOW TO UNIONIZE IN ONTARIO

Under Ontario's Labour relations Act, you have the right to join a trade union and participate in legal union activities. It's against the law for an employer to fire you or discriminate against you for joining a union, your past association with a bargaining agent, and exercising any other rights under Ontario's Labour Relations Act.

HOW TO UNIONIZE IN ONTARIO

STEP 1 - MAKE SURE YOU HAVE THE RIGHT TO BE REPRESENTED BY A UNION.

There are some exclusions on who has the right to unionize in Ontario. Agricultural workers, domestic workers (i.e., care workers, housekeepers), and independent contractors do not have the right to join a union in Ontario.

Managers are also not eligible to join a union. However, the exclusion only applies to managers who have managerial duties such as hiring, firing, and supervising. Working managers who do the same work as employees and are “managers” only in job title still have the right to join a union.



STEP 2 - TALK TO TRUSTED COWORKERS AND FIND OUT WHETHER OTHERS ARE INTERESTED IN UNIONIZING.

Discussions about unionizing must happen outside of work hours – such as on your lunch break, or before and after work.

You will likely want to limit these discussions to coworkers that you trust, to avoid your employer finding out about your plans for unionization. Your employer is not allowed to penalizing workers for unionizing, but in most cases, it is strategic for workers to stay discreet about plans to unionize.



HOW TO UNIONIZE IN ONTARIO

STEP 3: CONTACT A UNION AND ASK TO SPEAK WITH A UNION ORGANIZER

The union organizer will speak to you to learn more about the issues you and your coworkers are facing and assess whether their union is the right fit. If it is a good fit, the organizer will coordinate a union organizing campaign in collaboration with a small group of workers from your workplace.

Which union you choose to contact will likely depend on where you work. There are many unions that represent workers in different sectors in Ontario. Some examples include:

- **UFCW Canada (United Food and Commercial Workers Union)** represents workers in warehouses and food processing, retail, restaurants, and hotels, among other workplaces.
- **SEIU Healthcare** represents frontline healthcare workers in Ontario—such as PSWs, RPNs, and dietary aides.
- **IATSE** represents people working in the theatre, TV, and broadcasting industries.
- **CUPE (Canadian Union of Public Employees)** represents healthcare and emergency services workers, education, early learning and childcare workers, municipal and social services workers, transportation workers, and more
- **PSAC (Public Service Alliance of Canada)** represents people working in the federal government, universities, community service agencies, airports, and security, and more.



HOW TO UNIONIZE IN ONTARIO

STEP 4: ORGANIZE! HAVE AT LEAST 40% OF YOUR COWORKERS SIGN UNION MEMBERSHIP CARDS.

The union organizer will help coordinate a campaign to get membership cards signed by your coworkers. Card-signing, and other discussions about the union, must happen outside of work hours – such as on your lunch break, or before and after work.

Your employer cannot intimidate, penalize, or fire you for considering joining a union or for signing a membership card. Union organizers are experienced with getting workplaces unionized and can help you and your coworkers assert your right to joining a union.

Once over 40% of workers have signed cards, the union can apply to the Ontario Labour Relations Board (OLRB) for a vote to determine whether workers would like to be represented by the union. The union organizer and the OLRB will never notify your employer of who signed cards. This information is kept confidential.



HOW TO UNIONIZE IN ONTARIO

STEP 5: VOTE! CERTIFICATION AT THE ONTARIO LABOUR RELATIONS BOARD

Shortly after the union files their application, the OLRB will hold a secret ballot vote at your workplace. If the majority of workers vote in favor of the union, then the union will be certified.

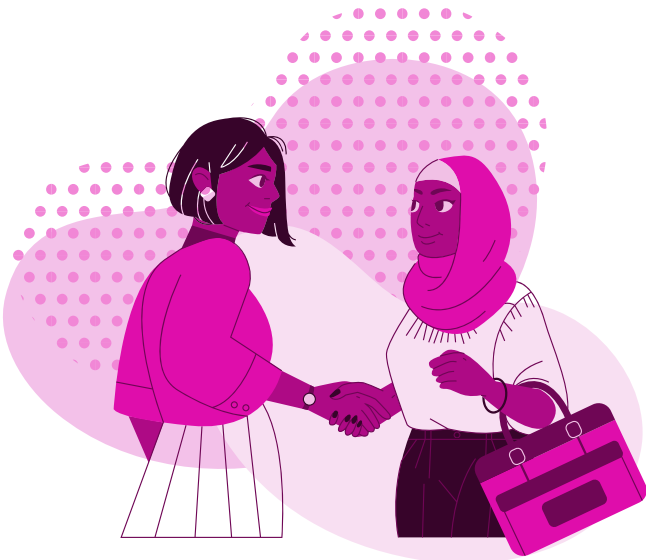
That means that moving forward, the union is the workers' official bargaining agent and will represent workers on any workplace issues. Once a union is certified, the employer must communicate with the union instead of with workers directly to discuss issues such as working conditions.



STEP 6: YOU'RE UNIONIZED – WHAT'S NEXT? NEGOTIATING A COLLECTIVE AGREEMENT

Once the union has been certified, representatives from the union will negotiate a collective agreement with your employer, on the workers' behalf. Union members from your workplace will make up part of the bargaining committee.

The collective agreement is a contract between the union and the employer that details your wages, benefits, and working conditions.



LEGAL RESOURCES

Our legal resources are a curated list of lawyer and legal clinic referrals. These are people and organizations we have identified as being capable of meeting the needs of Black femmes in Ontario. We invited people and organizations to join this list based on their existing work within the community, the organization's stated mandate to support the communities Black Femme Legal aims to support and the specialties of the individuals on their team. This is a living document, so we expect that this list will grow and change depending on the needs identified by the community.



LEGAL CLINICS



BLAC provides free legal services to low and no income Black Ontarians who are facing a legal issue directly related to anti-Black racism.

The Black Legal Action Centre can help people who are employed in non-unionized workplaces.



#AndMeToo is for people who identify as women, trans women, gender non-conforming and non-binary survivors of sexual violence or sexual harassment in the workplace, particularly those facing multiple forms of discrimination, who come from under-served communities, and who have complex socio-economic and legal needs

LEGAL CLINICS

PARKDALE **COMMUNITY** LEGAL SERVICES

The Workers' Rights Division at PCLS strives to work from a broader perspective that views the employer-employee relationship as one of power, where the employer has more power than workers and has interests in common with other employers.

We believe that when workers organize collectively they are better able to challenge the power of their employer.

Ontario

If you are a victim of sexual assault living in Ontario and would like to speak to a lawyer, you may be eligible for up to four hours of free legal advice by phone or video conversation (for example, Skype or Zoom).

This service does not include legal representation in court.

This service is confidential and is available any time after a sexual assault has occurred.

LEGAL CLINICS

WORKERS' ACTION CENTRE

Workers' Action Centre's organization and members are committed to improving the lives and working conditions of people in low-wage and unstable jobs.

Workers' Action Centre wants to make sure that all of us have a voice at work and are treated with dignity and fairness.

THE 519

LEGAL CLINIC



Free over-the-phone and video-based general summary advice on a full range of legal issues. Advice includes but is not limited to:

administrative law (ODSP, human rights)

family law

employment law

mental health law

issues with the police

debt issues

form and legal documentation review

LEGAL CLINICS



Pro Bono Ontario is here to help Ontarians who have essential legal needs but can't afford a lawyer.

If you are a victim of workplace sexual harassment, please call our dedicated Workplace Sexual Harassment Hotline at 1-855-776-1855 to speak with a lawyer.

The Workplace Sexual Harassment Hotline is open to calls Monday to Friday, 1pm – 7pm EST. Please note, the hotline is closed on statutory holidays



Hamilton Community Legal Clinic
Clinique juridique communautaire de Hamilton

Hamilton Community Legal Clinic offers employment law summary advice and representation to workers facing legal issues in their employment.

Our goal is to provide information on rights and responsibilities, offer resources, and, when financially eligible, possibly provide representation to try to resolve the legal issue.



Elgin-Oxford Legal Clinic

The Sexual Harassment in the Workplace (SHIW) Project exists to address sexual harassment in the workplace.

The Elgin-Oxford Legal Clinic (EOLC) and the Huron Perth Community Legal Clinic (HPLC) are working together on this project to address sexual harassment in the workplace in the areas covered by both clinics. EOLC and HPLC will provide legal information and advice to individuals on sexual harassment in the workplace, including information and advice on human rights and other employment rights.

LAWYER / LAW FIRMS

franklinlaw
fighting injustice at work

At Franklin Law, we believe that every employee and worker has the right to be treated equally, fairly, and with dignity and respect, whether or not they are non-unionized, unionized, independent contractors, dependent contractors, or volunteers. If you have experienced, or are experiencing, injustice at work, and are serious about getting legal advice and/or holding your employer or boss accountable, we want to meet and talk with you.



PARKER SIM ^{LLP}

We are pragmatic advocates practicing in the areas of workplace law, human rights, and civil litigation. We help employees, contractors, professionals, unions, not-for-profits, and businesses of all sizes assert their rights, resolve disputes, and navigate challenging transitions - particularly those related to their workplaces or ability to work.

We are passionate advocates who care deeply about our clients and about access to justice. We appreciate that every client and problem is unique. We start by taking the time to understand your goals and arm you with the tools and information necessary to make the right decisions. We approach every client issue with skills, smarts, compassion, and creativity.

LAWYER / LAW FIRMS



We are cyclists, advocates, and lawyers. Our lawyers are compassionate and caring, but we are also fierce, strategic and effective.

We achieve great results for our clients, while ensuring their dignity is respected as well.



K O M P A
L A W

We're focused on employment and human rights law. That's our thing. It's what we're passionate about and it's what we're good at.

Unlike many firms that represent employers and offer services outside of employment and human rights law, we only focus on employees and individuals that were wronged at work or in the community.

NON-LEGAL RESOURCES

Our Non-Legal Resources focus on providing support and care to community members in need of non-legal aid. This includes crisis support, community support, healing support and funding support. When navigating the experiences of workplace violence and harassment, or the legal system, we recognize the importance of also offering Black womxn and femmes more than just legal support. Caring for the entirety of ourselves as we navigate traumatic experiences is crucial. This means tending to our mind, emotions, body, spirit - are just as important as tending to anything else. As such, these are a few of the many resources that exist and are available to you. If there are any resources that you think should be included in this list that we have missed, please let us know at info@blackfemmelegal.com

by words, letters, messages, etc
of passing from place to place
which is communicated (as a
news, etc:). [See common.]
com-mu'-ni-ty, n
an association. [See com
com-mute' (-mu'-ted
to lessen (a

CRISIS SUPPORT



The TRCC/MWAR is a grassroots, women and non-binary people run collective. We work towards a violence-free world by providing anti-oppressive, feminist peer support to survivors of gender-based or sexualized violence.

We engage in public education, activism, and provide direct individual and group support to survivors and their supporters.



Hassle Free Clinic is a community-based clinic providing medical and counselling services in all areas of sexual health. It is the largest anonymous HIV test site in Canada, and is one of the country's busiest sexually transmitted infection (STI) clinics.

The clinic strives to maintain an informal atmosphere, delivering services in a timely, non-bureaucratic manner. A fundamental principle of service delivery is a non-judgmental, supportive attitude to the treatment of sexual health concerns.

CRISIS SUPPORT



The Sexual Assault/Domestic Violence Care Centre (SA/DVCC) is a comprehensive service that assists women, men, and trans people, over the age of 14, who are victims/survivors of sexual assault and domestic/intimate partner violence. For sexual assault pertaining to children or youth under 14, please contact the Suspected Child Abuse and NEglect (SCAN) program at 416-813-6275



Young Adult
Mental Health

The Sexual Assault/Domestic Violence Care Centre (SA/DVCC) is a comprehensive service that assists women, men, and trans people, over the age of 14, who are victims/survivors of sexual assault and domestic/intimate partner violence. For sexual assault pertaining to children or youth under 14, please contact the Suspected Child Abuse and Neglect (SCAN) program at 416-813-6275

CRISIS SUPPORT



*Are you or someone you know experiencing violence?
There is help. Learn about the resources available to you,
including helplines and shelters.*

Provincial crisis and help lines

Provincial crisis lines are free and confidential 24-hour helplines that offer:

- *someone to talk to*
- *crisis counselling*
- *emotional support*
- *safety planning*
- *legal information*
- *other assistance*

You can get help by calling a provincial crisis line no matter where you're located in the province.

Assaulted women's helpline

Get 24/7 crisis counselling and referrals to shelters, legal advice and other help. Support is available in over 200 different languages, including 17 Indigenous languages.

Learn more about the assaulted women's helpline.

Toll-free: 1-866-863-0511

Toll-free TTY: 1-866-863-7868

Greater Toronto Area (GTA)

Toronto: 416-863-0511

TTY: 416-364-8762

Mobile (On Fido, Rogers, Bell and Telus networks)

#SAFE (#7233)

Victim Support Line

The multilingual Victim Support Line provides services to victims of crime across Ontario, in most languages spoken in the province.

Victims of crime and their families have access to a wide range of services, including counselling, financial assistance and other supports

24/7 Toll-free: 1-888-579-2888

Greater Toronto Area: 416-314-2447

Or, chat online Monday to Friday from 7 a.m. to 9 p.m. Eastern Time

HEALING SUPPORT



Yamikani Msosa

SEEDS Yoga was born out of listening the needs of survivors around movement based practices, it took about 2 years before I solidified the program.

It took two years because I wanted to learn the skills of working with different bodies and getting the proper training, which I acquired through Yoga For All Training with Dianne Bondy and Amber Karnes & Transcending Sexual Violence through Yoga with Zabie Yamaski.



brown girls YOGA

Brown Girls Yoga offers yoga classes to self-identified people of colour, across levels, promoting body positive consciousness with an emphasis on love.

We cover a variety of yoga styles such as Hatha, which focuses on proper alignment, breath connection and mindfulness.

As well as Vinyasa, (known as a flow class), that incorporates a series of poses synchronizing the breath (inhaling and exhaling), with the movement of postures.

HEALING SUPPORT



Yoga for Black for Black Grief is a healing space for folks directly impacted by anti-black racism-- a space of community healing, connection and release



These programs provide an avenue for marginalized communities to exercise self empowerment and gain access to healthy organic foods.



The Black Health Alliance is a community-led registered charity working to improve the health and well-being of Black communities in Canada.

HEALING SUPPORT



Provide emergency food support to individuals and families within the African, Caribbean, Black community in Toronto who have been affected by COVID-19.



WOMEN'S HEALTH
IN WOMEN'S HANDS
COMMUNITY HEALTH CENTRE
INCREASE • INNOVATE • IGNITE

Provide emergency food support to individuals and families within the African, Caribbean, Black community in Toronto who have been affected by COVID-19.

COMMUNITY SUPPORT



The 519 is committed to the health, happiness and full participation of the LGBTQ2S communities.

A City of Toronto agency with an innovative model of Service, Space and Leadership, we strive to make a real difference in people's lives, while working to promote inclusion, understanding and respect.



Kind Space is committed to providing Ottawa – located on unceded Algonquin territory, accessible resources, events, social, and educational programming to celebrate and support people of all sexual orientations, gender identities and expressions.

Welcoming. Inclusive. Your trusted friend and partner. Standing right at your side whether you're near or far. That's what Kind we are.

COMMUNITY SUPPORT



Black Women in Motion is a Toronto-based, youth-led organization that empowers and supports the advancement of black women, gender-non-conforming and non-binary survivors of gender-based violence.

We work within an anti-racist, intersectional feminist, trauma-informed and survivor-centred framework to create culturally-relevant resources, healing spaces, educational and economic opportunities for survivors.



Maggie's is an organization run for and by sex workers. We are founded on the belief that in order to improve our circumstances, sex workers must control our own lives and destinies.

TO LEARN MORE VISIT

BlackFemmeLegal.com

