Statutory Holidays and Days of Observance

Stakeholder and Rightsholder Engagement Summary

September 2022

Background

Council adopted the Equity, Diversity & Inclusion Policy and Strategy in 2021, which commits to promoting human rights, accessibility, equity, diversity and inclusion, anti-racism and anti-oppression.

On April 22, 2022, the Human Rights Committee of Council (HRCC) noted that the majority of legislative statutory holidays and days of observance imposed by federal and provincial legislation represent only a few cultures and one religion. The HRCC requested that the City of Winnipeg (City) provide recommendations on how this legislation could better align with the principles of equity, diversity and inclusion.

Engagement

The City reached out to Indigenous Rightsholders representing nations and community stakeholders representing religious and cultural groups. The engagement goals were to gather input on:

- important holidays, days of observance and celebrations;
- limitations of the current statutory holidays and days of observance; and
- current barriers to participating in cultural or religious events or celebrations.

Stakeholders and Rightsholders were invited to provide input through a comment form (Appendix A) and facilitated meetings. More details on the engagement opportunities are in Table 1.

Key Findings

Participating stakeholders and Rightsholders expressed support for more inclusive and representative holidays and days of observance. 81% of comment form respondents support or strongly support more inclusive statutory holidays and days of observance (Figure 1).

Participants also noted that barriers to cultural or religious events and ceremonies result from workplace policies, lack of awareness or visibility, and cultural discrimination. Changes to workplace policies to provide more flexibility and increased education about diverse cultures and celebrations could help make statutory holidays and days of observance more inclusive in Manitoba and Canada.

> *"Important to have truly national holidays, that are inclusive and create a sense of belonging, like being part of the family. (stakeholder - June 28, 2022)*

Figure 1. Level of Support for More Inclusive Statutory Holidays

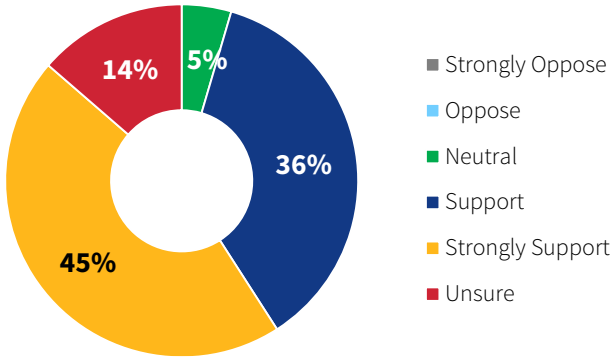

Table 1: Public Engagement Opportunities

Date	Activity	Details
June 13 – June 30, 2022	Stakeholder comment form	24 submissions
June 13 – August 5, 2022	Rightsholders comment form	1 submission
June 28, 2022	Stakeholder meeting	8 attendees
July 27, 2022	Rightsholder meeting #1	3 attendees
July 27, 2022	Rightsholder meeting #2	2 attendees
August 10, 2022	Rightsholder meeting #3	2 attendees

What We Heard – Stakeholder Meetings and Comment Forms

Stakeholders were asked to share their experiences and identify barriers to participating in cultural and/or religious events or ceremonies. Detailed notes from the stakeholder meetings are in Appendix B.

The following summarizes the barriers noted:

- Awareness (5 comments)
  - Unaware of employee's rights
  - Unaware of collective bargaining agreements
  - Unaware of the importance of non-statutory events and ceremonies
- Cost (4 comments)
  - Costs to small businesses
  - Costs to employees taking unpaid time off
- Approval (4 comments)
  - Requires permission from supervisor
  - Difficult or inconvenient to receive approval
- Stigma (4 comments)
  - Negative perceptions from employers and co-workers
  - Guilt for asking for time off and feeling like an inconvenience
- Workplace policies (3 comments)
  - Must use vacation days for religious or cultural reasons
  - Bereavement leave inadequate for multi-day ceremonies
- Collective agreements (2 comments)
  - Employees may be bound to a collective agreement
  - Collective agreement may not be flexible
- Privacy (2 comments)
  - Uncomfortable disclosing religious or cultural beliefs
- Termination (2 comments)
  - Fear of being fired

After identifying barriers, stakeholders were asked what employers could do to remove barriers or provide more flexibility to participate in cultural and/or religious events or ceremonies. The following opportunities were noted:

- Float days (12)
  - A set number of days off to use for statutory holidays and days of observance
- Education (9)
  - Improve awareness around other days of importance
  - Educate employees about their rights and workplace policies
- Banked overtime (4)
  - Employees can work statutory holidays to bank overtime for other days off
- Hybrid approach (4)

    - A mix of mandatory days off and float days
- Recognize more days off (4)
    - Governments add more statutory holidays and days of observance
- List of potential days off (2)
    - Days off are selected from a list of holidays and days of observance
- Vacation days (2)
    - Employees use vacation days
- Specific accommodations (1)
    - Provide Indigenous people with Indigenous holidays

What We Heard – Rightsholder Meetings

Invitations were sent to 16 Red River Métis, First Nations, and Inuit representatives. Three organizations expressed interest in participating. Complete notes from these meetings are in Appendix C. The following are key highlights from the meetings:

- Would like more visibility and representation of Inuit culture and people in Manitoba and Canada.
- "Indigenous" terminology has led to a lack of representation or visibility of diverse Indigenous communities; many people assume "Indigenous" means First Nations, but it involves First Nations, Inuit and Red River Métis. A distinction is needed between the three groups.
- Indigenous celebrations should be observed by the Province and in Canada.
    - Would like to see International Inuit Day on November 7 observed; a day that amplifies Inuit voices internationally.
- More extensive engagement should take place to gather input from the Red River Métis community, not only Rightsholder representatives.
- Barriers include no paid time off for cultural leave, racism and microaggressions, and lack of understanding of the shared history.
- Opportunities include mandatory training, confidential reporting mechanisms and enforcement against racism, and management support.

What We Heard – Important Holidays and Celebrations

Finally, stakeholders and Rightsholders were asked to identify important holidays or celebrations in their culture and/or religion. These events and celebrations are in Appendix D.

Next Steps

Input from stakeholders and Rightsholders will be considered by the City when drafting recommendations on how federal and provincial legislation could better align with the principles of equity, diversity and inclusion. The recommendations will be considered by the HRCC and Council in fall 2022.

Appendices

Appendix A – Comment form
Appendix B – Stakeholder meeting notes
Appendix C – Rightsholder meeting notes
Appendix D – List of important holidays and celebrations
Appendix E – Stakeholder and Rightsholder List

Appendix A – Comment Form

Statutory Holidays and Days of Observance Through an Equity Lens

Comment Form

Background

We want to hear from stakeholders and rightsholders with diverse lived experience, cultural backgrounds, and beliefs to learn about the limitations of the current statutory holidays and days of observance in Manitoba, and barriers at work to participating in cultural or religious events or celebrations.

The City of Winnipeg (the City) adopted the Equity, Diversity & Inclusion Policy and Strategy in 2021 and has a commitment to promote human rights, accessibility, equity, diversity and inclusion, anti-racism and anti-oppression. As part of this commitment, the City is exploring how statutory holidays or days of observance can be more representative and inclusive.

Current statutory holidays or days of observance are primarily Christocentric and dominant culture focused; these are listed in the table below:

Statutory Holiday / Day of Observance	**Date** (Western Calendar)
New Year's Day	January 1
Louis Riel Day	February 21
Good Friday	April 15
Easter Monday	April 18
Victoria Day	May 23
Canada Day	July 1
Terry Fox Day	August 1
Labour Day	September 5
National Day for Truth and Reconciliation	September 30
Thanksgiving Day	October 10
Remembrance Day	November 11
Christmas Day	December 25
Boxing Day	December 26

The City will be gathering feedback from stakeholders and rightsholders in summer 2022. The feedback will be considered in developing recommendations on how current statutory holidays and days of observance established by the Government of Canada and the Province of Manitoba could better align with the principles of equity, diversity and inclusion.

Recommendations will be presented to Council in fall 2022, with the purpose of supporting future advocacy for changes to federal and provincial legislation.

Share your experience

Please share your thoughts and experiences about how statutory holidays and days of observance could be more diverse and inclusive by providing responses to the following questions. The input that's received will be considered in developing recommendations to Council on new approaches to statutory holidays and days of observance in Manitoba and Canada.

Please email the completed form to city-engage@winnipeg.ca. Deadline to submit is June 30, 2022.

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1. Please share your cultural background, religious affiliation, and what organization you're connected with as applicable. This will support the City in reaching diverse stakeholders to provide input.

Organization:
Cultural background (if applicable):
Religion (if applicable):

2. Do you support making changes to the current statutory holidays and days of observance in Manitoba?

☐ Strongly support ☐ Support ☐ Neutral ☐ Oppose ☐ Strongly oppose ☐ Unsure

3. The City is exploring and identifying more diverse and inclusive holidays and days of observance. What are the important holidays or celebrations in your culture and/or religion? Please include the name of the holiday or day of observance, and the date(s) in the calendar year.

Name of Holiday / Day of Observance	Date(s) If a calendar other than the Western/Christian calendar, please specify:

4. What barriers have you experienced at work or witnessed at other places of employment in participating in cultural and/or religious events or ceremonies?

5. What could employers do to remove barriers or provide more flexibility to participate in cultural and/or religious events or ceremonies?

Appendix B – Stakeholder Meeting Notes

Statutory Holidays and Days of Observance Through an Equity Lens

Stakeholder Meeting Notes

Location:	Zoom	**Date:**	June 28, 2022
Attendees:	8	**Time:**	12:00 p.m. – 1:00 p.m.

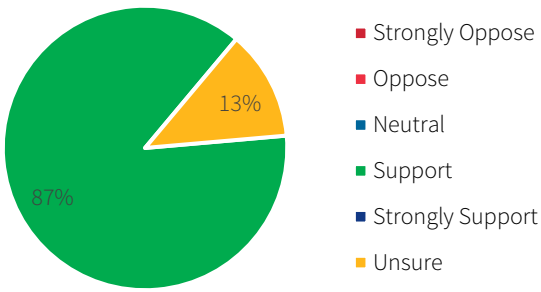
Discussion 1

Do you support making changes to the current statutory holidays and days of observance in Manitoba? Why?

The majority of meeting participants expressed support for creating more inclusive and representative holidays (Figure 1).

- Very complex subject, but doesn't have to be a complicated solution.
  - Complex with different work scenarios; shift work, small workforces, medical
  - Complexities re: pay, flexibility with employers,
  - Can make it easy and accessible for employees to take a day off for their religious observances.
- Governments, like the City of Winnipeg, should lead by example in developing a more accessible and flexible approach.
  - Would like to see the project focus on City of Winnipeg (the City).
- There should be a distinction between religious holidays and other holidays or days of observance.
- Would like to see national holiday / day of observance that represents all Canadian, and that brings people together.
  - Important to have truly national holidays, that are inclusive and create a sense of belonging, like being part of the family.
- Many of us are not of the Christian traditions, and experience challenges in participating in holidays. Need to adopt a flexible approach.
- Day for National Day for Truth and Reconciliation – is one day doing it justice? Ethical and moral component.
- An ethical aspect to how to give people time off for particular days, such as fairness and inclusivity.
- Agree in principle, and agree it's a complex issue; particularly with a diverse workforce with many nationalities and backgrounds. The cultural holidays or religious holidays are very diverse.

Figure 1. Level of Support



Discussion 2

The City is exploring additional days holidays and days of observance. What are the important holidays or celebrations in your community, culture and/or religion?

Events / Ceremonies / Celebrations

- Eid ul Fitr
- Eid Al Adha
- Philippine Independence Day – June 12
- Shabbat – Friday sunset to Saturday sunset
- Winter and summer solstice
- Dia de Portugal / Portugal Day – June 10
- Eid Mawlid
- Chinese celebrations that follow the Chinese calendar, like Chinese New Year
- Muslim Celebrations
- International Francophone Day – March 20
- Colour the World Orange Day – November 5

Calendars

- Muslim
- Jewish/Hebrew
- Lunar
- Chinese
- Eastern Orthodox
- Christian

Discussion 3

What barriers have you experienced at work or witnessed at other places of employment in participating in cultural and/or religious events or ceremonies?

- Student requested accommodation for an exam to participate in a religious holiday a month in advance, but request was denied by a professor. Had to go through a grievance process.
- Employees may feel guilty or feel that they are an inconvenience if they ask for time off work for their own religious celebrations. Need to demystify for employers, accessibility increases.
- An employee requested time off to celebrate their wedding, and was told to told to resign to observe a ceremony within their culture; in Indian culture there are pre-arranged marriages, and the ceremonies would require that people not work, but they may be given an ultimatum of work or resign.
- Didn't feel comfortable disclosing religious beliefs; would like to have access to have time for whatever observance is important to me.
- Bad experience with coworkers being angry that one employee who is not Christian, would get 2x pay to work on Christmas.
- Wanted time away to celebrate Yom Kippur, was told not to return the office.
- Adding more Stat Holidays puts a burden on small businesses.
- Unions are bound by collective agreements; employees and union members are forced to use sick time or vacation time to participate in their own national holidays, and cultural or religious observances.

Discussion 4

What could employers do to remove barriers or provide more flexibility to participate in cultural and/or religious events or ceremonies?

Want to see more flexible models. Examples of some flexible models:

- Five holidays observed by all Canadians, and five extra to be used at employees' discretion.
- A bank of hours, to be used as the employee desires.
    - Gives more agency to the employee.
    - No declaration needed, employees should not have to disclose.
- Employers could provide a comprehensive list of days that employee can select from.
- A workplace policy that gives employees the flexibility of working on a Christian stat holiday, and if not a day the employee observes they may get overtime OR bank time to use it toward a holiday of choice (not use vacation or sick time).
- Policy that allows time off, and not force resignation.

Additional Comments:

- Human resources can promote the rights of employees, so they know where they stand today. There are employee rights that people could use but do not know about.
    - While we need more accommodations for religious observances, it will take time. Promoting employee rights is an immediate action that we can undertake at the City.
- Would be fantastic if employers treated all religious holidays similar to accessing a day off for Christmas; employer paid time off.
- Be careful that changes to holidays is not seen as an assault or infringing on mainstream culture.
    - Slow approach; begin with keeping things as they are, but advocate for float days for employee to take whenever they'd like.
- Employees can drive some accommodations in the workplace, and employers need to understand and proactively offer this flexibility.
- Education is very important; create more awareness and visibility, so employers and employees know more about different holidays and celebrations.
    - Politicians and elected officials should speak about holidays to increase awareness and reduce stigma is.
    - Would be great to have the city provide some incentive or promotion to businesses to get to know your colleagues/community.
- Find a middle ground; alternatives and options to celebrate what is important for each person.
    - Dates that are important are different for each individual.
- Accessibility for employees with disabilities to participate in events and ceremonies.
- Events and workshops should be planned considering all holidays.
    - E.g. Shabbat; no work is to be done on Shabbat, from Friday sunset to Saturday sunset. Remove barriers to participation by not hosting events or engagement activities during Shabbat.
- The City could initiate a process of getting more information about the workforce and the community.
    - Incorporate celebrated holidays or religious ceremonies into surveys; both public and employee.
- Explore more blanketed closures during slower seasons, such as an entire workplace being closed for two weeks in the winter, or in the summer.

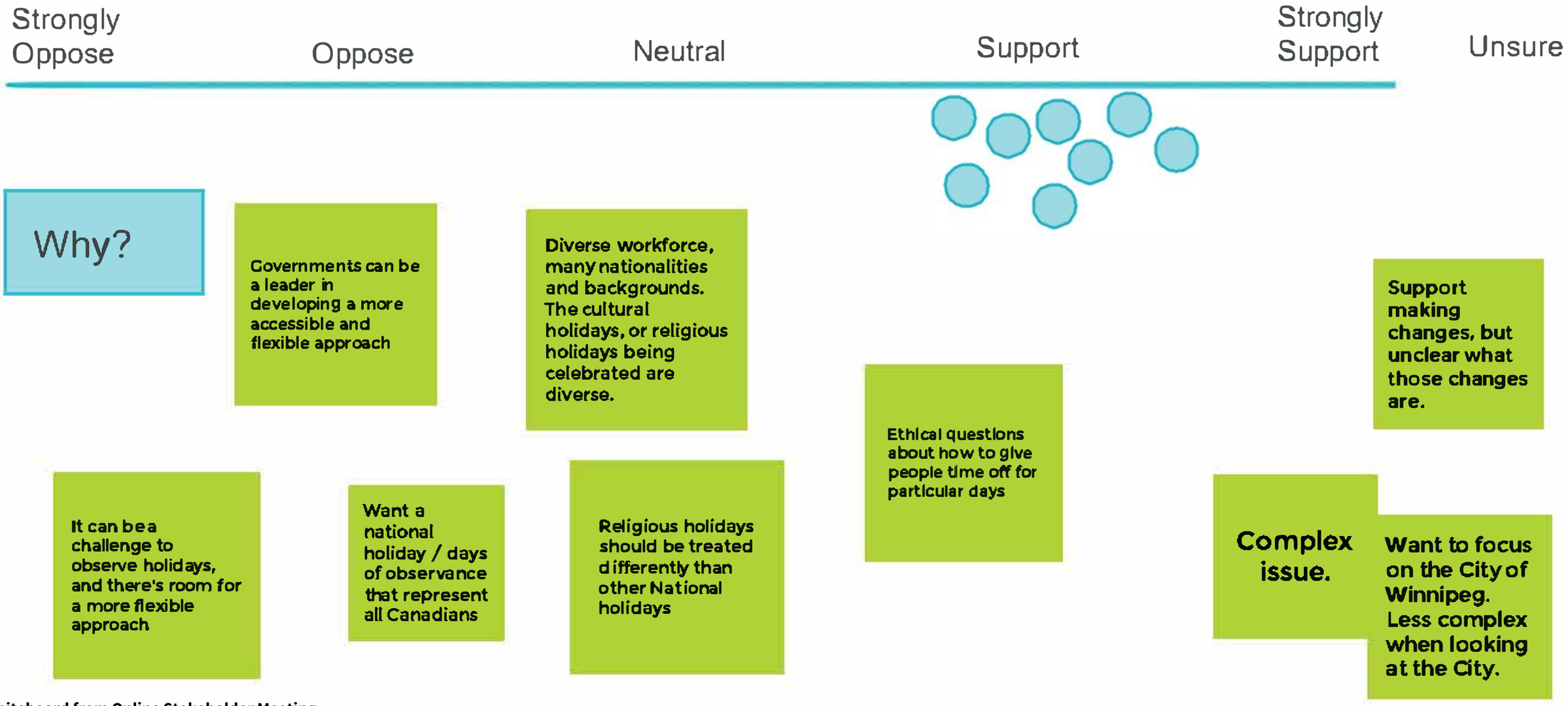
Statutory Holidays and Days of Observance Through an Equity Lens

Stakeholder Meeting Agenda

- Land and Water Acknowledgement
- Introductions
- Goals of the project
- Your Input and Feedback
  - Jamboard
- Q & A: opportunity to ask questions about the project

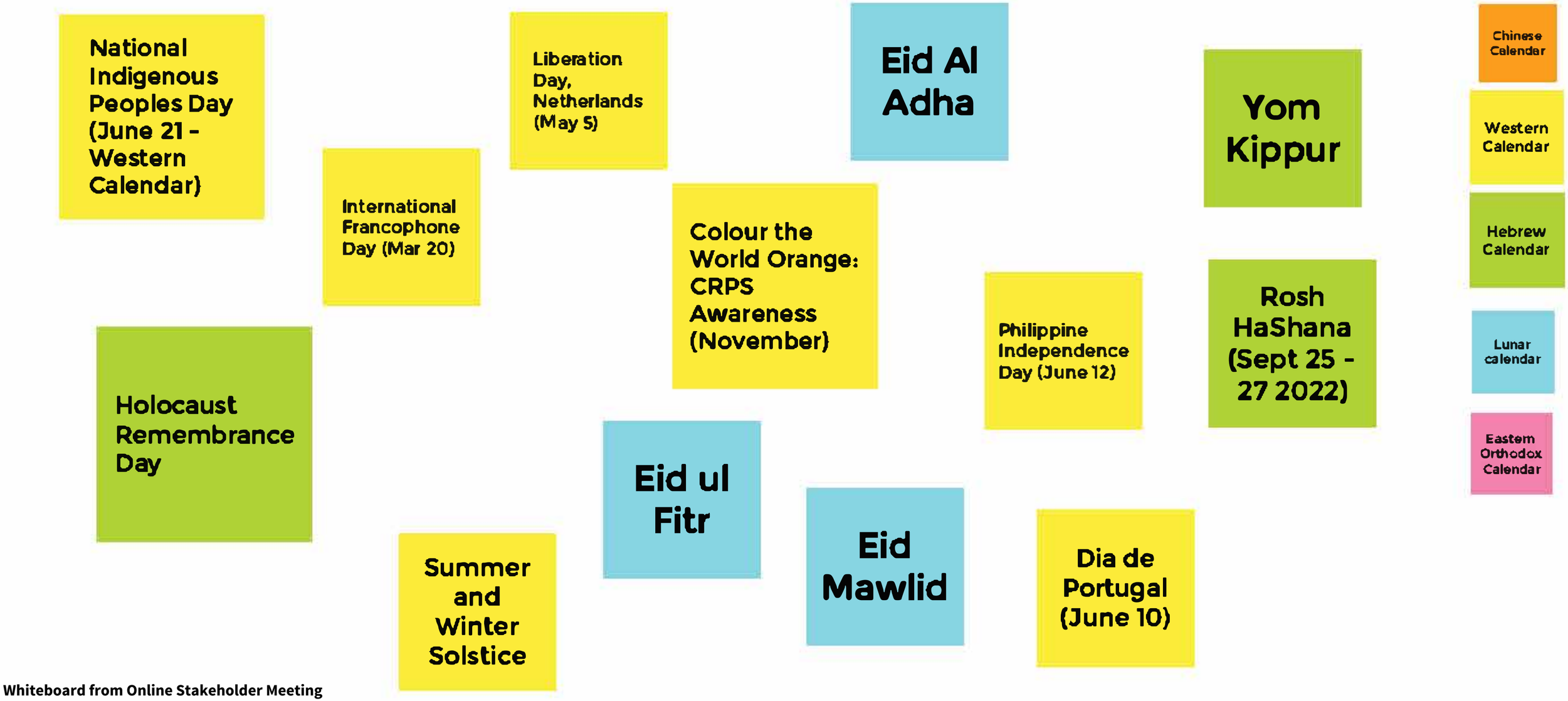
Whiteboard from Online Stakeholder Meeting

Do you support making changes to the current statutory holidays and days of observance in Manitoba?



Whiteboard from Online Stakeholder Meeting

What are the important holidays or celebrations in your community, culture and/or religion? Please share the name of the holiday or day of observance, and the date(s) in the calendar year.



Whiteboard from Online Stakeholder Meeting

What barriers have you experienced at work or witnessed at other places of employment in participating in cultural and/or religious events or ceremonies?

University student gave a month notice about a holiday, and the professor denied them taking the holiday.

Some employees use their vacation time or sick time.

Wanted time off to celebrate Yom Kippur, was told not to return the office

Need more awareness about different holidays, cultural celebrations or ceremonies, so people feel more comfortable and accepted

Union members were asked to resign because they wanted to observe a holiday & celebration

Impacts to small business. Current set of holidays are the standard and minimum allowed. Adding more holidays will impact workforce, and may put a burden on small businesses.

Declaration - not everyone will feel comfortable disclosing why they need time off.

May not feel comfortable disclosing your religious affiliation

People shouldn't be required to justify why they need time off

Bad experience with employees being angry that she would get 2x pay on Christmas

People may feel like an inconvenience taking time off outside of the current national holidays

People may feel guilty about taking time off outside of what other staff/employees or teams are doing.

Whiteboard from Online Stakeholder Meeting

What could employers do to remove barriers or provide more flexibility to participate in cultural and/or religious events or ceremonies?

Changes to holidays should not be an infringement. We're working to accommodate. Approach it gradually, start with educating more about employee benefits / policies.

In the immediate, HR can promote the rights of employees of where they stand today.

More education about holidays so employers and employees know what holidays there are

Education for days of observance / create more awareness

Days that are important to each person are different.

Should find a simple approach to allow for changes to happen more quickly.

A bank of additional days off, where each employee has the ability to select what dates they takeoff

More flexibility in holidays. E.g., everyone gets 5 additional holidays. Might be very complex to implement.

Would like to see a policy that gives employees an option of getting paid double time if they work on their holidays, or bank time.

List of dates that employees could select as days that are important for them

If someone wants to observe a holiday but experience barriers, the City should work to make participating more accessible

Give consideration to religious holidays/ceremonies/events when planning events, meetings, etc.

Whiteboard from Online Stakeholder Meeting

Appendix C – Rightsholder Meeting Notes

Meeting #1

Location:	Zoom	**Date:**	July 27, 2022
Attendees:	2	**Time:**	11:00 a.m. – 12:00 p.m.

- Manitoba is directly in line geographically with Nunavut, and there's a strong connection between the two areas. 17,000 Inuit travel through Winnipeg each year.
- Would like more visibility and representation of Inuit culture and people in Manitoba and Canada.
- Barriers include:
    - "indigenous" terminology; many people assume it means First Nations, but it involves First Nations, Inuit and Métis. A distinction is needed between the three groups, for Inuit, Métis and First Nations. Lack of visibility.
    - Important celebrations are not recognized in Manitoba, which makes it difficult for Inuit to participate. E.g. Nunavut Day on July 9, celebrations and events are often held on the weekend following the date, so people are able to participate.
- Would like to see International Inuit Day on November 7 observed; a day to amplifies Inuit voices internationally.
    - An important date to observe, would be inclusive for Inuit people.
    - Established at the Inuit Circumpolar Conference in 2006
- Additional dates of importance include:
    - Four regions in the North and each have their own days of observance*
    - Nunavut Day on July 9
    - National Indigenous People's Day on June 21
- Accommodations are sometimes made by individual employers, primarily Indigenous organizations, to provide Inuit with the flexibility to participate in celebrations and events

*There are four Inuit regions in Canada, collectively known as Inuit Nunangat. The term "Inuit Nunangat" is a Canadian Inuit term that includes land, water, and ice. Inuit consider the land, water, and ice, of our homeland to be integral to our culture and our way of life.(https://www.itk.ca/about-canadian-inuit/)

Meeting #2

Location:	Zoom	**Date:**	July 27, 2022
Attendees:	3	**Time:**	1:00 p.m. – 2:00 p.m.

- We are unable to speak on behalf of the Red River Métis community. We would need to engage with the Red River Métis to hear their perspectives.
- This project is an opportunity to partner, and celebrate other holidays.
- Would like more time for a meaningful discussion and desire longer project timelines.

Questions posed by the Rightsholder group

Q: How will the City raise their concerns with statutory holidays and days of observance with the provincial and federal governments?

- The Public Service will develop recommendations for consideration by the Human Right Committee of Council. Those recommendations will also need to be approved by Council. Recommendations will be sent by the COA on behalf of the City.

Q: Was the comment form shared with other organizations?

- Yes, the comment form was shared with other Rightsholders and stakeholders (cultural groups, religious groups, and unions).

Q: What resources are available to conduct engagement with the Red River Métis?

- No resources were provided to Human Resources to conduct this project.

Q: What other engagement activities is the City doing? That would suggest if there is budget available because having a town hall would cost money.

- The City sent a comment form to rightsholders and stakeholders and offered to meet with groups if they would like to discuss further. The City was not directed to engage the general public for this project.

Q: Deadline for feedback is August 5. Can the City provide an extension for feedback, because it needs to be discussed at a leadership level?

- The City has to report back to the Human Rights Committee of Council in September but we can give an additional week for a response.

Meeting #3

Location:	Zoom	**Date:**	August 10, 2022
Attendees:	2	**Time:**	3:00 p.m. – 4:00 p.m.

- Many celebrations are in the spring and summer time. They align with the moon cycles and solstices.
- Indigenous peoples payed attention to what the land was telling them
- Tell stories of Nanabush in the fall. The fall is hunting season so people would be around and come together more at that time.
- There is a wealth of knowledge that isn't told anymore.
- Statutory holidays need to reflect the identity and psychology
    - Inner constitution governed by individuals
    - Leave markers on the land
- Land based teachings like stories, skill sets, and languages
- The City could say 'every child matters' in Indigenous languages
- Our organization provides five days of cultural leave for activities on the land and healing
    - These are paid days
- We also provide additional holidays (above and beyond Statutory Holidays) including Aboriginal People's Day, Aboriginal Veterans Day, Summer Solstice, and Winter Solstice
- We also provide days off for employees to go to their home communities and celebrate Treaty Days
- Barriers at previous employers included
    - No paid days off for cultural leave
    - Many buildings not allowing the use of traditional medicines or access to traditional medicines.
    - Decision makers were non-Indigenous
    - Microaggression and racism were encountered
    - Lack of understanding on shared history
- Opportunities include:
    - Education for all employees
    - Allow access to traditional medicines
    - Enforcement against racism
    - A confidential reporting mechanism for racism
    - Mandatory training
    - Provide a sense of belonging
    - Supportive managers

Appendix D – List of Important Holidays and Celebrations

List of Important Holidays or Celebrations

The following is a list of important holidays or celebrations provided by respondents. It is not intended to be an exhaustive list of all important holidays or celebrations.

Aboriginal Justice Awareness Day (JJ Harper Day)
Aboriginal Veterans Day
Children's Day, Nigeria
Chinese Calendar and Celebrations
Chinese New Year
Christian Observances and Celebrations
Christmas Day
Christmas Eve
Colour the World Orange: Complex Regional Pain Syndrome Awareness
Dia de Portugal
Diwali
Easter
Eastern Orthodox Calendar and celebrations
Eid al-Adha
Eid al-Fitr
Eid Mawlid
Emancipation Day
Ethiopian New Year
Good Friday
Hannukah
Holocaust Remembrance Day
Human Rights Day
Independence Day, Nigeria
International Day of Persons with Disabilities
International Francophone Day
International Inuit Day
International Women's Day
Jewish Observances and Celebrations
Juneteenth
Liberation Day, Netherlands
Louis Riel Day
Mawlid
Multiculturalism Day
National Day of Truth and Reconciliation
National Indigenous Peoples Day (Summer Solstice)
Nunavut Day
Pesach (Passover)
Philippine Independence Day

Remembrance Day
Rosh HaShana (Jewish New year)
Summer Solstice
Sundance Ceremony
Winter Solstice
World Refugee Day
Sere Sal (Yazidi New Year)
Yom Kippur (Day of Atonement)

Appendix E – Stakeholder and Rightsholder List

Stakeholder and Rightsholder List

Representatives from the following stakeholder organizations and Indigenous Rightsholders were invited to participate in the engagement on Statutory Holidays and Days of Observance:

Amalgamated Transit Union
Assembly of Manitoba Chiefs
Canadian Union of Public Employees Local 500
Congress of Black Women of Manitoba
Hindu Society of Manitoba
Human Rights Committee of Council Members
Immigration Partnership Winnipeg
Jewish Federation of Winnipeg
Manitoba Accessibility Office
Manitoba Association of Newcomer Serving Organizations
Manitoba Government Employees' Union
Manitoba Islamic Association
Manitoba Métis Federation
Manitoba Women's Advisory Council
Réseau en immigration francophone du Manitoba
SEED Winnipeg, Inc. Supporting Employment & Economic Development
Sikh Society of Manitoba
Southern Chiefs Organization
Treaty No. 1 Nation
Tunngasugit
Two Spirited Peoples of Manitoba
United Fire Fighters of Winnipeg, Local 867 of IAFF
University of Manitoba Religious Studies Professor
Winnipeg Association of Public Service Officers
Winnipeg Fire Paramedic Senior Officers' Association
Winnipeg Police Association
Winnipeg Police Senior Officers' Association

Equity, Diversity, and Inclusion leads from the following City of Winnipeg departments and divisions were also invited to participate:

Chief Administrative Officer's Office
Community Development
Data and Application Services Management
French Language Services
Health and Safety
Indigenous Relations Division
Materials Management
Universal Design
Urban Planning