Cultural Competence in the Legal Work Environment: Increasing Competence, Managing Diversity

Pink Larkin, June 19, 2017
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Social Worker in Private Practice

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Who is Robert Wright?

- Social Work Private Practitioner
- Former:
  - Race Relations Co-ord. DDSB
  - Ex. Dir. FCS Cumberland
  - Ex. Dir. Child & Youth Strategy
- Facilitator, ManTalk

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Circle of Safety

- Race and diversity are extremely sensitive issues
- We are all at different stages and levels of our understanding
- To have productive conversations about race and diversity we need to have a "circle of safety"

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Draw a "circle of safety"

- Agree to make this a "culturally safe" space:
  - Allow each other space to ask sincere questions
  - Share from your experience
  - Ask about, don't avoid sensitive topics
  - Avoid inflammatory words or phrases (n-word, etc)
- What else can we do to ensure safety?

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Your Questions as we Begin

- What must you take from this session in order for it to be of value to you?

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Diverse Teams – Why?

- Under-represented peoples are gaining increasing space in society
- Demographic of Nova Scotia is changing
- Improves our ability to manage complex problems
- Improves business opportunity

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Diverse Teams – How?

- **Through acceptance of the possibility that the workplace may be "structurally hostile" to diverse employees**
- Through developing a Culturally Competent workplace
- Through targeted recruitment, retention, and promotion of diverse employees

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Keeping Sane and as an African Canadian Working in White Institutions: Tips for Surviving and Thriving in Hostile Environments

Robert S. Wright

Presentation and Conversation

With IBM Students at the Schulich School of Law

October, 2011, reprised and expanded October 2015

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What is a Hostile Environment

A hostile work environment exists when:

- Discriminatory behaviour against a protected class exists in the environment
- The behaviour constitutes a persistent pattern
- The behaviour must be severe enough to disrupt the work of the targeted employee(s)
- It is expected that the behaviour will continue if uninterrupted.

Hostile Environment: Another Consideration

A hostile environment may also be created structurally when a position exists within an institution that has an antagonistic role within the organization. Consider:

- A quality control officer working in a mine
- An SEC officer working within a security firm
- An officer in an institution responsible for investigating claims of harassment or discrimination

Our Hostile Cultural Elements

- Share at your table:
  - What are the elements of our workplace culture that may be foreign to new employees?
  - What is the one thing you found most difficult to adjust to when you started at Pink Larkin?
  - What is one thing that you found difficult to adjust to when you started at another job
  - Example: Civil Service vs. Private sector

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A Healthy and Diverse Workplace

- Safe and positive environment
- Space for diversity of work contributions and lives
- Opportunities for advancement for all
- Fair, just, equitable . . .
  - Management of work environment
  - Distribution of resources and responsibilities
  - Formation and implementation of policy
  - Experiences are shared and evaluated

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NEWS + OPINION » JUSTICE

April 02, 2009

Black firefighters file human rights complaint

Alleging a string of racist incidents and management indifference, a group of black Halifax firefighters files a human rights complaint.

By Tim Bousquet

When word leaked out this week that a group of black firefighters had filed a complaint against the Halifax fire department with the Human Rights Commission, fire chief Bill Mosher tried to frame the issue as an overreaction by two unduly sensitive employees.

"We had met with [black firefighters] and came up with an action plan," Mosher told the *Chronicle-Herald*. "But a couple on the group weren't happy with the progress we were making, so they decided to take their complaint to the rights commission... As any organization would have, you have differences of opinion. I have a difference of opinion with my family sometimes, but that doesn't mean you're a racist. Sometimes things are taken out of context."

But the black firefighters, who take collective action through a voting organization known as the Halifax Association of Black Fire Fighters, allege a workplace context of continuing racism over many years. The allegations, which are set forth in a series of documents provided to The Coast, include:

Third officer files human rights complaint against Halifax police force

CBC News Posted: Jun 02, 2009 11:26 PM AT | Last Updated: Jun 02, 2009 11:20 PM AT

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Another officer with the Halifax Regional Police force has filed a human rights complaint of racial discrimination against the police force.

Const. Charles Bruce filed his complaint with the Nova Scotia Human Rights Commission Tuesday. In the complaint, he alleges he was overlooked for promotion and transfers because he is black.

Bruce's complaint is the third one brought against the police force. Sgt. Robyn Atwell and former police officer Lewis Cain filed their complaints in December 2008.

All three complaints name Halifax Regional Police, Halifax Regional Municipality as well as several police officers.

The municipality is also facing racial discrimination complaints from several black firefighters with Halifax Fire Services. Those complaints were filed to the human rights commission in 2007.

Complaints of racism have also been made against Metro Transit but they have not come from staff members.

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CORNWALLIS

Cornwallis Street Baptist Church to change its name

Historic black church votes for name change in solidarity with Mi'kmaq community

By **NZINGHA MILLAR**

MARCH 17, 2017, 4:30 PM ADT Last Updated: March 20, 2017, 9:36 pm ADT

810

Cornwallis Street Baptist church is on Cornwallis street in Halifax's north end. NZINGHA MILLAR

A Halifax church, with a history of fighting against racism, has agreed to change its name in support of Indigenous Canadians.

Members of Cornwallis Street Baptist Church voted in January to begin a renaming campaign this spring, after concerns were raised about the colonial history associated with the name of Edward Cornwallis, founder of Halifax.

Grace Skeir, the church's licentiate minister, is responsible for collecting submissions for the new name.

"We're simply named after a street, which doesn't really have a lot of meaning, and also we were originally called the African Chapel," says Skeir. "Even initially there was the knowledge of

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Canada's (m)other tongues

The state of Canada's ethnic media

DEVELOPMENT Heritage district conservation status won't save Elmwood Hotel

7 buildings approved for demolition in proposed Old South Suburb district

- Old South Suburb could become heritage conservation district (December 1, 2016)

EDUCATION Youth Council to launch Islam 101

How do you Stay Sane in a Hostile Environment?

I have developed a 6 point plan for my personal sanity preservation (you can be the judge of my success):

- Identity
- Competence/Excellence
- Analysis
- Independence
- Process
- Action

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What is the Organization's Role?

- Creating an environment that accepts individual expressions of difference
- Organizing mentoring and performance enhancing opportunities
- Providing opportunities for discussing structural challenges
- Allowing career exploration and opportunities beyond the organization
- Encouraging use of EAP and other external services
- Engaging in regular considerations of Cultural Competence

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Cultural Competence: Definition

- Cultural competence refers to an ability to interact effectively with people of different cultures:
  A. Understand our own cultural positions and how they differ from others
  B. Understand the different social and cultural realities we work in
  C. Cultivate appropriate attitudes towards cultural difference
  D. Generate and interpret a variety of verbal and non-verbal responses
  E. Understand structural oppression and commit to social justice

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A) Nichols' Model for Understanding Cultural Difference

Philosophical Perspective on Cultural Difference. Edwin Nichols (cf. work of Jung)

Different world cultures developed out of differing physical environments.

These world views have differing constructs:

- Axiology (values)
- Epistemology (way of knowing)
- Logic (principles of reason)
- Process (practice of reason)

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THE PHILOSOPHICAL ASPECTS OF CULTURAL DIFFERENCE

DEVELOPED BY EDWIN J. NICHOLS, PH.D.

ETHNIC GROUPS ETHNIC WORLDVIEW	AXIOLOGY	EPISTEMOLOGY			LOGIC	PROCESS
		APPLIED	PEDAGOGY	METHODOLOGY		
EUROPEAN EURO-AMERICAN	**Member-Object** The highest value lies in the object or the acquisition of the object	**One knows through** **Counting and Measuring**	**Parts to Whole**	**Linear and Sequential** *-Assembly line-*	**Dichotomous** *Either/Or* *-Newtonian theory-*	All sets are repeatable and reproducible *-Technology-*
AFRICAN AFRICAN AMERICAN LATINO/A ARAB	**Member-Member** The highest value lies in the relationships between persons	**One knows through** **Symbolic Imagery and Rhythm (function)** *-Gladwell Blink-*	**Whole** **Holistic Thinking** *-The BIG picture-*	**Critical Path analysis** *-Cut to the chase-*	**Diunital** *Union of opposites* **Difrasismo** *-Aztec thought-* **The In Between** *Ibn 'Arabi* *-Quantum theory-*	All sets are interrelated through human and spiritual networks *-Black church-*
ASIAN ASIAN AMERICAN POLYNESIAN	**Member-Group** The highest value lies in the cohesiveness of the group	**One knows through** **Transcendental Striving** *-Tree the forest-*	**Whole and parts are seen simultaneously** *-To read a Chinese word-*	**Cyclical and Repetitive** *-Stroke order in writing a Chinese word-*	**Nyaya** *-The objective world is conceived independent of thought and mind-* *-Chaos theory-*	All sets are independently interrelated in the harmony of the universe *-Keiretsu-*
NATIVE AMERICAN	**Member-Great Spirit** The highest value lies in oneness with the Great Spirit	**One knows through Reflection and Spiritual Receptivity** *-Purification rites-*	**Whole is seen in cyclic movement** *-Seasons-* *-Medicine Wheel-*	**Environmentally experiential reflection** *-Rites of Passage-*	**Great Mystery** *-A set of 4 and a set of 3 form the whole-* *-Super string theory-*	All sets are interrelated through the elements, plant, animal, and spiritual networks *-White Buffalo-*

Values Exercise

- Think about what your 3 highest values are
- Find someone with the same list
- Find someone with a completely different list

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Values Exercise

- Think about what your 3 highest values are
- Find someone with the same list
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- Let's think about the value of "Family"
  - Provider vs relational time

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Traditional Ecological Knowledge

- Nichol's Model is consistent with a growing understanding and articulation of Aboriginal Traditional Ecological Knowledge: a practice and belief which concerns itself with the inter relationship of all living things with and within their environment.

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Africentricity

- The assertion of a worldview that places all people of African descent at its centre, asserts a common culture, philosophy, and history, and critiques, and perhaps even rewrites global history from this perspective

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B) Social, Cultural and Historical Context

- North American Diversity is fraught with complicated and tragic history
  - **Enslavement of Africans, Genocide of First Nations, Global strife resulting in trans-global immigration etc.**
- A local knowledge of how our racist history is a living legacy is necessary: Africville, Cornwallis.

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C) Appropriate Attitudes

- Cultural competence requires that practitioners VALUE diversity.
- In a nation that acknowledges multiple founding peoples, that was built up on the foundation of ethnic/immigrant labour, and whose future depends on immigration, any other attitude should reasonably be seen as unacceptable.

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D) Communicating Across Cultures

- In sociology: the context of a person's world view is necessary for the proper understanding and interpretation of behaviour and rhetoric (Voyvodic, pp. 16, 17)

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Elmar Holenstein

- Before meaningless, unnatural, non-human or immature behaviour and corresponding values are attributed to people of another culture, it is better to begin by doubting the adequacy of one's own judgment and knowledge

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Elmar Holenstein Paraphrased

Before you conclude that I am crazy you should consider the possibility that you are stupid!

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Communicating About Culture

- Cultural competence requires the ability to comfortably and competently ask clients about cultural issues that may be a consideration in the context of your work with them.

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E) Social Justice Commitment

- We must
  - understand the nature of privilege
  - demonstrate an awareness of structural discrimination
  - demonstrate an active anti-racism/anti-discrimination programme
- What does this look like at Pink Larkin?

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Next Steps

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Q&A

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