Evaluation of the effects of industrial activities on the personal safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons in the Yukon

Synthesis Research Report

Submitted by:

Vector Research
Hanson and Associates
Jen Jones Consulting

Submitted to:

Yukon Environmental and Socio-economic Assessment Board

Published: 14 September 2022

Revised: the acronym LGBTQ2S+ was updated to 2SLGBTQIA+ throughout the document in 2025

Evaluation of the effects of industrial activities on the personal safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons in the Yukon

Table of Contents

Preface: Qualitative Community-based Research Methodology

In accordance with the request for proposals issued by the Yukon Environmental and Socio-economic Assessment Board (YESAB) in April 2021, and the resulting contract for services, this *Evaluation of the effects of industrial activities on the personal safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons in the Yukon* was completed through application of a conventional qualitative research methodology.

Qualitative research is an umbrella term used to describe data collection methods, often interviews and observations, that seek to hear and learn about the perspectives of organizational representatives and community members. Individuals are selected for participation on a non-random basis according to the relevance of organizational mandates and the experiences of community members.

Community-based qualitative research is inductive, meaning that it builds ideas and hypotheses from the data instead of determining *a priori* what is to be proved or disproved (Bryman, 2012; Creswell, 2012; Denzin & Lincoln, 2005). Qualitative research is based on assumptions, including that research is subjective, and that multiple realities can co-exist. The approach also recognizes that research is a situated activity where there is less distance between the researcher and the research, than in quantitative approaches (Creswell, 2012; Denzin & Lincoln, 2005).

Qualitative research acknowledges that the researcher's assumptions, values, and personal context inform the research approach and findings (Bryman, 2012; Creswell, 2012; Denzin & Lincoln, 2005). Qualitative research seeks to create an understanding or enhance an understanding of a phenomenon. In the case of this research, qualitative methods have been used to create a better understanding of the effects of industrial activities on the personal safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons and what should be assessed and mitigated through the Yukon's environmental and socio-economic assessment process.

As qualitative research is inductive in nature, data generated through the research is analyzed for meaning within the context of the larger cultural and social landscape. Examples of the larger landscape include that the *Yukon Environmental and Socio-economic Assessment Act* was borne of the Umbrella Final Agreement and that the research took place after the release of *Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls*.

A goal of qualitative research is to understand participants' own experiences. As a result, analysis of the data does not only look for the number of times an item or concept is mentioned but also the significance of a finding given the cultural and social landscape. Rigour in qualitative research is achieved by establishing a clear structure for the collection of research data using multiple lines of evidence and by drawing on each of line of evidence as outlined in the data collection structure. The extent to which insights are drawn from a particular line of evidence will vary across the range of research questions being answered through the qualitative research methodology. The research matrix which lists YESAB's research questions for the project and the lines of evidence used to answer the research questions may be found Appendix 1 of this report.

1. Introduction and Methodology

The Yukon Environmental and Socio-economic Assessment Board (YESAB) was established under authority of Chapter 12 of the Umbrella Final Agreement and the Yukon First Nation Final Agreements. Chapter 12 provides the foundation for a legislated development assessment process applicable to all Yukon lands. The federal *Yukon Environmental and Socio-economic Assessment Act* (YESAA) came fully into force in November 2005.

The purposes of YESAA, as set out in Section 5 of the Act, are to be achieved collectively by all those with responsibilities under YESAA, including not only YESAB but also decision bodies, which can be the Yukon Government, Yukon First Nation governments, or federal government departments and agencies. Purposes specifically and exclusively relevant to YESAB include:

- Considering the environmental and socio-economic effects of development projects before those projects are undertaken;
- Providing for a comprehensive, transparent and neutrally-conducted assessment process applicable in Yukon;
- Guaranteeing opportunities for Yukon First Nation citizens to participate in the assessment process and making use of their knowledge and experience;
- Providing opportunities for public participation in the assessment process;
- Ensuring that the assessment process is conducted in a timely, efficient and effective manner that avoids duplication; and,
- Providing certainty respecting assessment procedures, including information requirements, time limits and costs to participants.

To date, the effects of industrial activities on personal safety have been considered in a number of YESAB evaluations and screenings through assessment of a valued socio-economic component for "personal safety": Examples of project assessments that have addressed a VESEC for "personal safety" include:

- Kudz Ze Kayah Project # 2017 – 0083 (Executive Committee Screening)
- Dempster Fibre Optics Project # 2019-0140 (DO Evaluation)
- Quartz Exploration - Henderson & Dime Properties Project # 2019-0199 (DO Evaluation)
- Quartz Exploration - White Property Project # 2020-0045 (DO Evaluation)

In conducting assessments of the valued socio-economic component for "personal safety", YESAB assessors have relied on academic research, consultant reports and the final report of the *National Inquiry into Missing and Murdered Indigenous Women and Girls.* The research and reports have been used to inform an understanding of the project effects pathway, adverse effects and significance of industrial activities on the personal safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons in Yukon communities and in the industrial workplace. While the research and reports have

helped YESAB assessors understand the potential adverse effects, a lack of Yukon-specific data and research is limiting the ability of YESAB assessors to fully and effectively consider the issues pertaining to the valued socio-economic component for "personal safety" in the Yukon context.

Accordingly, the purpose of this project was to prepare a research report and personal safety assessment tool that will assist YESAB assessors to:

- identify the pathway(s) to adverse effects of exploration, resource extraction and industrial work camps (industrial activities) to the personal safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons in Yukon communities and within the industrial workplace;
- better understand the cause-and-effect relationships of industrial activities on the personal safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons in Yukon communities and within the industrial workplace;
- evaluate the effectiveness of the recently recommended terms and conditions to mitigate the adverse effects of industrial activities on the personal safety of Indigenous and non- Indigenous women and girls and 2SLGBTQIA+ persons in Yukon communities and within the industrial workplace; and,
- provide current Yukon-specific information to inform future assessments.

The evaluation of the effects of industrial activities on the personal safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons in the Yukon was guided by a Research Plan developed in the summer of 2021 by the Research Team in close collaboration with the YESAB Working Group. The YESAB Working Group was comprised of three YESAB officials who brought perspectives from the policy, designated office and executive committee levels of the YESAB organization.

The efforts of the Research Team were also guided by a Research Advisory Committee assembled specifically for the research project. The Research Advisory Committee was comprised of representatives from the following community-based organizations: BYTE - Empowering Youth Society, Centre for Northern Innovation in Mining, Council of Yukon First Nations, Yukon Status of Women Council, Liard Aboriginal Women's Society, Queer Yukon Society, Whitehorse Aboriginal Women's Circle, Victoria Faulkner Women's Centre, Yukon Transition Home Society and Yukon Women and Mining. Meetings with the Research Advisory Committee were held in September 2021 and December 2021. A third meeting will be held with the Research Advisory Committee before the project is completed.

The Research Advisory Committee provided feedback on the appropriateness and comprehensiveness of the Research Plan as well as the draft data collection instruments. The Research Advisory Committee also helped identify prospective interview participants. Many members of the Research Advisory Committee participated in semi-structured interviews for the project. The research methodology was designed to be culturally respectful and trauma informed. Data was collected in accordance with the principles of OCAP^{TM} (Indigenous Ownership, Control, Access and Possession).

As outlined in the Project Research Plan, the YESAB Personal Safety Research Project produced three documents. The first document is a literature review. A summary of the literature review is presented in the following section.

The second document is this synthesis research report which describes the findings that follow from the primary (semi-structured interviews) and secondary (literature and document review) research undertaken for the project by the Yukon-resident Research Team. We note that research findings contained in this research report are presented on a "silo-free" basis. This means that all research findings generated through the implementation of the YESAB-approved Research Plan have been included in the synthesis research report whether or not the findings are within the purview or mandate of YESAB assessors.

The third document is a personal safety assessment tool. The assessment tool will build on the findings outlined in this synthesis research report to provide guidance to YESAB assessment staff for the development of assessment recommendations.

Please note that this report is not intended to preclude or replace further and continued research on the effects of industrial activities on the personal safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons in the Yukon.

Semi-structured Interviews

Semi-structured key informant interviews were the primary research methodology applied in the project. The semi-structured interview questions were derived from the research questions listed in the request for proposals after refinement and augmentation by the Research Team. An evaluation matrix was used to sort the research questions according to respondent cohorts. Interview guides were used for the following respondent cohorts (with the number of completed interviews noted in parentheses):

Cohort 1: Research Advisory Committee and Community Members (n=19) and Community Focus Group (n=8; one group with eight participants).

Cohort 2: Industry Associations and Industry Members (n=18).

Cohort 3: YESAB and Government Representatives (n=11).

A total of 56 research participants shared insights with the Research Team.

Secondary Data Sources

Project research findings were also informed through analysis of secondary data sources including documentation and data available in the public domain as well as documentation and data provided by YESAB officials such as YESAB presentation materials and internal data extracts from the YESAB Online Registry.

Literature Review

The semi-structured key informant interviews were also supplemented by a comprehensive literature review. This section of the research report provides a summary of the literature review.

Defining Personal Safety

Personal safety is difficult to define. It is often defined as the freedom from worry about physical safety and being victimized by hostility, aggression, and harassment. However, noted in more recently published academic literature, the application of generalized terminology and/or frameworks may risk omitting and/or silencing experiences of hostility, aggression, harassment, or violence specific to Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons (Hoogeveen, Gislason, Hussey, Western, & Williams, 2020; Myette & Riva, 2021; Walker, Reed, & Thiessen, 2019). Furthermore, the decisions that inform what constitutes the scope of impacts on the personal safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons is affected by the worldview informing the evaluation mechanism.

Impacts Experienced on the Worksite

Although noted to be changing, the industrial worksite continues to be a male-dominated workplace with racism, sexism, and homophobia rife (Toh, 2022). Sites are reported to be hyper-masculine environments where outbursts of aggression contribute to putting women's personal safety at risk (Eftimie, Heller, & Strongman, 2009; Kuokkanen, 2018). Despite many industrial worksites having alcohol or substance use policies, there continues to be drug and alcohol abuse on sites and in camps (G. Gibson, Yung, Chisholm, Quinn, & with Lake Babine Nation and Nak'azdli Whut'en, 2017). Specific concerns raised in the literature include:

- women and girls newer to the job site or camp are particularly vulnerable. They may not be as aware of roles they need to play, clothes they need to wear, or where in camp they need to be in order to be safe from harassment or violence (Saxinger, 2021);
- access to safe transportation is a barrier for women trying to access reproductive services or social supports located off site, particularly when sites are remote with limited road access (G. Gibson et al., 2017; Liard Aboriginal Women's Society, 2021); and,
- Indigenous women report being employed in lower paid jobs or unskilled positions which often see them working alone or in isolated buildings putting them at risk of experiencing violence or harassment (Pauktuutit Inuit Women of Canada, 2020).

With specific regard to the factors that affect the personal safety of 2SLGBTQIA+ persons on industrial worksites, the existence of grey literature and peer-reviewed articles describing such factors was found to be very limited in the course of the literature review.

<u>Impacts Experienced in Communities</u>

What constitutes effects of industrial development activities on a community is broadly scoped and not clearly defined in the literature. Studies show that the personal safety of Indigenous and non-Indigenous women and girls is affected when they live nearby industrial sites, at a point of landing/departure for fly in/fly out (FI/FO) workers, and/or they or their spouse is employed at an industrial site (G Gibson & The Firelight Group for Mikisew Cree First Nation, 2017; Hoogeveen et al., 2020; Saxinger, 2021).

Although industrial activities are noted to offer economic security for women and members of the 2SLGBTQIA+ community, increased employment opportunities provided by nearby industrial sites are reported to contribute to power imbalances in the home and community (Amnesty International, 2016; G. Gibson et al., 2017; Hill, Madden, & Collins, 2017). The literature reports an increase in domestic violence and family conflicts tied to family breakdowns and marriage breakups with a spouse working at a remote worksite (Hoogeveen et al., 2020). As well, communities located near development and/or a landing point for FI/FO workers are reported to have an increase in the sex trade and sex trafficking (G. Gibson et al., 2017; Hoogeveen et al., 2020).

Also reported is the process of 'importing norms' of the hyper-masculine culture of the industrial worksite into a community. Identified as the spatial triad of 'home-journey-workplace/camp', behaviours perpetuated (or ignored) on an industrial worksite can be replicated in communities and the home workers are living in or visiting (Czyzewski, Tester, Aaruaq, & Blangy, 2014; Saxinger, 2021). Recently, substance abuse and male perpetrated violence is attracting new focus in research on the impacts of industrial development. While literature on men's mental health in the context of industrial development is relatively new and so far limited, the research available does link the mental health of men with behaviours that may adversely affect the personal safety of women, girls, and members of the 2SLGBTQIA+ community (Bowers, Lo, Miller, Mawren, & Jones, 2018; Sharma & Rees, 2007; Tynan et al., 2016; Tynan et al., 2017). More research of the linkages between work-related male depression, substance abuse, and the personal safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons on the worksite and in the community is required.

Literature focused on the impacts of industrial development on the personal safety of girls and more broadly children, is limited (Stienstra, Manning, & Levac, 2020). What has been published is noted to be family related. The research reports that children are at risk when one or both parents are working remotely or following a rotational shift work schedule. Adverse outcomes include children missing school, experiencing disruptions in family life and cohesions, and suffering from mental health issues (Myette & Riva, 2021; National Inquiry into Missing Murdered Indigenous Women and Girls, 2019; Nightingale, Czyzewski, Tester, & Aaruaq, 2017).

Noticeably absent from academic literature and industry guidance documents are references to the personal safety of 2SLGBTQIA+ persons in a community or on the work site and in camp (Götzmann & Bainton, 2021; Hoogeveen et al., 2020; Kincaid & Smith, 2021; Rainbow Health Ontario, n.d.; Stienstra et al., 2020). 2SLGBTQIA+ persons are likely to encounter microaggressions by colleagues or employers, to feel they cannot talk about themselves or their lives outside the workplace, and being subjected to workplace-related harassment or violence. (Hoogeveen et al., 2020; Morgan, Hoogeveen, & de Leeuw, 2021).

Systemic and Contextual Factors

Indirect effects or the pathways between systemic and contextual factors and personal safety are less tangible, intuitive, and noted to have longer-term effects (Myette & Riva, 2021). Determinants or factors to consider include systems and structures, connection to land (or dispossession of land), intergenerational trauma, and cultural continuity (or loss of). These factors explain how the effects of industrial development shape risks to the personal safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons (Aalhus, 2018; de Leeuw, Lindsay, & Greenwood, 2015; Jones & Bradshaw, 2015; Jones, Nix, & Snyder, 2014; Myette & Riva, 2021).

The burden of adverse effects of industrial development are not comparably experienced among Indigenous and non-Indigenous women and girls (de Leeuw et al., 2015; Native Women's Association of Canada, 2007). 'Risk pile up' is a phrase used by G. Gibson et al. (2017). It describes the disproportionate and negative impact Indigenous women and girls experience at every phase of industrial development because they are Indigenous, have decreased access to the social determinants of health, and are subjected to societal views that sexualize and fetishize Indigenous women and girls (National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019b) .

The impacts of colonization on the well-being of Indigenous women and girls is identified to suppress cultural resiliency with lasting impacts in the form of poorer mental health and being at higher risk of experiencing assault and violence (de Leeuw et al., 2015; Native Women's Association of Canada, 2007; Pauktuutit Inuit Women of Canada, 2020).

Oppressive institutions such as racism, homophobia, sexism, and transphobia as systemically enacted in broader society. These institutions influence how adverse impacts to the personal safety of Indigenous and non-Indigenous women and 2SLGBTQIA+ persons are understood, acknowledged, reported, and addressed by governance mechanisms and structures (Amnesty International, 2016; Bond & Quinlan, 2018; National Inquiry into Missing Murdered Indigenous Women and Girls, 2019).

2. Understanding the Effects of Industrial Activities on Personal Safety

Semi-structured interview questions which considered the effects of industrial activities on the personal safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons in the Yukon were asked of respondents in all three interview cohorts. Identification of the effects of industrial activities on personal safety, described in the following section, was also informed by the documents and articles examined as part of the literature review.

Defining Personal Safety

Several interview respondents raised concerns with how narrowly the concept of 'personal safety' is defined and applied in assessments prepared by YESAB. Indigenous women and advocacy-related community groups noted that the term 'personal safety' is a construct focused on individual effects, to the exclusion of broader group effects. For many community and Indigenous-focused groups, the term 'personal safety' ignores the relationality between affected persons and others including families, worksite colleagues and community members. For these women, the definition of personal safety as currently applied by YESAB is failing to account for Indigenous worldviews and the impacts of violence and harassment experienced at a collective level.

The term 'personal safety' was also noted to preclude an awareness of the social, economic, political, and historical context in which harassment and violence against women takes place, particularly Indigenous women and girls and non-binary persons.

Some interview respondents suggested that YESAB has yet to clearly articulate an understanding or awareness of why some individuals are more at risk of experiencing harassment and violence as a result the industrial activities than other individuals. Specifically, some respondents noted that YESAB's application of the term 'personal safety' does not so far appear to demonstrate an awareness of how the systemic racism and discrimination experienced by Indigenous women and girls and 2SLGBTQIA+ persons intersect with industrial activities.

Personal Safety at Industrial Worksites and Camps

A variety of factors that potentially contribute to feelings of vulnerability by Indigenous and non-Indigenous women and girls at industrial worksites were identified in the semi-structured interviews. The factors identified are shown in the table below:

Worksite personal safety factors

- working in positions like housekeeping or as cooks' helpers;
- travelling to and from camp in vehicles with male workers and no supervision;
- having previously experienced trauma and/or assault;
- having no access to a cell or satellite phone, including the phone being inaccessible after work hours (e.g., locked in a kitchen shack);
- lack of access to trusted human resource personnel;
- being an Indigenous and/or a young employee.

Several of the factors listed above were also noted in the documents and articles examined in the literature review. Additional factors that place Indigenous or non-Indigenous women and girls or 2SLGBTQIA+ persons at risk noted in the semi-structured interviews and documents examined in the literature review include:

- o a lack of support systems on site (e.g., Elders, trusted human resources staff, cellular phone service);
- o accountability processes that ensure management and site managers implement policies and procedures related to workplace harassment and sexualized violence; and,
- o site remoteness and ready access to reproductive health services (e.g., the pill, the morning after pill, counselling).

Research participants reported that experiencing harassment or violence at an industrial worksite or camp is emotionally, psychologically and physically harmful. Some research participants reported that harassment and violence in the workplace also resulted in economic costs to women, 2SLGBTQIA+ persons and their families in the form of lost wages. For some participants, lost wages were a result of leaving their position because of incidences of harassment while other women report being discouraged from applying to jobs that required living in a camp. Women in the latter group reported that harassment or violence on the worksite experienced by other women and told to them was a deterrent to applying for remote jobs.

Several women noted that staying safe on an industrial worksite in the Yukon means keeping a low profile, dressing like a man, or being on site with a boyfriend.

Industry proponents and taxpayers were also noted to bear the economic costs of harassment and violence in the workplace. Commonly reported effects and costs resulting from harassment or violence at industrial worksites in the Yukon include female staff:

- o feeling unsafe at all times;
- o experiencing increased stress;
- o leaving the job because of feeling stressed, unsafe, or unheard;
- o not reporting incidents of harassment/assault because of fear of repercussions in the form of more harassment or being fired;
- o not trusting anyone on site to report incidences of assault ; and,
- o filing a claim with the Yukon Workers' Safety and Compensation Board.

Experiences of harassment or violence on site were reported by interview respondents to result in post-traumatic stress disorder and claims with the Yukon Workers' Safety and Compensation Board. While some of the reported claims relate to work experiences from more than 10 years ago, community-based interview respondents noted their efforts to assist women who have experienced more recent worksite-related harassment or violence with the filing of claims with the Yukon Workers' Safety and Compensation Board.

Personal Safety in Communities

Semi-structured interview participants noted several effects related to experiences of harassment and sexualized violence at worksites and camps that transfer indirectly to Yukon communities when workers return home at the end of a work shift. The effects noted are shown in the table below:

Indirect effects in Yukon communities

- workplace stress brought into the home affecting relationships with spouse and children;
- children being left alone resulting with long-term attachment issues;
- deepening of divisions between community members who support proposed and on-going industrial development activities and community members opposed to industrial development;
- reductions in available housing stock due to occupancy by transient workers;
- potential for increased violence and availability of drugs with visiting transient workers; and,
- dry camps are the place to be sober while home is the place to drink and associated effects of constantly moving between 'sober' and 'wet' living environments .

A number of community-based interview participants said harassing and violent behavior toward Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ individuals needs to be intercepted further upstream. This finding is consistent with literature reviewed which suggests that the distribution of social determinants of health should be taken into account when dealing with violence and harassment against women. Some participants also suggested that addressing issues related to violence and harassment against Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons will require interventions focused on prevention and facilitating the fundamental social and economic conditions that enable all people to reach their full potential (in both health and economic terms).

For example, some participants suggested that the assessment of personal safety VESECs should consider available access to early childhood intervention programs. Assessments should also consider risk factors for young children that may be present in communities proximate to industrial development activities. Other research participants reported that access, or lack of access to basic income and safe housing are factors impacting women and girls' risk of experiencing violence. These participants corroborated what is reported in the literature, namely that Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons need access to the social determinants of health in order to fully mitigate the adverse effects of industry on these groups of people Yukon communities.

As noted by many community-based interview respondents, individual and community resiliency in response to the effects of industrial development is influenced by several other factors. Factors noted by interview respondents included:

- housing affordability and accessibility;
- variability in income levels associated with the boom-bust economic lifecycle of many industries; and,

- availability of support services to address existing and ongoing mental health, stress, and addiction issues.

The effects of transient workers being present in Yukon communities was also noted by interview respondents as an issue relevant to the personal safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons. Transient workers were noted by interview respondents to:

- not have a stake in the health and well-being outcomes of the community they are visiting;
- have little knowledge about Yukon First Nations culture and governance;
- pack bars in nearby towns on days off; and,
- bring an increased presence of drug use and incidences of violence when visiting communities, including larger Yukon communities through which workers must transit through on work rotations.

Community-based interview respondents reported that bars in Dawson City became unsafe when large numbers of placer mine workers came to town. Several interview participants reported an increase in incidents of sexual assault.

Some research participants also reported hearing about increased economic precarity (a risk factor for discrimination, violence, and harassment) for women when large groups of transient workers gathered in town on weekends or on statutory holidays. Specifically, transient workers were observed to "gang up and [as a group] not tip" female waitstaff in restaurants and bars. The concern raised is that owners of commercial establishments benefit from increased revenues with the influx of transient workers. However, research participants reported that the practice of targeted discrimination in the form of not tipping is tied to the unsafe environment created when large numbers of transient workers spend time in a community like Dawson City.

Community-based interview respondents also pointed to the potential for impacts associated with the large number of placer mines in the Dawson region. While each placer operation may have only a few employees, the potential for the 'stacking' of the adverse effects noted above when workers from several small operations are present in Dawson City at the same time was noted by several interview participants.

Similar to issues related to the effects of fly-in/fly-out (FI/FO) workers identified in the literature review, some research participants reported being harassed on-line and/or in-person by transient workers and visitors. A participant spoke to the harassment experienced by young Indigenous women working at big box stores in Whitehorse or in other service industry jobs where they are required to wear a name tag. The town and the name of an employee is sufficient information to be able to find an individual on Facebook and other social media in small population areas like the Yukon. Examples of harassment of young women through social media channels during summer months with higher tourist and transient worker visitation to the Yukon were noted by interview participants.

An effect of industrial development activities on community well-being (a protective factor against violence and harassment) is the feedback loop between remote worksite life and community life. Industry interview participants confirmed that remote worksites are now required to be dry and enforce zero-tolerance policies for drug use while on the job. However, when workers return home, substance-use restrictions and worksite-based supports are no longer in place. Workers with existing addictions, anger, or mental health issues are at risk of binging and causing harm to those around them, particularly if returning home brings stress with the demands of bills, partners, and children. In Watson Lake, instances of women going to the women's shelter due to homes becoming unsafe upon a worker's time-off return to the community were reported.

Community-based interview participants also suggested that community cohesion is affected when some community members are employed by nearby industrial operations and other community members are not. Some research participants indicated that tensions within families and friendships, arising from differing views on nearby industrial development, can create or compound precarious situations for women and girls. Specifically reported were incidences of abuse, violence, or situations where women and girls had to find alternative safe shelter.

Industry representatives and members who participated in the semi-structured interviews were consistent in their view that companies are in no way responsible for incidents of harassment and sexualized violence that occur away from an industrial worksite. At the same time, industry representatives repeatedly stated that people in Yukon communities are better off because of the wages that flow into Yukon communities in exchange for labour on Yukon's industrial worksites. The contradictory findings suggest the pathway through which the effects of industrial development activities on personal safety could be transmitted between a worksite and a Yukon community is not clearly understood or acknowledged by industry representatives and members.

A second implication of the limited-liability perspective on personal safety is that companies need not be accountable to Yukon communities for incidents of harassment and sexualized violence that occur when workers are in transit between a worksite and a community outside of the Yukon. Some industry member interviewees did acknowledge that employees involved in such incidents would be held accountable to the company (e.g., terminated). However, accountability to the broader community in which such incidents take place (even if not reported to the RCMP) did not appear to be on the radar of interview respondents.

Systemic and Contextual Factors

Several systemic and contextual factors that relate to the personal safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons were also noted by the research participants. The systemic and contextual factors noted for consideration by interview participants are summarized in the table below:

Systemic or contextual factors to consider:

- number of marginalized persons holding senior positions within companies;
- societal views of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+
- legacy issues related to policies of assimilation and cultural genocide;
- availability of community-located support services; and,
- prevalent worldview adopted by YESAB assessors and Board.

Currently, assessments of personal safety are being prepared by YESAB staff within a societal context in which Indigenous women and girls regularly experience systemic racism and 2SLGBTQIA+ persons regularly experience systemic discrimination. This context is evident in statistics that report Indigenous women and girls are "12 times more likely to be murdered or missing than other women in Canada, and 16 times more likely than Caucasian women" (National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019b, p. 55).

A hyper-masculine culture associated with industrial development activities was reported by several research participants. One interview participant suggested the lack of personal protective equipment appropriately sized for women in Whitehorse stores as evidence that the presence of women (or other persons not fitting an ideal of 'masculine industrial worker') is not considered normal on Yukon worksites.

The extent of company senior management's understanding of what actually constitutes harassment and sexualized violence on industrial worksites and in camp settings was reported as limited by many community-based interview respondents and some respondents in the cohort of industry interviewees. Despite being in direct contact with workers in the workplace, on-site supervisory staff were also noted by interview respondents to sometimes lack knowledge about harassment policies. As one individual phrased it, "just because you are a manager, doesn't make you a policy expert."

Although the presence of Indigenous women and non-Indigenous women and 2SLGBTQIA+ persons in supervisory and senior management positions within Yukon industrial operations is perceived to be growing, some interview participants pointed out that presence does not equal panacea. Sympathetic voices, even when in senior positions, can be muted or silenced. Most respondents in the cohort of industry interviewees (including female respondents) indicated having no personal knowledge of instances of harassment or sexualized violence perpetuated on Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons in the Yukon. Interview participants with industrial work experience or who provide services to women working in the industrial sector indicated otherwise.

The need to consider the context of Canada's colonial legacies in the assessment of the effects of industrial activities on personal safety was reported by many community-based research participants. For several participants, the legacy of residential school trauma and the transfer of trauma among generations was noted to be a risk factor affecting Indigenous women and girls' resiliency in the face of violence and harassment experienced on the worksite or in the home. Additionally, the unresolved

trauma held by male Indigenous workers returning home from camp was noted to be a factor in reported incidences of violence or harassment against women and girls.

The state of the relationship between Indigenous women and non-Indigenous women and 2SLGBTQIA + persons and the Royal Canadian Mounted Police (RCMP) was also raised by many interview participants. Research participants reported that Indigenous women are less likely to report incidences of assault or harassment that take place on an industrial worksite or when a male partner returns home from camp. These participants raised concern that the historic and current relationship between Indigenous women and girls and other marginalized persons and the RCMP is a barrier to reporting incidents of violence or harassment.

Some community interview participants noted that it was not unusual in small Yukon communities for RCMP members to socialize with known (but unreported) perpetrators of harassment or violence. As a result, RCMP members were perceived to be biased, making women less likely to report incidences of assault or harassment out of fear their complaint will be shared, with adverse effects on their home life and/or work life.

Kaska women and individuals who work with Kaska women explained during the interviews that in the Kaska culture there is no distinction between environmental violence to the land and violence done to Indigenous women and girls. They explained that industrial activity (primarily identified as nearby mining activity) approaches the land as something that is disposable. In combination with societal views that Indigenous women too are disposable (e.g., as reported in MMIWG), Kaska women explained that industries' lack of respect for the land along with not obtaining Kaska women's consent to access land is in fact a lack of respect for their bodies. These women also spoke of how healthy lands support the growth of healthy people.

Kaska women also noted that the worldview informing these contributions is a different worldview than that currently applied to YESAB assessments. Several community-based participants also commented on the organizational culture of YESAB, suggesting it does not appear to effectively consider Indigenous worldviews. It was suggested that an internal audit of YESAB's assumptions, prevalent beliefs, and support for staff and board members be undertaken to better understand how YESAB assessments can over time incorporate other worldviews.

Personal Safety and Socio-economic Effects Assessment

The semi-structured interviews conducted for the project revealed a sharp divide in perspectives between respondents in the industry member cohort and the cohort of community-based respondents regarding the extent to which harassment and sexualized violence is an ongoing issue to be considered in the assessment of industrial development activities in the Yukon. Industry representatives suggested that the impacts of industrial development on the personal safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons have severely diminished in recent years or should simply be considered anomalies.

Several industry member respondents suggested that this research project should consider only the most recent five year period, as 'so much has changed and is different from what was going on 20 years ago'. More than a few mining industry representatives suggested that so much has been done to ensure the safety and well-being of female and non-binary staff within the Yukon's mining industry in recent years that YESAB's research efforts would be better focussed on the potential for harassment and sexualized violence within industries other than mining.

Interview respondents who identify as women or 2SLGBTQIA+ and who have worked on industrial worksites stated that they continue to feel at risk of verbal and sexualized harassment on industrial worksites in the Yukon. Interview participants from advocacy-focused community organizations that work with Indigenous and non-Indigenous women echoed the same concern.

While the divide in perspectives regarding the extent to which harassment and sexualized violence is an ongoing issue to be considered in the assessment of industrial development activities in the Yukon may appear to be entrenched, a common point of contention was identified among the interview cohorts. Both industry and community focused groups put forth that YESAB has yet to establish itself as a capable authority for the assessment of the non-environmental effects of industrial development activities. In consequence, YESAB (as an organization) is not generally seen by research participants to be ready to competently assess socio-economic effects such as the effects of industrial activities on the personal safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons in the Yukon.

The perception that YESAB has failed to effectively occupy the socio-economic effects assessment space in the Yukon was articulated slightly differently in each of the community-based and industry member perspectives. Industry member interview respondents were consistent in their view that YESAB's role is effectively limited to the assessment of environmental effects. Community-based respondents suggested that it is not clear how YESAB can be trusted with the assessment of the effects of industrial activities on the personal safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons in the Yukon when examples of the assessment of human-focused valued socio-economic components continue to be so limited.

3. YESAB's Environmental and Socio-economic Effects Assessment Process

Interview respondents in all three cohorts were also asked about how the personal safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons in the Yukon should be considered in the Yukon's environmental and socio-economic effects assessment process. The discussion which follows below was also informed by the documents examined as part of the literature review as well as secondary documentation and data sources.

Questions specific to YESAB's environmental and socio-economic assessment process were met with a variety of responses in the semi-structured interviews. Several respondents strongly indicated that assessment of the effects of industrial development on personal safety is not within the domain of

YESAB. Some respondents went further, suggesting that YESAB has not hired assessors with the skills, tools and experience needed to adequately assess effects on personal safety from industrial development. Also noted was the lack of legislative frameworks to facilitate the implementation, monitoring and reporting of the adverse effects of industrial development on personal safety at remote worksites or in Yukon communities.

Assessment Requirements and Industry Responsibilities

The table below summarizes the responses received in response to the interview question asking how companies can help ensure personal safety on industrial worksites:

Requirements for companies to ensure personal safety on industrial worksites:

- 24/7 wireless internet and cellular phone access, including at remote sites;
- harassment policies that clearly identify what constitutes harassment and sexualized violence;
- human resources staff with demonstrated knowledge of the effects of gender-based violence, discrimination, and racism;
- cultural sensitivity and gender-based discrimination awareness training for company senior management and on-site supervisors;
- training and awareness to ensure employees are aware of job-site rights and responsibilities;
- 24/7 employee access to third-party human resources support;
- training plans for supervisors that include grief counselling;
- substance abuse support, trauma counselling, and mental health supports for all employees; and,
- policies that clearly state in writing how employees can access sexual health and reproductive care (e.g., access to abortion, morning-after pills, condoms).

Interview questions which asked about the indicators that could be used by YESAB assessors and the type of information industry should be expected to provide so that YESAB assessors could adequately assess effects to personal safety were often met with frustration by industry member representatives. Large-scale mining operators indicated they have long had health and safety plans in place which include policies and procedures that address worksite harassment and sexualized violence. The health and safety plans were described as including consequences for offenders, availability of cell phone or satellite communications, codes of conduct and schedules for employee training. Already-existing health and safety plans and policies developed by project proponents are an obvious starting point for the assessment of a valued socio-economic component for personal safety.

While it may indeed be the case that many health and safety plans are already in place, several community-based and industry member interview participants noted that the creation of health and safety plans and policies is one thing while the actual implementation of the plans and policies is another thing altogether. Lack of follow-through to ensure, for example, that supervisors and employees have reviewed and understood codes of conduct, or that phone locations have been communicated, were cited as examples of poor health and safety plan implementation. Women

employed at industrial worksites also reported in interviews not having been instructed on who to, or how to, report incidences of assault or harassment. All of these examples point to disconnects that exist between the creation and the implementation of health and safety plans, policies and procedures at industrial worksites in the Yukon.

Protective Factors, Existing Supports and Resiliency

The lack of range and reach of health and wellness support services, both community-located (services headquartered in Whitehorse) and community-based (locally-directed services) was highlighted by many interview respondents familiar with communities proximate to industrial development activities. For example, only two rural Yukon communities provide emergency housing services through a women's shelter. The lack of safe space for women and children in other Yukon communities limits the ability of people in those communities to respond to gender-based violence.

It was also noted by several interview participants that a shortage of trauma-informed front-line workers currently exists in many Yukon communities, including Dawson City, Mayo, and Watson Lake. The inclusion of Dawson City, Mayo, and Watson Lake on the list is particularly important considering the concerns raised in the community-based interviews regarding:

- the number of transient workers present in Dawson City during summer months;
- existing trauma in the community of Mayo and the number of Nacho Nyak Dun citizens hired by the nearby mines who return home during weeks off; and,
- the historic context of violence against Indigenous women and girls in the Watson Lake region together with the presence of workers from industrial development projects living within the community of Watson Lake.

It is clear from many of the semi-structured interviews that the COVID-19 pandemic protocols imposed by governments, and the accompanying increase in stress reported in many rural communities, has depleted the resilience of many Yukon communities. The ongoing opioid crisis and related deaths in Yukon communities is also reducing the resilience of Yukon communities.

Measuring the Magnitude of Effects of Industrial Development Activities on Personal Safety

Several key challenges related to measuring the magnitude of the effects on personal safety from industrial development activities tied to data availability and data governance were identified by several research participants. Further complicating the collection and use of data is the lack of common understanding among industry representatives, community organizations and YESAB of what constitutes harassment and sexualized violence.

Structural data issues

In general terms, an extensive lack of data related to personal safety is known to exist. Some research participants suggested that greater understanding by YESAB assessors about the data governance landscape in Yukon will help clarify what data or information can be expected of proponents and what

data or information assessors can access from First Nation governments, the Yukon Government, community organizations, or other service organization such as the Royal Canadian Mounted Police.

The Yukon Government's Department of Health and Social Services does not collect or share data specific to alcohol and drug use at the community level. Similarly, the RCMP does not record instances of domestic violence as domestic violence does not appear as a section title in the *Criminal Code of Canada.* Even if domestic violence data were collected, the RCMP could not share the data with YESAB or industrial development project proponents due to provisions of paramount federal privacy legislation. Although some Yukon First Nation governments are conducting household surveys, sharing of the survey data would require YESAB to negotiate a data sharing and use agreement with the Yukon First Nation government that owns the data.

Privacy laws, both territorial and federal, restrict the sharing of many data series such as the number of shelter visits, domestic violence rates, sexually transmitted infection rates, etc. Familiarity with the First Nation data principles of OCAP™ (Ownership, Control, Access and Possession) which implicitly speak to data sharing and governance was identified during the interviews. Specifically, applying OCAP principles will help ensure that data used in a YESAB assessment does not result in the further stereotyping, discrimination or stigmatization of Indigenous peoples.

Societal and cultural factors

Many interview participants spoke of not reporting experiences of abuse, harassment and sexualized violence. For many women, not reporting worksite experiences is tied to a lack of trust. Women reported being concerned that their complaint would not be properly or fully dealt with by the company. Some respondents expressed fear that they would experience further harassment from the perpetrator or other workers on the worksite.

Several factors were identified through the interviews and are known to contribute to the under-reporting of harassment or sexualized assault, either on the worksite or in a community. A well-noted factor is the lack of trust between women (Indigenous and non-Indigenous) and the RCMP such that it is not expected that a complaint of harassment or sexualized assault would be satisfactorily addressed by the RCMP. Another factor previously noted is overlapping social circles containing alleged perpetrators and community service providers such as the RCMP. Furthermore, community-based research respondents reported that Indigenous women who have children are less likely to report incidents of abuse for fear that Yukon Children and Family Services may become involved and apprehend their children.

Also raised in the interviews was that 2SLGBTQIA+ persons are less likely to disclose their sexuality or gender which in turn reduces the availability of data specific to the 2SLGBTQIA+ community. Research participants who indicated having disclosed their identity to their employer reported doing so because they "trusted their boss" and had confidence that "the company follows through on their harassment policies."

Engagement with Entities External to YESAB

The project research suggests that YESAB has not done enough to engage with industries, governments, regulators and the public on their role and responsibility to evaluate socio-economic effects. Many of the individuals who participated in this research were unclear about YESAB's overall mandate, as well as the roles and responsibilities of YESAB. Communication materials written in plain language describing what constitutes socio-economic effects assessment, and what distinguishes socio-economic effects assessment from environmental assessment, are not seen to be readily available.

Interview respondents who reported not being familiar with YESAB's roles and responsibilities suggested that acronyms and terms such as 'VESEC,' 'public registry,' and 'socio-economic' are confusing and mask the connection between YESAB and personal safety. Some respondents noted that the YESAB website may be contributing to the confusion.

A general lack of understanding around how First Nation governments, community organizations and individuals can provide comment on proposed projects during YESAB comment periods was apparent in the semi-structured interview responses. As noted by some respondents in the YESAB and government interview cohort, very few First Nations governments or community organizations are commenting on personal safety issues via the public online registry. Likewise, respondents who work with community groups expressed concern that YESAB is not adequately incorporating the concerns identified into assessments and recommendations.

Compounding the absence of personal safety comments from First Nation governments and community organizations, many individuals indicated being unaware that individuals can submit comments during an assessment. Furthermore, several research participants suggested that it is not likely that marginalized individuals are willing or able to submit comments through an online public registry. The YESAB online registry is unable to provide full anonymity to those who submit comments, resulting in the public comment process serving to silence some community voices.

Although the individual submitting a comment can request to not to have their name displayed publicly, in order to submit a comment online an individual is required to provide an email address or a phone number. For women and members of the 2SLGBTQIA+ community who report to have little trust of government or government-related agencies, providing a name and contact information, even if only for record keeping purposes, may not be an option.

During the semi-structured interviews it became clear that the relationships between YESAB and many industrial development representatives and industry organizations are generally strained. Industry representatives raised concerns that assessors were not trained to conduct personal safety appraisals or trained to assess socio-economic issues. The same sentiment was shared by several community member interview respondents.

As a result of the strained relationships, YESAB would now appear to be in a difficult position to be able explain to industrial development proponents why personal safety is a necessary component of socio-economic assessments. YESAB will face further challenges in explaining to project proponents why YESAB is the correct entity to consider the effects of industrial activities on personal safety in light of concerns about YESAB's in-house expertise in socio-economic effects assessment.

A final note on engagement. Kaska Nation representatives reiterated that, as non-signatories to a Final Agreement under terms of the Umbrella Final Agreement, the assessment of projects within Kaska territory creates a dilemma for Kaska people that remains unacknowledged by YESAB. While participation in YESAB assessments tacitly implies that YESAA applies to unceded Kaska territory, to not participate in YESAB assessments would mute Kaska voices as stewards of Kaska lands and people. While understanding the effects of industrial development activities on personal safety is acknowledged to be an important issue, to focus on a single socio-economic issue among so many other foundational issues suggests that another layer of disrespect is being conferred.

Mitigating the Effects of Industrial Development Activities on Personal Safety

Participants brought forward several suggestions to mitigate the adverse effects on personal safety on the worksite and in the community. Several of the suggestions are similar to recommendations presented in the accompanying literature review.

Specific suggestions arising from the interviews include software applications such as Talk to Spot and WorkHub. Talk to Spot is an artificial intelligence-enabled tool hosted by the Yukon Human Rights Commission that allows employees to log incidences of harassment or sexualized violence at the time of the incident without having to decide at that time whether the incident is to be reported or even shared with a human. *WorkHub* is a third-party web-based human resources application that can be used to deliver workplace health and safety-related training to employees in remote locations and also be used to confirm that required training has been completed by all employees.

Both Talk to Spot and WorkHub require internet connectively to function. The remoteness of many of Yukon's worksites, and the accompanying patchy availability of personal internet services via cell phone or satellite presents a limitation on the usefulness of both applications.

Two types of third-party safety compliance initiatives were mentioned often in the semi-structured interviews: COR and ISO. Certificate of Recognition (COR) is an occupational safety and health accreditation program which verifies a fully implemented safety and health management system that meets national standards is in place. The International Organization for Standardization (ISO) is an international standard-setting body composed of representatives from various national standards organizations. Both COR and ISO certifications involve onerous and ongoing qualification processes, are primarily found in the construction and large mine sector and are intended only for companies with ten or more employees. The requirement for a minimum number of employees would result in many

placer mining operations or other small companies being ineligible for COR or ISO certification. The cost of accreditation may also be cost-prohibitive for some smaller companies.

With regard to Yukon placer mines, the Klondike Placer Miners' association has recently launched a smartphone based app called KPMA 101 which contains a series of learning modules created for placer miners, by placer miners. The app is intended to enhance knowledge within the sector about regulatory compliance and reclamation best practices, corporate and legislative governance and to strengthen relationships with the community. The KPMA app includes a module on *Violence and Harassment in the Workplace*. Access to the KPMA 101 app requires a membership with the Klondike Placer Miners' Association.

During the course of project research a new pilot program was launched by the Yukon Legal Aid Services Society. The Workplace Sexual Harassment Clinic provides free and confidential legal advice and information related to workplace sexual harassment including advice on establishing a workplace as a sexual harassment free zone. The clinic can provide legal advice up to the point of litigation to those who believe they may have been sexually harassed in the workplace or may have witnessed harassment in the workplace.

Many interview participants stated that instances of harassment and sexualized violence on industrial worksites are to be *prevented* rather than *mitigated* if respect for all community members is to be honestly upheld. And so the stunted range and reach of community-located and community-based health and wellness support services being delivered in rural Yukon noted earlier in this report bears repeating here. Respondents from both the community and industry interview cohorts were united in the view that responsibility for providing health and wellness support services in rural Yukon communities – services that can help prevent harassment and sexualized violence on industrial worksites in the Yukon – falls mainly on the shoulders of the Yukon Government. Some ancillary health and wellness services are also provided by the Council of Yukon First Nations as well as Yukon First Nation Governments.

4. Legislative Requirements and Responsibilities for Ensuring Personal Safety

Responses were received from participants across all interview cohorts regarding the legislative requirements and responsibilities that relate to the personal safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons. The discussion which follows below was also informed by secondary documentation and data sources and to a lesser extent documents examined as part of the literature review.

The research undertaken for this project reveals that a potential pathway for YESAB to help ensure the personal safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons on industrial worksites in the Yukon is complex and features several gaps. Understanding the complexity

and gaps in a potential pathway requires a basic understanding of the overall YESAA process. As described by YESAB, the *Yukon Environmental and Socio-economic Assessment Act* is:

- o *federal legislation that sets out how assessments will be carried out within Yukon;*
- o *a requirement of the Umbrella Final Agreement and was developed by the Federal and Territorial governments and Council of Yukon First Nations; and,*
- o *provides a single assessment process that applies to all lands and all Governments in Yukon.*

YESAB is by design a 'recommending body.' YESAB does not issue permits, licenses or authorizations nor does YESAB make final decisions on whether industrial development projects should proceed or not. Further, YESAB has no role in the enforcement of permits, licenses or authorizations, nor are YESAB assessors readily able to independently monitor or enforce the mitigation measures they recommend.

Upon determining the significance of adverse project effects, YESAB makes recommendations to Decision Bodies. Decision Bodies may in turn accept, vary or reject the recommendations received from YESAB assessors. Decision Bodies then issue instructions to the regulatory entities that reside within the same legally-constituted organization as the Decision Body. Regulatory entities issue permits, licenses and authorizations according to the laws of general application in the Yukon.

The sponsoring of research by YESAB to learn more the effects of industrial development on the personal safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons on industrial worksites in the Yukon was seen as admirable by several interview participants. Many cautioned, however, that YESAB faces systemic limitations that will impede its ability to deliver on promises to help ensure the personal safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons. The systemic limitations that may impede YESAB's pathway to helping ensure personal safety on industrial worksites in the Yukon are outlined below in terms of three structural and implementation issues.

The first issue relates to the delegation of Decision Body authorities within and across the Yukon Government without a fully corresponding regard for regulatory responsibilities. In 2005, the *Yukon Environmental and Socio-economic Assessment Act* established the Yukon Government as the lone territorial government-level Decision Body. In response, the Yukon Government's Executive Council Office delegated authority for Designated Office evaluations to more than 12 branches and units within the Yukon Government as a matter of administrative practice.

Since 2005, 98% of all YESAB assessments have been conducted at the Designated Office level. The initiation of most if not all industrial development projects in the Yukon requires at least one permit or authority issued by the Yukon Government under legislation such as the *Environment Act, Lands Act, Quartz Mining Act, Placer Mining Act,* etc. In consequence, the DO-level delegation of authority effectively means that responsibility for the assessment of socio-economic VESEC's for industrial

projects, including the personal safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons, is dispersed among more than 12 branches and units across the Yukon Government.

The DO-level delegation of authority across the Yukon Government was found to have opened the door to inconsistencies in personal safety-related recommendation acceptance by the Yukon Government. One Yukon Government branch serving as a Decision Body (Transportation Engineering) has consistently been accepting personal safety-related recommendations. At the same time, another Yukon Government branch serving as a Decision Body (Mineral Resources) has rejected every single personal safety-related recommendation put forward by YESAB assessors.

It may be argued that the Yukon Government's decision to delegate authority for Designated Office evaluations across the Yukon Government has nothing to do with YESAB. Clearly, the delegation of authority was the Yukon Government's choice to make in 2005. However, VESECs which transcend legislative, regulatory and administrative silos in the Yukon, such as the personal safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons on industrial worksites, cannot be effectively addressed by pointing a silo wall and being done with it. A possible first step to addressing the legislative, regulatory and administrative silos that currently exist in the Yukon is to identify a 'regulatory home' for YESAB's recommended terms and conditions that involve personal safety.

Indeed, the Yukon Workers' Safety and Compensation Board was touted by semi-structured interview participants across all cohorts as the logical home for 'personal safety' in Yukon's environmental and socio-economic assessment ecosystem, given the Board's responsibility for administering the *Occupational Health and Safety Act*. Many interview participants heralded the September 2021 coming into force of the new *Regulation to amend the Occupational Health and Safety Act Regulations (2020)* . The new regulation requires Yukon employers for the first time to create and implement violence and harassment prevention policy statements and procedures. The policy statements must declare that *harassment and violence in the workplace are prohibited* and that employers are committed to *controlling the risks of violence and harassment in the workplace.* The regulation applies to all industries and companies of all sizes assessed under the Yukon's workers' compensation and health and safety legislation.

The Yukon Workers' Safety and Compensation Board is not among the entities to which Decision Body authority has been delegated within the Yukon Government. As a result, the Yukon Workers' Safety and Compensation Board currently has no direct role to play in the acceptance, varying or rejecting of YESAB recommendations related to personal safety on industrial worksites. While delegating Decision Body authority to the Yukon Workers' Safety and Compensation Board could conceivably improve personal safety outcomes for Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons on industrial worksites in the Yukon, it should be remembered that the administration of occupational health and safety regulations in the Yukon is employer-led and complaint-driven. If an employee experiences harassment or sexualized violence on a worksite, the employee is to register a complaint

according to the harassment policies and procedures of the employer. The employer, not the Yukon Workers' Safety and Compensation Board, is then responsible for addressing the complaint.

Yukon employers are not required to report incidents of harassment and sexualized violence in the workplace to the Yukon Workers' Safety and Compensation Board. Since the new regulation does not include a monitoring provision, the Yukon Workers' Safety and Compensation Board can only learn of an incident of harassment or sexualized violence when brought forward directly to it. Lastly, while it is not yet clear if the Yukon Workers' Safety and Compensation Board will report on the number of complaints received in a year it is likely that should such reporting be implemented, it will be at the industry classification level rather than the firm level.

A second issue seen to potentially impede the pathway for YESAB to help ensure personal safety on industrial worksites in the Yukon relates to YESAB's assessment focus on the significant adverse effects of development projects. It is perceived by most interview respondents in the industry associations and members cohort that YESAB may not make recommendations that speak to positive project effects. As a result, many respondents in the industry cohort openly questioned how YESAB can effectively ensure personal safety through mitigations based on speculative assessments of whether an industrial development project may involve significant adverse personal safety-related effects. An example of the ineffectiveness of a YESAB-prescribed mitigation cited in an interview was the recommendation that a project proponent work collaboratively with a community-based organization without first establishing that all parties were interested and available to collaborate.

The determination of a significant adverse effects requires the comparison of a baseline or reference condition with a predicted project effect. Such a comparison is generally straightforward within the realm of the natural sciences (e.g., wildlife, water quality, habitat, etc.). However, given that human behaviour is dynamic and multidimensional, many industry cohort interview respondents questioned how addressing questions about personal safety could effectively be generalized across the environmental and socio-economic effects assessment process.

Respondents in the community-based interview cohort voiced a similar concern regarding YESAB's assessment focus on the significant adverse effects of development projects, though in a different way. Those interview respondents indicated that demonstrating respect and honour for Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons means preventing harassment and sexualized violence from happening in the first place. From that perspective, proactive efforts are the correct pathway to ensuring personal safety on industrial worksites, rather than reactive (i.e., mitigative) efforts based on best-guesses of whether the probability of harassment and sexualized violence on an industrial worksite is high enough to be deemed 'significant.'

A third issue seen to potentially impede the pathway for YESAB to help ensure personal safety on industrial worksites in the Yukon is that YESAA is silent on which government or agency in the Yukon is responsible for the monitoring of socio-economic effects associated with industrial development activities. As no permits, licences or authorizations that relate to the human environment activities are

issued to industrial development proponents, the whole cycle of compliance monitoring and enforcement is missing in YESAB's approach to the assessment of socio-economic effects.

Interview respondents were not aware of a mechanism that could be utilized by YESAB assessors to independently monitor and understand the effectiveness of personal safety-related recommendations as a way to learn from past recommendations to improve future recommendations. While YESAB may recommend to a Decision Body that effects monitoring be conducted in respect of a project, it remains up to the Decision Body to accept the recommendation and actually undertake the monitoring. Interviews with industry members and representatives confirmed that the absence of a functioning feedback loop on the effectiveness of socio-economic-related recommendations is a significant and continuing source of frustration for project proponents.

5. The Intersection of Industrial Worksites and Yukon Communities

Interview participants in the community-based and industry cohorts were asked two questions in an effort to better understand the intersection between industrial worksites in the Yukon and Yukon communities. The first question asked what is needed to create safe industrial worksites that support the recruitment, retention and advancement of Indigenous and non-Indigenous women and 2SLGBTQIA+ persons. The second sought to understand how industrial development proponents can demonstrate having met responsibilities to secure the safety of Indigenous and non-Indigenous women and 2SLGBTQIA+ persons both at worksites and in Yukon communities.

The themes that emerged from the analysis of the interview responses reveal different conceptual starting points among respondents. For some respondents, hiring and recruitment requires that attention is paid to societal beliefs, government expectations of industry and the context in which personal safety is understood and addressed. For others, support for recruitment and retention is effectively demonstrated by having harassment and safety policies and procedures in place.

Several community-based respondents noted that relationships among industrial development proponents and Yukon communities are informed by long-standing societal beliefs about issues of racism, sexism, transphobia and homophobia, including the belief that such issues simply do not generally exist. The lack of awareness at a societal level in the Yukon about issues of racism, sexism, transphobia and homophobia means that policy decisions and outcomes continue to ignore the interests of Indigenous and non-Indigenous women and 2SLGBTQIA+ persons.

Evidence confirming a lack of awareness at a societal level in the Yukon about issues of racism, sexism, transphobia and homophobia was apparent in interviews with industry representatives. Respondents repeatedly suggested that harassment and/or violence (sexual, racial, or gender-related) on Yukon worksites is not occurring to a measurable extent as they do not have any first-hand knowledge of such incidents. Similar sentiments were noted among interview respondents in the YESAB and government representative cohort.

Some interview respondents were adamant that societal awareness about issues of harassment and discrimination must be raised before advocating for policies to ensure the safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons. To do otherwise risks misdirecting attention to mitigations to ensure personal safety rather than identifying and addressing the root causes of risks to personal safety.

Many respondents noted that a connection between harassment and violence on industrial worksites and harassment and violence in community settings does exist. The connection follows a pathway from industrial worksites where hyper-masculine cultures continue to endure into Yukon homes where people who have experienced trauma are living. The practice of women and children seeking safe haven in women's shelters when spouses return from industrial worksites was noted earlier in this research report. At the same time, industry representatives consistently indicated that companies are in no way responsible for incidents of harassment and sexualized violence that occur away from industrial worksites.

The role of the Yukon Government in ensuring the personal safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons on industrial worksites was raised by several interview participants. Many suggested that the Yukon Government needs to step up its game and take responsibility for providing an effective level of health and wellness services in all rural Yukon communities, including taking responsibility for addressing substance use and addiction issues.

Other respondents wondered if the Yukon Government's 'open for any and all business' approach to industrial development (specifically mining development) is affecting the personal safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons. As currently structured, YESAB's assessment process cannot obligate the Yukon Government or industrial development proponents to provide adequate levels of health and wellness supports in Yukon communities affected by industrial activities as conditions of project development. In consequence, no amount of new development will help find the correct balance between the supply of services to residents of Yukon communities and ensuring the personal safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons in Yukon communities.

6. Moving Forward

The evaluation of the effects of industrial activities on the personal safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons in the Yukon was guided by a Research Plan developed in the summer of 2021 by the Research Team in close collaboration with the YESAB Working Group. The overall purpose of the research project is to develop Yukon-specific knowledge that can be applied to improve the assessment of the effects of industrial activities on the personal safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons in the Yukon.

This synthesis research report outlines the findings that follow from the primary and secondary research undertaken for the project. As the research findings outlined in this research report are

intended to respect the voices of all who participated in the project research, the findings are presented on a "silo-free" basis. This means that all research findings generated through the implementation of the YESAB-approved Research Plan have been included whether or not the findings are within the purview or mandate of YESAB or YESAB assessors.

At project completion, this synthesis research report will be supplemented by a personal safety assessment tool. The assessment tool will build on the findings outlined in this report to provide guidance to YESAB assessment staff for the development of assessment recommendations. The assessment tool will necessarily focus on aspects of the research that are within the purview and mandate of YESAB and YESAB assessors.

Research participants provided a number of suggestions for how YESAB may advance its efforts to assess the effects of industrial activities on the personal safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons in the Yukon. Research participant suggestions which are more specific to YESAB as an organization are listed below (in no particular order) to ensure they are documented among the research products:

- Consider expanding the current worldview informing YESAB assessments to incorporate Indigenous worldviews and the impacts of violence and harassment experienced at a collective level.

- Clearly articulate and demonstrate YESAB's mandate and ability to assess socio-economic effects, specifically human-focused valued socio-economic effects, at both the Designated Office and Executive Committee levels.

- Consider the overall loss of resilience in rural Yukon communities as a result of COVID when assessing the effects of industrial activities on the personal safety of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons.

- Determine how to receive comments and ensure anonymity involving harassment and sexualized violence outside of the Online Registry in order to hear from all voices on matters of personal safety.

- Consider how a mechanism adjacent to the Online Registry that collects comments involving harassment and sexualized violence could be a way to enhance YESAB's relationship with organizations and individuals at the community level.

References

Aalhus, M. (2018). *The social determinants of health impacts of resource extraction and development in rural and northern communities: A summary of impacts and promising practices for assessment and monitoring* Retrieved from

Amnesty International. (2016). *Out of Sight, Out of Mind: Gender, Indigenous Rights, and Energy Development in Northeast British Columbia, Canada*: Amnesty International.

Bond, A., & Quinlan, L. (2018). Indigenous gender-based analysis for informing the Canadian minerals and metals plan. *Native Women's Association of Canada Policy Paper*.

Bowers, J., Lo, J., Miller, P., Mawren, D., & Jones, B. (2018). Psychological distress in remote mining and construction workers in Australia. *Medical Journal of Australia, 208*(9), 391-397.

Bryman, A. (2012). *Social research methods*: Oxford University Press.

Creswell, J. W. (2012). *Qualitative inquiry and research design: Choosing among five approaches*: Sage

Czyzewski, K., Tester, F., Aaruaq, N., & Blangy, S. (2014). *The impact of resource extraction on Inuit women and families in Qumani'tuaq, Nunavut Territory: A qualitative assessment*. Retrieved from Final-mining-report-PDF-for-web-1.pdf

de Leeuw, S., Lindsay, N. M., & Greenwood, M. (2015). Introduction: Rethinkging Determinants of Indigenous Peoples' Health in Canada. In M. Greenwood, S. De Leeuw, & C. Reading (Eds.), *Determinants of Indigenous Peoples' Health*: Canadian Scholars' Press.

Denzin, N., & Lincoln, Y. (2005). Introduction: the discipline and practice of qualitative research *The Sage Handbook of Qualitative Research* (pp. 1- 32): Sage Publications.

Eftimie, A., Heller, K., & Strongman, J. (2009). Gender dimensions of the extractive industries: Mining for equity.

Gibson, G., & The Firelight Group for Mikisew Cree First Nation. (2017). *Culture and rights impact assessment: A survey of the field*. Retrieved from

Gibson, G., Yung, K., Chisholm, L., Quinn, H., & with Lake Babine Nation and Nak'azdli Whut'en. (2017). *Indigenous Communities and Industrial Camps: Promoting healthy communities in settings of industrial change*. Victoria, B.C.: The Firelight Group.

Götzmann, N., & Bainton, N. (2021). Embedding gender-responsive approaches in impact assessment and management (Vol. 39, pp. 171-182): Taylor & Francis.

Hill, C., Madden, C., & Collins, N. (2017). A guide to gender impact assessment for the extractive industries.

Hoogeveen, D., Gislason, M., Hussey, A., Western, S., & Williams, A. (2020). Gender Based Analysis Plus: A knowledge synthesis for the implementation and development of socially responsible impact assessment in Canada.

Jones, J., & Bradshaw. (2015). Addressing Historical Impacts Through Impact and Benefit Agreements and Health Impact Assessment: Why it Matters for Indigenous Well-Being. *Northern Review*(41).

Jones, J., Nix, N. A., & Snyder, E. H. (2014). Local perspectives of the ability of HIA stakeholder engagement to capture and reflect factors that impact Alaska Native health. *International Journal of Circumpolar Health, 73*, 24411. doi:10.3402/ijch.v73.24411

Kincaid, C., & Smith, N. M. (2021). Diversity and inclusion in mining: An analysis of indicators used in sustainability reporting. *The Extractive Industries and Society, 8*(4), 100981.

Kuokkanen, R. (2018). Gendered Environmental Assessments in the Canadian North: Marginalizaon of Indigenous Women and Tradional Economies. *Gendered Environmental Assessments in the Canadian North." Co-authored with Sheena Kennedy Dalseg, Suzanne Mills and Deborah Simmons. Northern Review (2018), 47*, 135-166.

Liard Aboriginal Women's Society. (2021). *Never until now: Indigenous and racialized women's experiences working in Yukon and northern British Columbia mine camps*. Retrieved from

Morgan, V. S., Hoogeveen, D., & de Leeuw, S. (2021). Industrial Camps in Northern British Columbia. *ACME: An International Journal for Critical Geographies, 20*(4), 409-430.

Myette, E., & Riva, M. (2021). Surveying the complex social-ecological pathways between resource extraction and Indigenous Peoples' health in Canada: A scoping review with a realist perspective. *The Extractive Industries and Society*, 100901.

National Inquiry into Missing and Murdered Indigenous Women and Girls. (2019a). *Reclaiming power and place: Executive summary of the final report of the national inquiry into missing and murdered Indigenous women and girls*. Retrieved from https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Executive_Summary.pdf

National Inquiry into Missing and Murdered Indigenous Women and Girls. (2019b). *Reclaiming power and place: The final report of the national inquiry into missing and murdered Indigenous women and girls*. Retrieved from

National Inquiry into Missing Murdered Indigenous Women and Girls. (2019). *Reclaiming power and place: The final report of the national inquiry into missing and murdered indigenous women and girls*: National Inquiry into Missing and Murdered Indigenous Women and Girls.

Native Women's Association of Canada. (2007). *Social Determinants of Health and Canada's Aboriginal Women: Submission by the Native Women's Association of Canada to the World Health Organization's Commission on the Social Determinants of Health*. Retrieved from Canada: https://www.nwac.ca/wp-content/uploads/2015/05/2007-Social-Determinants-of-Health-and-Canada%E2%80%99s-Aboriginal-Women-NWAC-Submission-to-WHO-Commission.pdf

Nightingale, E., Czyzewski, K., Tester, F., & Aaruaq, N. (2017). The effects of resource extraction on Inuit women and their families: evidence from Canada. *Gender & Development, 25*(3), 367-385.

Pauktuutit Inuit Women of Canada. (2020). *Ensuring the safety and well-being of Inuit women in the resource extraction industry: A literature review*. Retrieved from https://www.pauktuutit.ca/wp-content/uploads/Litterature-Review-V9-updated.pdf

Rainbow Health Ontario. (n.d.). *Health Equity Impact Assessment: LGBT2SQ Populations*. Retrieved from https://www.health.gov.on.ca/en/pro/programs/heia/docs/heia_lgbt2sqpopulations_en.pdf

Saxinger, G. (2021). Rootedness along the way: meaningful sociality in petroleum and mining mobile worker camps. *Mobilities, 16*(2), 194-211.

Sharma, S., & Rees, S. (2007). Consideration of the determinants of women's mental health in remote Australian mining towns. *Australian Journal of Rural Health, 15*(1), 1-7.

Stienstra, D., Manning, S., & Levac, L. (2020). More promise than practice: GBA+, intersectionality and impact assessment. *Live Work Well Research Centre*.

Toh, M. (2022, February 1). 'Deeply disturbing': Rio Tinto says bullying, sexism and racism are rife at the company. *CNN Business*. Retrieved from https://www.cnn.com/2022/02/01/business/rio-tinto-australia-workplace-culture-review-intl-hnk/index.html

Tynan, R. J., Considine, R., Rich, J. L., Skehan, J., Wiggers, J., Lewin, T. J., . . . Kay-Lambkin, F. (2016). Help-seeking for mental health problems by employees in the Australian Mining Industry. *BMC health services research, 16*(1), 1-12.

Tynan, R. J., Considine, R., Wiggers, J., Lewin, T. J., James, C., Inder, K., . . . Perkins, D. (2017). Alcohol consumption in the Australian coal mining industry. *Occup Environ Med, 74*(4), 259-267.

Walker, H., Reed, M., & Thiessen, B. (2019). Gender and diversity analysis in Impact Assessment. *University of Saskatchewan*.

Appendix 1 (Section 6 of the Research Plan)

In the YESAB RFP, several questions related to the personal experiences of Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons in the context of Yukon communities and the industrial worksite were presented. The following table lists these questions (as well as two research-team proposed questions) and the methods (i.e., lines of evidence) by which the questions will be investigated and answered. Please note that actual question phrasing in the interview and focus group guides will differ. The numbers in the table correspond to the question numbers in the interview and focus group guides.

	Community interview	Community Focus Group	Industry interview	YESAB/Government interview	Literature Review/Secondary Data Analysis
What are the effects of industrial activities on personal safety?	2,3	1,2	2	**2**	✔
What types of activities are most likely to affect personal safety?	2,3	3,4	2	2	
What factors (systemic issues, barriers, etc.) exacerbate the effects of industrial activities on personal safety?	6		3		✔
What type of indicators or values should YESAA assessors use to determine if personal safety warrants consideration in an assessment?	4, 5	5	4	3	
What types of information should proponents be expected to provide in order for YESAA assessors to adequately assess effects to personal safety?	4,5	7	5	5	✔
What protective factors/supports/ resiliency do communities currently have? What are the largest issues that affect women and girls and 2SLGBTQIA+ currently in communities? What is the current lived reality?	8	3			
What Yukon community specific data is available to assist YESAA assessors measure the magnitude of effects to personal safety?				4	✔
How do YESAA assessors facilitate engagement from women's groups, Yukon First Nations and other relevant groups in the YESAA process and what are their barriers to participation?	7			9, 10	
What are current best practices/emerging practices and recommendations to mitigate effects to personal safety in a community and the worksite?	9		8	x	✔
What are the barriers to the successful implementation of recommended mitigations safety in a community and the worksite?				6	✔
Are the legislative requirements with respect to the personal safety in a community and the worksite adequate?				8	✔
To whom should YESAB recommendations regarding measures to mitigate adverse effects of industrial activities on personal safety be directed to?				7	
What is the expected pattern of industry worker recruitment and retention for Indigenous and non-Indigenous women and girls and 2SLGBTQIA+ persons from Yukon communities? [Research Team proposed].	10		6		
What is the expected interaction between industry workers, industrial development companies and affected communities? [Research Team proposed].	10	6	7		