

Corporate Policy		Content Updated: 2017-12-18
Healthy and Safe Communities		
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Use of Indigenous Medicines Policy

POLICY STATEMENT	The City of Hamilton recognizes and supports the use of sacred medicines by Indigenous peoples in City facilities for ceremonial or spiritual practices such as smudging or pipe ceremonies.
PURPOSE	<p>The purpose of this policy is to support and respect Indigenous ceremonies using sacred medicines such as cedar, sage, sweetgrass and tobacco.</p> <p>The provisions and standards in this policy must be followed to ensure health and safety precautions are appropriately managed.</p>
SCOPE	<p>This policy applies to all City of Hamilton employees, including but not limited to: regular, temporary and contract employee (collectively called “employees”). This policy also applies to volunteers, students and interns.</p> <p>This policy applies in all City of Hamilton facilities and buildings and the accompanying procedure identifies specific locations where its application will be more prevalent.</p>
DEFINITIONS	The following terms referenced in this Policy are defined as:
Sacred Medicines	<p>There are four sacred medicines common to many Indigenous nations that are used in ceremonies such as smudging or pipe ceremonies. These sacred medicines are cedar, sage, sweetgrass and tobacco. Traditional tobacco is not the same as the tobacco that is processed for use in cigarettes, and in its original form is one of the four sacred medicines.</p> <p>It is important to note that Hamilton’s residents include Indigenous peoples who belong to nations and communities across North America and there may be other medicines that are sacred and used in a similar way. Traditional Knowledge Keepers and Elders should be regarded as the ultimate resource for Indigenous ceremonial and spiritual practices.</p>
Smudging Ceremony	Smudging is an Indigenous spiritual practice which involves the burning of sweetgrass, sage, and/or cedar. Indigenous peoples who lead smudging ceremonies have gained knowledge and teachings about the sacred medicines. It is often carried out at the beginning of a meeting, event, or conversation for purification and to create a positive mind set. When preparations are made to

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Prayer Pipe Ceremony	<p>smudge, the sacred medicines are lit with matches. The smoke is then used with the person’s hands in a ‘washing’ manner.</p> <p>A prayer pipe ceremony is an Indigenous ceremony that is conducted by a pipe carrier. The ceremony produces smoke from the lighting of traditional tobacco. It is considered the most powerful way of communicating with the spirits as the smoke from the tobacco carries messages to the Creator. Generally, four puffs of the prayer pipe are taken as part of the ceremony. Protocols for prayer pipe ceremonies vary among Indigenous nations.</p>	
PRINCIPLES	<p>The following principles apply to this Policy:</p> <ol style="list-style-type: none"> 1. The City respects and is committed to learning from and supporting Indigenous peoples, including employees, community members and Knowledge Keepers. 2. The City recognizes it has a duty to accommodate individuals on the basis of protected human rights grounds. 3. The City is committed to ensuring the health and safety of all employees and it is paramount that health and safety policies and requirements are followed. 4. Section 13 of the Smoke Free Ontario Act permits the traditional use of tobacco by Indigenous peoples. For further details, see under “Related” of this Policy. 5. The City’s Smoke-Free Workplace Policy does not conflict with this policy. 	
TERMS & CONDITIONS	<p>The following terms and conditions apply to this Policy:</p> <ol style="list-style-type: none"> 1. Consult and follow the Procedure – Use of Indigenous Medicines. 	
RESPONSIBILITIES	<p>The following positions and/or departments are responsible for fulfilling the responsibilities detailed in this Policy as follows:</p> <p>Employees</p> <ul style="list-style-type: none"> ○ Understand the policy and be familiar with the Use of Indigenous Medicines Procedure. <p>Primary Staff Contact</p> <ul style="list-style-type: none"> ○ Employees who are coordinating a meeting, appointment or event where the use of Indigenous medicines has been requested or identified are the Primary Staff Contact. 	

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<p>Leadership (Supervisor, Manager, Director)</p> <p>Facilities Help Desk</p>	<ul style="list-style-type: none"> ○ Supervisors of staff who process facility or room bookings from the public are also considered a Primary Staff Contact in this procedure. ○ Consult with their Supervisor or with Human Rights, Diversity and Inclusion for guidance and clarification on the policy as needed. ○ Act as the main point of contact to ensure that the Traditional Use of Indigenous Medicines Procedure is followed. ○ Be familiar with the fire safety procedures for the event location. ○ Lead and influence an inclusive organizational culture that respects and supports Indigenous knowledge and ceremonial practices. ○ Support all front line management/supervisors and employees in the implementation of the policy's principles. ○ Ensure that costs associated with work orders completed to facilitate the use of Indigenous medicines are covered through departmental budgets or by external groups. ○ Ensure that relevant Facilities staff, Technicians or Site Supervisors are notified when a request to use Indigenous medicines has been made. ○ Issue and coordinate any necessary work orders. ○ Communicate with the Primary Staff Contact. 	
COMPLIANCE	Failure to comply with this Policy and its associated Procedure may result in appropriate disciplinary action.	
RELATED	<p>The following related documents are referenced in this Policy:</p> <ol style="list-style-type: none"> 1. <i>Procedure – Use of Indigenous Medicines</i> 2. <i>Smoke-Free Workplace Policy</i> 3. <i>Smoke-Free Ontario Act, S.O. 1994, c.10 s. 13</i>; specifically the following sections: <p>Purpose</p>	



13. (1) The purpose of this section is to acknowledge the traditional use of tobacco that forms part of Aboriginal culture an spirituality. 1994, c. 10, s. 13 (1).

Non-application of s. 3

(2) Section 3 does not prohibit a person from giving tobacco to an Aboriginal person who is or appears to be less than 19 yrs of age, if the gift is made for Aboriginal culture of spiritual purposes. 1994, c. 10, s. 13(2)

Non-application of smoking prohibitions

(3) No provision of an Act, regulation or municipal by-law that prohibits smoking in a place, including section 9 of this Act, a) prohibits an Aboriginal person from smoking tobacco or holding lighted tobacco there, if the activity is carried out for traditional Aboriginal culture or spiritual purposes; b) prohibits a non-Aboriginal person from smoking tobacco or holding lighted tobacco there, if the activity is carried out with an Aboriginal person and for traditional Aboriginal culture or spiritual purposes; 1994, c. 10, s. 13 (4)

Place for traditional use of tobacco

(4) At the request of an Aboriginal resident, the operator of a health facility, home or institution referred to in subsection 4 (2) shall set aside an indoor area, separate from any area where smoking is otherwise permitted, for the use of tobacco for traditional Aboriginal cultural or spiritual purposes. 1994, c. 10, s. 13 (4).

HISTORY

The following stakeholders were consulted in the creation or revisions made to this Policy:

- Energy, Fleet and Facilities Management Division
- Health, Safety and Wellness Specialist
- Human Rights, Diversity and Inclusion
- Neighbourhood & Community Initiatives Division
- Hamilton Aboriginal Advisory Committee
- Indigenous Elder-in-Residence, McMaster University
- Tourism and Culture Division
- Recreation Division
- Hamilton Fire Department
- Tobacco Control Program, Public Health Services
- Hamilton Executive Directors Aboriginal Coalition

This policy was approved by Senior Leadership Team on January 31, 2018.