

# Employment Equity

Presentation to the Senate Educational Equity Committee

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## QUESTION:

- What does employment equity mean to you?

# A Closer Look at the Contradictions: Saying Versus Doing in Canadian Organizations



Why do we continue to have this conversation 30 years after it began?

There are major contradictions between what organizations are saying about the importance of diversity and what they are actually doing.

# A Closer Look at the Contradictions: Saying Versus Doing in Canadian Organizations



What Canadian Organizations Are Saying	What Canadian Organizations Are Doing
<ul style="list-style-type: none"><li>• Commitment to diversity is strong.</li><li>• Diversity is an average, above-average or top priority.</li></ul>	<ul style="list-style-type: none"><li>• Almost half of the organizations surveyed have no strategic plan for diversity.</li><li>• Organizations lack integrated and comprehensive plans for achieving their stated goals.</li></ul>
<ul style="list-style-type: none"><li>• Retention of diverse talent is a top priority.</li></ul>	<ul style="list-style-type: none"><li>• Building leadership capacity and diversity management competencies does not appear among the top five short-term diversity priorities.</li></ul>
<ul style="list-style-type: none"><li>• Diversity budgets in 2006 will remain the same for most organizations</li></ul>	<ul style="list-style-type: none"><li>• Most organizations have not allocated a separate diversity budget.</li><li>• Most diversity-related initiatives fall under the responsibility of human resources</li></ul>
<ul style="list-style-type: none"><li>• “Creating a culture of inclusion” is a top priority for both the short and medium term.</li></ul>	<ul style="list-style-type: none"><li>• Most organizations do not have a strategic plan, accountability generally rests in one area, and training and development is not organization-wide.</li></ul>

# Employment inequities are...



Employment inequities arise from deliberate, or as is more often the case, systemic practices – those practices and policies that unintentionally have the effect of excluding persons for reasons that are:

- Not job related
- Not related to the safe operation of an enterprise
- Not related to ability

Employment equity programs seeks to reverse this to ensure that we get the best workforce available.

# The goal of employment equity



- To ensure that barriers against persons in designated groups (who historically have met barriers in employment systems) that result from an employer's formal or informal systems, policies and practices are identified and eliminated; this guarantees that people are not denied work opportunities for reasons unrelated to their skills or abilities; and we recruit from a pool that is inclusive of all the top talent.
- To achieve a workforce that is representative of the Canadian workforce population by setting goals for representation that employers can use as planning tools.

# Legislative requirements



Achieving employment equity is part of “best practices” that guarantees an organization is accessing the best pool of available workers.

The University’s legal obligations to address the issue of inequities in employment also come from two key pieces of legislation that serve to guide us on how to achieve EE:

- The *Ontario Human Rights Code (OHRC)*, and
- The Federal Contractors Program (FCP)

# The Ontario Human Rights Code and Employment Equity



In the area of employment, the *Ontario Human Rights Code* prohibits discrimination specifically on the following grounds:

- race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability (Article 5)

Harassment in employment on all of the grounds is also prohibited.

- Constructive Discrimination is also prohibited:  
A requirement, qualification or factor that is not discrimination on a prohibited ground but results in the exclusion, restriction or preference of a group identifiable by a ground (Article 11)

Unless the requirement is bona fide

AND

Cannot be accommodated to the point of undue hardship  
(considering cost, outside sources of funding and health and safety requirements.)

Employers are prohibited from:

- Publishing or displaying an invitation to apply for employment that directly or indirectly classifies or indicates qualifications by a prohibited ground of discrimination
- Using a form of application for employment or making a written or oral inquiry of an applicant that directly or indirectly....

It is permissible to:

- Ask questions at an employment interview concerning a prohibited ground where discrimination on that ground is permitted by the Code. (Article 23)

- It is not considered discrimination to implement a special program designed to achieve or attempt to achieve equal opportunity or contributes to the elimination of discrimination(Article 14)
  - Employment equity is such a program
- Special employment: organization primarily engaged in serving the interests of persons identified by race, ancestry, place of origin, colour, ethnic origin,, creed, sex, age, marital status or disabilities, gives preference - relies on the nature of the employment(Article 24)

The *OHRC* includes a specific article addressing the requirements for third parties acting in the interest of an employer (employment agencies) to respect the *Code*.

Requires an understanding (by third parties) of:

- committee/community needs
- employment equity goals/requirements
- employment equity processes

# The Federal Contractors Program (FCP)

# What is the “Federal Contractors’ Program” (FCP)?



- A program that ensures that organizations that do business with the Government of Canada achieve and maintain a workforce that is representative of the Canadian workforce population.
- Applies to provincially regulated employers with 100 or more employees that bid on or receive federal government contracts valued at \$1,000,000 or more;
- After being awarded a contract of \$1,000,000 or more, such employers are then required to develop and implement an employment equity program for their workforce.

# What do we mean by “designated groups” in the FCP?



- Employment equity focuses on four designated groups:
  - Women
  - Aboriginal peoples
  - Persons with disabilities
  - Visible minorities
- These are the groups which, according to federal studies, have historically faced barriers to equal participation in the workplace in Canada.



# How may “equity groups” at Queen’s differ from the FCP designation?



- The Human Resources job postings include the following statement:

The University invites applications from all qualified candidates. Queen's is committed to employment equity and diversity in the workplace and welcomes applications from women, visible minorities, Aboriginal peoples, persons with disabilities, and LGBTQ persons.

# And...



- The Collective Agreement between Queen's University Faculty Association and Queen's University for example, names "designated groups"/"equity groups" at Article 24.1.1 :
- "In accordance with the University's equity goals ...the University and the Association recognize the responsibility and the need to promote equity in the employment of women, visible minorities, aboriginal people, persons with disabilities, LGBTQ persons and such other groups as may be designated by legislation" (this statement adds a ground to those named in the FCP)

# What are some of the measures of equality that indicate successful implementation of employment equity?



- Representation
- Occupational Distribution
- Authority and Decision Making
- Job Security and Tenure
- Employment Conditions
- Pay and Benefits

# Designated Group Profile: Academic Positions, 2015



Queen's University	Total	Females	Aboriginal Peoples	Visible Minorities	Persons with Disabilities
Professors	51.3%	33.7%	1.4%	12.9%	4.3%
Adjunct Professors	24.1%	46.5%	1.5%	7.5%	4.3%
Post Doctoral Fellows	13.6%	32.4%	1.0%	32.8%	1.3%
Academic Assistants	6.2%	63.7%	0.0%	1.5%	0.7%
Librarians	2.0%	81.8%	0.0%	6.8%	9.1%
Archivists	0.3%	83.3%	0.0%	16.7%	0.0%
Total	100.0%	39.7%	1.3%	13.3%	3.6%
Canadian Workforce	100.0%	48.2%	3.5%	17.8%	4.9%
Canadian Workforce (Professors, NOC 4011)	100.0%	43.3%	1.3%	19.1%	3.8%

# Designated Group Profile: Staff Positions, 2015



Queen's University	Total	Females	Aboriginal Peoples	Visible Minorities	Persons with Disabilities
Executives	2.1%	40.0%	0.0%	4.0%	4.0%
General Support	79.8%	73.2%	2.0%	5.0%	6.1%
PPS	11.6%	28.6%	1.8%	1.5%	2.9%
Library Techs	2.6%	89.5%	3.5%	8.8%	8.8%
Techs	4.1%	26.8%	4.1%	3.1%	7.2%
Total	100.0%	65.7%	2.0%	4.6%	5.8%
Canadian Workforce	100.0%	48.2%	3.5%	17.8%	4.9%

# Summary of Gap Analysis



EEOG	Women	Aboriginal peoples	Visible minorities	Persons with disabilities
1. Senior Managers	3	0	-1	-1
2. Middle and Other Managers	11	-2	-14	3
3. Professionals	-47	-11	-206	14
4. Semi-Professionals and Technicians	-1	2	-36	0
5. Supervisors	7	3	1	-4
6. Supervisors - Crafts and Trades	-1	0	-2	0
7. Administrative and Senior Clerical	27	2	-1	18
8. Skilled Sales and Service Personnel	0	0	0	1
9. Skilled Crafts and Trades Workers	-1	0	-10	-1
10. Clerical Personnel	68	-2	2	2
11. Intermediate Sales and Service	-9	-1	1	-1
12. Semi-Skilled Manual Workers	-1	0	0	0
13. Other Sales and Service Personnel	-36	-6	-10	-6
14. Other Manual Workers	-1	0	0	1
Overall gap (hiring goal)	32	-21	-232	18

If employees from the designated groups are not:

- recruited,
- hired
- and retained

at a rate consistent with the general population this indicates possible barriers in the formal or informal employment policies and practices.

# Diversity and Inclusion at Queen's





from . . . Aboriginal Human Resources Council

1 - **INDIFFERENCE**

*Inclusion is not  
on the radar*

2 - **INTIMIDATION**

*Inclusion as  
forced  
compliance*

3 - **IMAGE**

*Inclusion as  
public relations*



6 - **INTEGRATION**

*Inclusion as a  
catalyst for  
growth*

5 - **INCUBATION**

*Inclusion nurtured  
as a core  
competency*

4 - **INITIATION**

*Inclusion as  
a business  
imperative*

# Employment Equity Framework



# Equity & Diversity Initiatives at Queen's



- ICOUNT Census Application (Faculty & Staff)
- Employment equity hiring systems (Faculty)
- Employment equity hiring system (Faculty & Staff)
- Diversity & Equity Assessment & Planning Tool (DEAP)
- Exit Surveys
- Diversity to Inclusion Training Certificate Program (HR)
- EE Training for Hiring Committees
- ICOUNT Student Equity Census
- Queen's University Quality Assurance Processes (QUQAP)
- Tri-Awards
- Achieving Equity Publications

# Diversity and Equity Assessment and Planning (DEAP) Tool



Diversity and Equity Assessment Planning Tool

Queen's University

Equity Office

Admin

Main



## DEAP

Diversity & Equity Assessment & Planning



[Introduction](#)

[Institutional Goals](#)

[Purpose of DEAP Tool](#)

[The Twelve Indicators of Educational Inclusion](#)

[The 3 steps](#)

[Start Using DEAP](#)

[Equity Profile](#)

[Step 1: Survey](#)

[Step 2: Goal Setting](#)

### 1. Strategic Planning

#### Response:

We are starting to develop a plan

#### Description of Response:

- The Unit identifies the need for a strategic plan that incorporates diversity and equity
- The Unit reviews other relevant plans for best practice
- The Unit consults with appropriate community members

[Educational Inclusion](#)

#### Resources:

- [A Strategy for Advancing Equity and Diversity at UBC](#)

☒ 1) We are starting to develop a plan

☐ 2) We have a plan

[HELP](#)

[HELP](#)

[HELP](#)