



Treasury Board of Canada
Secretariat

Secrétariat du Conseil du Trésor
du Canada

Canada

Employment Equity Policy

Published: Jul 01, 1999

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Published by Treasury Board of Canada, Secretariat
90 Elgin, Ottawa, Ontario, K1A 0R5, Canada

Catalogue Number: BT43-132/1999E-PDF
ISBN: 978-0-660-09720-6

This document is available on the Government of Canada website, Canada.ca

This document is available in alternative formats upon request.

Aussi offert en français sous le titre : Politique sur l'équité en emploi

Employment Equity Policy

Effective date

This document contains the policy as revised July 1, 1999 in response to the obligations of the new Employment Equity Act. It replaces the version dated October 6, 1994.

Policy objectives

The principal objectives of this policy are as follows:

- the achievement of equality in the federal Public Service so that no person is denied employment opportunities or benefits for reasons unrelated to ability; and
- improved human resources management, which contributes to the achievement of business goals and service to Canadians.

Policy statement

It is the goal of the Government of Canada to provide quality services to all Canadians by establishing, within the federal Public Service, a workforce of qualified employees while ensuring that its obligations under the Employment Equity Act are met.

Application

This policy applies to all departments and the portions of the Public Service of Canada as set out in Part I of Schedule 1 to the Public Service Staff Relations Act.

Policy requirements

It is the responsibility of departments and agencies to do the following:

- inform managers and employees of this policy; and
- obtain the commitment and active support of all managers in order to ensure successful policy implementation.

Responsibilities

Deputy heads

It is the responsibility of departments and agencies to:

- provide a supportive work environment that will:
 - encourage employees to self-identify as designated group members; and
 - attract and retain designated group members;
- conduct an accurate workforce analysis by:
 - analyzing internal representation, distribution, participation and available internal labour pools for all occupational categories; and
 - comparing internal workforce data to appropriate (including regional) external availability data;
- conduct an effective employment systems review to determine what barriers exist to the employment of designated groups by:
 - conducting a review of those employment systems listed in the Regulations in accordance with the Treasury Board of Canada Secretariat/Public Service Commission of Canada Guide on Employment Systems Reviews; and
 - reviewing internal policies and practices as well as the implementation of central agency policies;
- consult and collaborate with employee representatives, including bargaining agents, designated group members and others by adopting a formal process for consultation with bargaining agents, in accordance with guidelines established by the National Joint Council;
- communicate with employees by:
 - distributing information regularly about employment equity initiatives and progress to all employees; and
 - using all available internal media and ensuring that media are accessible to employees with disabilities;
- hold management at all levels accountable for the implementation of employment equity by integrating employment equity objectives into managers' accountability statements and performance assessments;
- co-operate with the Canadian Human Rights Commission with respect to its audits pursuant to the Employment Equity Act, and maintain the department in a state of audit-readiness; and
- maintain all records as required by the Employment Equity Act.

Treasury Board Secretariat

It is the responsibility of the Treasury Board of Canada Secretariat, as the administrative arm of the Treasury Board, the employer of the federal Public Service, to do the following:

- provide orientation and interpretation services to departments and agencies in the analysis, development and implementation

- of employment equity strategies and activities in order to ensure results;
- determine which employment equity implementation obligations are to be delegated to departments and create the appropriate delegation instruments;
- maintain the employment equity Self-Identification Data Base by ongoing collection from departments and agencies of designated group self-identification data;
- consult and collaborate with employee representatives at the national level;
- consult and negotiate with the Public Service Commission of Canada and the Canadian Human Rights Commission with respect to issues that affect the entire federal Public Service, including issues arising from audits; and
- prepare the Treasury Board President's annual report on the status of employment equity in the federal Public Service, which is tabled in Parliament.

Monitoring

The Treasury Board of Canada Secretariat and the Public Service Commission of Canada will monitor the implementation of employment equity in departments and agencies, including the follow-up of the audit reports of the Canadian Human Rights Commission.

It is the responsibility of departments and agencies to monitor their own progress in employment equity, and to integrate employment equity into their evaluations and internal audits.

References

Authorities

Financial Administration Act (FAA)

Employment Equity Act (EEA) and Regulations

Public Service Employment Act (PSEA) and Regulations

Public Service Staff Relations Act (PSSRA)

Treasury Board publications

The Treasury Board of Canada Secretariat periodically publishes guidelines and tools for use by departments in the implementation of employment equity. For a current list, refer to the Employment Equity Web site at <http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=12543>. The following is a list of publications relevant to this policy:

Our Vision: Employment Equity in the Federal Public Service

Shared Responsibilities for Implementing the New Employment Equity Legislation

Employment Systems Review - A Guide for the Federal Public Service (published jointly with the Public Service Commission of Canada)

Consultation and Collaboration between Departments/Agencies and Bargaining Agents under section 15 of the EE Act (published jointly with the NJC-EE Committee)

Memorandum of Understanding between the Canadian Human Rights Commission and the Treasury Board of Canada Secretariat

The Accountability Framework and the new Employment Equity Act

Overview of the Employment Equity Act from a Public Service Perspective

The new Employment Equity Act: Questions and Answers for Managers and Staff

Framework for Compliance Audits Under the Employment Equity Act: Audit Process and Assessment Factors (published by the Canadian Human Rights Commission)

Enquiries

Enquiries should be directed to the person responsible for employment equity in your department or agency. That person may then address policy interpretation questions or any requests for advice to the appropriate officer in the Employment Equity Division of the Treasury Board of Canada Secretariat.

Information may also be obtained from the Employment Equity Division's Web site at the following address: <http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=12543>.

Appendix A - Employment Equity Policy guidelines

A federal Public Service representative of the people it serves will be achieved by implementing employment equity with respect to

Aboriginal persons¹, persons with disabilities, members of visible minorities and women (i.e. "the designated groups").

The main obligations of departments, agencies and the Treasury Board of Canada Secretariat (TBS), under the Employment Equity Act and Treasury Board Employment Equity Policy, can be summarized as follows:

- conducting a self-identification survey;
- conducting a workforce analysis;
- conducting an employment systems review (if under-representation exists) and removing any barriers that may exist and that are not authorized by law;
- developing strategies to address under-representation;
- preparing an annual Employment Equity Plan that addresses the causes of under-representation and sets goals for the achievement of a representative workforce;
- communicating to employees;
- consulting and collaborating with employee representatives and representatives of designated groups; and
- maintaining records.

The Treasury Board's Employment Equity Policy and the Shared Responsibilities document set out the respective responsibilities of TBS and departments and agencies. These guidelines are intended to supplement those documents and contribute to a unified, co-ordinated implementation of employment equity in the federal Public Service.

Supportive work environment

A key element necessary in achieving and retaining a representative workforce is a supportive work environment and a corporate culture that is welcoming to the designated groups. The following practices have been found to be effective in creating such an environment:

- communicating to all employees the rationale, objectives and importance of equality in the workplace;
- emphasizing that the merit principle is at the core of employment equity;
- demonstrating a commitment to employment equity at all levels of the department or agency by hiring, promoting, developing and retaining members of designated groups, which is accomplished by using all existing initiatives, including special programs, using bridging, mentoring and outreach strategies, and supporting flexible work arrangements and developmental assignments;
- recognizing that different strategies are required for each designated group;
- combatting harassment in the workplace; and
- expecting accountability on the part of managers to set and achieve employment equity goals and objectives.

Self-identification survey

A high rate of response to a self-identification survey ensures that a department or agency has an accurate picture of the composition of its workforce. The following practices have been found to contribute to a high response rate in departmental workforce surveys:

- communicating effectively to all employees the purpose and importance of self-identification;
- involving bargaining agents and other employee representatives in the survey process, especially in the communications strategy;
- distributing the self-identification forms to all employees;
- requesting all employees to return a completed form, whether or not they identify themselves as members of a designated group;
- developing and implementing an effective follow-up strategy with respect to the self-identification survey; and
- assuring employees that information identifying them as members of a designated group will be kept confidential.

Departments and agencies should offer employees the opportunity to self-identify as designated group members at various stages of their careers, including at the time of hiring and at the time of transfer from another department.

Workforce analysis

Departments and agencies can ensure the continued accuracy of their workforce analysis by continuously collecting and maintaining data on recruitment, hiring, promotion, training and retention of members of designated groups. The Employment Equity Division of TBS can provide assistance to departments in the analysis of their workforces for the purposes of the Employment Equity Act, and in data reconciliation.

Employment systems review

Where the workforce analysis reveals under-representation, departments and agencies are required to conduct a review of their employment systems, as listed under the Employment Equity Regulations, to determine whether there are barriers to the representation of designated group members. It is suggested that departments and agencies follow the Employment Systems Review Guide, jointly published by TBS and the Public Service Commission of Canada.

The review will be more effective if employee representatives and representatives of designated groups are consulted with respect to the process and content of the review. Departments and agencies should also collaborate with those groups during the review.

It is recommended that departments and agencies:

- implement the recommendations of the review as soon as possible; and
- review new policies and practices as they are developed and implemented in order to ensure that they will not create barriers

to employment.

Employment equity plan

Employment equity planning should be incorporated into the Human Resources/Business Planning exercises.

The contents of the employment equity plan should be in accordance with the Employment Equity Act. The Employment Equity Division of TBS can provide assistance in all aspects of employment equity planning, including advice on how to set appropriate representation goals.

Departments and agencies are not required to submit copies of their plans to TBS; however, departmental annual progress reports must be submitted to TBS to meet legislative requirements.

Positive policies and practices

Where under-representation of the designated groups occurs, departments and agencies are required to implement positive policies and practices in order to correct such under-representation.

Such policies and practices should be linked directly to the causes of the under-representation and should be monitored to ensure that they are effective.

Assistance to departments

The Employment Equity Division also offers the following assistance to departments in order that employment equity is implemented in a consistent fashion on a government-wide basis:

- develops administrative tools for government-wide use and co-ordinates the efforts of federal departments and agencies in the implementation of employment equity;
- determines and provides departments or agencies with labour market availability data on each designated group by occupational category;
- forwards updated data to departments or agencies on departmental representation and performance related to numerical goals; and
- assists departments in the setting of departmental goals.

Accountability

Treasury Board of Canada Secretariat integrates employment equity implementation objectives into the input provided by the Secretary of the Treasury Board with respect to departmental management assessments.

Footnotes

Footnote fn1

Aboriginal persons includes persons who are Inuit, Métis, or members of First Nations.

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