

# **Directive on employment equity, diversity and inclusion**

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# Directive on Employment Equity, Diversity and Inclusion

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## 1. Effective date

- 1.1 This directive takes effect on April 1, 2020.
- 1.2 This directive replaces the Treasury Board's *Employment Equity Policy* dated July 1, 1999.

## 2. Authorities

- 2.1 This directive is issued pursuant to the same authorities indicated in section 2 of the *Policy on People Management*.

## 3. Objectives and expected results

- 3.1 The objectives indicated in section 3 of the *Policy on People Management* apply to this directive.
- 3.2 The expected results of this directive are as follows:
  - 3.2.1 An equitable, diverse and inclusive workplace where no person is denied employment opportunities or benefits for reasons unrelated to ability or job requirements;
  - 3.2.2 Management demonstrates effective leadership by promoting and contributing to employment equity, diversity and inclusion in the workplace; and
  - 3.3.3 Organizational policies and practices respect and promote equity, diversity and inclusion.

## 4. Requirements

- 4.1 The senior official designated by the deputy head is responsible for the following:
  - 4.1.1 Engaging, consulting and collaborating with employees who are members of designated groups under the *Employment Equity Act*, managers, departmental bargaining agents and other employees in all aspects of employment equity, diversity and inclusion, including plans, systems, policies, practices and processes for the purposes of:

- 4.1.1.1 Obtaining and providing information;
- 4.1.1.2 Defining, clarifying and discussing roles and responsibilities;
- 4.1.1.3 Identifying progress and areas of concern; and
- 4.1.1.4 Developing strategies;
- 4.1.2 Consulting and collaborating with employee representatives, including bargaining agents, with regard to:
  - 4.1.2.1 Facilitating implementation and communication of employment equity, diversity and inclusion plans and activities;
  - 4.1.2.2 Implementing:
    - The self-identification questionnaire;
    - The workforce analysis;
    - The employment systems review;
    - The review of current and future systems, policies, programs, processes and practices to identify and eliminate barriers; and
    - The departmental employment equity plan;
- 4.1.3 Overseeing the department's employment equity obligations in accordance with the requirements of the *Employment Equity Act*, the *Employment Equity Regulations* and the mandatory procedures in the appendix to this directive, including:
  - 4.1.3.1 Collecting workforce information through self-identification questionnaires;
  - 4.1.3.2 Conducting a workforce analysis;
  - 4.1.3.3 Completing an employment systems review; and
  - 4.1.3.4 Making recommendations or proposing strategies to the deputy head with regard to under-representation, policies, programs or practices;
- 4.1.4 Collaborating with the Office of the Chief Human Resources Officer, Treasury Board of Canada Secretariat, for the purposes of sharing and reconciling data;
- 4.1.5 Proactively reviewing systems, policies, programs, processes and practices as they are developed and implemented to ensure that they will not create barriers to employment equity designated groups;
- 4.1.6 Developing an employment equity plan in accordance with section 10 of the *Employment Equity Act*;

- 4.1.7 Ensuring that employment equity planning is incorporated into the human resources / business planning exercise;
- 4.1.8 Gathering, maintaining and safeguarding employment equity data and personal information; and
- 4.1.9 Monitoring and reporting on employment equity as outlined in the *Employment Equity Regulations*.

## 5. Roles of other government organizations

- 5.1 The roles of other government organizations in relation to this directive are described in section 5 of the *Policy on People Management*.

## 6. Application

- 6.1 This directive applies to the persons employed and organizations listed in section 6 of the *Policy on People Management*.

## 7. References

- 7.1 Legislation
  - o *Canadian Charter of Rights and Freedoms*
  - o *Canadian Human Rights Act*
  - o *Canadian Multiculturalism Act*
  - o *Employment Equity Act*
  - o *Employment Equity Regulations*
  - o *Public Service Employment Act*
- 7.2 Related policy instruments
  - o *Policy on People Management*
  - o *Directive on Duty to Accommodate*

## 8. Enquiries

- 8.1 For interpretation of any aspect of this directive, contact Treasury Board of Canada Secretariat Public Enquiries.

# Appendix: Mandatory Procedures for Employment Equity, Diversity and Inclusion

## A.1 Effective date

- A.1.1 These procedures take effect on April 1, 2020.
- A.1.2 In conjunction with the *Policy on People Management* and the *Directive on Employment Equity, Diversity and Inclusion*, these procedures replace the following Treasury Board policy instrument:
  - o *Employment Equity Policy* (July 1, 1999)

## A.2 Procedures

- A.2.1 These procedures provide details on the requirements set out in subsection 4.1 of the *Directive on Employment Equity, Diversity and Inclusion*.
- A.2.2 Mandatory procedures are as follows:
  - A.2.2.1 When conducting a workforce self-identification survey, the senior official designated by the deputy head must:
    - A.2.2.1.1 Respect the requirements of the *Employment Equity Regulations* in developing and administering workforce self-identification questionnaires;
    - A.2.2.1.2 Consult with bargaining agents and other employee representatives throughout the process and on the results;
    - A.2.2.1.3 Communicate to all employees the purpose and importance of self-identification;
    - A.2.2.1.4 Disseminate self-identification questionnaires in accessible formats to all employees;
    - A.2.2.1.5 Request that all employees return a completed form, whether or not they identify themselves as members of one or more employment equity designated groups;
    - A.2.2.1.6 Develop and implement an effective strategy to assess the outcome of the workforce self-identification questionnaire; and

- A.2.2.1.7 Ensure that information gathered for the purposes of self-identification is kept confidential and safeguarded appropriately, in accordance with the *Employment Equity Regulations*.
- A.2.2.2 In order to maintain up-to-date workforce survey results, the senior official designated by the deputy head must provide a workforce self-identification questionnaire to persons employed:
  - A.2.2.2.1 When they begin or change employment;
  - A.2.2.2.2 Who wish to change information previously submitted; or
  - A.2.2.2.3 Who otherwise request it.
- A.2.2.3 When conducting a workforce analysis, the senior official designated by the deputy head must respect the process prescribed in the *Employment Equity Regulations*; and
- A.2.2.4 When completing an employment systems review, the senior official designated by the deputy head must respect the process prescribed in the *Employment Equity Regulations*.

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