HORIZONTAL AUDIT IN THE COMMUNICATIONS SECTOR:

IMPROVING REPRESENTATION
FOR PEOPLE WITH DISABILITIES

Canadian Human Rights Commission

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Glossary

Designated groups: women, Indigenous peoples, persons with disabilities and racialized people[1]

Employment Equity Act (EEA): federal legislation that specifies the actions employers must take to promote employment equity and establishes the mandate of the Canadian Human Rights Commission to ensure that employers comply with the EEA. See What is Assessed in an Employment Equity Audit for more information about EE audits and The Role of Other Organizations with Respect to the Employment Equity Act.

Employment Equity plan (EE plan): a plan (actions, timelines, people responsible etc.) to address employment barriers and under-representation of designated groups. An EE Plan must respond to barriers identified in the ESR. See What is an "Employment Systems Review" and an "Employment Equity Plan"? for more information.

Employment Equity Regulations (EE Regulations): federal regulations adopted pursuant to the EEA.

Employment systems review (ESR): a purposeful and comprehensive review of employment systems, policies and practices, to identify barriers to employment, as required by the EEA and its Regulations.

Occupational categories: employment positions classified by groups (e.g. managers, supervisors, professionals, skilled craft and Trades workers, clerical personnel etc.) based on Canada's National Occupational Classification system.

Self-identification survey: a survey through which employers can ask employees to identify as a member of one or more designated groups. See Collecting EE Information About your Employees for more information.

Special measures: Special measures[2] are temporary initiatives an organization puts in place to close a gap in representation. An example of a special measure is a targeted recruitment strategy for candidates with disabilities.

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[1] Although used in the Employment Equity Act, the terms "visible minorities" and "Aboriginal peoples" are no longer commonly used and may be offensive to some people. As such, the Commission now uses the expressions "racialized persons" and "Indigenous peoples" in place of, but having the same meaning as "members of visible minorities" and "Aboriginal peoples"

[2] Employment Equity Act. Section 2 Purpose of the Act

Workforce analysis: a comparison between the representation levels of designated groups, by occupational categories, for a particular employer *and* estimates of the qualified and available workforce for that employer. See [Identifying Areas of Under-Representation of Designated Groups in Your Workforce](#) for more information.

Executive summary

One could argue that a society is only as diverse and inclusive as its workplaces. Removing barriers to employment opportunity and improving workplace representation for historically marginalized groups is a fundamental step to improving the human rights of all. This is because when employment representation for those key groups is improved, generations of lives are changed for the better, intersecting human rights are protected on a systemic scale, and Canada's workforce is made stronger and better.

That was the ultimate vision behind Parliament creating the Employment Equity Act (EEA) in 1995, and why this work remains a key priority of the Canadian Human Rights Commission to this day. The ultimate goal of the EEA is to help ensure that everybody in Canada has the same access to the labour market. The EEA requires that federally regulated employers take steps to eliminate barriers to equity in the workplace and take actions to ensure the full representation of members of four designated groups: women, Indigenous peoples, people with disabilities, and members of racialized groups.

The Commission's employment equity role involves working with federally-regulated employers to promote equality in the workplace by conducting audits to assess an employer's compliance with the obligations set out in the EEA. As much as possible, the Commission takes a collaborative approach as we see this is often the best way to achieve the ultimate goal of employment equity.

In recent years, we have adopted a new approach to help us go beyond the numbers and tell a full story about where Canada is at, and where Canada is heading, when it comes to inclusion and diversity in its workforce. This new tool, called a horizontal audit, allows us to take a closer look at specific sectors. It allows us to focus on discrimination and representation gaps relating to a single designated group in a single sector.

This report details the findings of our latest horizontal audit that looked at the representation of people with disabilities working in the federally regulated communications sector.

Since the EEA came into force in 1996, the representation of designated groups has improved in most workplaces; however, there are still challenges. And as this report will show, for people with disabilities, the communications sector is still a big challenge.

While the overall representation of people with disabilities in the communications sector has increased — from 1.7% in 2011 to 3.7%[3] in 2019 — it is still well below what it should be, with the availability rate being 9.1%.

In the first phase of this audit, the Commission sent a survey questionnaire to all 58 federally regulated employers operating in the communications sector. The survey findings are included in the first part of this report entitled "Sector-Wide Survey Results". In the second phase, the Commission randomly selected 17 employers for a full audit to verify their compliance with the EEA across five lines of inquiry. The Commission's audit findings are found in the next part of this report called "Full Audit Findings."

The Commission wishes to acknowledge the collaboration of employers during both stages of this audit. Many of the employers who were audited had already taken steps that had proven to be effective, or have the potential to be effective, in closing the representation gaps for people with disabilities. However, none of the 17 employers that were fully audited met all of their legislative obligations.

Key findings:

- About **38%** of employers surveyed indicated that they had not shared their workforce analysis with managers. For hiring managers to take corrective staffing actions, they must be aware of outstanding gaps for people with disabilities.
- **Only half** of the employers who participated in the survey reported that their workplaces were accessible and barrier-free. This means that many workplaces in the communications sector still have important accessibility issues.
- **55%** of the employers surveyed (32 employers) reported that they had established an EE committee, but **only 24%** of those surveyed (14 employers) indicated that the EE committee included a representative with a disability. To ensure effective consultation and to identify concrete solutions, the participation of people with disabilities is crucial.
- **Almost half** of the 58 employers surveyed reported that they had identified barriers to employment related to disabilities. However, among the 17 employers selected for a full audit, **only two** employers had completed a valid ESR and only one had created a sound EE plan.
- In many organizations, despite promising initiatives, the audit revealed a lack of an accountability framework to monitor the implementation and success of the EE plan. For example, **only two** employers audited had established performance indicators for hiring managers to close representation gaps for people with disabilities. Accountability measures and systems are crucial to ensure progress.

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[3] Employment Equity Act: Annual Report 2020, Employment and Social development Canada p. 21

With a workforce of nearly 130,000 employees, the communications sector makes up a significant portion of the federally regulated workforce of Canada. It can, therefore, make an important contribution to equality in employment for people with disabilities. However, additional efforts are necessary for the communications sector to comply with the requirements of the EEA and promote the equitable representation of people with disabilities in the workplace. This is reflected by the fact that even after 25 years of the Act being in force, the Commission still had to require all 17 of the employers that were the subject of a full audit to sign a management action plan.[4]

The Commission expects that this report will assist not just the surveyed employers but all federally regulated employers to work towards surpassing their legislative obligations under the EEA, and to ensure that people with disabilities are able to fully and equally participate in the workplace. In the enclosed annexes, we provide some helpful tools including lists of commonly reported barriers, EE plan initiatives and EEA compliance tips to assist employers in these efforts.

Together, we can do better.
Together, we can ensure a truly inclusive Canada for all.

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[4] A management action plan is an agreement between the Commission and the employer setting out specific remedial actions that an employer must take within a specified period of time in order to become compliant with the requirements of the EEA.

Introduction

The Employment Equity Act

The Employment Equity Act (EEA) helps ensure that all Canadians have the same access to the labour market. The EEA requires federally regulated employers to remove barriers to equality by doing more than treating people in the same way. Where necessary, employers are required to accommodate differences and take concrete action to ensure the full representation of four designated groups within their organization: women, Indigenous peoples, people with disabilities, and members of racialized groups.

Under the EEA, employers must prepare an employment equity plan. The EE plan must specify policies and practices to correct under-representation and measures to eliminate employment barriers. It is the employer's responsibility to monitor the plan's implementation and progress.

The EEA requires federally regulated employers to:

- **Collect information** about the level of representation of the four designated groups within the organization.
- **Conduct a workforce analysis** comparing the level of representation of the four designated groups within the organization to labour market availability, or workforce availability in the public sector.
- **Review** the organization's employment systems, policies and practices to identify barriers to employment opportunity for the four designated groups.
- **Create an employment equity plan** that specifies the policies, practices and measures that employers will apply in the short term to remove employment barriers.
- **Implement the EE plan and measure results** to ensure reasonable progress toward achieving employment equity within the organization.
- **Review and revise** the EE plan periodically.
- **Share information** with employees about employment equity.
- **Consult and collaborate** with employees and/or bargaining agents (where applicable).
- **Maintain records** about the organization's employment equity program.

The Role of the Canadian Human Rights Commission

The Canadian Human Rights Commission is responsible for enforcing the EEA. The Commission's Employment Equity Division conducts audits to ensure that employers are in compliance with the EEA. When undertaking audits, the Commission takes into account an employer's challenges, acknowledges progress, and supports success by providing direction on how employers can meet and exceed the requirements of the EEA. Through the audit process, the Commission helps employers achieve employment equity objectives and understand the benefits of a representative workforce.

Horizontal Audits: Our latest approach

The horizontal or issue-based audit examines an issue across many employers in a sector. This tool can focus on a persistent representation gap in relation to one particular designated group. For example, to examine the under-representation of women in management roles.

The goal of the horizontal audit is to better understand where the four designated groups still face barriers to representation and why. This approach also assesses the employer's compliance with the EEA.

Horizontal audits also have the following goals:

- identify practices that attract and retain employees from the designated groups;
- share these and other best practices with all employers;
- publish reports on key findings, identifying systemic barriers and proposing solutions.

Context for this Audit

The Commission audits employers to assess their compliance with the obligations and requirements of the EEA. While progress in the representation of designated group members has been made across sectors, a large representation gap persists for people with disabilities within the communication sector.

This gap was compounded when changes to Canada's Census of Population resulted in the availability rate of people with disabilities increasing from 4.9% in 2011 to 9.1% in 2016. While the overall representation of people with disabilities in the communication industry has improved from 1.7% in 2011 to 3.7%[5] in 2019, it is still well below the availability rate of 9.1%.

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[5] Employment Equity Act : Annual Report 2020, Employment and Social development Canada p. 21

The Commission decided to conduct a horizontal audit of the communication sector to promote and assist employers in taking concrete measures towards improving the representation of people with disabilities.

Methodology

Phase one of the horizontal audit: A survey of fifty-eight (58) employers

In phase one of this audit, the Commission identified the fifty-eight (58) employers in the communication sector who submitted an annual Employment Equity report to the Labour Program of Employment and Social Development Canada (see **Annex D**). The Commission then sent an employment-equity survey to these employers, asking about the steps they have taken to identify employment barriers and increase the representation of people with disabilities.[6]

The survey focused on the following themes:

- knowing your workforce;
- understanding employment barriers for people with disabilities;
- addressing employment barriers;
- adopting a leadership approach in promoting and hiring people with disabilities;
- promising practices;
- accessibility and accommodation; and
- accountability and monitoring.

For details on phase one of the audit, see the section "Sector-Wide Survey Results".

Phase two of the horizontal audit: A full audit of seventeen (17) employers

After compiling the survey results, the Commission randomly selected seventeen (17) employers and conducted a full audit.[7] Compliance with the requirements of the EEA was considered using five lines of inquiry:

- supporting the employment equity program;
- understanding employment barriers for people with disabilities;
- improving representation for people with disabilities;
- strengthening management's leadership and performance with respect to the representation of people with disabilities; and

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[6] Please note that the data in this section of the report is based on employers' responses to the survey. These responses were not verified by the Commission.

[7] The Commission selected employers using a simple random sampling method without replacement. All employers had an equal chance to be selected.

- designing an accountability framework.

Selected employers were asked to complete a "Document Submission Index," which provided them with a structured way to submit information about their EE programs and attach documents as evidence. Commission's employment equity program auditors also conducted interviews to validate initial findings based on the Document Submission Index.

As much as possible, program auditors interviewed a wide-range of managers and employees, including: people with disabilities, senior and hiring managers, human resources (HR) personnel and members of any employment equity committee or resource group for people with disabilities. The interviews covered a range of themes related to people with disabilities and employment equity, including:

- the role of EE within the corporate culture;
- barriers to recruitment, retention and career advancement;
- key milestones in helping to close representation gaps;
- significant initiatives planned to promote EE and close gaps;
- how the progress of EE plans and representation levels are measured;
- general knowledge about the EEA and the organization's EE plan and programs;
- how HR personnel support hiring managers to recruit, retain and promote people with disabilities;
- whether people with disabilities feel valued and respected; and
- how accountability is measured for senior and other managers, such as hiring managers.

Program auditors assessed the information and prepared a confidential audit report for each employer. If necessary, the audit report included a management action plan, which set out the actions needed to comply with the requirements of the EEA. Before closing the audit, the Commission assesses the evidence provided by the employer to confirm that the requirements of the management action plan have been met.

For details on phase two of the audit, see the section "Full Audit Findings."

Sector-wide survey results
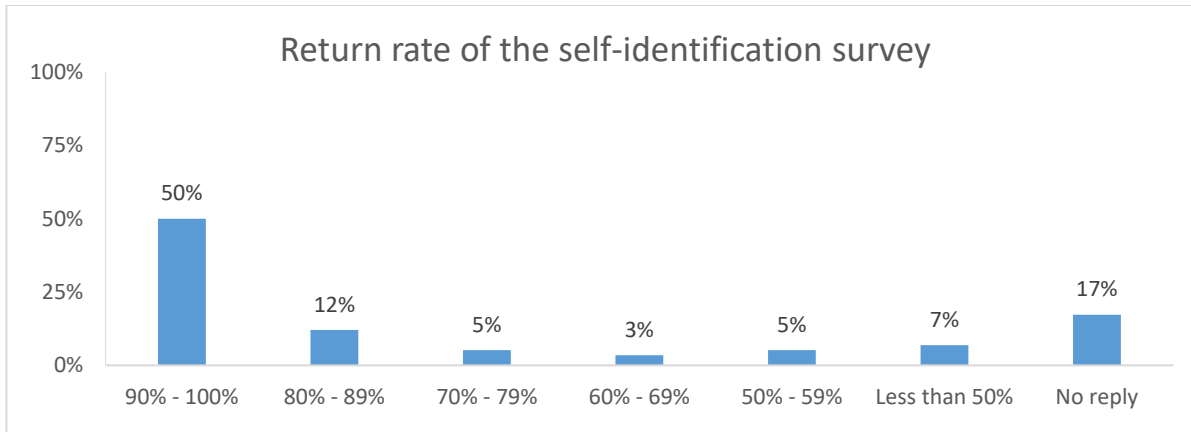
Theme one:
Knowing your workforce

Conducting a Self-Identification Survey

The EEA requires employers to identify employee representation from each of the four designated groups, according to occupational category, in real numbers and as a percentage of the total workforce. It is important to note, however, that employers are required to use a self-identification survey of employees to do so. The EEA also requires employers to include the following definition of "persons with disabilities" in their surveys:

> Persons with disabilities are those that have a long-term or recurring physical, mental, sensory, psychiatric or learning impairment and who (a) consider themselves to be disadvantaged in employment by reason of that impairment, or (b) believe that an employer or potential employer is likely to consider them to be disadvantaged in employment by reason of that impairment. This also includes persons whose functional limitations owing to their impairment have been accommodated in their current job or workplace.

In the Commission's view, employers should strive for a "return rate" of the self-identification survey of at least 90%.[8] The chart below shows the performance of the employers we surveyed in terms of self-identification return rate. 50% of the employers surveyed reported a return rate of at least 90%.

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[8] The "return rate" is the number of surveys returned as compared to the total number of employees. For example, if an employer has 100 employees and the survey is returned by 90 employees, the return rate for the survey is 90%. This is to be contrasted with the "rate of self-identification," which <u>cannot</u> be tracked because to do so would require an employer to "ascribe" membership to designated group of people and compare it with what is reported in the surveys.

Return rate of the self-identification survey

Category	Value
90% - 100%	50%
80% - 89%	12%
70% - 79%	5%
60% - 69%	3%
50% - 59%	5%
Less than 50%	7%
No reply	17%

Membership in a designated group cannot be attributed or assigned to employees by the employer. Employers can only count as members of designated groups individuals who voluntarily self-identify. It is therefore in the employer's interest to proactively promote self-identification. Employers can encourage higher return rates and rates of self-identification in a number of ways:

1. Making the return of surveys mandatory (see EE Regulations, s. 3(7).)

2. Communicating to employees the importance of self-identification. For example, by using an organization-wide email campaign to explain the purpose of employment equity and how the data will be used. (70.7% of the employers surveyed had a communication strategy to promote the participation of employees with disabilities in their self-identification surveys.)

3. Implementing a follow-up strategy to reach employees who did not return the survey, keeping in mind that employees must not be pressured to self-identify. (62% of the employers surveyed reported having a follow-up strategy for unreturned self-identification surveys.)

4. Periodically conducting an organization-wide self-identification survey campaign. (29.3% of employers reported that their last organization-wide self-identification survey was conducted less than a year ago, while 31% reported that it was more than five years ago.)

5. Providing employees with examples of disabilities. (96.5% of employers included examples of disabilities in their self-identification survey.)

Table 1: Examples of disabilities included in employers' self-identification survey

Type of Disability	Percentage
Hearing-Related Disability	77.6%
Seeing-Related Disability	77.6%
Mobility-Related Disability	77.6%
Learning-Related Disability	75.9%
Mental and/or Psychological-Related Disability	72.4%
Dexterity-Related Disability	62.10%
Developmental-Related Disability	62.10%
Other Type of Disability	50.0%
Flexibility-Related Disability	36.20%
Pain-Related Disability	34.50%
Memory-Related Disability	31.0%
Unknown Disability Type	29.30%

To learn more about self-identification surveys and requirements of the EEA see Collecting EE Information About your Employees

Sharing the Work Force Analysis results

A Workforce Analysis shows the representation of each designated group by occupational category in an organization's workforce. These levels of representation are compared to census data to determine the existence and degree of under-representation.

For more information about conducting a Workforce Analysis see: Identifying Areas of Under-Representation of Designated Groups in Your Workforce

Sharing the results of a Workforce Analysis with employees and managers while suppressing data that might reveal the identity of specific employees (see EEA, s. 9(3)) is one of the ways that an employer can encourage participation in its employment equity program. If an organization's staff and managers can clearly see that there are gaps, they might be more likely to understand the need to remove barriers and/or adopt special measures to correct conditions of disadvantage for designated group members.

The graphics below show the performance of employers in sharing their workforce analysis with either managers or employees.

Has your organization communicated the results of its workforce analysis to managers?

No reply 2%
No 38%
Yes 60%

Has your organization communicated the results of its workforce analysis to employees?

No reply 2%
Yes 31%
No 67%
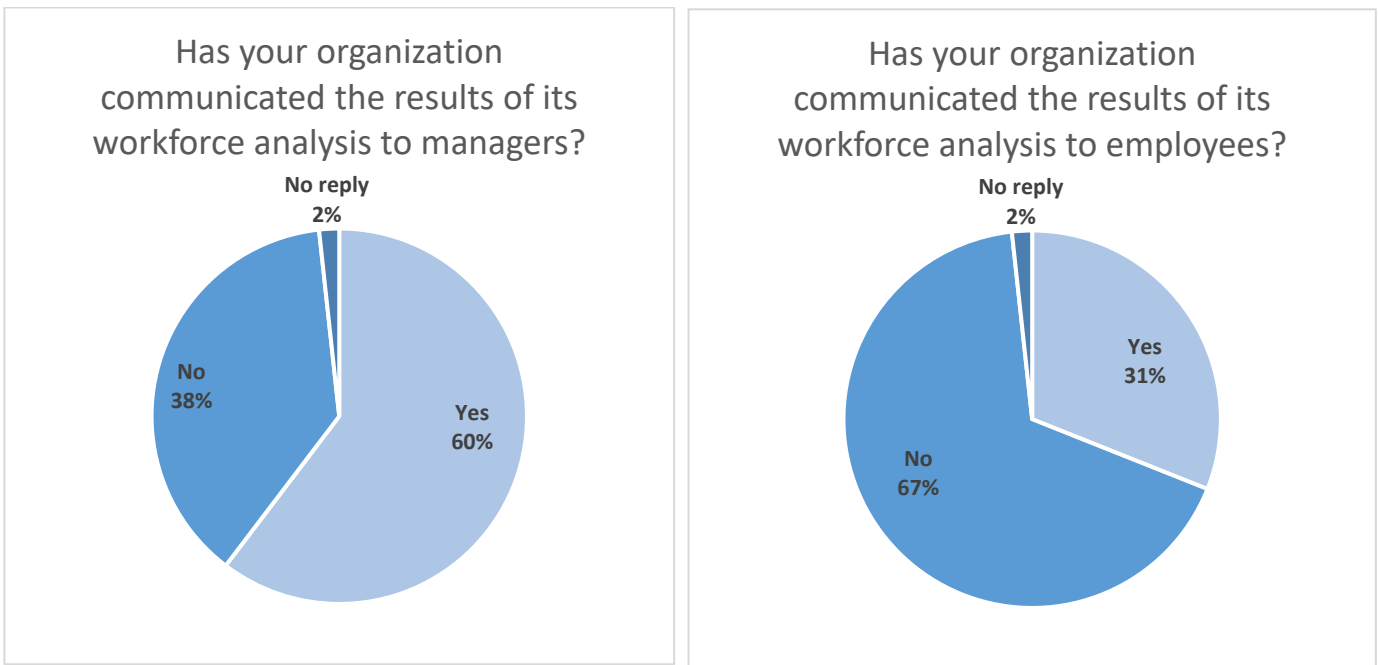
It is noted that 60% of employers surveyed share their workforce analysis results with managers while only 31% of employers share their results with employees. Ideally, all employers should communicate those results with their entire workforce.

In order for hiring managers to take corrective staffing actions, they must be aware of outstanding gaps for people with disabilities. They should also take ownership of improving hiring practices to achieve better representation.

Employment equity committee

Employers are required to consult with employee representatives regarding:

● the assistance available to employers to help implement employment equity in the workplace and with communicating to employees on matters relating to employment equity; and
● the preparation, implementation and revision of the employer's EE plan (see EEA, s. 15 and Communication and Consultation on Employment Equity).

An employment equity committee is a convenient and effective way for employers to better understand their workforce and meet the EEA requirement to consult and collaborate with employee representatives. EE committees can also be a valuable resource for communicating EE information to the workforce, helping to identify employment barriers, suggesting referral sources, and designing special measures for under-represented designated groups. Having a representative from every designated group ensures that each group has a voice.

Among the employers surveyed, only 55.2% (32 employers) had an EE committee. Only 24.1% of employers surveyed (14 employers) reported having a representative with a disability and only 15.5% reported having a representative from management with a disability on the committee (9 employers).
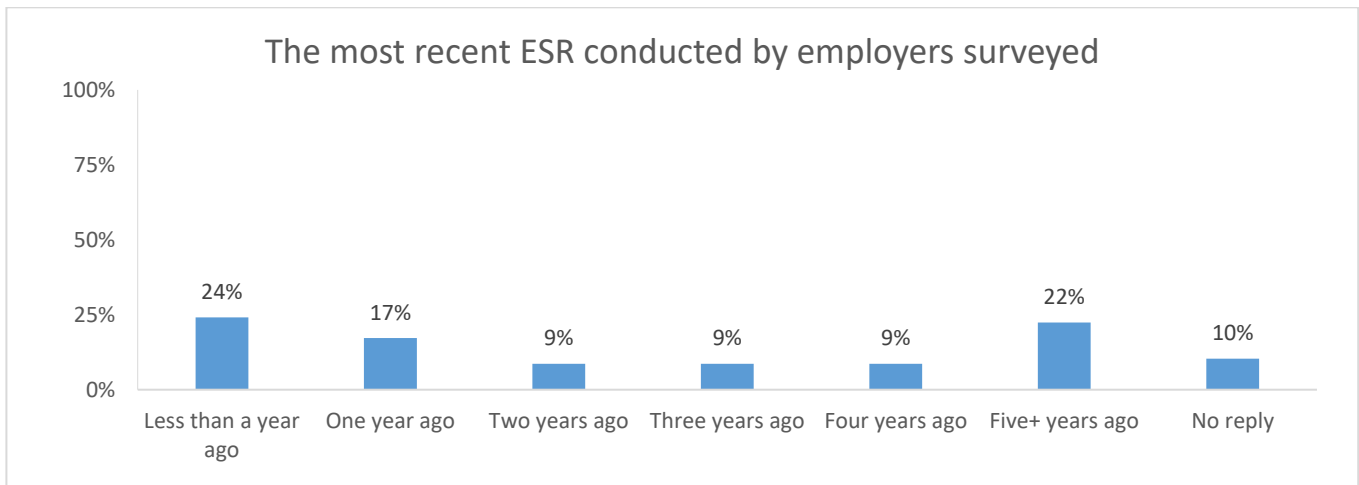
Theme two:
Understanding employment barriers for people with disabilities

The ultimate goal of employment equity is to remove employment barriers for the four designated groups and close any gaps in representation. Barriers vary by designated group, by occupational category, and by workplace. Employers need to understand the specific challenges and barriers that people face within their organization. This is done by conducting an Employment Systems Review (ESR).

An ESR is an in-depth analysis of the organization's employment systems, policies and practices — both formal and informal. An ESR investigates attitudes, behaviors and corporate culture and should always involve direct consultation with members of the under-represented designated groups. The ESR should focus on each significant representation gap identified in the workforce analysis. A thorough ESR is key to building an effective and legislatively compliant employment equity plan.

Because barriers vary from employer to employer, and gaps change over time, the Commission recommends that employers conduct an ESR every three to five years.

The bar chart below shows the time elapsed since employers have conducted their most recent ESR.

The most recent ESR conducted by employers surveyed

Category	Value
Less than a year ago	24%
One year ago	17%
Two years ago	9%
Three years ago	9%
Four years ago	9%
Five+ years ago	22%
No reply	10%

Based on the survey results, 59% of employers (or 34 out of 58) said that they conducted an ESR in the three years prior to the audit.

Barriers to employment for people with disabilities as reported by employers[9]

Almost half of the employers surveyed reported barriers to employment related to disabilities. The top barriers identified by employers are related to the lack of disability awareness training (29.3%), the lack of employees with disabilities as role models and/or mentors (25.9%) and difficulty negotiating reasonable accommodation in the workplace (19.0%).

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[9] Please note that the data in this section of the report is based on employers' responses to the survey. These responses were not verified by the Commission. As such, the Commission cannot comment on whether or not the barriers reported by employers are significant.

Table 2: Proportion of barriers identified for people with disabilities

Barriers	Percentage
Lack of disability awareness training	29.3%
Lack of workers with disabilities as role models and/or mentors	25.9%
Difficulty negotiating reasonable accommodation in the workplace	19.0%
Attitudes and behaviours during the recruitment process	17.2%
Attitudes and behaviours in the workplace (workplace culture)	17.2%
Limited resources in providing reasonable accommodation	12.1%
Lack of awareness of systemic issues & barriers faced by people with disabilities	10.3%
Lack of consultation with employees with disabilities	10.3%
Lack of mentoring to develop employees with disabilities for management positions	10.3%
Lack of promotion opportunities	10.3%
Limited knowledge in how to provide support for employees with disabilities	8.6%
Lack of engagement around achieving EE goals	8.6%
Difficulty in providing flexible work arrangements	6.9%
Lack of retention strategy for employees with disabilities	6.9%
Lack of awareness of EE purposes and goals	5.2%
Lack of monitoring of the EE plan	5.2%
Harassment against employees with disabilities in the workplace	5.2%

For more information on ESR see: EE Regulations, ss. 8 - 10 and What is an "Employment Systems Review" and an "Employment Equity Plan"?.

Theme three:

Addressing employment barriers

Of the employers surveyed, only 41.4% reported having measures in place to eliminate employment barriers related to disabilities. A barrier is anything that prevents people with disabilities from fully and equally participating in society. Employment barriers may exist in any part of the employment relationship, from recruitment to termination, including talent development and performance review. There are many types of barriers. Here are some examples:

Physical spaces (built environment):
- Buildings and vehicles without ramps or automatic door openers.
- Bad lighting that makes it hard for people to see or find their way.

Attitudes:
- Assuming someone cannot do something just because they have a disability.
- Negative stereotypes like thinking that all people with disabilities are sick and unhappy.

Communication:
- Not allowing people to use Sign language interpreters or communication aids.
- Not having documents in different formats like large print and Braille.

Technology:
- Electronic documents and websites that are not formatted for screen readers.
- Videos that do not include captions or transcriptions.

Policies:
- Refusing to allow flexible work hours for people with disabilities when needed.
- Refusing to give job applicants with disabilities extra time for tests and evaluations when needed.

Employment equity plan

The EEA requires employers to create an EE plan. An EE plan is an action plan to remove employment barriers identified in an ESR and to correct the under-representation of designated group members. Each initiative or item in a plan should have a timeline, a performance indicator and a designated lead. Audit survey results show that 63.8% of employers (or 37 out of 58) reported having an EE plan.

For more information see: [What is an "Employment Systems Review" and an "Employment Equity Plan"?](#)

Consultation and communication

Employers are required to consult with employees on the preparation, implementation and revision of the employment equity plan. Yet, of the employers surveyed who had an EE plan, only 37.9% consulted with employees with disabilities while developing the plan.

Clear communication about the purpose and content of employment equity plans helps hiring managers and employees understand the value of employment equity and their role and responsibilities in promoting EE. However, of those employers surveyed only 56.9% shared their EE plan with managers while 48.3% reported sharing it with their employees.

For more information see: [Communication and Consultation on Employment Equity](#)

Actions and measures

The action items in an employment equity plan are the steps the organization will take to remove the barriers identified in the ESR. For example, one action item could be to revise job qualifications so that they give consideration to a candidate's lived-experience, not just their formal education. An employer might also develop and promote a policy on flexible work arrangements.

The graphic below shows the extent to which employers have addressed barriers identified in their ESR.

How many of the barriers identified in the ESR has your organization taken action to eliminate?

No reply, 17%

All of them, 19%

None, 5%

Few of them, 12%

Most of them, 24%

Some of them, 22%
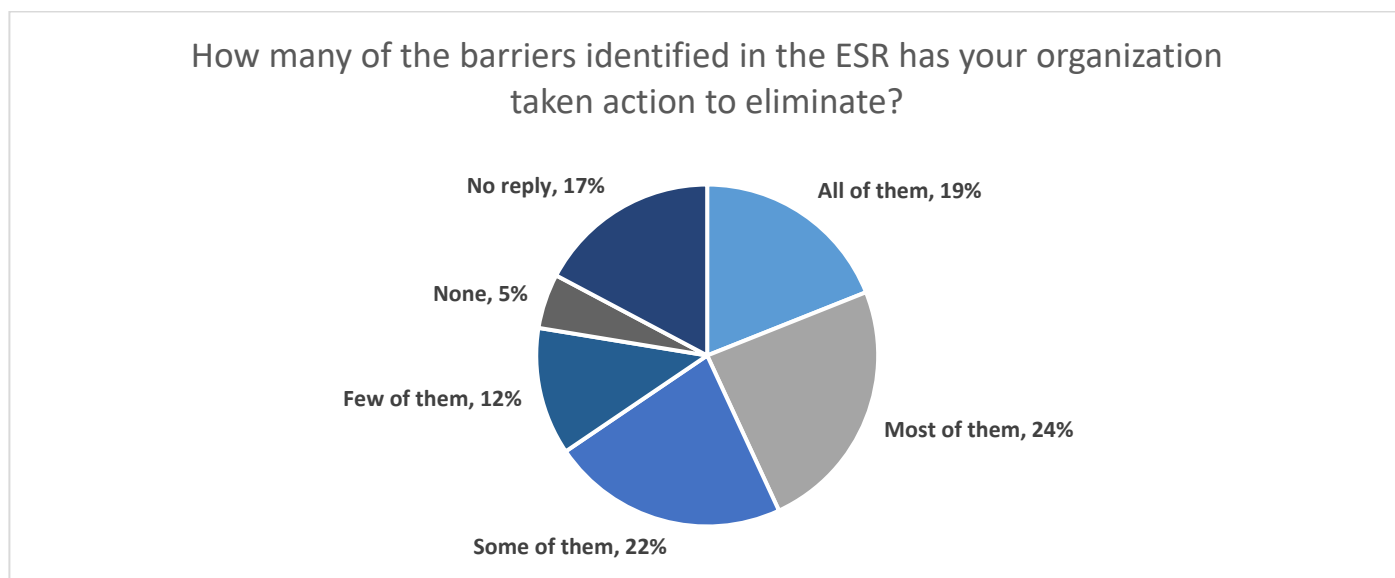
Of the employers surveyed, 19% reported addressing all employment barriers while 24% of employers said that they addressed most barriers. On the other hand, 5% of employers indicated that they addressed none of the barriers and 12% apparently addressed a few barriers.

Special measures

Of the employers surveyed, only 29.3% reported that their EE plans contain special measures to increase representation of people with disabilities.

Theme four:
Adopting a leadership approach to promoting and hiring people with disabilities

Succession planning

Succession planning can be a useful way to address gaps in representation, particularly at the middle and senior management levels. To be effective, this should include a defined strategy with measurable goals. Internally, this could mean setting goals to improve representation and career development of people with disabilities in the organization's long-term succession plan. Externally, it could require an organization to ensure that people with disabilities are always included among viable candidates as a best practice when recruiting new employees or granting third-party contracts.

Of the employers surveyed, 44.8% reported incorporating their employment equity goals in their succession planning process. At the same time, only 24.1% of these employers identified men with disabilities for management or other key positions in their organization and only 20.7% identified women with disabilities for these positions. A total of 25.9% of employers indicated that they offered mentoring or job shadowing opportunities at the senior management level for employees with disabilities. In terms of external recruitment, 19% of employers have strategies to hire qualified candidates with disabilities at the management level from outside of the organization.

The importance of leadership and accountability

The successful implementation of employment equity depends upon the ongoing support and review of senior management's progress. According to the audit survey, 48.3% of employers reported having an EE champion who is a senior manager. Although 56.9% of employers reported that senior managers had formally pledged their commitment to implement EE in the organization, only 17.2% of employers reported discussing EE and increasing the representation of people with disabilities monthly or quarterly. Most employers reported discussing EE and the representation of people with disabilities once a year or less.

For more information see: [Ensuring Reasonable Progress and the Importance of Performance Measurement and Reasonable Progress](#)

Theme five:
Promising practices

The employers surveyed were asked to identify initiatives and/or steps taken which they believe helped them to promote employment equity and full representation of people with disabilities in their workplaces. Here are the promising practices that were most frequently reported by the employers surveyed.

In recruitment:
- job advertisements clearly outline essential job requirements (94.8%);
- recruitment campaigns are gender inclusive and sensitive to the needs of people with disabilities (87.9%);
- opportunities such as special assignments and acting positions are equally offered to women and men with disabilities (86.2%);
- recruitment methods draw on a variety of approaches to ensure a good representation of both women and men with disabilities in the applicant pool (84.5%);
- screening applications that take career gaps into consideration (84.5%);
- advertising methods that promote the organization's vision of a diverse workforce that includes people with disabilities and is gender inclusive (82.7%); and

- access to opportunities such as special assignments and acting positions for employees with disabilities (70.7%).

In training:

- anti-harassment training for managers and employees (82.8%);
- duty to accommodate training for managers (63.8%); and
- financial support for further education/training for employees with disabilities (63.8%).

In promotion:

- advertisement of all opportunities throughout the organization (including senior management positions) (84.5%);
- organization actively encourages women and men with disabilities to apply for internal promotion opportunities (77.6%); and
- transparent selection processes for promotion, with selection criteria available and accessible to everyone (74.1%).

In retention and termination:

- anti-discrimination/anti-harassment policies in place (98.3%);
- flexible work options that accommodates the needs of people with disabilities (94.8%);
- flexible leave policy that accommodates the needs of people with disabilities (87.9%); and
- exit interviews that clarify why employees or managers with disabilities are leaving (84.5%).

Theme six:
Accessibility and accommodation

It is important for employers to demonstrate a clear commitment to accessibility and accommodation in order to create a barrier-free work environment. But there is an important distinction to be made between accessibility and accommodation.

Accommodation is required when physical spaces, work processes, and information are not designed in a way that considers the needs of people with disabilities. As a result, adaptations become necessary to allow people with disabilities to participate or gain access. In the language of human rights law, this is called the employer's "duty to accommodate." But the ideal alternative to accommodation is accessibility. That is when physical spaces, work processes, and information are designed from the onset to meet the needs of the widest array of individual abilities as possible, and while also meeting the needs of people with new or episodic disabilities.

Examples of the difference between accessibility and accommodation include:

1)   An entrance has a revolving door, and to accommodate people using mobility devices, a door with an automatic opener is located a short distance away. An accessible design would be to have sliding doors that detect and automatically open for anyone approaching the building.

2)   A document containing technical information and jargon is issued. An accessible approach would be to issue the document in plain language to meet the needs of a wide group of readers.

While accessible design will meet the needs of a broader group of people, it will not meet the needs of every individual. Accommodation of individual needs will still be required, but the number of accommodations is greatly reduced when accessibility is built in from the beginning.

Accessibility

Half of the employers surveyed reported that their workplaces were accessible and barrier-free. Only 31% reported having an accessibility plan and 37.9% reported having an expert who could resolve accessibility and compatibility issues for people with disabilities. Moreover, 43.1% of employers reported actively promoting inclusive design and barrier removal.

Accommodation

While 69% of employers reported having an accommodation policy, only 44.8% reported that their policy is available in accessible formats.

Furthermore, 58.6% of employers reported having a written disability accommodation procedure available to employees explaining the process for requesting a disability accommodation and the roles and responsibilities of all parties.

31% of employers reported having a required timeframe for responding to an accommodation request and 53.5% of employers reported having recourse available for an employee who had their accommodation request denied.

Theme seven:

Accountability and monitoring

The EEA requires organizations to regularly monitor and assess the implementation and progress of its employment equity plan (see EEA, s. 12).

Each initiative in an EE plan should indicate who is responsible for the initiative, a timeline and measurable performance indicator(s). The organization must also ensure it has the data collection systems in place to support assessment of performance indicators.

In all, 34.5% of employers (20 out of 58) reported having a mechanism for monitoring the implementation of initiatives in their EE plans targeted to people with disabilities and only 24.1%% had performance indicators for each initiative.

Furthermore, 41.4% of employers included EE goals for people with disabilities in their business plans. Only 8.6% of employers reported including items linked to the achievement of hiring/promotion goals for people with disabilities in the performance objectives of middle and senior managers. Finally, only 5.2% of employers reported offering incentives to managers in support of achieving hiring goals for people with disabilities.

Example of accountability and monitoring practices:

An employer has representation gaps for people with disabilities. An ESR determines that one reason for the gap is that people with disabilities are not applying for positions. In response, the employer may include an initiative in its EE plan to create relationships with organizations that work with people with disabilities to advertise positions with its members or clients and/or refer qualified people to the employer. To assess the effectiveness of this measure, the employer might track:

- how many attempts at outreach to such groups were made;
- whether a partnership was created;
- how many candidates were identified through the partnership; and
- how many of these candidates were ultimately employed.

For more information: Ensuring Reasonable Progress and the Importance of Performance Measurement Reasonable Progress

Full audit findings

The Commission randomly selected seventeen (17) employers for a full audit of their EE programs. Employers were asked to use a "Document Submission Index" to provide the Commission with information and supporting documentation about their EE programs. Program auditors reviewed this information and interviewed managers and employees from different levels of the organization.

Program auditors used five lines of inquiry to assess the employer's compliance with the requirements of the EEA:

- supporting the EE programs;
- understanding employment barriers for people with disabilities;
- improving representation for people with disabilities;
- strengthening management's leadership and performance with respect to the representation of people with disabilities; and
- designing an accountability framework.

Line of Inquiry One:
Supporting the employment equity program

This line of inquiry considered the steps the employer had taken to ensure that their EE program successfully supported the employment and retention of people with disabilities. The Commission evaluated six (6) sub-lines of inquiry that looked at the whether the employer:

1.1 Defined the roles and responsibilities of managers with respect to employment equity and the employers' EE program;

1.2 Dedicated sufficient human and financial resources to facilitate the coordination of the employers' EE program;

1.3 Established a monitoring framework that included a clear reporting mechanism;

1.4 Communicated expectations and obligations to all managers and staff;

1.5 Defined the term "people with disabilities" in the self-identification form accurately and as required by the EEA; and

1.6 Produced a workforce analysis that showed gaps in representation by designated group and occupational category.

The bar chart below shows how many employers met the requirements for each sub-line of inquiry.

Employers who met the requirements to enable their EE Program

Sub-line of inquiry	Count
1.1 Defined responsibilities of managers	12
1.2 Dedicated sufficient resources to coordination of EE program	12
1.3 Established clear reporting mechanisms for the EE program	9
1.4 Communicated EE related obligations to all managers and staff	8
1.5 Defined "people with disabilities" as required by the EEA	5
1.6 Produced a valid WFA showing gaps	16
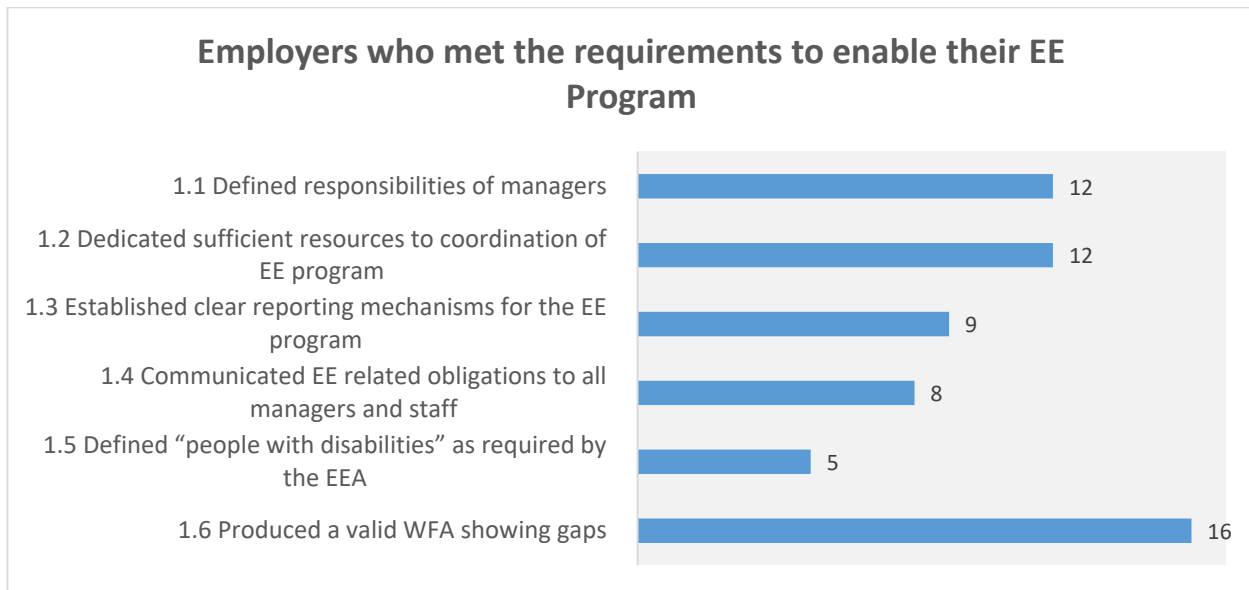
Observations

Many but not all of the employers audited defined the roles and responsibilities of managers with respect to employment equity and the employers' EE program. In addition, one of the employers we audited went further by indicating in their EE policy that all immediate superiors must support EE as part of their responsibilities.

Employers can choose to dedicate the required human and financial resources to facilitate and coordinate their EE program in different ways. For example, some employers designate one or more members of their HR department as a lead for the EE program.

One of the audited employers appointed an EE champion from among its senior managers. An EE champion is generally a member of senior management and often themselves a member of one of more designated groups. Their roles can include being:

- an advocate for EE at the senior management level;
- a mentor for members of designated groups; and/or
- a conduit through which designated group members and others can inform EE programs.

Some of the employers audited established an EE Committee. An EE Committee is generally composed of managers and staff, including members of designated groups, as well as HR representatives. In addition to supporting the coordination of EE programs and the identification of employment barriers, an EE Committee can be an important way for employers to consult and collaborate with employee representatives and to consult with unions (see EE Regulations, s.15).

The EE Regulations contain detailed requirements for the content of a self-identification survey through which employees can voluntarily identify themselves as a member of one or more of the four designated groups (see EE Regulations, s.3). Not all of the employers audited met these requirements. In particular, some of the self-identification surveys did not include the required definition of "persons with disabilities" while one survey had no definition whatsoever.

Clear communication about expectations and obligations related to employment equity is critical for removing barriers to employment and promoting greater representation of members of designated groups at all levels of an organization. The employers we audited did so in several ways, including:

- providing all staff with updates on EE programming;
- creating and publicizing an EE policy;
- promoting through policies, communications and training a workplace that values diversity, is respectful and prohibits harassment;
- dedicating pages on its intranet to EE, diversity and inclusion; and
- sponsoring town halls and speaking engagements.

Line of Inquiry Two:
Understanding the barriers for people with disabilities

The second line of inquiry looked at how well employers understood the possible barriers that people with disabilities experienced within their organization or when seeking employment by their organization. To assess this line of inquiry, the Commission looked at the degree to which each employer had:

2.1 Identified the occupational categories where barriers may exist for employees with disabilities based on a valid workforce analysis;

2.2 Conducted an employment systems review (ESR) using a valid workforce analysis focusing on the occupational categories in which people with disabilities are underrepresented; and

2.3 Consulted with people with disabilities to identify possible barriers with respect to:
  o recruitment, training, coaching, evaluation, promotion, discipline and termination practices;
  o work flow and procedures;
  o workplace climate and acceptance; and
  o availability of accommodation.

The bar chart below shows how many employers met the requirements for each sub-line of inquiry.

Employers who met the requirements to understand employment barriers for people with disabilities

Sub-line of inquiry	Count
2.1 Identified occupational categories where barriers may exist	15
2.2 Conducted a valid ESR	2
2.3 Consulted with people with disabilities to identify possible barriers	2
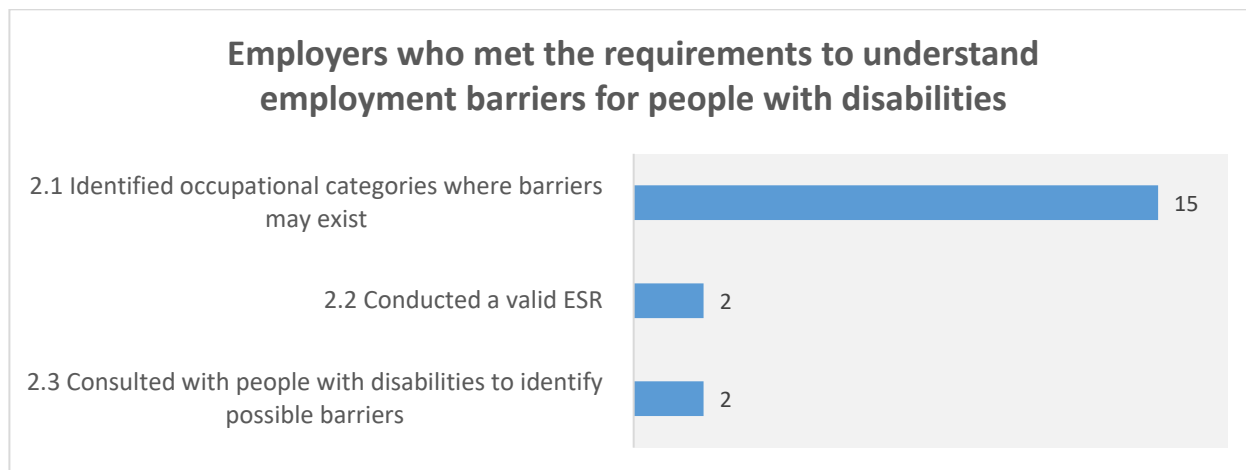
Observations

Of the 17 employers audited, 15 submitted a valid workforce analysis that showed the representation gaps of people with disabilities by occupational category.

Some employers also conducted exit interviews, employee engagement surveys and other strategies intended, at least in part, to identify possible barriers to employment. However, only two of the employers audited had recently conducted a valid Employment Systems Review as required by the Act (see sections 8 & 9 of EE Regulations).

As explained in the factsheet, What is an "Employment Systems Review" and an "Employment Equity Plan"?, an ESR is a purposeful and comprehensive review of all employment systems, policies and practices, both formal and informal. This review must be focused on occupational categories where there are gaps in representation.

As part of the ESR, employers must consult with employees who are members of the designated groups which are underrepresented. The intent of this consultation is to assess how employees with disabilities are impacted by policies and workplace practices, and to discover any issues of discrimination or employment barriers that they have experienced in the workplace.

Consultations should also take place with hiring managers, leaders at all levels and HR personnel in order to uncover any implicit bias or stereotypes held by staff.

Line of Inquiry Three:

Improving representation for people with disabilities

Employers must create an evidence-based action plan with measurable goals for representation and initiatives to support those goals. The Commission evaluated whether the employer had:

3.1 Created an evidence-based action plan;

3.2 Allocated sufficient resources to implement each element of the EE plan; and

3.3 Assigned responsibility for implementing the EE plan, and established timelines and performance indicators for initiatives contained in the plan.

The bar chart below shows how many employers met the requirements for each sub-line of inquiry.

Employers who met the requirements to improve representation for people with disabilities

3.1 Creating an evidence-based action plan	1
3.2 Allocated sufficient resources to implement the EE plan	1
3.3 Assigned responsibility & establishing timelines and performance indicators for EE plan	1
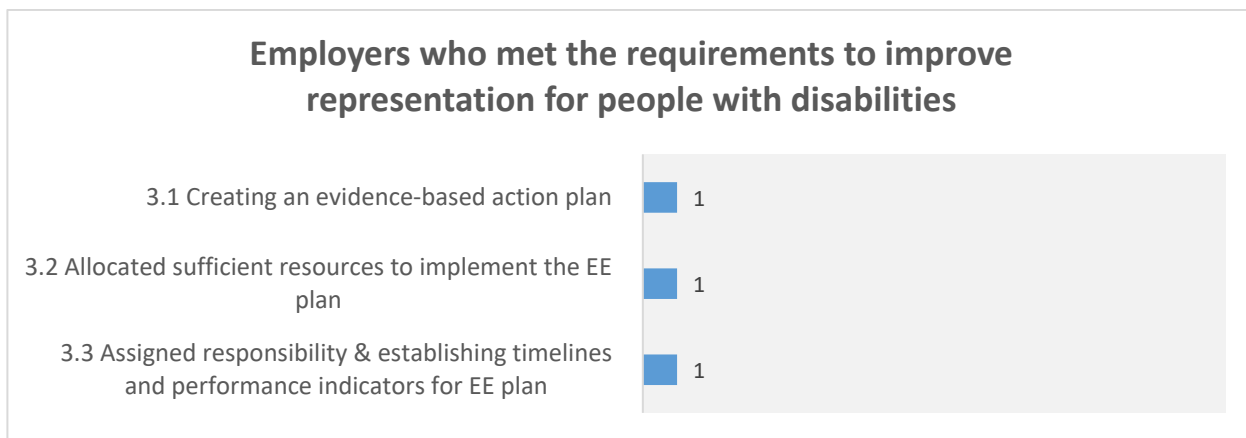
Observations

As noted in the bar chart above, only one employer had a valid EE plan. The majority of employers had yet to assign responsibilities, or establish timelines and performance indicators for the implementation of their EE plan.

For an EE plan to be accurate and effective it must be based on a valid ESR. This is explained in the fact sheet What is an "Employment Systems Review" and an "Employment Equity Plan"?:

> The EE plan flows from the ESR. An EE plan is a document that sets out a plan (actions, timelines, people responsible etc.) to address employment barriers and under-representation of designated groups. The EE plan must respond to barriers identified in the ESR. Therefore, you have to complete an ESR before creating an EE plan.

A sound employment equity plan should also include:

- Policies and practices that support a harassment-free and equitable workplace for all employees;
- Special measures that prioritize increasing representation of designated groups. For example, recruitment focused on filling gaps in representation within specific occupational categories;
- Short-term hiring and promotion goals to eliminate the under-representation by occupational group;
- Long-term representation goals which commit the organization to achieving full representation; and
- A strategy to ensure the workplace is accessible to people with disabilities.

Overall, the audit found that almost all employers had to revise and strengthen their EE plan to ensure additional progress for the representation of people with disabilities in their respective workplace.

Line of Inquiry Four:
Strengthening management's leadership and performance with respect to the representation of people with disabilities
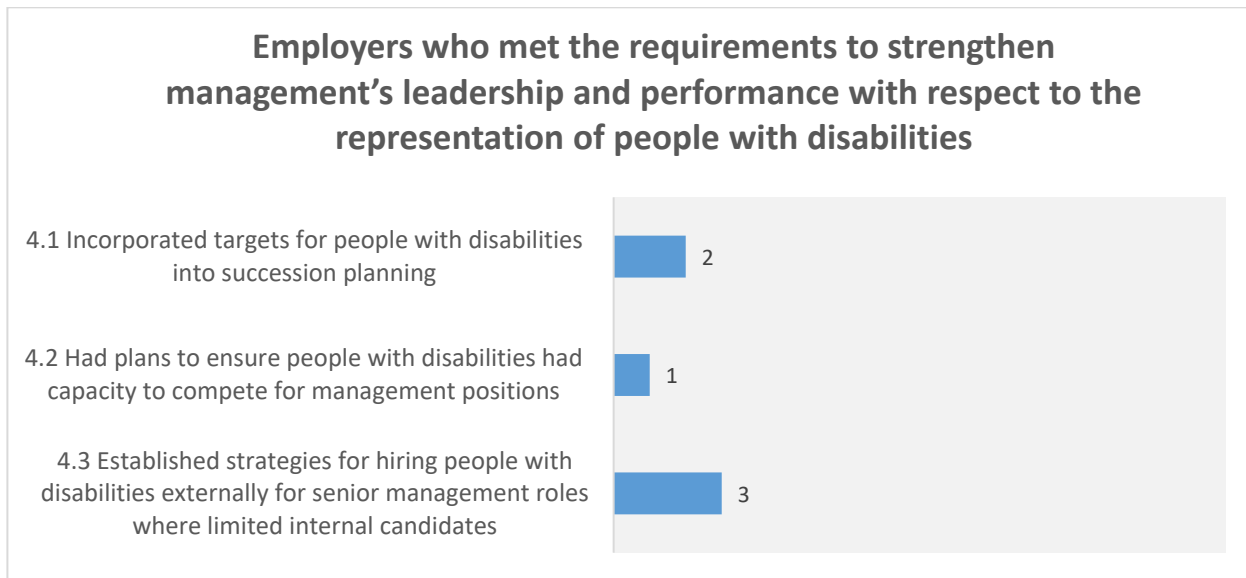
This fourth line of inquiry determined whether the employer had processes in place to increase the representation of people with disabilities in management positions. In particular, employers had to demonstrate that they:

4.1 Incorporated employment equity targets for employees with disabilities into succession planning;

4.2 Developed plans that encourage employees with disabilities to compete for management positions; and

4.3 Established strategies for hiring people with disabilities externally to fill senior management roles where there is limited or no availability of internal candidates with disabilities.

The bar chart below shows how many employers met the requirements for each sub-lines of inquiry.

Employers who met the requirements to strengthen management's leadership and performance with respect to the representation of people with disabilities

Sub-line of inquiry	Count
4.1 Incorporated targets for people with disabilities into succession planning	2
4.2 Had plans to ensure people with disabilities had capacity to compete for management positions	1
4.3 Established strategies for hiring people with disabilities externally for senior management roles where limited internal candidates	3

Observations

While a majority of employers had representation gaps in management ranks, few had proposed measures to increase the presence of people with disabilities in management positions. EE plans must respond to representation gaps for all designated groups by occupational category including management positions. Meeting the requirements of this particular sub-line of inquiry is a critical component of closing representation gaps. It is also worth noting that even though one of the employers had a mentorship program, the employer did not assess whether people with disabilities were participating in or getting value from the program. That employer had also established a partnership with organizations assisting in the employment placement of people with disabilities. Unfortunately, these partnerships did not target recruitment of people with disabilities to close gaps in management positions.

Line of Inquiry Five:
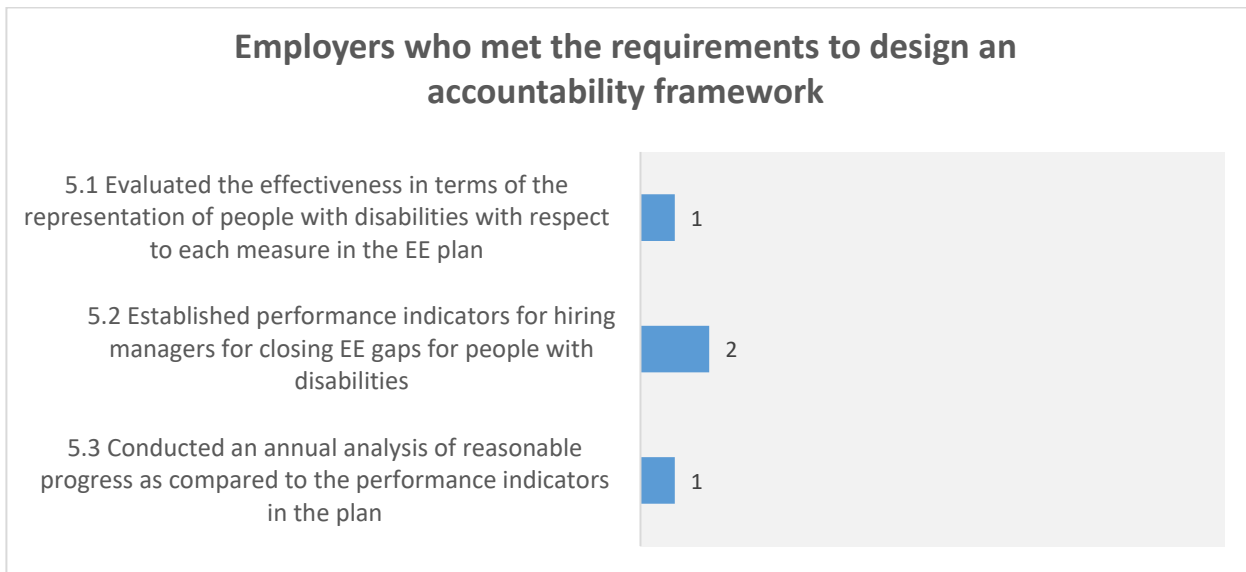Designing an accountability framework

The fifth line of inquiry assessed whether employers had a monitoring and accountability framework for their EE plan. In particular, employers had to demonstrate that they:

5.1 Evaluated the effectiveness of each measure in the EE plan in terms of employees with disabilities;

5.2 Established performance indicators for hiring managers; and

5.3 Conducted an annual progress analysis by assessing the results against performance indicators in the plan.

The bar chart below shows how many employers met the requirements for each sub-lines of inquiry.

Employers who met the requirements to design an accountability framework

5.1 Evaluated the effectiveness in terms of the representation of people with disabilities with respect to each measure in the EE plan	1
5.2 Established performance indicators for hiring managers for closing EE gaps for people with disabilities	2
5.3 Conducted an annual analysis of reasonable progress as compared to the performance indicators in the plan	1

Observations

The full audit revealed that most employers need to put stronger accountability mechanisms in place to ensure adequate monitoring of their EE plan. As shown in the chart above, only 2 of the 17 employers audited had established performance indicators for hiring managers to close representation gaps for people with disabilities.

The impact of EE programs needs to be measured through the consistent tracking of quantitative and qualitative data to assess if and to what extent reasonable progress is being achieved.

To ensure the implementation of their EE plan and achieve progress where needed, all employers should ensure that a robust and sustainable accountability framework is in place. For this to happen, employers must ensure a strong commitment towards employment equity at the highest level of the organization.

Conclusion

The Commission acknowledges that much of this audit took place during the COVID-19 pandemic. Despite this challenging context, employers in the communications sector cooperated with the Commission.

This horizontal audit found that many employers have put in place promising practices including recruitment campaigns sensitive to the needs of people with disabilities. For example, several employers are offering flexible work options to accommodate the needs of people with disabilities. Many organizations provide anti-harassment training to their managers and employees as well as training on the duty to accommodate. To facilitate career advancement, many employers are also encouraging their employees with disabilities to apply for internal promotion opportunities. These actions have had benefits. Between 2011 and 2019, the overall representation of people with disabilities has increased from 1.7% to 3.7%.

While this is encouraging, the representation gap for people with disabilities remains quite large in the federally regulated communications sector. The representation of people with disabilities (3.7%) remains much lower than their availability rates of 9.1%.

Moving forward, it is important that all employers take immediate action to comply with and aim to exceed the requirements of the EEA. This will pave the way for a better inclusion of people with disabilities in the communication sector.

In closing, the Commission wishes to underline the crucial role of the communications sector towards equality in the Canadian labour market. With a workforce comprised of nearly 130,000 employees, the communications sector plays an important role in advancing equality in employment for people with disabilities. The Commission hopes that these audit findings will assist employers from this sector towards this ultimate goal.

> To assist employers in their efforts towards equality in the workplace, this report includes annexes that may be useful for the implementation of an EE program.
>
> "Annex A: Commonly Reported Barriers to Employment" lists some of the employment barriers that were identified by employers in their ESRs and/or in interviews with employment representatives.
>
> "Annex B: Commonly Reported EE Plan Initiatives" lists some common measures or actions that employers included in their EE plans to address employment barriers and increase the representation of people with disabilities in their workforces.

"[Annex C: EEA Compliance Tips](#)" includes some general compliance tips that are particularly relevant to improve the representation of people with disabilities.

Annex A: Commonly reported barriers to employment

If an employer had not conducted a recent ESR at the time it was audited, the Commission required the employer to do so as part of a management action plan. The Commission reviewed the reports or summaries of these ESRs. Program auditors also interviewed many managers and employees, including people with disabilities, hiring managers and HR specialists. Through the reviews of these ESRs and interviews, the Commission identified commonly reported barriers to employment for people with disabilities. Although the Commission did not independently verify the impact of these reported barriers, we believe that there is value in including this for the consideration of employers.

Commonly reported barriers to employment for people with disabilities in the federally regulated communications sector:

1. Succession plans do not take into consideration gaps in management for people with disabilities, nor do they include special measures in succession processes to address those gaps.

2. No monitoring of whether people with disabilities are accessing and gaining value from learning, developmental and/or mentoring/coaching programs.

3. No strategies to recruit people with disabilities for management positions where there are no qualified people with disabilities internally.

4. Unconscious bias against people with disabilities.

5. Lack of training on employment equity, unconscious bias and disability awareness.

6. No formal accommodation policies and processes.

7. Bias in hiring and promotions (i.e. preferring candidates who look, talk like you, etc.).

8. Inaccessible buildings and equipment.

9. Lack of awareness of the challenges in employment faced by people with disabilities and approaches to mitigating those challenges.

10. Smaller employers have less opportunities for development, learning and promotions.

11. Location of workplace (e.g. remote area) does not make the employer desirable.

12. Job advertisements do not refer to the employer's accommodation policy and/or actively invite applications from people with disabilities.

Annex B: Commonly reported EE plan action items

Whether as part of the audit or the assessment of compliance with management action plans issued to employers, the Commission reviewed many EE plans as part of this horizontal audit. Program auditors also interviewed many managers and employees — including those with disabilities — hiring managers and HR specialists. The Commission identified activities designed to remove employment barriers and successfully hire, retain and advance the careers of people with disabilities in all occupational categories and levels within their workforces.

Although the Commission did not independently verify the effectiveness of these reported activities, we believe they have the potential to be effective in supporting the full representation of people with disabilities.

Key action items the employers we surveyed are using to help to remove employment barriers:

1. Offering or mandating training to all managers and employees on Diversity in the Workplace and Workplace Sensitivity, the duty to accommodate and/or EE.

2. Employers having completed accessibility assessments and implemented an accessibility plan.

3. Employers having formal accommodation policies and processes in place.

4. Including people with disabilities on hiring panels.

5. Ensuring job advertisements clearly reference accommodation policies and/or targeted recruitment of people with disabilities.

6. Establishing partnerships with organizations that serve people with disabilities.

7. Establishing formal succession planning processes, and in particular, succession planning processes that consider gaps in representation for people with disabilities.

Annex C: EEA compliance tips

Since 1997, the Commission has conducted hundreds of audits with federally regulated employers across Canada. Through those audits, many proactive practices have been documented. While each audit depends on the particular circumstances of the employer at the time of the audit, below are some general good practices gleaned from this most recent horizontal audit of the communications sector that can help facilitate other employers' compliance with the EEA.

Recruitment/Outreach

1) Ensure good visibility in disability communities so that candidates will consider your organization as a potential employer.

2) Provide information on the breadth of jobs available in the communication sector (e.g., positions in human resources and information technology.)

3) Develop an outreach strategy that presents images and videos of people with disabilities working in the communication sector.

4) Consult with employees with disabilities and job placement agencies to find the best venues/sites for attracting candidates with disabilities. Attend career fairs for people with disabilities.

5) Broaden the range of qualifications so that, where possible, non-business/commerce degrees are considered. Review the validity of qualifications involving years of experience, especially when lengthy experience is requested.

6) Offer summer jobs, co-op placements, and internships for students with disabilities. Where possible, transition these temporary positions into permanent ones.

Consultation with people with disabilities

7) Consult with employees with disabilities to determine if any of the following barriers are present in your organization:

- lack of role models in senior positions;
- differential treatment in performance expectations and acceptance of ideas;
- inability to express their authentic selves at work;
- lack of flexibility to achieve work/life balance;
- low wages for front-line positions in relation to other available jobs; and
- lack of information about career paths.

8) Hold exit interviews with employees with disabilities and ask directly about experiences of discrimination or harassment as well as accessibility and accommodation in your organization. Ask them to self-identify so that trends in responses can be used to discern barriers for people with disabilities.

9) Establish an employee resource group for employees with disabilities. These groups can provide support to employees with disabilities, and help raise internal awareness of mental and physical disabilities.

10) Consult with the employee resource group in identifying employment barriers for people with disabilities and in designing effective initiatives to increase representation.

Leadership opportunities for people with disabilities

11) Establish developmental initiatives, such a mentoring program for people with disabilities, to advance these employees toward management positions.

12) Incorporate EE goals for people with disabilities into the succession planning process. Identify and develop promising talents; if needed, include lower levels in succession planning to ensure adequate representation.

13) Recruit externally for qualified candidates with disabilities to fill senior management positions.

Accommodation and corporate culture

14) Train managers and supervisors on mental and physical disability awareness and on unconscious bias to avoid the influence of negative stereotypes on selection and assessment decisions.

15) Have a clear accommodation policy and offer reasonable accommodations in a timely manner to employees who request it.

Accountability in meeting EE objectives

16) Establish accountability for managers in meeting EE objectives. Reinforce that accountability through regular messages from the executive level on the importance of meeting these goals.

17) Ensure management, and recruiters are regularly updated on the progress in closing representation gaps at the occupational category level.

18) Communicate employment equity objectives as distinct (though related) to those of a diversity and inclusion program so that managers do not confuse having a diverse workforce with having a fully representative workforce.

Annex D: List of participating employers

1. Acadia Broadcasting Limited
2. Access Communications Co-operative Limited
3. Accessible Media Inc.
4. Bell Canada
5. Bell Technical Solutions Inc.
6. Blackburn Radio Inc.
7. Blue Ant Media Inc.
8. Bragg Communications Inc. (Eastlink)
9. Canadian Broadcasting Corporation
10. Cogeco Connexion Inc.
11. Cogeco Média Acquisitions Inc.
12. Comwave Networks Inc.
13. Corus Entertainment Inc.
14. CWS Logistics Ltd.
15. Distributel Communications Limited
16. Dufferin Communications Inc.
17. Execulink Telecom Inc.
18. Expertech Network Installation Inc.
19. Fairchild Radio Group Ltd.
20. Fairchild Television Ltd.
21. Fibernetics Corporation
22. Golden West Broadcasting Ltd.
23. Groupe TVA Inc.
24. Groupe V Média
25. Harvard Broadcasting Inc.
26. Inmarsat Solutions (Canada) Inc.
27. Instech Télécommunication Inc.
28. Jim Pattison Broadcast Group (Jim Pattison Industries Ltd.)
29. Link-on Communications Inc.
30. Maritime Broadcasting System Limited
31. My Broadcasting Corporation
32. Northwestel Inc.
33. Pelmorex Corp.
34. Primus Management ULC.
35. Radio-Onde Inc.
36. Rawlco Radio Ltd.
37. RNC Media Inc.
38. Rogers Communications Inc.
39. Sentrex Communications Co.
40. Shaw Communications Inc.
41. Sirius XM Canada Inc.
42. SITA Information Networking Computing Canada Inc.
43. Sogetel inc.
44. Stingray Radio Inc.
45. Systemex Communications (S.C.) Inc.
46. Tata Communications (Canada) Ltd
47. Tbaytel
48. TekSavvy Solutions Inc.
49. Telesat Canada
50. Telus Communications Company
51. TeraGo Networks Inc.
52. Vianet Inc.
53. Vidéotron ltée
54. Vista Radio Ltd.
55. Westman Communications Group
56. Westower Communications Ltd.
57. WireComm Systems (2008), Inc.
58. Zayo Canada Inc.