REPORT ON EMPLOYMENT SYSTEMS REVIEW AND CONSULTATION SUBMITTED TO UNIVERSITY OF VICTORIA

Daina Z. Green and Keith Jeffers
October 2013

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The purpose of the employment systems review is to identify all significant barriers to the full representation of designated groups in each occupational category in the organization where under-representation has been found and to provide reasonable explanation for the specific gaps in designated group representation revealed by the workforce analysis.

Acknowledgment

The Consultants wish to acknowledge the excellent support received from the Equity and Human Rights Office and the Employment Equity Advisory Group (EMAG) in planning and carrying out the Employment Systems Review and the consultation that forms the basis of this report. In particular, the guidance and logistical support provided by the Director, Cindy Player, and EQHR staff Nancy Pye, Moussa Magassa, Kathleen Bellows and Bette Cameron, was of immense value in helping us understand the university and gain access to sources, both human and documentary. We would also like to thank Grace Wong Sneddon, Director, Academic Leadership Initiatives and Adviser to the Provost on Equity and Diversity, Jin-Sun Yoon, Senior Instructor in the School of Child and Youth Care, Kane Kilbey, AVP of Human Resources, and Julia Eastman, University Secretary, all of whom opened many doors to us. We appreciate the open conversations we were privileged to take part in and the welcome we received on campus.
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0.0 EXECUTIVE SUMMARY

UVic articulates a diversity and inclusion vision that is embedded in the university’s strategic plan and in its operating policies. One of the organization’s top priorities is “to recruit and retain a group of diverse and exceptionally talented people, and to support them in creating a welcoming and inclusive atmosphere on our campus.”

Consultants Daina Green and Keith Jeffers were hired to conduct the 2013 review of the employment systems (ESR) of the University of Victoria, in aid of this priority. The Consultants explored the structures within UVic that support increasing the diversity of the academic and non-academic workforce, and the mechanisms that exist at the level of departments and divisions to support the hire of members of under-represented groups. The university has been very proactive in addressing its obligations under the Federal Contractors Program and the BC Human Rights Tribunal requirements. UVic has several specialists committed to applying their expertise to addressing diversity issues. They make an enormous contribution to the university environment and its practices. A number of recent initiatives, of which UVic is justifiably proud, have raised the profile of Indigenous-specific academic programs and provided support for Indigenous employees and students. Programs in place over the years to remove barriers women face have been very effective in increasing the women’s ranks in positions where they were previously under-represented. Significantly, the representation of Aboriginal employees among Faculty and in other professional roles exceeds their external availability and 60% of all Aboriginal employees are in management and knowledge worker roles. However, progress toward eliminating the gaps in representation of persons with a disability and racialized persons (visible minorities) still lags.

The Consultants conducted extensive interviews with employees and administrators at all levels to gain an understanding of the reasons for the persistent under-representation of members of some designated groups.

The commitment from the highest level of the university’s administration to make the university a high-performing diverse organization and top quality academic institution is highly visible. However, there are limitations to the model UVic uses to frame its diversity and inclusion vision (e.g., focus on human rights). For this reason, the Consultants recommend a strategic shift to a paradigm that focuses on improving the effectiveness of the university by increasing diversity, an approach that is more aligned with the university’s vision.

The strategic recommendations, if implemented, will create a strategic shift in the way in which UVic now manages equity and inclusion. They are oriented toward a coordination of
the university’s resources. The strategic recommendations are intended to create, strengthen and sustain the conditions that are necessary to achieve the desired change. These recommendations seek to align the organization’s culture, management practices, communication and education, human resource management systems, policies and practices. The environment is particularly challenging because of the projections of significantly reduced hires over the next few years, meaning fewer resources to attract new talent in this very competitive environment. To meet its objectives, UVic needs to ensure that all its resources oriented toward change management are fully coordinated.

The goal of increasing the diversity of the UVic workforce needs to be rebranded as a business necessity. While this approach is already articulated as an aspiration in the strategic plan, on the ground some hiring managers continue to see measures to ensure greater diversity as an additional burden, and some employees hired under special programs experience the measures as stigmatizing them. UVic needs to establish that its goal as an employer is to attract the best talent from the broadest and deepest talent pool.

1.0 INTRODUCTION
Located on Vancouver Island, British Columbia, the University of Victoria (UVic) is acclaimed as one of Canada’s top universities by external and international surveys and by its own student body. It is ranked among the top 20 universities in the world under the age of 50 and first in Canada in the Times Higher Education’s 100-under-50 rankings. UVic placed first in Canada for the second consecutive year-2012 and 2013, fifth in North America and 20th worldwide. It is also among the top ranked in Canada for its scientific impact and its involvement in scientific collaboration.

UVic excels both as a post-secondary educational institution and as an employer. UVic has been named one of Canada’s Best Diversity Employers for two years in a row-2012 and 2013. In 2012 and for the two years prior, UVic has been named one of BC’s Top Employers. The university prides itself in its strong commitment to diversity. One of its organization’s top priorities is “to recruit and retain a group of diverse and exceptionally talented people, and to support them in creating a welcoming and inclusive atmosphere on our campus.”

In its strategic vision and plan, the university states that its people goal is to be a diverse welcoming learning community and reinforces its commitment to equity and fairness.

1.1 The Contextual Framework
The University of Victoria has been a federal contractor since 1989. The Equity office was established in 1990. An initial compliance review was conducted in 1993 and the first follow up review was initiated in 2003. A second follow up review was initiated in 2011. As
an employer under the Federal Contractors Program (FCP), UVic has been required to demonstrate reasonable efforts and reasonable progress in building an open and inclusive organization where the internal representation of the designated groups reasonably reflects their external availability.

Its employment equity program is and has been a pillar of the university’s diversity and inclusion strategy. Because employment equity is data-driven, the program measures how well UVic is able to attract, hire and retain the diversity of talent it needs to sustain excellence.

1.2 Workforce Analysis, Under-representation, and the Employment Systems Review
As an employer committed to attracting, retaining and developing the best, UVic wishes to develop and execute effective proactive inclusion and retention strategies. To further this goal, UVic commissioned a deliberate review of its employment policies and practices to identify barriers to the full representation of designated groups in its workforce.

The concept of under-representation is fundamental to employment equity analysis. Patterns of under-representation signal that the organization is not able to attract the best talent available in the marketplace. In a competitive business environment, where there is a ‘war for talent’, this does not make any business sense.

2.0 PROJECT OVERVIEW
The Consultants carried out this work between February and August 2013 in collaboration with the University’s Employment Equity Advisory Group (EMAG) and the Equity and Human Rights office (EQHR). The Project reported to the Steering Committee. The work was contracted under the then FCP Compliance Review Framework that required that UVic complete an ESR and revise its Employment Equity Plan as the next steps in the follow up compliance review.

The Consultants:
- Reviewed UVic’s workforce analysis data – September 2010 and June 2011 – to identify patterns of under-representation;
- Conducted a ‘best practices’ review of employment equity and diversity internally and in selected universities;

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1 The members of the Steering Committee were Elizabeth Adjin-Tettey, Julia Eastman, Kim Hart, Kane Kilbey, Cindy Player and Grace Wong-Sneddon.
Conducted extensive consultations with a representative number of employees, management and stakeholder groups, including external community agencies;
- Reviewed and analyzed formal and informal policies and practices relating to recruitment, selection, hiring; training and development; promotion; retention and termination; accommodation; and organization-wide culture and attitudes;
- Identified barriers and potential barriers to the full participation of the designated groups as well as other groups that have historically experienced systemic disadvantage.

This report provides a summary of our findings and recommendations for the removal of barriers and the strengthening of a culture of diversity and inclusion.

Human Resources and Skills Development Canada (HRSDC) recently announced the redesign of the FCP Compliance Review Framework. Employers who meet the new threshold of $1 million in contracts with the Federal government are no longer required to submit their employment systems review or their employment equity plan to HRSDC. However those employers must now achieve 80% of their three-year numerical goals within a three-year time frame. As of August 2, 2013, UVic is no longer included under the FCP.

3.0 METHODOLOGY - WHAT WE DID

The ESR was conducted in these six phases:
- Phase 1 – Project orientation and planning
- Phase 2 – Document review; interviews with key informants; development of survey and consultation instruments
- Phase 3 – Deployment of survey; collection of input; identification of individuals and groups willing to participate in the consultation
- Phase 4 – Consultation (face-to-face, by telephone, and in writing)
- Phase 5 – Integration of Findings /Barrier Identification
- Phase 6 – Report and Recommendations

3.1 Phase 1: Project Orientation and Planning

The Consultants worked with the Director of EQHR, the ESR Steering Committee, and EMAG to confirm the scope of the assignment and the project’s objectives and to develop a work plan. Committee members identified key project activities and key informants for the Consultants. Project activities began in February 2013.
3.1.1 Highlights of Patterns of Under-representation by Designated Groups, EEOG and NOC– June 2011

The UVic March 2012 submission to the British Columbia Human Rights (BCHRT) includes a comprehensive and detailed workforce analysis based on June 2011 data.

In this section the Consultants provide these highlights and observations of their analysis:

3.1.2 Workforce Composition
Here is a breakdown of designated group representation in the UVic workforce and a measure of their external availability.

<table>
<thead>
<tr>
<th>Designated Group</th>
<th>% of UVic Workforce</th>
<th>External availability</th>
</tr>
</thead>
<tbody>
<tr>
<td>Women</td>
<td>58.8%</td>
<td>54.1%</td>
</tr>
<tr>
<td>Aboriginal Peoples</td>
<td>1.8%</td>
<td>2.4%</td>
</tr>
<tr>
<td>Visible Minorities</td>
<td>7.9%</td>
<td>17.5%</td>
</tr>
<tr>
<td>Persons with Disabilities</td>
<td>3.4%</td>
<td>4.7%</td>
</tr>
</tbody>
</table>

3.1.3 EEOG Distribution
Employees are distributed among all fourteen Employment Equity Occupational Groups (EEOGS) thus:

<table>
<thead>
<tr>
<th>EEOG</th>
<th>EEOG Label</th>
<th>% of UVic Workforce</th>
<th>FCP Default Recruitment Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>01</td>
<td>Senior Managers</td>
<td>0.2%</td>
<td>National</td>
</tr>
<tr>
<td>02</td>
<td>Middle and Other Managers</td>
<td>3.2%</td>
<td>National</td>
</tr>
<tr>
<td>03</td>
<td>Professionals</td>
<td>43.2%</td>
<td>National</td>
</tr>
<tr>
<td>04</td>
<td>Semi- Professionals</td>
<td>12.8%</td>
<td>Provincial</td>
</tr>
<tr>
<td>05</td>
<td>Supervisors</td>
<td>1.4%</td>
<td>Victoria CMA</td>
</tr>
<tr>
<td>06</td>
<td>Supervisors: Crafts and Trades</td>
<td>0.2%</td>
<td>Provincial</td>
</tr>
<tr>
<td>07</td>
<td>Administrative and Senior Clerical</td>
<td>9.6%</td>
<td>Victoria CMA</td>
</tr>
<tr>
<td>08</td>
<td>Skilled Sales and Service</td>
<td>0.9%</td>
<td>Provincial</td>
</tr>
<tr>
<td>09</td>
<td>Skilled Crafts and Trades Workers</td>
<td>1.6%</td>
<td>Provincial</td>
</tr>
<tr>
<td>10</td>
<td>Clerical Personnel</td>
<td>11.4%</td>
<td>Victoria CMA</td>
</tr>
</tbody>
</table>
3.1.4 External Workforce Data
The goal of employment equity is to make workplaces inclusive and open to individuals from designated groups that have historically faced particular employment barriers. Success is measured by the degree to which the organization achieves full representation. Employers therefore monitor, measure and report their progress toward full representation. They do so by comparing their internal representation of the four designated groups against availability benchmarks set by the Labour Program at Human Resources and Skills Development Canada (HRSDC).

The benchmarks for each employer depend on the work skills it requires, where it operates and its recruitment areas. The employer may choose the HRSDC default recruitment areas or the recruitment areas that reflect its own recruitment and sourcing experience. In the tables below we use the default recruitment areas. Typically the recruitment areas for management, knowledge worker and technical specialist roles are set at the national and provincial levels and the others are the local Census Metropolitan Area (CMA), in this case Greater Victoria.

3.1.5 More about Availability Data and Availability Statistics
Availability data are the external workforce data that describe the composition of the external labour force in the recruitment area from which the organization draws its talent. Availability statistics are defined as data on the number or percentage of designated group members possessing the requisite skills within the relevant labour market for particular occupations or groups of occupations.

The 2006 Census data were used for Aboriginal Peoples, visible minorities and women. The Census is the only reliable data source for relevant labour market information for these designated groups in the Canadian workforce. The latest Participation and Activity Limitation Survey (PALS) data were used for persons with disabilities.

3.1.6 Measures of Under-representation and Other Indices of Inclusion and Attraction
Under-representation is a key concept in employment equity analysis. The BCHRT submission provides a considerably detailed description of the 3-filter test used to determine which EEOGs need to be reviewed in the ESR.
For the purposes of this summary overview we use this working definition of under-representation:

- Under-representation exists where the external availability of a designated group(s) in an EEOG is greater than its internal availability.
- This means that an employer is not doing enough to acquire the talent of designated groups at the rate at which they are available in the relevant labour market.
- The gap is expressed as a negative number. The greater this negative number, the greater the gap between internal representation and external availability.

Other indices of inclusion include the degree to which the designated groups:

- Are in positions of authority and decision making; and/or
- Are in the core occupations of the organization versus staff or support roles; and/or
- Are in contract, casual or temporary positions (i.e., precarious employment versus permanent employment); and/or
- Are over-represented, clustered and/or concentrated in certain roles. Concentration of designated groups, in low-paying, dead-end jobs or in specialist roles can be indicative of inequity, suggesting that these groups may be experiencing barriers to mobility. For example, women can be streamed into areas that are traditionally female-dominated, such as administrative support or HR.

3.1.7. Utilization Percentage

The utilization percentage is also used to determine how close an employer is to achieving full representation of that designated group in the particular EEOG. The closer the percentage is to 100%, the less severe is the under-representation. Achieving 80% of full representation can be considered satisfactory.

3.2 The Workforce Analysis and the Employment Systems Review

Patterns of under-representation signal potential problem areas suggesting that an organization’s policies and practices inadvertently exclude qualified members of the designated groups and/or that the organization can do more to attract and retain talented women, Aboriginal peoples, persons with disabilities and visible minorities.

3.2.1 Findings

- Just under 60% of UVic employees are in management and knowledge worker roles – EEOGs 01 to 04.
- 53% of those in leadership and knowledge worker roles are women. 53.9% of all women employees are in these roles.
- 1.7% of those in leadership and knowledge worker roles are Aboriginal employees. 59.7% of all Aboriginal employees are in these roles.
- 8.3% of those in leadership and knowledge worker roles are visible minority employees. 62.5% of all visible minority employees are in these roles.
- 3.1% of management and knowledge workers self-identify as having a disability. 55.4% of all employees with a disability are in these roles.
These data suggest, among other things, that leadership and knowledge worker roles are more available and/ or more accessible to Aboriginal persons, employees with a disability and especially visible minorities.

### 3.2.1.1 Part Time Employment
The data at the moment of the data snapshot (2011-06-22) show that:
- 71% of 460 part time employees were women and of these:
  - 2.2% were Aboriginal,
  - 7.2% were visible minority
  - 4.5% self-identified as having a disability
- 29.0% of 460 part time employees were men and of these:
  - 1.5% were Aboriginal, and
  - 6.8% were visible minority
  - 3.8% were persons with a disability

The data show that more women are in part time employment than men.

#### 3.2.1.2 The Temporary Workforce
There were 1,595 persons in the temporary workforce at the snapshot date of 2011-06-22 and of these:
- 0.9% are Aboriginal employees
- 1.3% are Persons with a disability and
- 7.5% are visible minorities

**Women:**
- 59.3% of 1,595 temporary employees (946) are women and of these:
  - 1.6% were Aboriginal
  - 7.3% were visible minorities
  - 1.5% were persons with a disability

**Men:**
- 41.7% of the temporary employees are men
  - 0.6% were Aboriginal
  - 7.7% were visible minorities
  - 0.9% were persons with a disability

### 3.2.2 Here are other highlights of our analysis and observations.

#### 3.2.2.1 Women
Overall the representation of women exceeds their external availability.

*... in Leadership*
- 41.7% or 5 of 12 of the university's senior management group are women. Their internal representation exceeds their external availability by +2
- More than half (52.1%) of middle managers are women. Their internal representation exceeds their availability by +18

*... in Supervision*
- 82.3% of EEOG: 05- Supervisors are women.
However there are no female supervisors in EEOG: 06- Supervisors: Crafts and Trades. The gap is -1

... as Professionals and Semi-Professionals

- EEOG: 03-Professionals is the largest occupational group. 51.7% are women and their internal representation exceeds their external availability.
- The over-representation is +112
  - University Professors (NOC 4121) where n=1050 account for 56.1% of this EEOG. The representation of women is 50.5%.
  - Women are under-represented in NOC 4122, including Research Associates, Academic Assistants and Lab Instructors, the second largest in this EEOG. Although the representation of women in this NOC is 47.8%, the gap is -21.
  - Women experience significant under-representation (-3 or more) in 4 of the 39 NOCs that make up this EEOG.
  - Their representation in 26 of these NOCs is 50% and over.
  - Other roles in which they are under-represented include Industry Liaison Officer, Research Climatologist and Web Designers and Developers.
  - In support roles such as HR -86.7%- Registered Nurses- 100%- and Academic Advisors -86.8%.
- 58.5% of Semi –Professionals and Technicians -EEOG: 04- are women. Their internal representation exceeds their external availability. The gap is + 6.

The data show that women have a strong presence in administration and teaching of the academy. These data may be a catalyst for the discussion about the feminization of academia.

...as Skilled Crafts and Trades Workers

- Women are relatively absent from jobs as Skilled Crafts and Trades workers, who make up 1.3% of the UVic workforce. The under-representation gap for women is -2.

...as Clerical Personnel and Administrative& Senior Clerical Personnel:

- The representation of women in these roles exceeds their external availability.

...as Skilled Sales and Service Personnel

- Cooks and Chefs are 82% of this EEOG. The internal representation of women exceeds their external availability by + 5.

...Intermediate Sales and Service

- Women are under-represented in this EEOG. The under-representation gap is - 5.

...Semi-Skilled Manual Workers

- External availability is 13.5%. Their internal representation is 9.1%. The under-representation gap is -1.

Women: Most significant under-representation

<table>
<thead>
<tr>
<th>EEOG#</th>
<th>EEOG</th>
<th>Gap #</th>
<th>Utilization %</th>
</tr>
</thead>
<tbody>
<tr>
<td>11</td>
<td>Intermediate Sales &amp; Service</td>
<td>-5</td>
<td>66.6%</td>
</tr>
</tbody>
</table>

3.2.2.2 Aboriginal Peoples

Overall, Aboriginal employees are 1.8% of the UVic workforce. External availability is 2.4% and the overall under-representation gap is -28.
The EEOGs in which their internal representation exceeds external availability are EEOG 03: Professionals; 07: Administrative and Senior Clerical Personnel; and 08: Skilled Sales and Service Personnel

- 59.7% of all Aboriginal employees are in EEOGs 02, 03, and 04

...Leadership
- There are no Aboriginal persons in the senior manager group
- EEOG 02-Middle and Other Managers- 1.4% or 2 of 140 employees in this EEOG self-identify as Aboriginal. The gap -1.

...in Supervision
- There is one Aboriginal person in a supervisory role. The gap is -2 for EEOG 05-Supervisors
- There are no Aboriginal persons in EEOG 06- Supervisor Crafts and Trades.

... as Professionals and Semi-Professionals
- 2.1% of the employees in EEOG 03 Professionals are Aboriginal persons. Here internal representation exceeds availability by +13.
  - Representation exceeds availability in 7 of 39 NOC groups that include 4121 – University Professors
- They are under-represented in EEOG 04- Semi-Professionals and Technicians- where the gap is -11.

Aboriginal Peoples: Most significant under-representation

<table>
<thead>
<tr>
<th>EEOG#</th>
<th>EEOG</th>
<th>Gap #</th>
<th>Utilization %</th>
</tr>
</thead>
<tbody>
<tr>
<td>13</td>
<td>Other Sales and Service</td>
<td>-19</td>
<td>24%</td>
</tr>
<tr>
<td>04</td>
<td>Semi Professional &amp; Technicians</td>
<td>-11</td>
<td>31.25%</td>
</tr>
<tr>
<td>10</td>
<td>Clerical Personnel</td>
<td>-8</td>
<td>42.8%</td>
</tr>
<tr>
<td>14</td>
<td>Other Manual Workers</td>
<td>-3</td>
<td>0%</td>
</tr>
</tbody>
</table>

- Aboriginal persons are also under-represented in these four EEOGs- EEOG: 02-Middle and Other Managers: EEOG: 05 Supervisors: EEOG: 11Intermediate Sales and Service and EEOG: 12Semi-Skilled Manual Workers

3.2.2.3 Visible Minorities
Overall internal representation of visible minorities is 7.9% whereas external availability is 17.5%. 62.5% of all visible minority employees are in EEOGs 1 through 4.

Visible minorities are under-represented in all EEOGs except:
- EEOG 01– Senior Managers, and
- EEOG 07 – Administrative and Senior Clerical Personnel, where the over-representation gap is +10

Visible Minorities: Most significant under-representation

<table>
<thead>
<tr>
<th>EEOG#</th>
<th>EEOG</th>
<th>Gap #</th>
<th>Utilization %</th>
</tr>
</thead>
<tbody>
<tr>
<td>03</td>
<td>Professionals</td>
<td>-175</td>
<td>49%</td>
</tr>
<tr>
<td>04</td>
<td>Semi Professional &amp; Technicians</td>
<td>-150</td>
<td>18.9%</td>
</tr>
<tr>
<td>13</td>
<td>Other Sales and Service Personnel</td>
<td>-38</td>
<td>58.6%</td>
</tr>
<tr>
<td>10</td>
<td>Clerical Personnel</td>
<td>-13</td>
<td>69.7%</td>
</tr>
</tbody>
</table>
### Persons with a Disability

Overall employees with a disability are under-represented in 9 of 14 EEOGs. They are equitably represented in these EEOGS:

- In EEOGs 1 and 2, the representation gap is +1
- In EEOG 06 - Supervisors: Crafts and Trades, the representation gap is +1
- In EEOG 07 - Administrative and Senior Clerical Personnel, the gap is +14
- In EEOG 14 - Other Manual Workers, the gap is +1

#### Persons with a Disability: Most significant under-representation

<table>
<thead>
<tr>
<th>EEOG#</th>
<th>EEOG</th>
<th>Gap #</th>
<th>Utilization %</th>
</tr>
</thead>
<tbody>
<tr>
<td>03</td>
<td>Professionals</td>
<td>-29</td>
<td>72.6%</td>
</tr>
<tr>
<td>13</td>
<td>Other Sales &amp; Service Personnel</td>
<td>-23</td>
<td>37.8%</td>
</tr>
<tr>
<td>04</td>
<td>Semi Professionals &amp; Technicians</td>
<td>-13</td>
<td>51.8%</td>
</tr>
<tr>
<td>05</td>
<td>Supervisors</td>
<td>-3</td>
<td>50%</td>
</tr>
<tr>
<td>10</td>
<td>Clerical Personnel</td>
<td>-5</td>
<td>77.2%</td>
</tr>
<tr>
<td>09</td>
<td>Skilled Crafts &amp; Trades</td>
<td>-3</td>
<td>25%</td>
</tr>
</tbody>
</table>

- The other occupations in which they are under-represented are:
  - 08 - Skilled Sales and Service Personnel
  - 11 - Intermediate Sales and Service Personnel
  - 12 - Semi-Skilled Manual Workers

## 4.0 PHASE 2: DATA GATHERING

### 4.1 Documents review

The university responded admirably and promptly to all requests for information in the form of policies, procedures, reports and studies, numerical data and transactional data. In addition the Consultants are able to access information independently from the UVic site.

Here is a sample of the documents reviewed:

**INTERNAL REPORTS**: that include the Accommodation Fund Review; the 2012 draft Indigenous Staff Consultation Report; and the Sullivan Arbitration Awards.
**COLLECTIVE AGREEMENTS** for the Professional Employees Association (PEA): the Faculty Association (including Librarians) and CUPE units 917, 951 and 4163, as well as policies relating to Exempt staff.

**HR POLICIES**

4.2 **Interviews with key informants**
The Consultants conducted interviews with key informants (university executives, including the President, Vice-Presidents and AVPs; representatives of bargaining agents, staff of EQHR, Human Resources, equity-related voluntary committees and informal groups) identified by EMAG, to gain further information about informal policies and practices. Further individual interviews were held with Vice-Presidents and Assistant Vice-Presidents to refine the scope of the project and expectations of deliverables.

5.0 **PHASE 3: DEPLOYMENT OF SURVEY; SURVEY DATA COLLECTION; INVITATION TO PARTICIPATE**

5.1 **Deployment of the Survey**
The university contacted all employees using known e-mail addresses, and provided hardcopy invitations and surveys to members CUPE 917, whose members have less access to e-mail during work time. A total of 4600 e-mail and hardcopy invitations were sent (See Appendix 2).

The invitation included an explanation of the consultation process and a link to the on-line survey that was hosted by an external Canadian web-based survey provider and included a request for employment equity self-identification. The online survey offered four options for participation (focus group, individual interview, input in writing, and no participation). CUPE Locals 917 and 951 also publicized the consultation using their own internal communication vehicles to reinforce the call for participation. CUPE Local 917 together with EQHR organized sessions during work time for members to complete the survey and forwarded completed hard-copy surveys confidentially to the consultants.

5.2 **Collection of survey data and identification of individuals and groups willing to participate in the consultation**
The survey was active from March 26 to April 26, 2013. A total of 538 employees responded to at least some questions on the survey.

Most did not provide information about their occupational group. Of those providing some information and responding to this question (200), the breakdown was as follows:
### Employee Group

<table>
<thead>
<tr>
<th>Employee Group</th>
<th>Number of respondents</th>
</tr>
</thead>
<tbody>
<tr>
<td>CUPE 4163 (sessional instructors)</td>
<td>11</td>
</tr>
<tr>
<td>CUPE 917</td>
<td>91</td>
</tr>
<tr>
<td>CUPE 951</td>
<td>20</td>
</tr>
<tr>
<td>Faculty</td>
<td>43</td>
</tr>
<tr>
<td>Professional Employees Association (PEA)</td>
<td>26</td>
</tr>
<tr>
<td>Exempt</td>
<td>9</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>200</strong></td>
</tr>
</tbody>
</table>

Approximately 67% of respondents were female. Slightly less than half of all respondents reported that they had not experienced or observed any discriminatory practices at UVic, although women reported barriers at a higher level (53.8%). Experience of barriers was highest among respondents identifying themselves as having a disability (75%), while men from non-designated groups reported seeing barriers to employment at a much lower level (45%). Regardless of the proportional representation of these groups in the overall UVic employee community, it is significant that there is less awareness of barriers among non-members of designated groups than among those from designated groups.

Overall 280 respondents provided examples of barriers. Some of the most significant findings are cited in the sections below.

The consultation prioritized those designated groups and occupational categories presenting the largest representation gaps. Given the significant gaps for visible minorities in most occupational categories, and the small number of Indigenous respondents, all respondents identifying themselves as racialized or Indigenous (visible minority and Aboriginal) were offered interviews.

A total of 119 respondents volunteered to participate in the consultation, including a large number of faculty members. As the data do not show gaps for women or Aboriginal persons within the faculty EEOG, not all female faculty respondents were interviewed. Faculty perspectives on employment policy and practices were additionally included in the consultation through meetings with a number of committees composed wholly or largely of faculty members.
6.0 PHASE 4: CONSULTATION

6.1 Focus groups

The Consultants organized the following focus groups:

a) Persons with disabilities
b) Visible minority (racialized) men and women (faculty and PEA)
c) Visible minority (racialized) men and women (CUPE 951 and 917)
d) Deans and Directors
e) Academic Chairs

6.2 One-on-one interviews

The Consultants conducted approximately 50 confidential interviews, the majority of which were conducted in person. In addition to interviews with current employees, the Consultants interviewed representatives of local Victoria agencies providing employment services, especially to newcomers to Canada. The Consultants also interviewed Sarah Hunt on the findings of her recent study (Indigenous Staff Consultation Report). Due to the timeliness of the study, the Consultants felt it was more productive to take advantage of the findings from Ms. Hunt’s interviews and the obvious trust invested in her by her Indigenous interviewees, rather than to re-interview the Indigenous staff members on similar issues and themes.

7.0 PHASE 5: INTEGRATION OF FINDINGS AND BARRIER IDENTIFICATION

7.1 Survey results

Table 1 – Overall responses

<table>
<thead>
<tr>
<th>Total persons completing survey and providing some input</th>
<th>538</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total giving gender identification</td>
<td>518</td>
</tr>
<tr>
<td>Total males</td>
<td>168</td>
</tr>
<tr>
<td>Total females</td>
<td>349</td>
</tr>
<tr>
<td>Total transgender</td>
<td>&lt;5</td>
</tr>
</tbody>
</table>
Table 2 – Summary of Survey Responses

<table>
<thead>
<tr>
<th>Response to question about personal experience with barriers²</th>
<th>All females</th>
<th>All males</th>
<th>Male only³</th>
<th>Aboriginal</th>
<th>Visible minority</th>
<th>Persons with Disability</th>
<th>Total Male, Female, Transgender</th>
</tr>
</thead>
<tbody>
<tr>
<td>University Employees</td>
<td>2540</td>
<td>1780</td>
<td>77</td>
<td>344</td>
<td>148</td>
<td>4321</td>
<td></td>
</tr>
<tr>
<td>Survey Respondents</td>
<td>349</td>
<td>168</td>
<td>126</td>
<td>15</td>
<td>68</td>
<td>52</td>
<td>518</td>
</tr>
<tr>
<td>No, don't know or n/a</td>
<td>161</td>
<td>91</td>
<td>69</td>
<td>5</td>
<td>33</td>
<td>13</td>
<td>252</td>
</tr>
<tr>
<td># of respondents reporting barriers</td>
<td>188</td>
<td>77</td>
<td>57</td>
<td>10</td>
<td>35</td>
<td>39</td>
<td>266</td>
</tr>
<tr>
<td>% of respondents with no experience of barriers</td>
<td>46.1%</td>
<td>54.2%</td>
<td>54.8%</td>
<td>33.3%</td>
<td>48.5%</td>
<td>25.0%</td>
<td>48.6%</td>
</tr>
<tr>
<td>% of respondents reporting some barriers</td>
<td>53.9%</td>
<td>45.8%</td>
<td>45.2%</td>
<td>66.7%</td>
<td>51.5%</td>
<td>75.0%</td>
<td>51.4%</td>
</tr>
</tbody>
</table>

Respondents who provided response to request for suggestions for actions to improve diversity⁴

<table>
<thead>
<tr>
<th>Number of Respondents</th>
<th>All females</th>
<th>All males</th>
<th>Male only⁵</th>
<th>Aboriginal</th>
<th>Visible minority</th>
<th>Persons with Disability</th>
<th>Total Male, Female, Transgender</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>194</td>
<td>85</td>
<td>43</td>
<td>9</td>
<td>28</td>
<td>39</td>
<td>280</td>
</tr>
</tbody>
</table>

7.2 Consultation findings

The findings from the consultation process have led us to recommendations of two different types: procedural and strategic. The findings are organized below by designated group, by employment system, and with reference to the employment equity implementation structures of the university. In Section 9 we list recommendations for change based on these findings and our analyses.

² Text of the survey question: “Have you encountered any practices within UVic that constitute a barrier to any equity-seeking group? If so, please provide further information so that the Consultants can follow up. Feel free to provide as much information as you wish.”

³ The “males only” category refers to non-designated group respondents who identified as male, but not as visible minority, Aboriginal, or having a disability.

⁴ Text of the survey question: “What do you believe are the most important actions UVic could implement to improve the recruitment and/or retention of members of equity-seeking groups? Please provide as much information as you wish.”

⁵ The “males only” category refers to non-designated group respondents who identified as male, but not as visible minority, Aboriginal, or having a disability.
7.3 Findings by designated group

7.3.1 Aboriginal Peoples

The Consultants received input from about 20 Indigenous employees. The opinions expressed in the consultation were generally consistent with those reflected in Sarah Hunt’s report, which may have included the same sample of Indigenous employees. We therefore endorse the key findings of her report:

7.3.1.1 UVic’s commitment to Indigenous studies has resulted in the highly acclaimed First Peoples’ House and a number of Indigenous-focused programs. The university’s commitment and pride in its accomplishments are reflected in its strategic documents and highlighted in a number of publications.

7.3.1.2 A number of Indigenous-focused programs do not have ongoing funding, but rather rely on specific funding commitments. This leads to significant job insecurity for many Indigenous staff, as well as a lack of continuity in proposed awareness training initiatives for non-Indigenous members of the university community on campus.

7.3.1.3 Indigenous faculty are concentrated in Indigenous-specific programs but under-represented throughout other faculties, where they report isolation.

7.3.1.4 Some Indigenous staff who do not work in Indigenous-specific programs also feel isolated, and several report that they are called on to “represent” Indigenous peoples at various university functions. This is sometimes seen as an additional burden that takes away from other pursuits, as well as giving rise to a sense of “tokenism.”

7.3.1.5 Some Indigenous staff, especially those employed outside First Peoples’ House, feel an expectation to conform to Eurocentric cultural norms that run counter to the objective of increasing inclusiveness, and reportedly affects the motivation of some employees to remain in the employ of UVic.

7.3.1.6 Some Indigenous employees, especially faculty, respond to obligations and responsibilities as mentors, researchers and advisors to their home communities and Indigenous students. These obligations and responsibilities are not recognized and valued to the same extent as formal scholarship, but represent an additional demand, that is not made on their non-Indigenous colleagues.

7.3.1.7 Some Indigenous staff members with close connections in nearby communities expressed concern that the impersonal UHire system presents a barrier for candidates living in Indigenous communities. Even those who seek jobs where a high level of computer literacy is not required may face obstacles, in that the application process
supposes ready access to computers and a high degree of familiarity with word processing software in order to provide a résumé in the required format.

7.3.1.8 A significant number of preferential hires made over recent years have been allocated to Indigenous-specific positions, most of which are temporary. While the hiring in itself is obviously positive, gains in terms of remedying under-representation rely on the ability of Indigenous employees hired into temporary positions to bridge to longer-term employment.

7.3.2 Persons with a Disability

7.3.2.1 UVic has well-established policies and procedures for providing accommodation for employees with a disability as well as for employees returning to work. There are dedicated positions within Human Resources to implement return to work, staffed by professionals who are committed to meeting the accommodation needs of employees. There is a clear role for bargaining agents to facilitate the process. The procedures are referenced in collective agreements.

7.3.2.2 To ensure an inclusive recruitment and selection process, UVic advises applicants that accommodation is available. We were not able to determine whether all managers involved in hiring are trained and can demonstrate their knowledge about the duty to accommodate and the “do’s and don’ts” of the selection process as they pertain to candidates with a disability.

7.3.2.3 As a learning organization, UVic has made measurable progress in its handling of disability and Return to Work issues and its support of employees with a disability.

7.3.2.4 Notwithstanding recent improvements in the implementation of accommodations, and improved relations between the CUPE bargaining units and the HR staff on accommodation issues, some employees with a disability in the consultation still report perceptions and lived experiences of dissatisfaction with their treatment by UVic in the accommodation process. (See Procedural Recommendation 18 for an approach to bridge the perceptions of employees and the intentions of the employer.)

- Some report attitudinal barriers on the part of managers, HR/Labour Relations and co-workers when they feel their requests for accommodation are treated with scepticism.

- Others reported that they had not self-identified either in the confidential employment equity survey or to their immediate supervisor due to concerns about how the disclosure would be handled, and whether accommodations they requested would stigmatize them or not be provided.
7.3.2.5 The services that were provided by the Accessibility Coordinator in Facilities are well appreciated. The Coordinator was able to provide efficient and sometimes innovative modifications to buildings, work areas, and equipment to accommodate persons with specific disabilities (e.g., providing visual alarms to a janitorial employee with hearing loss, providing ramps and modified access for persons with mobility limitations, tactile way finding for persons with visual disability, and spaces where employees experiencing fatigue relating to chronic illness or disability can rest or nap during the workday). The services have also been partially mapped so that the entire university community can locate them. The incumbent recently left the position and the position was subsequently discontinued, which means new services may no longer be customized and that existing services may no longer be as easily accessed.

7.3.2.6 UVic’s Mental Health Taskforce is a good example of an initiative taken by the university that has been used in response to issues identified by the UHRC. Progress on mental health awareness has also been monitored by the UHRC. The Taskforce is broadly based and has already been successful in raising the profile of mental health issues and invisible disabilities throughout the university community, including in the recent Provost’s Diversity Research Forums.

7.3.2.7 Representatives of CUPE 951 and 917 referred to recent improvements in procedures regarding return to work for their members with disabilities. The systemic approach taken in a set of decisions in 2011 by Arbitrator Sullivan clarifying the responsibilities of the employer, bargaining agent and the employee returning to work, seems to have resolved some recurrent issues. Representatives of both locals report improved communication with Human Resources staff.

7.3.2.8 Concerns about a lack of consistency in the process of requesting and receiving appropriate accommodation for disability were frequently expressed. There is a widespread belief that departments are responsible for the part of the cost of reasonable accommodations. Some people interviewed believe that if the accommodations they require are perceived as costly, providing them would be seen as a burden on the department that would be required to co-fund them. Following from this, it was expressed that Chairs and department heads have too much discretion in determining whether or not accommodations are feasible, based in part on the cost the department is expected to bear.

7.3.2.9 The process of accommodation on return to work by employees with recurrent or chronic disabilities does not always go smoothly. Bargaining unit representatives reported that returning employees have not always been sufficiently included in discussions about supports needed on return to work by the Work Life Consultants, even though the returning employees themselves are critical to the success of an accommodation.
Bargaining agents are committed to monitoring improvements and participating in this process.

7.3.3 Visible Minorities

7.3.3.1 The representation of visible minorities in the UVic workforce increased by 1.4% or 60 persons between September 2010 and June 2011. This is encouraging upward movement.

7.3.3.2 Victoria is described by some administrators as ‘not racially diverse, which, in their view, makes it relatively difficult for UVic to recruit racialized persons. The result of this conventional wisdom is that Victoria becomes “the problem,” accounting for the severe under-representation of visible minorities. In spite of this perceived barrier, the June 2011 snapshot data show that 62.5% of visible minority employees are in management and knowledge workers roles for which the default recruitment areas are national and provincial.

7.3.3.3 The view that Victoria is not very diverse does not explain why visible minorities who now live in Victoria, and have for some time, continue to be under-represented within the UVic workforce. Racialized persons are under-represented in positions where the recruitment area is the Victoria CMA, and in fact, provincial government employees in the Victoria CMA are represented at a higher level (10.7%) than at UVic (7.9%). The analysis of June 2011 data shows that 37.2% of visible minority employees at UVic are recruited at the local CMA level.

7.3.3.4 There is very little discourse about race or racism in employment-related publications of the university, and a notable reluctance to talk about race and racism was observed throughout the consultation, in particular in meetings with faculty-led committees. In our consultations, race privilege is not named or acknowledged as operating within university systems and structures.

7.3.3.5 Members of visible minorities interviewed who are also recent immigrants to Canada report that it is very difficult and discouraging to apply for jobs at UVic. Several individuals in the consultation referred to problems faced by their own relatives and friends. Representatives of both local agencies providing employment support services to recent immigrants interviewed for this consultation report that the UHire portal is a barrier for their clients. These agencies typically represent and advocate for new immigrants and job seekers from Victoria’s ethnic communities and individuals with disabilities.
7.3.3.6 We heard from visible minority employees who are immigrants and/or not first language speakers of English who reported the experience of other employees, and sometimes students, saying that they have trouble understanding them, or that their accent is a barrier in accessing promotional opportunities. They experience first language and accent as a proxy for race.

7.3.3.7 The two agencies interviewed would welcome having a contact in Human Resources with whom they could discuss placements for excellent candidates from within their client base. These agencies report that their clients have had little success in obtaining jobs at UVic, and that when clients are able to obtain casual positions, especially in janitorial services, they have not been able to transfer into jobs more appropriate to their skills and experience because of “silos” between Local 917 and PEA, and Local 951.

7.3.3.8 The Consultants met with and heard of about a number of racialized women with graduate degrees in clerical and administrative positions who are adamant that they are denied access to positions for which they are qualified. They claim to “dumb down” their qualifications and achievements to avoid being deemed “overqualified”. Some who are foreign trained have gone back to community college to get a Canadian diploma in the hope of getting the proverbial foot in the door. The majority of those interviewed felt underemployed but had given up.

7.3.3.9 Expressions of overt racism are clearly established by the university as unacceptable at all times. However, some racialized employees and Indigenous staff reported experiences of subtle racism in everyday exchanges within the university community.

7.3.4 Women

7.3.4.1 Programs to increase the participation of women implemented over the last 20 years have been effective in reducing the gap between men and women in faculty positions and in decision-making positions throughout the university. UVic has met its employment equity objectives for women in all but one EEOG. Women generally report that they are taken seriously and treated respectfully. In fact, there are very few representation gaps for women throughout the university.

7.3.4.2 The most frequent concern has to do with the difficulties employees, especially women faculty and staff, face in attempting to balance their work responsibilities with domestic life including care of children and aging parents. A number of women and some men cite a deficit of childcare services on campus (insufficient spaces) and lack of flexibility on the part of some managers to allow for arrangements for employees to meet their obligations to provide occasional or ongoing care. This is despite the existence of increased on-campus childcare spaces.
7.3.4.3 We heard reports from women that some departments are still experienced as male preserves where women’s voices are not as welcome or valued. In a small number of reports, the lack of respect spilled over into derogatory or harassing comments against women.

7.4 Findings by employment system

7.4.1 Recruitment, Selection, Hiring

7.4.1.1 UVic has comprehensive employment policies for each employment system. These policies, as well as the newly revised Recruitment Handbook, are well written and provide hiring managers with excellent tools to manage the recruitment, selection and hiring process. Hiring practices are also largely conditioned by procedures set out in the collective agreements.

7.4.1.2 Over the last several years UVic has relied primarily on internal hires, and most new hires are to temporary positions. Given that the university is drawing on its internal workforce, which has not changed much in terms of the diversity of the candidate pool, the diversity composition of its workforce is relatively unchanged going forward. The 2010-2012 data show that fewer than 25% of new hires of CUPE 917 and 951 and PEA between January 2010 and December 2012 were to permanent positions. More than 75% were hired as casual or temporary. 83% of new hires to CUPE 917 and 951 were casual or term; 74% were casual employees.

7.4.1.3 We are told that the hiring of casual employees is relatively unregulated. External candidates who apply for posted positions who are trumped by internal candidates may be offered casual work, or casuals may be sourced by word of mouth, through connections with current employees. A casual employee has internal candidate status and so has an advantage for regular ongoing positions as per collective agreements. As employment equity considerations are not implemented systematically in casual hires, the current employee pool for internal applications may not always be as diverse as it should be. Typically word-of-mouth hiring tends to replicate the demographics of the existing workforce. However, the inclusion of measures to recruit designated group members into casual positions, such as through Temporary Staffing Solutions, could increase opportunities for designated group members to demonstrate skills and abilities and gain experience in a variety of university departments. And, as noted above, such employees gain the status of internal applicants after working on campus for the previous 20 days.

7.4.1.4 The UHire system, intended to remove bias by providing a unified procedure and format for application, presents barriers for some applicants. While the university can make assistance available to anyone requesting it, clearly not all applicants are able to
access this help. The UHire system is thus an example of an apparently neutral process providing equal access to employment that does not always deliver equitable treatment and in consequence may have adverse impact on some designated group members, such as potential employees from Indigenous communities with limited computer access or familiarity.

7.4.1.5 Currently an RFP is out for the development of an applicant tracking system. This will allow for an analysis of the experience of the designated groups in the recruitment, selection and hiring process and so strengthen the employment equity program.

7.4.1.6 It is not clear to us who in the university is actually accountable for ensuring that the hiring system is fair and equitable. While HR is responsible for advertising vacancies and in some cases screens applications for non-academic employees, line managers in departments (or in some cases the hiring committees) take responsibility for screening, short-listing, selection interviews and the hiring decision.

7.4.1.7 For faculty, there is a strong and well-enforced requirement for committees involved in hiring to be trained in selection processes that include employment equity considerations. The program is well regarded by those consulted in this process. These practices almost certainly help explain how some employment equity objectives have been attained for faculty positions.

7.4.1.8 In the selection processes, some areas, such as the Library, use specific questions to probe candidates’ experience in managing diversity issues. An example of excellent questions used in the hiring process:

1. *The library is a place where equity, diversity and inclusiveness are valued. Please give us a specific example of how you have helped create an environment where differences are valued, encouraged and supported.*
2. *The ability to interact and communicate with a diverse group of people, staff and faculty and patrons is very important in this position.*
   a) *What would you consider to be the vital communication skills required to succeed in this role?*
   b) *Please describe how you have employed these skills in a previous situation.*

7.4.1.9 A review of hiring processes across campus indicates there are inconsistencies at the point of hire:

- Offers of employment are not always produced in a standardized way across the university, as required in the Recruitment Handbook.
There is no requirement for hiring managers to be trained in bias-free hiring of non-faculty employees. A perception expressed by some consultation participants is that the selection process allows for a significant amount of favouritism in hiring and that in many cases, the successful candidate has been pre-selected.

7.4.1.10 The options of preferential hiring and limited hiring are designed as exceptional employment equity measures to redress gaps in representation of designated groups, and are authorized as such by the BC Human Rights Tribunal. They are intended for use as positive measures when barrier removal has not resulted in a fully representative candidate pool or bias-free hiring. This is recognized in HR Policy HR6110 - 3100. However, some of the university's written communications appear to position these measures as a principal vehicle for achieving employment equity goals. As well, virtually all consultation participants who referred to these measures expressed an assumption that the university’s employment equity program relies on these forms of exceptional hiring. The PEA collective agreement specifically exempts such measures from the normal selection process in which “the candidate whose qualifications best meet the requirements of the position shall be selected for appointment.” (Art. 5.06). A document on the EQHR website (http://web.uvic.ca/eqhr/equity/hiring.htm), in the section Hiring (Preferential and Limited), states: “In order to fulfill UVic’s objective to recruit and retain a diverse group of outstanding faculty, sessionals and staff, all departments and administrative units are encouraged to take advantage of Preferential and Limited Hiring Processes.”

Similarly, the Equity and Diversity Reporting format asks managers to indicate what they have done to address employment equity gaps as follows: “What strategies have you used over the course of the last year to overcome these issues (i.e., limited and preferential hiring, EQHR training, etc.)”. Rather than being a measure of last resort, there is a perception that UVic has positioned this mechanism as a key lever for achieving its employment equity goals, although in practice it is little used. This is problematic because of the stigma reported to be attached to being an “equity hire,” with the unstated inference that such hires are not based on merit.

7.4.2 Training and development

7.4.2.1 Staff consulted felt that the very limited tuition reimbursement program and the lack of free tuition was a barrier to career development. The university, through the HR Learning and Development program, offers a range of short training sessions to staff at no cost, ranging from a half day to two days, as well as some longer certificate programs. UVic makes other funds available for more in-depth professional development of academic and non-academic employees, through departments, individualized accounts, and a central resource. A more detailed study of the availability of the resources and how they are used
is needed to reconcile the availability of development opportunities with the perception of a potential gap. Given that the university relies heavily on internal hires and promotions, it is important to support the university’s desire to promote internal candidates by encouraging staff to take on challenges requiring additional skills.

7.4.2.2 The university supplies Employee and Family Assistance to employees through PPC Canada. Among the services PPC offers to employers is Career Counselling. This external service could potentially assist employees encountering difficulties or frustration in their jobs to develop strategies to build their skills without jeopardizing their current jobs.

7.4.2.3 Staff reported little attention paid to their professional development by their managers, irrespective of equity group status. PEA members may access a small amount of money annually to offset the cost of professional development activities, typically conference attendance, or to put toward the cost of tuition fees. Longer-service PEA employees may also apply for salary support for professional development leaves. Such funding covers a relatively small portion of the costs of such development activities. No general program exists to cover the tuition costs of employees seeking to develop their skills through more in-depth programs, either within UVic or through external educational programs; the potential for adverse impact requires further study.

7.4.3 Promotion

7.4.3.1 A major concern heard frequently in the consultation, in particular from visible minority and Aboriginal staff, was the difficulty of promotion across bargaining units. The collective agreements of two of the CUPE bargaining units (951 and 917) and between the CUPE bargaining units and PEA restrict mobility between different categories of work within UVic, both horizontal and vertical.

7.4.3.2 With respect to the criteria for selection in promotion and transfer, the collective agreements for the CUPE Locals 951 and 917 provide that three elements are to be taken into account: seniority, work performance and qualifications. The agreements do not dictate the relative weight to be accorded to each of the three elements. In practice, seniority appears to be given the most weight, possibly to the exclusion of qualifications. This interpretation of the collective agreements may give rise to a systemic preference for internal candidates rather than promoting well-qualified potential employees from the designated groups.

7.4.4 Retention and termination

7.4.4.1 UVic has clear policies on respectful treatment and anti-harassment and non-discrimination. EQHR offers high quality training on request as well as general open
sessions on how to achieve the goals of a discrimination-free workplace to employees and managers. As well, HR and VPAC have produced excellent training materials on return to work and medical accommodation. Some training has also been developed in conjunction with CUPE Local 951.

7.4.4.2 The university’s anti-harassment policy includes an extensive procedure for investigating complaints. However, there is at least one gap in the policy that may affect UVic’s ability to resolve complex incidents. When there is a finding that harassment occurred, by way of an investigation or a hearing, the policy says that the decision-maker may make recommendations but does not require them to make recommendations. Ultimately, the complaint could thus end up unacknowledged and not redressed. (Discrimination and Harassment Policy (GV0205), S. 54.01 and 66.00 “Where the hearing report finds that Discrimination or Harassment occurred, the hearing report may include recommendations for remedial or preventive action and disciplinary measures, if appropriate, which may include suspension or dismissal.” [emphasis added]

7.4.5 Reasonable Accommodation

7.4.5.1 The university has expertise on accommodation and provides training for managers. VPAC offers sessions 1-2 times per year to deans, directors and chairs, and advice can be provided to departments by Work Life Consultants, who are the primary staff involved in return-to-work for existing employees. As well, HR and EQHR offer training on this topic. The Adviser to the Provost on Equity and Diversity chairs a joint committee of HR and union representatives looking at issues around accommodation. However, many employees still report that their managers are not fully informed on the accommodations that should be offered to employees returning to work. There may be a need for more proactive training to help managers understand the range of options and accommodations that can be provided and the appropriate process for selecting and implementing them.

7.4.5.2 As mentioned in the section on Promotion, above, the collective agreements of two of the CUPE bargaining units (951 and 917) and between the CUPE bargaining units and PEA restrict mobility between different types of employment within UVic. Although on a case-by-case basis, this restriction can be overridden, it is seen as a barrier for employees needing accommodation as well as for those who become UVic employees through casual appointments.

7.4.5.3 Despite the recent improvements referred to above, the Consultants heard that some employees and union representatives continue to experience an adversarial relationship between those requesting accommodation and Human Resources Consultants, including the Work Life Consultants. In addition to affecting labour relations negatively,
such tensions may lead some employees to avoid requesting accommodations that would allow them to be more fully productive in their roles. That is, they may be encouraged to delay their return to work rather than to adjust their schedules for a gradual return.

In particular, there is a report of difficulty in accessing accommodations that do not involve assistive devices. This matter was touched on in the report on the use of the Accommodation Fund. Mr. Anscombe’s report noted that a weakness of the current Fund is that its scope does not extend to accommodating mental and invisible disabilities.

### 7.4.6 Organization-wide culture and attitudes

#### 7.4.6.1
For two years running, UVic has been named one of Canada’s Best Diversity Employers, and has also been named one of BC’s Top Employers. UVic is clearly an employer of choice, and its efforts to increase the diversity of its workforce are recognized. UVic was also recognized by the Canada Research Chair Secretariat for exemplary equity practices in nomination, selection and recruitment of Canada Research Chairs and for exceeding our equity targets for the representation of the four designated groups among chair holders for the year 2012.

#### 7.4.6.2
The university has been very successful in increasing the diversity of its faculty, indicating that its employment equity measures have been working. For the last two years, the number of Aboriginal employees has exceeded their target for EEOG 3 (Faculty and sessionals), and the targets for women have been exceeded in all but one EEOG for some time.

#### 7.4.6.3
There is a strong identification throughout the university of equity with measures oriented to removing barriers for women. Equity considerations for women are well established within the university, and measures to increase women’s presence at all levels within the university have been in place for decades. The Equity Policy for Female Faculty Members from 1990 (HR6105) was oriented to increasing the number of women on the faculty and encouraging women to seek decision-making positions in order to shape the academic and governance policies of the university. Today there is care for gender balance on committees and panels, as well as in the visual representation of the university in its publications. Women are well represented within the senior administration of the university. The Academic Women’s Caucus is recognized. When discussing employment equity in the consultation, most participants referred to the progress toward gender balance.

#### 7.4.6.4
The university consistently demonstrates its pride and its commitment to strengthening the participation of Indigenous people within the university at all levels. First Peoples’ House is a visual testament to the profile of Indigenous peoples and the
prominence of Indigenous studies at UVic. In addition, documents such as the Aboriginal Employee Handbook are expressions of the university’s efforts to remove barriers for this group and to make Indigenous staff feel more welcome.

7.4.6.5 The university further has recently demonstrated its concern by pro-actively commissioning a consultation report on issues facing Indigenous employees. The study was a recommendation to the University President from the UHRC. The well-researched report provides excellent foundation for action to improve the experience of Indigenous employees. The key recommendations are relevant to the employment equity objectives of removing barriers to Indigenous employees, including providing greater support to Indigenous employees, development of policies to meet their culturally-specific needs, awareness training for non-Indigenous employees, in particular, senior administrators, and strengthened relationships between UVic and local Indigenous communities.

7.4.6.6 Another initiative of the university in response to a recommendation of the University Human Rights Committee to the president was to commission a report on ways to improve utilization of the Accommodation Fund. This initiative included a targeted consultation with the university community. Its recommendations include clarifying roles within Human Resources to ensure better access to the Fund by potential users, expansion of the Fund’s scope to include mental and invisible disabilities, and maintaining more consistent data on the Fund’s use. To contribute to the removal of barriers to persons with disabilities, the report also recommends publicizing the existence of the fund to employees and a mechanism to address the monetary limits faced by small departments, although it does not recommend removing the departmental co-pay scheme.

7.4.6.7 A number of those consulted feel the culture of the university is more inclusive than that of other workplaces, and that there is a strong tradition of “championing” minorities and expressing acceptance of difference.

7.4.6.8 We experienced resistance when we reported the perceptions and lived experiences of discrimination of some members of designated groups in the UVic workforce. The Consultants heard the message from some academic administrators and operational managers that the requirement for fairness is enforced and that they are not aware of discriminatory practices in hiring or promotion. In general, when we as Consultants raised the question of racism, there was a reluctance to name it or elaborate on the topic.

7.4.6.9 There were numerous comments in the survey responses, in particular from individuals who did not wish to participate further in the consultation, that commitments to employment equity and diversity are well structured in policy documents, but not implemented consistently.
7.4.6.10 We heard from a number of participants throughout the university and its hierarchy that there is a lack of confidence in the university’s mechanisms to redress situations of harassment. That is, that “it’s not worth it” to bring forward a formal complaint, that there might be subtle or overt reprisals against those raising an allegation, especially about a manager or a faculty member, or that employees did not believe that a complaint would be resolved satisfactorily through the complaint process.

7.4.6.11 Many people consulted expressed that gaps in the representation of visible minorities within the workforce are overstated. They believe that looking to the province as the reference for availability of visible minority candidates is inappropriate, as many candidates would be sourced at Victoria CMA level, where the availability rates are lower. While this view has merit, it is interesting to note that the gaps for visible minorities are smaller within the Provincial government than within UVic for positions whose reference point is the Victoria CMA availability reference data.

7.5 Employment equity implementation structures

7.5.1 Equity planning is built into strategic plans at the department level and reports on those strategic plans are reviewed by the Equity and Human Rights Office, which is the key office for employment equity planning. Managerial job descriptions refer to this responsibility.

7.5.2 UVic has a multi-layer structure to elicit recommendations on employment equity from employees. The University Human Rights Committee (UHRC, http://web.uvic.ca/eqhr/uhrc/mandate.htm) is composed of two broad-based advisory groups from within the university community. According to the stated mandate of the two committees, they are to provide input and feedback on employment and educational equity and human rights matters “that do not appear to be being addressed adequately.” The Employment Equity Advisory Group (EMAG) focuses on employment-related equity matters, while EDAG’s focus is on students and academic life. Both groups report to the University President, and meetings between the UHRC, Vice Presidents and the President are to take place at least yearly. The UHRC has had considerable input into equity and diversity planning, and is expected to play a significant role in revising equity plans, at the institutional level.

While EMAG, supported by the Equity and Human Rights Office, formally includes representatives of all employee groups and virtually every group formed around identity and diversity of employees within the university, in practice the monthly meetings are attended by a small number of individuals. EMAG produces reports and a series of specific recommendations to the President that are delivered in writing and in person. In
reviewing reports submitted by EMAG over the past four years, it becomes clear that there is a gap between the recommendations and the university’s actions with respect to implementation of employment equity measures. To refer to a few examples: the 2012 report refers to the fact that disability issues raised in previous years are still outstanding, and that a number of recommendations relating to employees with disabilities have not yet been implemented, although a mental health task force is announced as a new initiative relating to disability. Key issues relating to Indigenous staff are repeated from the 2011 and 2010 reports (lack of stable funding for Indigenous-specific programs, including educational initiatives for non-Indigenous staff and students). There is no apparent follow-up in the 2012 report on the outstanding representation gaps for racialized employees that are the subject of recommendations in the 2010 and 2011 report. In short, many recommendations are not implemented, or not integrated into a programmatic plan.

Our conclusion from a review of these annual reports is that the President’s office welcomes such recommendations, without there being a direct mechanism or accountability for implementing measures to address them through the university’s employment equity planning process.

7.5.3 The University's Employment Equity Policy (HR6100) places the initiative primarily within a context of human rights while recognizing the value of increased diversity (“The University of Victoria is committed to providing an environment which protects and promotes the human rights and affirms the dignity of all persons, including those of diverse backgrounds and needs, and which provides equitable access to employment opportunities. The university recognizes that it will benefit from a workforce that reflects the rich diversity of Canadian society.”). The 2011 policy does not refer to achieving full representation of designated groups within the UVic workforce.

7.5.4 A main finding of this consultation is that it is not clear to UVic community members, or to the Consultants, where overall accountability for implementing employment equity or the diversity strategy lies within the university.

8.0 ENVIRONMENTAL SCAN, BEST PRACTICES, AND FEATURES OF SUCCESSFUL PROGRAMS

8.1 Demographics

The Consultants conducted an environmental scan of the employment and demographic environment in which Canadian universities operate to provide context for the analysis of the findings and the recommendations. To summarize, the demographics of the student body of Canadian universities are becoming more diverse, both from inside Canada and due to the influx of international students. There are increased social pressures on universities to become more open and inclusive. Details of these findings are reported in Appendix 4.
8.2 Best Practices

Universities are seeking to meet these challenges by adopting a range of strategies. Appendix 4 contains a detailed review of best policies and practices in place in a selection of Canadian universities with employment equity policies studied for this report (University of British Columbia, Queens University, Ryerson University and the University of Windsor). The findings are provided here as potentially replicable models for managing the objective of increasing diversity.

8.3 Features of Successful Programs

In addition to the scanning the university environment, the Consultants reviewed relevant literature to identify best practices beyond the university sector in Canada. These five most effective practices are related to leadership that prioritizes accountability for results; transparency in the selection process; active recruitment for key employee roles; analysis of qualitative and quantitative demographic data; and focus on meeting realistic goals. These practices are detailed in Appendix 5.

8.4 What we have learned as Consultants

Appendix 6 contains additional reflections of the Consultants about the most effective approaches a university employer can adopt to maximize the benefits of a fully diverse workforce.

9.0 RECOMMENDATIONS

The recommendations flow from the consultation findings, the external research on best practices and our experience as consultants in diversity and inclusion to a wide range of organizations.

The Consultants propose two categories of recommendations: strategic and procedural. The strategic recommendations are intended to enable UVic to put a framework in place that will ensure coordinated progress toward the goals of full representation, diversity, and inclusion. They constitute both a model and a road map for change.

The procedural recommendations flow from specific findings with respect to individual employment systems and groups facing historic discrimination.

There are a large number of procedural recommendations. Like the strategic recommendations, they are not all intended to be considered for immediate implementation. The university will establish its own priorities within a multi-year plan, based on consultation with internal stakeholders and the capacity to implement new actions.
9.1 STRATEGIC RECOMMENDATIONS

9.1.1 The strategic recommendations, if implemented, will create a strategic shift in the way in which UVIC now manages equity and inclusion. They are intended to create, strengthen and sustain the conditions that are necessary achieve the desired change. These recommendations seek to align corporate culture, management practices, communication and education, human resource management systems policies and practices.

9.1.2 Strengthen Governance of UVic’s Diversity and Inclusion Strategy

- Establish the Executive Diversity Council to formulate and manage the university's diversity and inclusion strategy as a critical business strategy. The Diversity and Inclusion Strategy shall include the employment equity program.
  - The Council’s membership shall be the university's executive management team, who are directly accountable to the President for UVic’s diversity and inclusion goals
  - The membership of the Council will ensure that the Executives who are ultimately accountable for diversity and inclusion performance will be directly engaged in and accountable for developing and managing the strategy.
  - The new President to reiterate UVic's commitment to diversity and inclusion as a critical performance result area and strategic priority for the university and to announce the formation of the university's Diversity Council.

- The Council will develop a coherent, integrated and rebranded Diversity and Inclusion Strategy that includes employment equity and other diversity initiatives and establish desired measurable outcomes.

- The Council will review the effectiveness of existing structures currently supporting equity, including the UHRC, and will determine the most effective structures going forward to plan and deliver the strategies for diversity and inclusion (freed of the strictures of the no-longer applicable FCP).

- Establish Diversity Committees each with a mandate to develop recruitment, retention and proactive inclusion strategies for one designated group and any other groups identified within UVic, such as LGBTQ employees. Each Diversity Committee to be chaired by a member of the Executive Diversity Council.

- Require that all individuals engaged in formulating UVic’s diversity and inclusion strategy acquire diversity competencies, namely the awareness, knowledge, skills and behaviours appropriate to their roles. Ensure that training has significant experiential
components that include unconscious bias, anti-racism, ableism and gender discrimination and the structural analyses of exclusion.

9.1.3 Establish External Partnerships. Enhance the UVic Employment Brand

- Recognizing that UVic is at risk of becoming a closed system, establish a Community Outreach and Engagement Committee of the Council to be chaired by a member of the Council with a mandate to create and maintain effective relationships with diverse communities, external advocacy groups, community associations and agencies to a) enhance UVic’s employment brand; b) help the university become more responsive to the demands of its communities; and c) strengthen UVic’s diversity and inclusion agenda.

9.1.4 Develop Strategies to Rebrand UVic’s Diversity and Inclusion Strategy

- Develop strategies to develop a UVic Diversity and Inclusion Brand. The challenge is to differentiate from the negatives/stigma associated with Equity Hires and build on the positive outcomes and initiatives of the employment equity program and the diversity program.

- Develop, articulate and champion the ‘mission critical’ business case that diversity and inclusion are necessary to achieve merit and excellence and improve organizational performance.

- Develop and implement a marketing and education strategy and related initiatives to support this. This strategy can be developed collaboratively with UVic’s in-house marketing and communications staff.

- Embed Diversity as a core competency that is defined, included and measured in all UVic’s employment and people management systems, from recruitment and selection through to performance management and succession planning.

- Develop a Diversity and Inclusion policy framework and a Diversity Values Statement to support the branding strategy. Revise the Employment Equity Policy to highlight the key message of “merit” and the employment equity goal of full representation.

9.1.5 Implement Regular Employee Engagement/Organizational Effectiveness / Diversity Audits of the UVic Workforce

- Beginning with a pilot in Q 1- 2014, design and implement organizational surveys in selected departments to measure Employee Engagement, Organizational Effectiveness and Diversity. This is to be done collaboratively with the School of Business or by an experienced external service provider.
Design the audit instrument to position/illustrate/demonstrate the connectivity among organizational performance, employee engagement and diversity and inclusion.

Design the Audit Process to ensure feedback sessions to those who participated in the Audit. This organizational change process assists in building ownership of proposed solutions and promotes accountability for steps to resolve any related issues. This strengthens management accountability and employee engagement since employees will be involved in the feedback and problem solving sessions.

Give Department managers the authority and accountability through the Performance Management system for the resolution of issues identified in the surveys though the development of organizational improvement strategies. HR Consultants and EQHR to provide support to managers and their work teams.

9.1.6 Establish and Strengthen the Accountability Framework

- The President to establish clear accountability for and ownership by UVic's managers of employment equity outcomes starting with the Executive Diversity Council.
- Diversity and inclusion outcomes including numerical goals to be formally written into the performance objectives of line managers starting with the Executive Leadership and to be rolled down the organization, subject to privacy implications.
- The Council will ensure that organization-wide employment equity goals are sufficient; and that competencies and resources-people and financial-are available in adequate numbers and quality and organized to support line managers, subject to privacy concerns.
- Our experience at other universities is that there is a strong culture of collegiality and academic freedom. These core values may be at odds with the style of management required to enforce a system of accountability. We find that Deans and Chairs especially do not see themselves as managers. Establishing a system of accountability may well be a developmental goal that can be achieved over time.

9.1.7 Establish the Organizational Structure and Accountability for Effective Implementation

- The Council will determine the organizational and accountability structure for the delivery of quality and effective diversity/inclusion consulting support services.
- The Council will address and resolve issues of role clarification, accountability and effectiveness among the EQHR, Institutional Planning, Organizational Development, HR, the Adviser to the Provost on Equity and Diversity.
- The Council will design the consulting support work system taking account of: the competencies required in change management and organizational development; quantitative and qualitative analysis; strategic HR management; human rights; training and development: diversity: employment equity; project management; and internal consulting.

- The Council will also determine the training and development and education strategy required to ensure that the organization acquires the awareness, knowledge and skills to support, implement and sustain the diversity and inclusion strategy.

9.1.8 Monitor, Review, Evaluate and Revise Strategy

- The Council will establish mechanisms to monitor, review, evaluate the Strategy’s effectiveness collaboratively with UVic’s internal and external stakeholders.

- The monitoring and evaluation will ensure UVic’s capacity to deliver and sustain diversity and inclusion strategy by remaining responsive to changing demands of its internal and external environments.

9.1.9 Develop a strategy to leverage social media to enable UVic to compete successfully for the diversity of talent it needs

- Evaluate the effectiveness of UVic’s “post-it-and-they-will-apply” approach to sourcing, attracting and hiring top talent knowledge workers. Evidence shows that this approach limits UVic’s ability to compete successfully for talent from among racialized persons, Indigenous peoples, persons with a disability and women.

- Develop a strategy that allows UVic to actively source the passive job market through the smart use of social media such as LinkedIn, Facebook, and Pinterest.

- Develop a strategy that highlights a strong UVic employment brand message that will engage the individuals who will help UVic meet its overall business goals. The brand message can be tailored to resonate with diverse communities.

- Executive Management to be accountable for identifying, key strategic roles deemed as being of high value to UVic’s viability. HR to take responsibility for continuously and actively sourcing, and attracting a diverse pool of top talent to be considered for these roles.

9.2 PROCEDURAL RECOMMENDATIONS
When establishing priorities for action, we generally recommend selecting actions in the short-term that are highly visible and require easily-marshalled resources. The goal of implementing such “quick fixes” is to increase visibility and confidence in the organization’s commitment to making change. Implementing other recommendations understandably takes more planning, more time, and more resources.

**PROCEDURAL RECOMMENDATIONS: RECRUITMENT, SELECTION, HIRING**

**Recommendation 1:** It is recommended that HR and VPAC be designated as accountable for the fairness, consistency and effectiveness of the recruitment, selection and hiring system and that HR and VPAC therefore establish systems to ensure this accountability.

**Recommendation 2:** It is recommended that HR establish, communicate and enforce organization-wide standards of integrity, fairness and effectiveness of this employment system. HR shall train, coach, participate selectively, monitor, audit and evaluate to ensure consistency, quality and compliance.

**Recommendation 3:** It is recommended that those who sit on selection/search committees and all who are engaged in the recruitment, selection and hiring process be certified to do so, only after successful experiential training in bias-free recruitment, selection and hiring activities and practices that operate at the individual and systemic levels.

**Recommendation 4:** It is recommended that as far as possible UVic monitor the success of the under-represented groups- racialized persons, persons with disabilities, Indigenous persons- in the hiring and selection process, through the voluntary UHire self-identification process. We are advised that UVic has issued an RFP for an applicant tracking system.

**Recommendation 5:** It is recommended that HR approve job postings only after it is satisfied that the job description is up to date; that the job requirements are *bona fide*; and that where required, the physical demands analysis is included.

**Recommendation 6:** It is recommended that UVIC objectively develop bona fide competency profiles for administrator, supervisor and all professional and technical positions.

**Recommendation 7:** It is recommended that all job postings state as a job requirement that the incumbent must effectively serve a diverse student body and/or work collaboratively in a diverse work place. Beginning with the pre-screening criteria through to reference checking, all candidates will be measured to determine the degree to which they possess the diversity competencies appropriate to the job.
Recommendation 8: It is recommended that HR ensure organization-wide consistency in the hiring of casuals since the casual workforce is a feeder group to the temporary and regular workforce.

Recommendation 9: It is recommended that for positions where there is severe and persistent under-representation of designated groups, HR should send postings of vacancies to organizations, networks and associations that are a potential source of qualified designated group candidates. Depending on the nature and level of the job, it is also recommended that hiring managers in collaboration with HR engage professionals who are familiar with networks of designated group candidates, for a fee. We develop this in the designated group specific recommendations.

Recommendation 10: It is recommended that HR review and update current Recruitment Handbooks to update content and reflect the Consultants’ recommended organization-wide shift to competency based recruitment and selection.

Recommendation 11: It is recommended that HR design and develop online interactive training modules for each step in the recruitment, selection and hiring process and make it mandatory that the hiring manager and the hiring team undergo just-in-time training for each selection. This will enable HR to monitor their access and knowledge as reflected by their performance on the modules.

Recommendation 12: It is recommended that hiring managers, in consultation with HR, develop competency based selection criteria at the beginning of each competitive process, and use these criteria throughout the process to assess candidates consistently against objective, measurable, and job-related standards. Ensure that candidates are to be measured only on the criteria listed in the job ad. These criteria must be derived from bona fide occupational requirements; must be weighted; and assigned a value. Hiring managers, supervisors and others engaged in the selection process must be trained in its application to avoid pitfalls as illustrated below.

In our review of the competition files the Consultants saw that in one competition candidates were rated against 15 criteria, of which 7 “measured” attributes as - personality: maturity: fit: attitude towards tasks, people and technology: Confidence level (positive mental attitude). The measures ranged from Low 1 to High 4. UVic the employer would be vulnerable in the face of a human rights complaint or challenge.

Recommendation 13: It is recommended that HR require that interview-marking guides be developed for each interview. The marking guides should contain the interview questions, desired responses or assessment guidelines, and the score associated with each question. These were not found in all recruitment files. In the absence of these guides, it
was unclear to the Consultants how candidates’ responses to the interview questions are assessed and the basis upon which the hiring decision was made. As noted above, this exposes UVIC to successful challenges should a hiring process be challenged.

**PROCEDURAL RECOMMENDATION RELATING TO ACCOMMODATION**

**Recommendation 14:** It is recommended that in order to eliminate the “chill” resulting from the onerous requirement for departments to co-fund accommodation measures, the university must communicate to employees that it assumes the employer’s responsibility for implementing needed accommodations. Departments should not bear the financial burden, nor should their financial situation be a reason for not implementing the required measures.

**PROCEDURAL RECOMMENDATIONS: PERSONS WITH A DISABILITY**

Note that we include additional and/or duplicate recommendations in the section on Reasonable Accommodation.

**Recommendation 15:** It is recommended that UVic engage with local and national organizations that support employment for persons with disabilities, such as BC’s WorkAble, Canadian Association of Professionals with Disabilities ([http://www.canadianprofessionals.org](http://www.canadianprofessionals.org)), Lime Connect Canada and Workink ([www.workink.com](http://www.workink.com)), to develop strategies and measures to attract, develop and retain persons with a disability. Persons with a disability are under-represented in 9 of 14 EEOGs, among knowledge workers and in skilled and semi-skilled occupations.

**Recommendation 16:** it is recommended that UVic strengthen managers’ understanding of the employer’s duty to accommodate short of undue hardship under human rights legislation, in addition to Return to Work policies, practices and procedures.

**Recommendation 17:** It is recommended that prior to posting vacancies with a physical component, a physical demands analysis should be prepared or revised to determine bona fide requirements and ensure that they are clearly included in the job description and job postings. (Same as Recommendation 4.)

**Recommendation 18:** It is recommended that UVic review and strengthen communication and information to employees to bridge the perceptions and experiences of employees and the best intentions and policies of the employer with respect to accommodation. For example, the Ontario Public Service has developed a communication strategy to address common misunderstanding and concerns and establish goodwill, in the form of a single page “place mat” (see Appendix 7).
**Recommendation 19**: It is recommended that UVic implement the “best practice” as proposed by HRSDC to consult with employees and their representatives on the effectiveness and responsiveness of organization-wide policies. Revise policies as required.

**Recommendation 20**: It is recommended that UVic implement the best practice of quarterly random audits of employee knowledge and workplace experience in key result climate areas such as anti-harassment; security and safety; accommodation.

**Recommendation 21**: It is recommended that UVic give managers and supervisors the authority and the accountability for providing management supports to integrate new hires with a disability into the workplace. Management supports range from instituting a buddy system or mentor support; coaching and counselling of the employee especially during the probationary period; training for employees to prepare workplaces for the entry of persons with disabilities.

**Recommendation 22**: It is recommended that UVic consult with existing employees with disabilities and their employee group representatives to develop positive measures to encourage retention of disabled employees.

**Recommendation 23**: It is recommended that UVic discontinue the practice of having the hiring department share accommodation costs through its existing budget. As a single employer, UVic organization-wide, not the hiring department, is accountable for accommodation short of undue hardship. The unintended consequence is that departments may have to cut back on programs and the employee seeking accommodation becomes “responsible” for the negative impact of their accommodation. Additionally in this fiscal environment, departments may be unwilling to hire persons with a disability because of accommodation costs. Hiring employees with disability is likely seen as a liability. See Recommendation 14 above.

**Procedural Recommendations: Aboriginal Persons**

**Recommendation 24**: It is recommended that UVic allow an application process, in addition to or other than UHire, that makes employment at UVic more accessible to Indigenous persons who do not have a computer or have access to a computer or may not have the computer literacy to use UHire.

**Recommendation 25**: It is recommended that UVic engage organizations with the expertise, experience, track record and networks such as the Aboriginal Human Resource Council, Aboriginal Inclusion Network: Canada’s National Aboriginal Job Site; and DiversityCanada.com to source Indigenous talent for knowledge worker roles in EEOGs 02, 03 and 04. Such engagement will help the university break the cycle of streaming
Indigenous workers into Indigenous-specific programs. This phenomenon of concentration or “ghettoization” is a form of systemic discrimination.

**Recommendation 26**: It is recommended that UVic actively engage local Indigenous organizations and/or partner with Indigenous communities to source individuals for clerical and semi-skilled jobs where Indigenous people are under-represented.

**Recommendation 27**: It is recommended that where available, UVic provide coop, internship and summer employment opportunities to Indigenous secondary and post-secondary students. Targeted coops and internships are proven strategies for attracting groups who are traditionally excluded to an organization’s workforce. StatsCan 2006 data show that the employment rate for the total Aboriginal population aged 25 to 54 living in Victoria was 72.2% compared to 84.3% for the non-Aboriginal population.

**Recommendation 28**: It is recommended that UVic review the allocations to Indigenous programs, with an eye to increasing stable funding to reduce job precariousness and encourage Indigenous applicants.

**Recommendation 29**: It is recommended that UVic give managers and supervisors the authority and accountability for providing management supports to integrate new Aboriginal hires into the workplace. Management supports range from instituting a buddy system or mentor support and/or coaching and counselling especially during the probationary period. This recommendation acknowledges the absence of a critical mass and the isolation experienced by Aboriginal workers. We also heard reports by non-Aboriginal employees in semi-skilled and manual worker occupation that Indigenous employees face a “hostile work environment.”

**Recommendation 30**: It is recommended that UVic implement the best practice of quarterly random audits of employee knowledge and workplace experience in key result climate areas such as anti-harassment; security and safety; and accommodation.

**PROCEDURAL RECOMMENDATION RELATING TO RETENTION**

**Recommendation 31**: It is recommended The Discrimination and Harassment policy be amended to ensure a requirement to follow up all findings of harassment and discrimination with appropriate remedial restorative and/or disciplinary action.
APPENDIX 1
EMPLOYMENT EQUITY CONSULTATION SURVEY
(Note: this is the hard copy version with spaces reduced)

EMPLOYMENT EQUITY REVIEW
AND CONSULTATION AT UVic

INTRODUCING THE EMPLOYMENT SYSTEMS REVIEW

We (Daina Green and Keith Jeffers) are inviting you to participate in a consultation about employment equity at UVic. We are consultants who are not employees of UVic who have been retained to administer this survey on behalf of UVic, thereby protecting the confidentiality of all individual responses. Completed hard copy surveys will be returned directly to us. On-line surveys will be returned to us directly from Fluid Surveys. The deadline for submission is 4:30 on April 26, 2013.

EMPLOYMENT EQUITY CONSULTATION SURVEY

We invite you to complete this brief survey, which has three sections. The first part asks you three open-ended questions and the second asks about your willingness and preferences for further participation in the employment systems review (described in the e-mail or letter you received previously). The last section asks about your membership in one or more equity seeking groups, including the four groups designated by the Federal Contractors Employment Equity Program: Aboriginal (Indigenous) Persons, people with disabilities, racialized persons (visible minorities), and women, and any other group you belong to that you feel is disadvantaged in the workplace. Some examples of these additional groups are lesbian, gay, bisexual or queer employees, people of non-dominant faiths, people who do not identify as male or female, people with family responsibilities and many others. If you have already completed the employment equity survey you received soon after you began working at UVic, these questions may feel repetitive. Because the results of that survey remain confidential, we are asking you to self-identify again. Your decision to respond to any or all of the following questions will help make the university a better and more inclusive place to work.

PART I We invite the feedback of all respondents to the following questions.

1. What do you see as the strengths of UVic’s employment practices, in terms of promoting equity and diversity?
2. Have you encountered any practices within UVic that constitute a barrier to any equity-seeking group? If so, please provide further information so that the Consultants can follow up. Feel free to provide as much information as you wish.

3. What do you believe are the most important actions UVic could implement to improve the recruitment and/or retention of members of equity-seeking groups? Please provide as much information as you wish.

PART II Participating in the consultation

4. Are you interested in participating in a confidential consultation on employment equity issues? Please indicate one or more ways you would like to participate. NOTE: Face-to-face consultations will take place on campus May 13-16.

☐ a) Yes, I would be interested in participating in a focus group
☐ b) Yes, I would be interested in participating in a one-on-one interview
☐ c) Yes, I would like a chance to provide input in writing
☐ d) No, I am not interested in further participation

If you wish to participate, please provide your name and the e-mail address and phone number where you would like us (Daina and Keith) to contact you. We may not be able to meet everyone in person but we will get back to everyone who provides contact information. This information will be kept separate from your answers and only we (the consultants) will know your identity. Information from Parts I and III of this survey will be reported only as group data. Your confidentiality and anonymity are assured.

Name:
E-mail:
Phone number:
Employee group:
☐ Faculty
☐ CUPE 917
☐ CUPE 952
☐ CUPE 4163
☐ Professional Employees’ Association (PEA)
☐ Executive

PART III Self-Identification

1. Do you consider yourself: ☐ Female ☐ Male ☐ Transgender ☐ Intersex

☐ If you don’t identify as any of the above, please specify: _______________________

2. Do you consider yourself to be, lesbian, gay, bisexual, queer, two-spirited or questioning?

☐ Yes ☐ No ☐ If comfortable, please specify: ______________________


3. The Federal Contractors Program defines Indigenous Peoples as persons from Canada or the United States who identify themselves to be Indian (Status or Treaty Indian, Non-Status Indian), Inuit, or Métis. Based on this definition, do you consider yourself to be an Indigenous person?*

Note that if you identify as an Indigenous person outside this definition, please note this under Question 4.

☐ Yes  ☐ No

4. Many Canadians are members of racialized groups, sometimes referred to as visible minority or racial minority groups. Being a member of a racialized group does not refer to nationality or religion, but refers to people who identify themselves as being non-Caucasian in race, or non-white in colour. Do you consider yourself to be a member of a racialized group?*

If you answered yes to Question 3, the answer to this question is NO unless you are of mixed heritage (racialized and Aboriginal/Indigenous).*

☐ Yes  ☐ No

5. For the purposes of employment equity, a person with a disability is a person who has a long term or recurring disability and,

a. the person considers himself or herself to be disadvantaged in employment by reason of that impairment; or
b. the person believes that an employer or potential employer is likely to consider the person to be disadvantaged in employment by reason of that impairment.* Based on this description, do you consider yourself to be a person with a disability?

Based on this description, do you consider yourself to be a person with a disability?

☐ Yes  ☐ No

5. Do you identify as a member of any other equity-seeking group or group that you perceive to be disadvantaged in employment? If so, please specify:

☐ Yes

Thank you for your responses. They will assist us in advising UVic on how best to maintain a workplace where everyone can fulfill their potential and make a valued contribution.

*(Your personal contact information will be detached from your survey before the surveys are analyzed.)*

*The definitions used in Questions 2, 4 and 5 are drawn from the Federal Contractors Program.

You can also contact the consultants at: employmentequity2020@dzgreen.ca
APPENDIX 2
A SELECTION OF QUOTES FROM THE CONSULTATION

“Third party reports are positive; people get tired of hearing their own voices.” Human Resources leader

“A university should be a true microcosm of the world we want to become.” Academic Leader

“In my department equity and diversity issues are always on the table.” Female employee

“I think UVic does a good job overall of promoting equity and diversity. Diversity on the campus is one of the features that make it an excellent place to work.” Female employee

“There’s a culture of acceptance and fostering of good equity practices.” Female faculty member

The student body is more diverse than the staff.” Hiring manager

“The university believes ‘an employee can get their doctor to say whatever he or she wants.” Union official

“This is not a culture that is comfortable with tougher conversations.” Human Resources leader

“Some communities consider our institution as an ivory tower, others see it as an approachable and appealing place to work.” Indigenous staff member

“Institutionally there is a broad commitment [to employment equity] and some mechanisms we can use, but not much more behind that to help match the agenda with measurable results.” Senior Administrator

“I should know [to whom to look for resources on equity] but I don’t; it’s horribly confusing for staff.” Senior Administrator

“I become a visible minority when I speak!” Sessional instructor

“If you have an alternative perspective—you get harassed, and then you are silenced.” Faculty member

“Chairs and program directors have enormous ability to counteract any institutional policy.” Member of Faculty Equity Committee

“There are no penalties or sanctions for perpetrators of harassment.” Member of Faculty Equity Committee

“It could be my accent. When they meet me, and see my face, they are not interested in me any more. Is it because I am hard to understand, or because they are not familiar with cultural difference? Especially with more educated Caucasian people—I get pushed to the side.” Racialized male, CUPE Local 917
APPENDIX 3

Calendar of Interviews

February: 6 individuals and 1 group (EMAG)

March: 9 individuals and 7 groups (Executive Council, MIWIN, Immigrant Employee Support Network, representatives of CUPE 951, CUPE 917 and PEA, and EMAG,

April: 6 individuals and 1 group (ESR Steering Group)

May: 17 individuals, 4 focus groups (2 groups of Visible Minorities, 1 group of Persons with Disability and 1 group of Deans); and 7 groups (ESR Steering Group, Provost’s Diversity and Equity Steering Committee, Faculty Association Disability Committee, Student Affairs Executive Council, Academic Women’s Caucus, Faculty Association Equity Committee, Indigenous Advisory Council)

Total: about 30-50 individuals, including interviews conducted by telephone

Meetings with University Groups

Academic Women’s Caucus
CUPE 917
CUPE 951
Professional Employees’ Association
Employment Equity Advisory Group (EMAG)
Faculty Association Disability Committee
Faculty Association Equity Committee
Immigrant Employee Support Network
Indigenous Advisory Council
Minority and Indigenous Women Instructors’ Network (MIWIN)
Provost’s Diversity and Equity Steering Committee
Student Affairs Executive Council
University Executive Council
APPENDIX 4
ENVIRONMENTAL SCAN AND BEST PRACTICES

The Demographic Environment

We have conducted an environmental scan of the employment and demographic environment in which Canadian universities operate. Key points are set out below.

- Demands continue to be made on universities to be more accessible, open and inclusive. One hears calls to “reduce tuition fees”; racialized and Indigenous students rail against “Eurocentric” curricula and a culture of “Whiteness in the academy”; “change teaching styles” to match the variety of learning styles; and/or shape curricula to meet the demands of business and industry. Generally universities seek to be responsive.
- Canada’s changing demographics, changing societal values and our growing international reputation make the diversity of the student body and faculty and staff an urgent issue and a competitive advantage.
- Women have been at the forefront of the demand for diversity change and their workforce status is sometimes seen as the measure of this change sometimes to the exclusion of other groups. The Affirmative Action Program for women, erroneously seen as the precursor of employment equity, has achieved considerable success. In industries such as banking and the public service, the representation of women in middle management is significant and they are in significant gatekeeper and decision-making roles. Some cynically refer to this phenomenon as the feminization of White privilege and so the outstanding barriers to equality facing women may be overlooked or minimized.
- Professor Grace-Edward Galabuzi uses the term ‘economic apartheid’ to describe the workforce status of racialized persons. Galabuzi finds that racialized Canadians are more likely to be unemployed, be in precarious employment and “overrepresented in a range of traditionally low-paying business services, ranging from call centres to security services to janitorial services.”
- The 2006 Census shows that the Canada’s racialized population is increasing. Statistics Canada estimates that by 2031, one in three Canadians will be a member of a visible minority. Some analysts wonder about the capacity of the Canadian marketplace to respond effectively to systemic racism as a workplace barrier.
  - Beck, Reitz, and Weiner in their 2002 article, ‘Addressing Systemic Discrimination in Employment,’ commenting on the first successful systemic racism case before the Canadian Human Rights Commission, suggest that racial
discrimination is not really hidden. It is simply not seen as existing in Canadian life.

- Candy Khan, University of Alberta, is also a researcher for the government of Canada’s Racism Free Strategy managed by Human Resources and Skills Development Canada (HRSDC). In her 2006 article ‘Blind Spot: Racism and Discrimination in the Workplace,’ Khan refers to the findings of a Statistics Canada Ethnic Diversity Survey that showed that 65% of visible minority (racialized) workers report that they have experienced racism in the workplace. In her role as a researcher with the HRSDC Racism Free Strategy, Khan recalls feeding back this information to employers in a 2006 workshop. She reports that the employer perspective is that racism is not a problem in their organizations.

- The 2006 Census data show that Aboriginal (Indigenous) Peoples are the fastest-growing segment of Canada’s labour force. Between 1966 and 2006 the Aboriginal population grew by 47% whereas the non-Aboriginal population grew by 8%. Further Human Resources and Skills Development Canada (HRSDC) has identified Aboriginal youth between the ages of 15 and 30 as the fastest-growing population segment in Canada.

- The Association of Universities and Colleges in Canada reports that a) 8% of Aboriginal people aged 25 to 64 in Canada have a university degree compared to 23 percent of non-Aboriginals of the same age group have a university degree and b) more than one-third of Aboriginal people have not completed high school. However, in 2006, the proportion of First Nations adults who had completed a trades certificate was on par with non-Aboriginal adults.

- Deloitte published the results of consultations the company conducted across Canada. The Dialogue on Diversity, held in nine locations from Vancouver to St. John’s, began on May 3 and wrapped up on June 14, 2012. One of the conclusions of the dialogue states: “Unfortunately, one of the largest barriers Aboriginal people continue to face in the workplace – and in Canadian society – is systemic racism.”

- In 2006, persons with disabilities aged 15 to 64 years accounted for 4.6% of the total population. Similar to the total population, 16% of persons with disabilities were located in British Columbia compared to 40% in Ontario, 16% in Quebec and 12% in Alberta.

- Persons with disabilities were much older than the general workforce: 55% were in the 45 to 64 age category, compared to 38% of the total workforce. On the other hand, only 8% of persons with disabilities were in the 15 to 24 age category compared to 18% of the total workforce.
The occupational groups where persons with disabilities have the highest concentration are the Professionals (14.7%), Other Sales and Service Personnel (12.9%), and Intermediate Sales and Service Personnel (12.6%).

The government of British Columbia publishes its progress toward a fully representative workforce. In its 2011 report, the data show somewhat greater progress toward the numerical objectives for the designated groups than UVic (Workforce Profile Report BC Public Service 2011).

Throughout North America, there is resistance to employment equity and its constituent elements of systemic racism; gender discrimination and sexism and ableism. In a recent US study Plaut, Garnett, Buffardi and Sanchez-Burks (2011) note that the purportedly ‘inclusive’ ideology of multiculturalism and diversity is not perceived as such by Whites. Rather Whites feel excluded by strategies for inclusion. Plaut et al. argue that this may account in part for the lower support for diversity efforts in the workplace by Whites. Then, Norton and Sommers (2011) ‘Whites See Racism as a Zero-Sum Game that they are Now Losing’ found that Whites now see themselves as more likely than Blacks to be victims of discrimination.

Best Practices in the University Employment Equity Environment

The Consultants scanned the university employment equity environment and collected information about the employment equity programs of the University of British Columbia, Queens University, Ryerson University and the University of Windsor. We sought to identify “best practices and processes” that are replicable and that can enhance employment equity at UVic.

All these universities are FCP employers and have been for some time. The University of Windsor became a signatory to the program in 1986 and established an office in 1988. The University of British Columbia made a commitment to the program in 1988, and adopted its first employment equity policy in 1990.

The Policy Framework

Each university has an employment equity policy.

University of British Columbia (UBC)

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7 Norton, M.I., & Sommers, S.R (2011). Whites see racism as a zero sum game that they are now losing. Perspectives on Psychological Science- May 2011
UBC adopted its employment equity policy in 1990 and reviewed it in 1995. The policy emphasizes merit and a representative workforce. The policy lists as its first objective: “To regard individual merit as the prime criterion for the treatment of present faculty and staff and for the employment of new faculty and staff.” The university seeks to build a workforce that is “representative of the pool of potential candidates with appropriate qualifications, including women, native people, persons with disabilities, and visible minorities.” No reference is made to the FCP program.

**Queen’s University**

The policy states Queen’s commitment to “equal dignity” by “...eliminating direct, indirect and systemic discrimination particularly against disadvantaged group members.” The policy expresses Queen’s commitment to the principles of employment equity and to achieving diversity in its workforce. Queen’s employment equity plan was created and implemented according to criteria set out by the Federal Contractors Program (FCP).

**Ryerson University**

Ryerson’s policy refers specifically to “affirmatively addressing the historic under-representation of Aboriginal Peoples, people with disabilities, visible minorities and women.” The policy was last updated in August 2007 and there are plans to review it again in the near future.

**University of Windsor**

The University of Windsor has an Employment and Education Equity Policy. The objectives of the employment equity policy are to remove discriminatory barriers and to “increase the representation of members of designated groups to reflect the diversified composition of the Canadian society as a whole.”

**Structure**

Two institutions, UBC and Ryerson, have recently undertaken significant reorganizations, gathering up under one equity office their various diversity-related programs such as accessibility and Aboriginal affairs, and re-affirming their commitment to equity, diversity and inclusion. All equity offices are led by staff people who are part of senior management and report at a senior level. UBC and Ryerson have split reporting relationships:

**University of British Columbia**

Associate Vice-President, Equity and Inclusion  
Reports to the Provost and VP, Academic; Provost and Vice-Principal (UBC’s Okanagan campus); VP, Students; and VP, Human
Resources

Queen’s University
Director, Equity and Human Rights
Reports to the Provost and Vice-Principal, Academic

Ryerson
Assistant Vice-President/Vice-Provost, Equity, Diversity and Inclusion
Reports to the Vice President Administration & Finance and to the Provost and Vice-President, Academic

University of Windsor
Director, Office of Human Rights, Equity & Accessibility
Reports to President and Vice-Chancellor

Resources, Capacity

Team sizes vary from five to ten members. Responsibilities include functions related to data collection and reporting, training, recruitment, accessibility and human rights for both faculty and students. (This enquiry generally did not gather any information pertaining to equity work on the student side.) UBC plans to have a staff complement of 12 FTEs. Ryerson’s equity office has seven staff, and there is an additional six staff within Human Resources, such as recruiters, who have employment equity responsibilities within their mandates.

No office is either embedded within a Human Resources Department and/or has a direct reporting relationship to the head of human resources. However, UBC will have dedicated data and planning staff that are positioned within human resources. And, as noted above, Ryerson University’s recruitment staff that work in the human resources department have employment equity responsibilities.

Councils/Committees

Equity offices are supported in their work by many councils and committees.

UBC

- Provost’s Advisory Committee on Equity and Diversity. UBC counsel and the AVP Equity are the co-chairs.
It includes students, staff, the ombudsperson, Aboriginal leaders, and women faculty.

**The University of Windsor**

- A joint employer/employee Employment Equity Coordinating Committee with formal union membership that “works to ensure fair, equitable and barrier-free employment practices in accordance with the Employment Equity Act and its Regulations”.

- Additional committees that specifically promote employment equity in the recruitment and hiring of faculty, librarians and academic administrative units.

- The Presidential Commission on Employment Equity (PCEE) established in 1988. All faculty appointment processes are monitored by the PCEE, chaired by the Director of Human Rights, Equity and Accessibility. Membership includes two senior women faculty, a senior faculty representative from another designated group, a dean and an associate dean from a racialized group.

- Employment Equity/Procedures Assessors (EE/PA)- The purpose of the EE/PA is to monitor and ensure that each committee follows procedures in fairness and equity. EE/PAs serve on appointments, promotion and tenure committees. The EE/PAs consisting of volunteers have two half-day training sessions per year.

**Queen’s University**

- Council on Employment Equity, whose faculty, professional and unionized staff members are appointed by the Principal. The current chair is a faculty member. The Council monitors and reports on compliance with the FCP program and prepares an annual report on progress for the Principal.

In addition, most of the universities have various self-generated communities of interest that address specific constituencies such as aboriginal councils, or faculty associations’ women’s committees.

Like Windsor, Queen’s also has employment equity representatives who sit on faculty search committees to ensure fairness and who receive employment equity training.

**Affinity Groups**

No university has any officially established affinity groups for employees. Queen’s University and Ryerson are thinking about establishing them.

**Employment Equity Plan**
All universities have data from employee surveys and are aware of their gaps. In general, they convey the information about under-representation to hiring parties – e.g. faculty search committees.

**UBC**
- Currently undertaking an extensive diversity/equity re-organization indicated it will have a plan with numerical goals.

**Ryerson**
- Will also be developing and implementing a new plan.

**University of Windsor**
- Is in the process of meeting with department heads to develop specific action plans.

**Queen’s University**
- The FCP Action Group (Federal Contractors Program), which is a committee of their Council on Employment Equity, develops their plan. The mandate is to “address gaps in Queen’s compliance with the FCP requirements and responsibilities by developing recruitment and employment strategies to improve the university’s ability to attract, retain, develop, and reward highly qualified and talented employees from the four designated groups.” The membership of seven includes representatives of the Equity Office, Human Resources and the Chair of the Council on Employment Equity.
- The FCP Action Group reviews the data and identifies the gaps and goals and decides on the specific action items to address the gaps. Their annual plan is called “the Employment Equity Timeline 2012/2013” and it lists measures by month in the following areas: communications & training, recruitment & hiring, climate & retention, accommodation, accountability & monitoring.

**Data**

**UBC**
- will have new staff focused on data collection and reporting;

**Ryerson**
- is re-thinking what data to use for the external availability and is considering whether and how to factor in the diversity of its student body.

**Accountability**
There is no specific accountability framework in any of the policies reviewed.

**Windsor**
- There is no reference to accountability in Windsor’s policy

**Ryerson**
- Ryerson’s employment equity policy makes two references to accountability but not to a specific framework. And the references are somewhat contradictory: the first says that the President has final responsibility and accountability for the policy; the second reference to accountability is as follows: "The Chancellor, Board of Governors, President, vice presidents, deans, senior administrators and all other administrators who have responsibility for employment actions have ultimate responsibility and accountability for the outcomes of this program."
  - Where everyone is responsible and accountable, no one is held accountable.

**UBC**
- Accountability is addressed through annual reports where people can see what is happening. There is no accountability framework

**Queen’s University**
- Has no formal accountability framework but explained that they are “developing a tool, with the involvement of the Office of the Provost and the Senate Education Equity Committee, that would prompt the gathering of equity related information from departments and filter it back to the Provost so that there could be the possibility of direction from senior administrator and accountability from the departments.”

**Ryerson**
- Ryerson’s employment equity policy, which will be reviewed at some point because their current one was last reviewed in 2007, makes two references to accountability, but not to a specific framework. And the references are somewhat contradictory: the first says that the President has final responsibility and accountability for the policy; the second reference to accountability is as follows: "The Chancellor, Board of Governors, President, vice presidents, deans, senior administrators and all other administrators who have responsibility for employment actions have ultimate responsibility and accountability for the outcomes of this program."
Training

Queen’s University

- Ryerson and Windsor all provide training on employment equity to members of faculty search committees.

Of note...

- The policies demonstrate differences in the framing of employment equity from the emphasis on merit to anti-discrimination and under-representation. The framing helps to form the employment equity culture and its branding.
- An important ‘best practice’ is that some universities review, revise and update their policy.
- The organizational positioning of the employment equity ranges from the Director to the AVP level. Only one of four reported directly to the President. Interviewees offered no comment on any adverse impact of the reporting relationship on the program.
- Ryerson’s consideration of including the diversity of the student body to determine representation levels of staff is thought provoking and worthy of consideration.
- All universities score very low on accountability
APPENDIX 5
FEATURES OF SUCCESSFUL PROGRAMS
The Consultants reviewed relevant literature to identify best practices beyond the university sector in Canada. These five most effective practices are related to:
- leadership that prioritizes accountability for results;
- transparency in the selection process;
- active recruitment for key employee roles;
- analysis of qualitative and quantitative demographic data; and
- focus on meeting realistic goals.

The University of California Study
A 2011 University of California Berkley School of Law (Boatt Hall) study identified and ranked the practices that best promote equal opportunity in employment and in contracting. The researchers surveyed and interviewed 157 diversity/equal opportunity practitioners in the US. They examined these practice areas using both online survey and interview methodologies.
- Advertising (outreach);
- Data collection and analysis;
- Diversity trainings;
- Goal setting;
- Leadership;
- Mentoring Programs;
- Performance Assessments;
- Selection; and
- Skills Development.
Here are the top five rankings of these “best” practices that apply to both high level and low level positions:

1. **The role of leadership:** Leadership is foundational and is ranked at number one. Leaders are the culture bearers who must be congruent and demonstrate in the words and actions that diversity is an organizational priority. They are congruent when they allocate adequate funding and resources, establish and enforce accountability mechanisms and provide ongoing support. Importantly, leaders must be accessible and responsive, “keeping their doors open to staff who might need their intervention to get something going.”

...leadership and accountability: *If a tree falls in the forest and nobody hears it, does it make a noise?* When leaders are accountable and are held accountable, they accept that
when expectations are not met, an inquiry should determine why and identify changes that need to be implemented to reach the missed target in the future.

To increase accountability, organizations can include equal opportunity as part of an employee’s performance evaluation.

2. **Selection:** Transparency of the selection process- policies and practices- is the next ranked. Transparent policies should be in place for all positions and it is recommended that candidates from under-represented groups be included when considering hiring and promotions. The persistence of under-representation demonstrates that the program is ineffective.

3. **Advertising / Outreach:** This refers to how and where jobs are advertised. The preferred practice is that employers in their search for the best talent actively seek out talented designated group employees where they are.

4. **Data Collection and Analysis:** This refers to collecting and analyzing relevant data by race, ethnicity, Indigenous status and gender. Qualitative and quantitative data are at the center of an effective diversity and inclusion strategy.

5. **Goal Setting:** “Everybody sets goals. Corporations set goals for profits. Managers set goals for the people who work for them. Everybody should have a goal.” Failure to meet goals is an indication that equal opportunity (or at least progress toward equal opportunity) is not being achieved.

Counter-intuitively, the experts and practitioners did not see training as necessarily valuable. There was significant opinion that rated it as unimportant. The key take away is that content of training and the learning-teaching-facilitation processes must help the organization deal with the difficult issues that are the core of equal opportunity. Training “must be well facilitated, integrated into the larger culture of the organization and allocated sufficient time to have an impact.”
APPENDIX 6
WHAT WE HAVE LEARNED AS CONSULTANTS

As Consultants, we share learning and observations from our own consulting practice with organizations.

We have learned that an organization’s ability to deliver employment equity is enhanced when these conditions exist:

- Diversity and Inclusion is understood to be an Organizational Development Process

Achieving diversity and inclusion goals in large organizational systems is a complex process. It is most likely to succeed when organizational leaders develop a change management model and implementation strategy.

The HRSDC mandated linear step-by-step model is insufficient. Rather, change management demands the application of organizational development and change management competencies.

- Shared understanding by organizational leaders that employment equity/diversity and inclusion are mission critical and these leaders have a shared urgency to embrace and implement

Organizational leaders are not ambivalent about the value of diversity and inclusion because the business case is articulated and understood. It is a business solution designed to "strengthen existing markets, develop new markets, access new talent, enlist new skills and enrich organizational performance".

- Clear accountability, ownership and performance management

Clear accountability, ownership and performance management are prerequisites for success.

- We find that accountability for diversity outcomes only thrives in a “performance” culture, i.e. a work culture that has a tradition of managing for results.
- Our experience so far is that style of management in the academy tends to be collegial and we have found that such a style is less compatible with values of a performance culture.

Choosing the Appropriate Diversity and Inclusion Paradigm

The diversity paradigm, the consequent program’s structure, values and underlying philosophy are a key determinant of program effectiveness and its limitations. It is important that an organization deliberately choose the paradigm best aligned with its diversity vision, needs and its stage of development.

To illustrate...the “discrimination and fairness” diversity paradigm is based on human rights model and relies on human rights policies such as Preferential Hiring and special
measures to create change. An unintended consequence of this approach is that the
designated groups run the risk of being branded unqualified and the credibility of the
program can be compromised.

- **Denial of Racism, Gender Discrimination and Ableism**

Diversity change is particularly challenging in organizations that are generally reluctant to
acknowledge or confront racism, sexism or ableism. Of all the –isms, racism is the one that
creates the most controversy and generates denial. Reference to racism to explain the
under-representation of racialized persons and Indigenous persons is often greeted with
silence, scepticism and defensiveness.

The absence of race analysis, for example, makes identification of barriers to inclusion,
incomplete. Frances Henry and Carol Tator have edited an important must-read book –
*Racism in the Canadian University Demanding Social Justice, Inclusion and Equity, Edited by
Frances Henry and Carol Tator, University of Toronto Press (2009)*, that examines racism and
whiteness in the academy.

Where there is denial, the excluded groups do not see their issues reflected in the analyses
and barriers elimination strategies. For example, where racialized persons experience
severe under-representation and there is an absence of race analysis, the credibility of the
program is undermined.

**Ensuring the internal capability to deliver diversity outcomes**

Here are the competencies that we have found are essential to designing, implementing
and monitoring an effective diversity and inclusion strategy:

- Quantitative and qualitative data analysis;
- Organizational analysis;
- Change management and organizational development;
- Human resource management;
- Human rights;
- Dispute resolution; and
- An internal capacity and resources- knowledge, skills, know how, credibility- that
  provides support for implementation.
DID YOU KNOW?

1. Each year, over 15,000 employees in the OPS regular workforce start in a new position on a temporary or permanent basis.

2. The OPS hiring is based on merit. All job applications are assessed against pre-determined selection criteria and candidates are rated using multiple assessment methods (e.g. interviews, presentations, work samples).

3. There are a number of ways to fill a job and not all of these methods involve a competition. Sometimes jobs are filled by redeployment, direct assignments, collective agreement conversions, waivers, health reassignments etc.

4. All candidates can request interview feedback.

5. The Employee Assistance Program (EAP) offers career counselling services to all employees.

KEY QUESTIONS AND OPS STATISTICS

<table>
<thead>
<tr>
<th>Question</th>
<th>*Stats from Regular Recruitment</th>
<th>*Stats from Executive Recruitment</th>
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<tbody>
<tr>
<td>I see people get jobs that were never advertised. How does that happen?</td>
<td>71% of hires are through competitive processes. Sometimes jobs are filled by redeployment, direct assignments, health reassignments, talent pools etc. In addition 12% of competitions leveraged a previous competitive process to fill vacancies.</td>
<td>Executive positions are filled in a variety of ways. 72% of all competitions were advertised and 28% were invitational. In addition, employees’ interests and competencies were assessed through Talent Management resulting in some direct assignments. For SMG/ITX3-4s, approximately 43% were filled through competitions and 57% were filled through permanent or temporary direct assignments.</td>
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<td>It appears that if someone is acting in a job, I don’t have a chance?</td>
<td>Of all permanent competitions, 26% were filled by someone who was acting in the role.</td>
<td>Of all permanent competitions, 28% were filled by someone who was acting in the role.</td>
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<tr>
<td>I have applied for lots of jobs but I never get an interview. How come?</td>
<td>On average 73 applications are received for every competition. For some jobs more than 2000 applications are received. Out of these applications typically 3 to 5 candidates are invited for an interview per vacant position.</td>
<td>On average 65 applications are received for every advertised competition. Approximately one in every 13 applicants is shortlisted.</td>
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<tr>
<td>Why aren’t there competitions for temporary assignments?</td>
<td>Approximately 44% of all competitions are for temporary assignments. Most temporary positions are for very short term durations and require someone to step in immediately. In addition another 5% of competitions were for temporary assignments and permanent vacancies.</td>
<td>30% of all competitions were for temporary assignments.</td>
</tr>
<tr>
<td>At this time of FTE restraint why are you looking outside the OPS to hire?</td>
<td>The OPS still needs to attract new talent. Only 37% of all competitions were open to the public in the past year.</td>
<td>Only 33% of all competitions were open to the public in 2012/13, while 92% of all appointees were internal hires.</td>
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*Data is for the 2012/13 fiscal year