

**Policy Number** (if applicable):

**Date of Most Recent Approval:** January 1994

**Revision Date(s):**

**Position Responsible for Developing and Maintaining the Policy:** Assistant Vice-President, Human Resources Services

**Contact Department:** Human Resources Services

### 1. SCOPE

This policy statement applies to all full-time and part-time employees of McMaster University, as well all candidates who have made application for a position at the University.

### 2. POLICY STATEMENT

McMaster University is committed to employment equity as an ongoing process. The Employment Equity process (1)

- identifies and eliminates any discrimination in the organization's employment procedures and policies,
- remedies the effects of any past discrimination through the development of special measures and accommodation of differences;
- sets goals and timetables to achieve a representative workforce.

### 3. WHAT IS EMPLOYMENT EQUITY

Employment Equity is defined as a process that:

- recognizes the worth and dignity of each individual,
- ensures equality of opportunity, and
- strives for a qualified workforce that represents the diversity of the community.

### 4. POLICY

McMaster University recognizes that meeting the goals of Employment Equity is best achieved in a workplace that promotes equality of opportunity in a positive and supportive working environment (2).

In compliance with the Ontario Human Rights Code, the Federal Contractors' Program, the Pay Equity Act and its own commitment to Employment Equity, McMaster University will make every effort to ensure that:

- no one is discriminated against in their employment on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status, family status, or disability (3);
- everyone is treated fairly with respect to all aspects of employment, including recruitment, application, selection, transfer, promotion, performance appraisal, salary or wages and benefits, training and development, termination and conditions of employment (4);
- accommodation of individual needs is undertaken when an individual is qualified to perform the essential duties of the job but is disadvantaged because of race or colour, sex, or disability (5);
- salary and wage scales are based on the value of the work performed regardless of the sex of the person doing the work (6);
- the workplace will be free of discrimination and harassment (7).

Women, aboriginal peoples, members of visible minorities and people with disabilities have been historically subject to discrimination in our society. The University, therefore, will continue to work to identify and remove any barrier in employment that may have kept these designated groups from full participation in the workforce.

The University will continue to undertake special measures, where necessary, to ensure that qualified candidates from designated groups are included and are able to compete equally in all aspects of employment, promotion, advancement and retention (8).

The University bases employment selection decisions primarily on qualifications and merit. However, when candidates do not differ significantly in merit, and one such candidate belongs to a designated group that is underrepresented, Employment Equity requires that the member of the designated group will be selected. This choice will help to achieve a workforce representative of the available qualified labour force (9).

The University has developed goals and timetables for achieving Employment Equity at McMaster and will continue to monitor and refine these as warranted. Employment Equity initiatives will continue to be developed and reviewed in collaboration with employee associations and unions and in accordance with university policies, regulations and collective agreements. These goals, timetables, special measures and other initiatives constitute McMaster's Employment Equity Program (10).

### 5. ACCOUNTABILITY

It is the responsibility of everyone employed by the University to apply the principles of Employment Equity.

The President of the University is responsible for ensuring that all employment policies and practices are consistent with Employment Equity principles and that all members of the university community are aware of the University's Employment Equity Policy.

All individuals in positions of responsibility and having the authority to make or influence employment decisions are responsible for ensuring that this policy is consistently applied throughout their area of jurisdiction. They also have an obligation to communicate this policy to the employees for whom they have responsibility (11).

The Employment Equity Officer makes recommendations directly to the President. The Employment Equity Officer assist senior administrators, Department Chairs, managers, supervisors and all other persons involved in making decisions about employees with the development of the Employment Equity Program, its implementation, and the evaluation of progress in meeting its goals.

Employees reporting an alleged violation of rights protected by the Ontario Human Rights Code or Employment Equity legislation will be protected from reprisal or retaliation. Alleged violations should be directed to the Employment Equity Officer or the Sexual Harassment/Anti-Discrimination Officer. All persons who receive these allegations will maintain confidentiality and assist in answering inquiries, giving advice to the complainant or resolving complaints (12).

### 6. DEFINITIONS

Accommodation means making adjustments to employment policies and practices that unnecessarily block the progress of otherwise qualified employees or applicants. Accommodation measures might include: accessibility for people with disabilities, flexible working hours or job sharing (13).

Special Measures are specific initiatives to remove the effects of past discrimination. Some can be long term and of benefit to everyone, such as developing objective, job-related criteria for selection, or more flexible working arrangements. Others might be considered remedial and are short-term, designed specifically to allow disadvantaged groups to catch up. Examples might be outreach recruitment to designated groups or special training programs.

### 7. FOR MORE INFORMATION

Any concern or questions about the interpretation or application of this policy can be directed to a supervisor, the Area Human Resources Officer or to the Employment Equity Officer.

### 8. SUMMARY POLICY STATEMENT

Under McMaster University's Employment Equity Policy, it is the responsibility of each person in a position to make or influence employment decisions at the University to work to achieve a representative workforce, to ensure that on-going measures are instituted and monitored to eliminate any discriminatory policies or practices within their jurisdiction, and to remedy the effects of past discrimination.

### NOTES ON EMPLOYMENT EQUITY POLICY

Employment Equity differs from past attempts to achieve equality of opportunity in that its focus is action oriented towards the measurable achievement of results.

Employment Equity complements the search for excellence, both by widening the recruitment field and attempting to ensure equitable working conditions.

- This paragraph speaks to compliance with the Human Rights Code.
- This paragraph speaks to compliance with the Human Rights Code and Federal Contractors Program.
- This paragraph speaks to compliance with the Human Rights Code and Federal Contractors Program.
- This paragraph speaks to compliance with the Pay Equity Act.
- This paragraph speaks to compliance with the Human Rights Code and the Federal Contractors Program.
- Employment Equity supports the hiring of qualified candidates and works to broaden standards not lower them.

All selections should be made fairly on the basis of consistently applied job-related criteria. Because designated groups are underrepresented in some occupational categories, it is consistent with the Employment Equity goals of the University to select a designated group member when two or more candidates do not differ significantly in merit. Choices must be made in such situations and preferential hiring under these circumstances is justified by the goal of the University and supported by the Human Rights Code to achieve a representative workforce.

Regular reporting is required by the Federal Contractors Program. In addition, it is important to monitor progress so that corrective action may be taken, or special measures dropped when no longer needed.

## **EMPLOYMENT EQUITY STATEMENT**

This includes Vice-Presidents, Associate Vice-Presidents, Directors, Deans, Department Heads, Chairs, managers and supervisors. Each head of a unit is accountable for the success of Employment Equity in his/her unit.

Although employees have the right to file complaints externally with the Ontario Human Rights Commission and, in time, the provincial Employment Equity Commission, it is preferable to resolve complaints internally through a mechanism that ensures fair and speedy resolution.

Requirements for accommodation by employers are more fully delineated in the Guidelines for Assessing Accommodation Requirements for Persons With Disabilities, distributed by the Ontario Human Rights Commission.