

## 3.1 Employment Equity Policy

### Policy Statement

The Government of Nova Scotia is committed to being a workforce that is free of discrimination, values diversity and is representative, at all job levels, of the designated groups: Aboriginal People, African Nova Scotians and Other Racially Visible Persons, Persons with Disabilities and Women in occupations or positions where they are under-represented.

Members of the designated groups have historically faced barriers to employment and advancement in all sectors. The Employment Equity Policy will continue to improve representation of designated groups within the public sector, at all levels. The policy also reflects the Corporate Human Resource Values of respect, integrity, diversity, accountability and the public good.

### Definitions

#### **ABORIGINAL PEOPLE**

Persons who identify themselves as status Indian, non-status Indian, Inuit, or Metis.

#### **AFRICAN NOVA SCOTIANS**

Persons who identify themselves as indigenous black Nova Scotians.

#### **CULTURAL COMPETENCE**

Attitudes, behaviours and policies which enable employees and organizations to work effectively in cross-cultural situations.

#### **DEPARTMENT**

Department, office and public service entity established by the Government of Nova Scotia, as identified under Category I in Appendix I-A of the Management Manuals Policy.

#### **DEPUTY HEAD**

Means the deputy of the member of the Executive Council presiding over a department and all others whom the Governor-in-Council from time to time designates as having the status of deputy head.

**DESIGNATED GROUPS**

Aboriginal People, African Nova Scotians and Other Racially Visible Persons, Persons with Disabilities and Women in occupations or positions where they are under-represented.

**DESIGNATED POSITIONS**

Positions which are limited to applicants from the designated groups under the Employment Equity Policy.

**DIVERSITY**

Recognition of each of our characteristics and what makes us distinct from each other, including, age , language, culture, race, ethnicity, sexual orientation, gender, abilities and religious or spiritual beliefs.

**EMPLOYMENT EQUITY**

Equitable representation is achieved in a workforce when, in all occupational categories and at all levels of employment, the representation of the designated groups is reflective of the working age population.

**EQUITY**

Fair treatment of people by acknowledging and making provision for their differences in a process that is free of systemic barriers.

**FAIRNESS**

An accessible, consistent and transparent process that is impartial based on principles of merit and equity.

**INCLUSIVE**

All employees feel valued and a sense of belonging in an organization that applies the principles of equity and fairness in all aspects of its policies, practices and procedures.

**MERIT**

The factors to be considered when assessing merit include: education, experience, skills, knowledge, personal attributes, and where applicable, years of service. Relative merit among applicants is determined by screening to ensure applicants meet the requirements advertised for the position, and based on the factors of merit and equity, conducting selection assessments to identify a ranked order of candidates.

**PERSONAL ATTRIBUTES**

Job-related qualities required for the position; examples include flexibility, initiative, and reliability.

**PERSONS WITH DISABILITIES**

Persons who, for the purposes of employment, identify themselves or believe that an employer or potential employer is likely to consider that the workplace environment may create a barrier due to a long-term or recurring physical, mental, sensory, psychiatric, or learning impairment.

**RACIALLY VISIBLE PERSONS**

Persons, other than Aboriginal people, who are non-caucasian in race or non-white in colour.

**REASONABLE ACCOMMODATION**

Human Rights legislation requires that employers have a duty to accommodate by providing reasonable accommodation to support the special needs of all employees, for example, improving accessibility to the workplace, religious observance, and alternative work arrangements. “Reasonable” imparts a duty to accommodate unless it would impose undue hardship on the employer.

**UNDUE HARDSHIP**

Is determined on a case-by-case basis taking into consideration many factors which include, safety, financial cost, employee morale, operational requirements and the impact on collective agreement provisions. It is recognized that the use of the term “undue” implies that some hardship is acceptable.

**WOMEN**

Refers to women in occupations or positions where they are under-represented.

**Policy Objectives**

This policy is designed to

- promote an inclusive, culturally competent workforce that values diversity;
- assist with the identification and removal of systemic barriers to employment and advancement of members of the designated groups; and
- achieve a workforce where the designated groups are equitably represented.

**Application**

This policy applies to all civil servants whose terms and conditions are set out in accordance with the Civil Service Act and Regulations, and other direct employees of the provincial government, including all bargaining unit employees.

## **Directives**

### **JOB POSTINGS**

Each job posting shall contain a statement that promotes a culture that values diversity and a welcoming message to encourage applications from members of the designated groups.

### **ACCOMMODATION**

Departments shall provide reasonable accommodation to applicants, candidates and employees.

### **SELECTION PANELS**

Departments should make every effort to have a member of a designated group on Selection Panels when a candidate has identified as a member of a designated group.

Departments can contact the Diversity Management Unit at the Public Service Commission if they are having difficulty identifying a panel member.

### **SELECTION**

Selection shall be based on the principles of merit, fairness and equity.

### **WORKFORCE SELF-IDENTIFICATION SURVEY**

A Workforce Self-Identification Survey form shall be provided to new employees upon appointment. The Public Service Commission will maintain the individual survey results as confidential information to the extent possible by law.

### **WORKFORCE PROFILE**

The information obtained through the confidential Workforce Self-Identification Survey shall be used to develop a workforce profile of the designated groups.

### **IDENTIFICATION & REMOVAL OF BARRIERS(EMPLOYMENT SYSTEM REVIEWS)**

Each department shall continually monitor their employment systems to identify and remove barriers to employment, retention and advancement for members of the designated groups.

### **EMPLOYMENT EQUITY PLANS**

Each Department shall develop a three-year Employment Equity Plan that will identify quantitative and qualitative equity goals and measures designed to both improve the representation of the designated groups and to build a corporate culture that values diversity, is inclusive and is culturally competent. These plans will be developed each year for the upcoming three-year period. The plans should include a reasonable timetable for achieving the stated goals.

### **EMPLOYMENT EQUITY PROGRESS REPORT**

Each Department shall submit an annual Employment Equity Progress Report to the Public Service Commissioner regarding their Employment Equity Plan.

### **COMMUNICATION**

Each Department should develop and implement a communication plan to support their employment equity goals. The communication plan should include communication of the Departmental employment equity goals and 3-year plans with staff of the Department and be posted on the Departmental website. Departmental profile information shall be in compliance with the Workforce Profile Privacy Impact Protocol.

### **EDUCATION**

Each department shall ensure employees participate in mandatory Diversity and Employment Equity training.

## **Guidelines**

Guidelines have been developed, and will be updated as required, to assist departments with implementation and administration of the Employment Equity Policy.

## **Accountability**

### **MINISTER RESPONSIBLE FOR THE PUBLIC SERVICE COMMISSION**

The Minister of the Public Service Commission is accountable to:

- keep the Executive Council advised of the Employment Equity Policy and programs; and
- table an Employment Equity Progress Report for the previous fiscal year annually in the Legislature.

### **PUBLIC SERVICE COMMISSIONER**

The Public Service Commission, through the office of the Public Service Commissioner, is accountable to:

- enter employee information provided in the Workforce Self-Identification Survey into the SAP-HR system;
- provide workforce profile information to departments;
- maintain and analyze corporate data on the representation of the designated groups in the civil service;
- provide guidance to departments concerning the implementation and administration of the Employment Equity Policy;

- develop and update, as required, hiring policies, procedures and practices to ensure fair and equitable access to employment and promotion for members of the designated groups;
- prepare an annual Corporate Employment Equity Progress Report;
- maintain a Diversity Round Table consisting of representatives of the Public Service Commission, Departments and employees of the bargaining units to whom this policy applies and consult with the Round Table on matters pertaining to diversity and employment equity; and
- monitor the Employment Equity Policy and make any changes to the policy as deemed necessary.

#### **DEPUTY HEADS**

The Deputy Head of each Department is accountable to:

- establish an environment that is supportive of diversity and employment equity;
- maintain and analyze employment equity data on the representation of the designated groups within their department;
- establish quantitative and qualitative goals to achieve a representative department;
- analyze and monitor employment systems to identify and remove barriers to employment, retention and advancement for members of the designated groups;
- develop, and submit annually to the Public Service Commissioner, a three-year Employment Equity plan;
- ensure that the Employment Equity Plan is implemented and monitor the results of this plan;
- submit annually an Employment Equity Progress Report to the Public Service Commissioner; and
- develop and implement a communication plan to support departmental employment equity goals.

#### **DIRECTORS OF HUMAN RESOURCES**

Directors of Human Resources are accountable to:

- ensure that all employees are provided with, and are encouraged to complete, a Workforce Self-Identification Survey questionnaire;
- ensure hiring managers are aware of the organization's employment equity goals;
- ensure hiring proceeds on the basis of merit, fairness and equity; and
- ensure human resources and management staff are trained in the accommodation process.

### **SUPERVISORS AND MANAGERS**

Supervisors and Managers are accountable to:

- ensure a welcoming and respectful environment for all employees;
- ensure that all employees attend mandatory Diversity and Employment Equity training and attend any training as required;
- support department efforts to improve the representation of designated groups in the workplace.

### **EMPLOYEES**

Employees are accountable to:

- ensure a welcoming and respectful environment for all employees;
- attend mandatory Diversity and Employment Equity training; and
- participate in the accommodation process when accommodations are required.

Employees are encouraged to complete the on-line Workforce Self-Identification Survey or return a completed survey questionnaire to the Public Service Commission.

## **Monitoring**

The Public Service Commission will be responsible for monitoring the effectiveness and consistent application of this policy. The Public Service Commission may periodically conduct audits of department practices and require access to data maintained by departments with respect to this policy.

## **References**

- Canadian Charter of Rights and Freedoms
- Nova Scotia Human Rights Act
- Nova Scotia Civil Service Act and Regulations
- Nova Scotia Fair Hiring Policy
- Nova Scotia Interpreter Services Policy
- Collective Agreement between the Province of Nova Scotia and the Nova Scotia Government and General Employees Union
- Collective Agreement between Nova Scotia Department of Transportation and Infrastructure Renewal and the Canadian Union of Public Employees (Local 1867)
- Collective Agreement between Nova Scotia Department of Justice and the Nova Scotia Government and General Employees Union (Local 480)

## **Enquiries**

General Enquiries, Public Service Commission (902) 424-6916.

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