



**Canadian Human Rights Commission
Commission canadienne des droits de la personne**

EMPLOYMENT EQUITY AUDIT REPORT

Human Resources and Skills Development Canada

File #2820-02-H06-2008

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Disclaimer:

The following comments and assessments are provided to the employer as part of the Canadian Human Rights Commission audit of the organization's compliance with the *Employment Equity Act*. If any policies or practices subject to this audit are or become the subject of a complaint(s) under the *Canadian Human Rights Act*, the Canadian Human Rights Commission may, at its discretion, decide to deal with the complaint(s) in any manner permitted by the *Canadian Human Rights Act*. The findings of the audit, therefore, do not preclude a complaint being filed under the *Canadian Human Rights Act*.

EMPLOYMENT EQUITY AUDIT REPORT

Name of the employer	Human Resources and Skills Development Canada
Contact name & title	Liane Lavallée Acting Director, Employment Equity, Diversity and Official Languages
Sector	Public sector
Number of employees	23,389 as of June 2 , 2009
Workforce analysis	The workforce analysis is dated June 2, 2009. It is based on the 2006 Census and the Participation and Activity Limitation Survey.
Headquarters	Ottawa, Ontario
Regional locations	All provinces and territories
Employee representatives	Public Service Alliance of Canada – 78% Professional Institute of the Public Service of Canada – 10% Canadian Association of Professional Employees – 6% Association of Canadian Financial Officers – 2%
Compliance review officer	Michel De Césaré
Audit phase	Progress Assessment

The Employment Equity Compliance Division of the Canadian Human Rights Commission (the Commission) completed the preliminary assessment of compliance of Human Resources and Skill Development Canada in December 2001.

The Commission conducted a progress assessment audit of the employer from July 10, 2008 to December 10, 2009. This phase of the Commission’s audit process is to ensure the employer continues to fulfill its obligations under the *Employment Equity Act*. The current report presents the results of this audit.

INTRODUCTION

Human Resources and Skills Development Canada (HRSDC) has experienced several phases of organizational restructuring since it was last audited in 2001. At that time the department was known as Human Resources Development Canada. In December 2003, it was divided to create two Departments – Human Resources and Skills Development Canada and Social Development Canada.

In 2005, the Service Canada ‘initiative’ which was officially launched to provide Canadians with one-stop, personalized access to Government of Canada services and benefits. At that time, a separate Corporate Services delivery network (including human resources services) was established for Service Canada.

Finally, in March 2007, the Departments of Human Resources and Skills Development Canada and Social Development Canada were merged to create the new entity. This governance structure reflects its departmental legislative mandate and its management framework. Within the current legislation, HRSDC is a single Department which includes the Service Canada initiative and Labour Program.

Beginning in January 2008, in an effort to realign its Corporate Services and eliminate unnecessary duplication, the Department put in place a number of integrated functions to service the entire portfolio. The Chief Financial Officer Branches of HRSDC and Service Canada were amalgamated, as were the Human Resources Services Branches, the Departmental Security Offices and the Internal Audit Services Branches. The resulting new Human Resources Services Branch (HRSDC), under which Diversity and Official Languages Division falls, is mandated to provide integrated human resources services to the entire portfolio.

The Department currently occupies more than 700,000 square metres of office space across Canada, which represents approximately 10 percent of all Government office space. In the National Capital Region, employees are located mainly in Gatineau and Ottawa and represent 30 percent of all employees. From a regional perspective, offices include administrative operations and store-front accommodations located in more than 300 communities all across Canada. The department's operations are conducted within three business lines: HRSDC Policy/Programs, Service Canada and the Labour Program. HRSDC is a unionized employer at 96% of its workforce. As of June 2009, the workforce was comprised of 23,389 employees with the largest concentration of employees is in the Administration and Foreign Service occupational group 76%, with another 15% in Administrative Support, and 5% in Scientific & Professional.

REPRESENTATION OF DESIGNATED GROUP MEMBERS

The following table illustrates the overall representation of designated group members in the employer's workforce over the last few years. Note that for the years 2005, 2006 the total number of employee decreased almost by half because HRSDC was divided into two different entities and in 2007, it was regrouped into one entity.

Women: The employment equity result (EE) went from 124% in 2000 to 117 % in 2009. Although this result decreased somewhat, it stayed above availability rates.

Aboriginal peoples: The EE result went from 187 % in 2000 to 133 % in 2009. However, it should be noted that over the years, the overall representation of Aboriginal peoples remained well above availability.

Persons with disabilities: The EE result went from 188% in 2000 to 197 % in 2009. The overall representation in 2009 is almost twice the availability.

Visible minorities: The EE result went from 73 % in 2000 to 86 % in 2009. Since 2000, the overall representation has increased constantly.

Year	Workforce Size*	Women				Aboriginal Peoples			
		#	Rep. (%)	Avail. (%)	Result** (%)	#	Rep. (%)	Avail. (%)	Result** (%)
2009	23,389	16,461	70.4	60.1	117	927	4.0	3.0	133
2008	22,259	15,697	70.5	59.7	118	984	4.4	3.4	132
2007	21,545	15,250	70.8	59.2	120	875	4.1	3.1	130
2006	12,025	9,073	75.5	62.6	120	518	4.3	3.9	112
2005	12,272	9,228	75.2	63.2	119	498	4.1	3.9	104
2000	23,720	16,978	71.6	57.9	124	661	2.8	1.5	188

Year	Workforce Size*	Persons with Disabilities				Visible Minorities			
		#	Rep. (%)	Avail. (%)	Result** (%)	#	Rep. (%)	Avail. (%)	Result** (%)
2009	23,389	1,605	6.9	3.5	193	2,271	9.7	11.3	86
2008	22,259	1,807	8.1	3.5	230	2,123	9.5	11.4	84
2007	21,545	1,753	8.1	3.4	238	1,945	9.0	9.2	98
2006	12,025	1,036	8.6	3.5	244	912	7.6	8.3	91
2005	12,272	1,079	8.8	3.5	248	925	7.5	8.4	90
2000	23,720	1,770	7.5	4.0	186	1,368	5.8	8.0	72

* Workforce size is based on the annual reports filed by the employer with Human Resources and Skills Development Canada. It includes permanent full-time and permanent part-time workers. It also includes temporary workers if they make up 20% or more of the workforce.

** EE results: ratio between representation in the employer's workforce and availability on the labour market.

Legend

Rep.: Representation of the designated group in the employer's workforce

Avail.: Availability of the designated group in the Canadian workforce. Availability data are included for years when the workforce analyses were conducted.

AUDIT PROCESS

This audit was conducted pursuant to the authority contained in section 22 of the *Employment Equity Act* and in accordance with the Commission's employment equity compliance review process.

HRSDC was notified of this compliance audit on July 10, 2008, by the Secretary General of the Commission. The compliance audit began in August 2008, when an audit survey was sent to the employer to obtain information relevant to compliance with the requirements of the *Employment Equity Act*. After long discussions with the employer over the data required to produce the workforce analysis, the audit proceeded. In conducting this audit, the Commission examined the documentation submitted by the employer and completed additional analyses of the information.

Interviews on-site were also conducted in October 2009 with management, employees and their representatives to obtain additional information and validate preliminary findings. The observations contained in this report are based upon evidence provided by the employer and an independent analysis of this information. The audit examined the evidence available to assess compliance of HRSDC with the following nine statutory requirements:

- Collection of workforce information;
- Workforce analysis;
- Review of employment systems, policies and practices;
- Employment equity plan;
- Implementation and monitoring of employment equity plan;
- Periodic review and revision of employment equity plan;
- Information about employment equity;
- Consultation and collaboration; and
- Employment equity records.

AUDIT RESULTS

This section provides the results of the compliance review. The analysis, including an examination of the materials and records submitted by HRSDC, and interviews with, managers, employees and their representatives, determined that the employer has taken all necessary actions to fulfill its obligations. To evaluate compliance with each of the statutory requirements, the Commission considered specific indicators referred to in the Audit Questionnaire that was provided to the employer at the outset of the audit.

1. Collection of workforce information

Indicators

- The employer conducts a workforce self-identification survey using a questionnaire which includes definitions that are consistent with the *Employment Equity Act* and *Regulations*. The survey questionnaire includes an employee identifier and informs employees that:
 - ▶ a person may be a member of more than one designated group
 - ▶ the self-identification process is voluntary
 - ▶ a person may change the information provided at any time
 - ▶ the information collected is confidential and may only be used to carry out the employer's obligations under the Act or, where permission has been granted, for human resource purposes related to the Act
 - ▶ the documentation is available in an alternative format
- The employer is also keeping the results of the survey up-to-date.

Analysis

HRSDC conducted a self-identification blitz from October to December, 2007, during which the demographic (self-identification) survey information was communicated to all employees in the weekly @HRSDC electronic newsletter article entitled "Count Yourself In." This article was published again in three 2008 newsletters. All @HRSDC newsletters are archived on the HRSDC Intranet site for reference. Likewise, since January 2007, the weekly electronic newsletter Info Service Canada was used to communicate an on-going message to all Service Canada employees regarding the demographic (self-identification) survey. Beginning in January 2008, Info Service Canada began publishing bi-weekly. All Info Service Canada newsletters are also archived on the Service Canada Intranet site for reference.

As well, a link on the Employee portal of the HRSDC and Service Canada Intranet sites connects employees to a standing article explaining the purpose of the demographic (self-identification) survey and the steps for completing it. The Service Canada's Intranet homepage also has a "scrolling message" in the News and Announcements field that links employees to an article "Complete the Self-Identification Survey – Help Us Ensure Our Workforce Reflects the Diversity of the Population We Serve". As a result, the employer has employment equity records for approximately 73% of its employees. If the employer could increase its' response rate, this would probably decrease or even eliminate some of the gaps.

The employer agreed with this recommendation and will therefore cooperate with the unions in order to increase the return rate.

2. Workforce analysis

Indicators

- The employer completes a workforce analysis using information collected from the workforce survey and from its employee records.
- This analysis determines the degree of under-representation of designated group members by comparing their representation in each occupational group against the Canadian workforce as a whole or against those segments of the Canadian workforce that are identifiable by qualification, eligibility or geography, and from which the employer may reasonably be expected to draw employees.
- The employer prepares a summary of its workforce analysis including the shares of recruitments, promotions and terminations of designated group members.

Analysis

HRSDC's workforce analysis dated June 2nd 2009, is based on the 2006 Census data and the Participation and Activity Limitation Survey. The employer provided a summary report of its workforce analysis, giving a detailed methodology for the analysis and clearly identified gaps for each designated group in each occupational group. It also provided complete information on shares of hires, promotions and terminations.

Some of the main areas of under-representation identified by the employer include the following:

Women – Operational	(-3)
Aboriginal peoples – Executive	(-9)
Persons with disabilities – Scientific & Professional	(-16)
Visible minorities – Executive	(-10)
– Administration and Foreign Services	(-352)

The above-noted gaps are only a sample of the those identified by the employer in its workforce analysis. These gaps were chosen on the basis of factors such as size, significance and persistence.

The employer will need to revise the workforce analysis as new Census data become available to ensure that numerical goals contained in the employment equity plan are based on up-to-date availability estimates for designated group members.

3. Review of employment systems, policies and practices

Indicators

- Based on the results of the workforce analysis, the employer conducts a review of its employment systems, policies and practices to determine if any of these constitute a barrier for members of each of the designated groups.
- For each occupational group where under-representation is identified for designated group members, the employer reviews its employment systems, policies and practices with respect to:
 - ▶ recruitment;
 - ▶ selection and hiring;
 - ▶ development and training;
 - ▶ promotion;
 - ▶ retention and termination; and
 - ▶ accommodation;
- The employer also has a process that is being used to review new systems, employment policies and practices to ensure that they do not create other barriers.

Analysis

HRSDC conducted an employment systems review (ESR) dated September 30, 2009, using a consultant. The methodology used did not involve consultation with designated group members and union representation. The ESR was based on the study of staffing files and data analysis. Following a meeting between the representatives of the Commission and the Management Union Committee on October 20, 2009, the two parties agreed to start a consultation based on the ESR of September 2009.

In the 2001 audit report, it was recommended that the department implement its planned initiative to track complaints by designated group status to determine if designated group members are still experiencing a higher level of harassment. No evidence of this tracking has been shown as of 2009.

Some of the barriers identified by HRSDC in the current ESR include the following:

Women - Operational

No barriers identified because of the small number of positions in this occupational category, 16 positions only out of 23,389 employees.

Persons with disabilities – All employment equity occupational groups (EEOG)

One barrier was identified for persons with disabilities and it is related to accessibility of funding to respond to the accommodation needs of employees. For example, policy have been created without inclusions of adequate accountability and roles and responsibilities pertaining to diversity.

Visible Minorities – All EEOG

- The overall response rate of the self-identification survey which was 73% is below the acceptable rate of 80%.
- Employment equity is not generally raised as an issue in recruitment and staffing action.

- Human resources advisors get inadequate or very little training on employment equity.
- Flexibility provided by the Public Service Act is rarely used by the department in the recruitment process. The Public Service Commission has identified the department as one with the highest drop-off rates for members of visible minorities.
- The small area of selection used in recruitment process does not attract visible minorities.
- Staffing of “bilingual imperative” positions have a negative impact on the recruitment of some visible minorities.

Further to interviews held by the Commission with designated group members, the following matters were also mentioned by employees as potential barriers.

Visible minorities – Executive group.

- Some managers hire people that they know and that resembles them.
- Not enough selection board members who are members of visible minorities.
- Questions during interviews are sometimes bias.
- Some managers have stereotypes against visible minorities (i.e. they are lazy).
- Some visible minorities are harassed and leave the department before getting to the EX level.
- No mentoring program is available to create management opportunities for visible minorities.
- Acting openings are not publicised enough to visible minorities.

Aboriginal peoples – Executive group.

- Not easy to balance working obligations with hunting and fishing ancestry ritual.
- Hesitation of Aboriginal peoples to move away from their reserves.
- In big urban centres, lack of Aboriginal employees.
- Lack of understanding of the Aboriginal culture on the part of some managers.

The audit confirmed that the employer has identified the main causes for the under-representation of designated group members in the workforce. Additional consultation with employees representatives is in progress for the ESR which may contribute in identifying other possible employment barriers.

4. Employment equity plan

Indicators

- The employer prepares an employment equity plan that specifies the positive policies and practices to be implemented by the employer in the short term for the hiring, training, promotion and retention of persons in designated groups and for the making of reasonable accommodations for those persons, to correct the under-representation of persons identified by the workforce analysis.
- The plan includes a timetable for the implementation of the positive policies and practices.
- The plan specifies the measures to be taken by the employer in the short term for the elimination of any employment barriers identified by the employment systems review, and establishes a timetable for the implementation of these measures.
- The plan establishes short-term numerical goals for the hiring and promotion of designated group members in occupational groups where they are under-represented. An analysis of the goals indicates that they are achievable because the employer has taken into consideration the following factors:
 - ▶ degree of under-representation of designated groups by occupational group
 - ▶ availability of qualified persons in the employer's workforce and the Canadian workforce
 - ▶ anticipated growth or reduction of the workforce during the lifetime of the plan
 - ▶ anticipated turnover of employees in the workforce during the lifetime of the plan
- The plan sets out measures to be taken in each year to meet the short-term numerical goals.
- The plan establishes longer term goals for increasing the representation of persons in designated groups, and the employer's strategy for achieving those goals.

Analysis

As a result of organizational changes, no employment equity plan had been produced since 2004. HRSDC is now in the process of developing a national three-year plan based on the results of the recent workforce analysis and the employment systems review.

Until the equity plan is implemented, HRSDC has an integrated business plan for 2008-2011, which includes some significant measures for employment equity including the following ones:

- Targeted recruitment initiatives will continue to foster progress in closing this gap both at National Headquarters and in the Regions.
- Promotion and communication of initiatives, such as Career on the Move, led by the Privy Council Office.
- The Employment Equity Student Internship Program and student bridging, will be increased.
- In 2008–2009, the Department has increased its focus on employment equity representation, in particular visible minorities.

Positive Policies/Practices and Special Measures

In 2008, the British Columbia Region developed a “Just Ask Me” 90-minute Duty to Accommodate workshop to help employees and managers have a better understanding of how accommodation issues in the workplace should be addressed. This course, which includes an exercise document and PowerPoint presentation, was shared with other Regional Employment Equity Coordinators for Service Canada and promoted by the Management and Union Co-chairs of the Employment Equity and Diversity Union-Management Consultation Committee to all Regional Directors of Human Resources. This course was supplemented by a participant manual available at NHQ, and by additional material provided by the Saskatchewan Regional Employment Equity Coordinator.

The Adaptive Computer Technology Centre (renamed the Accessibility Centre of Excellence in June 2008) was established in 1998 to bridge the gap between existing government information technology support networks and the additional services required by employees with disabilities. The services being provided include: assessing adaptive computer technology needs, identifying appropriate adaptive technology solutions, providing training on adaptive tools, providing advice, consultations and on-going support.

The Centre has handled an average of 450 cases per year over the past three years. It also operates a small loan bank for assistive technology trials available for employees. The Centre’s mandate has been recently expanded to include consulting services on: procurement, building environment (facilities), document production, alternate formats, software development and accessibility evaluations, meeting and event organization, and communications.

Accommodation

As of September 2008, matters regarding accommodation fall under the purview of HRSDC’s Disability Management Division. Disability management is defined broadly to include prevention, support and return to work.

This Division is working to finalize a suite of policies, procedures and guidelines that includes Duty to Accommodate, as well as identifying an approach to funding accommodation that emphasizes the accountability of managers while removing systemic barriers. Information will be made available via a human resources intranet portal targeting both managers and employees.

The *Employment Equity and Diversity Management Guide and Self-Assessment Tool for Managers* (the guide) directs Managers to integrate Duty to Accommodate measures into their integrated human resources and business planning process by consulting with employees in order to identify their accommodation needs and workplace limitations. The guide also provides a link to the on-line Duty to Accommodate: Manager’s Toolkit where tools and common questions concerning are posted. As noted above, responsibility for topics relating to Duty to Accommodate is being transitioned to HRSDC’s Disability Management Division.

In addition the guide provides links to resources which help managers plan inclusive meetings and conferences. An accessibility self-assessment tool is also available in the guide to help managers understand accessibility issues in the workplace, inclusive workplace practices, and how to work in ways that are more accessible and inclusive.

HRSDC’s task team on accessibility (forum for employees with disabilities and managers to identify and address accessibility issues) conducted a survey on accessibility via Ipsos-Reid between January 7 and 25, 2008. The objective of this survey was to measure awareness and perceptions of disability and accessibility within HRSDC and Service Canada in the National Capital Region.

The task team continues to work towards a vision of an accessible department that is recognized as a workplace of choice for people with disabilities and a model to emulate. To support this vision, the team posts “Accessibility Tip of the Month” articles in the @HRSDC and Info Service Canada Newsletters. The task teams also established three working groups to examine and make recommendations on specific issue related to: technology, built environment, and culture.

The Diversity and Official Languages Division's Employment Equity Information Bulletins communicate with the management community on topics relevant to employment equity, including legislation, Duty to Accommodate, and accommodation and inclusion.

In October 2009, the employer was working on a new accommodation policy and the Commission had the opportunity to review that new policy which is much more inclusive for all designated group members.

Accessibility

An accessibility visit was done at headquarters (Phase IV) where the premises were found to be quite accessible. A recommendation was made to have sensor water and soap distributor available when renovating bathrooms. Since HRSDC has about 300 locations across Canada to serve the public, the accessibility issue should be a primary concern in order to give and ensure accessibility to all employees while guaranteeing access to services to persons with disabilities.

Elimination of Barriers

The following are some of the measures that are recommended in the ESR and measures mentioned in the Human Resources Plan 2008-2009 and in the Integrated Business Plan 2008-2011. Some of these measures are in response to barriers identified by the ESR:

Aboriginal peoples – Executive

- Promote to EX position Aboriginal peoples while taking into consideration ancestral practices schedule.

Persons with disabilities – Scientific & Professional

- Give information to managers and employees on invisible disability like mental illness.

Visible minorities – All EEOGs

- Put more efforts in the recruitment of employment equity group members.
- Enhance communication and education for managers and human resource advisors.
- Re-evaluate the necessity of bilingual imperative staffing.
- Decrease the drop-off rate of visible minorities by preventing harassment and making sure that managers take the anti-harassment policy seriously.
- Increase promotion and training for visible minorities by implementing a mentor training program with different courses like leadership, etc.
- To ensure a sustainable executive cadre, a committee will be created to examine and address executive talent management issues, including the turnover for all levels of executive management. The creation of pre-qualified pools of Executive Group candidates (EX 1 to 3), including an EX 1 pool targeting visible minorities, will accelerate staffing processes, and the introduction of specific measures will promote the recruitment of members of employment equity groups, in partnership with the Public Service Commission and other departments.

All designated groups and all EEOGs

- Encourage second language training when feasible.
- Encourage the use of various EE programs for all recruitment needs.
- Hire students through EESIP.
- Encourage self identification.

- Promote diversity awareness
- Creating pre-qualified executive pools with a focus on employment equity.
- Over the next three years, the department will also build on the progress recently made in indeterminate hiring, due to the success of the post-secondary recruitment campaign. In 2007-2008, the department recruited more than 300 new graduates, most of them in indeterminate Economics (ES) and Social Sciences Services Groups (ES) and Programme Administration positions (PM).
- The Department would like to hire an additional 500 post-secondary graduates under the recent recruitment campaign, ensuring fair representation of visible minorities, Aboriginal people and people with disabilities.
- The Labour Program's Management Development Initiative is targeted at working-level staff with an interest in, and potential for, management positions. Its participants, selected through a talent management process, will be able to develop management competencies through assignments, training, coaching and mentoring. The Management Development Initiative will include elements to ensure that members of visible minorities, as well as Aboriginal people and people with disabilities, have equitable access to development and advancement opportunities.
- The Quebec region has an employment equity strategy for its Service Canada section based on the plan 2007-2010. The action plan of the strategy is based on six axes of intervention : the planning of new hires, representation, recruitment, awareness, retention and accountability. This planning communicated to all employees can be found on the intranet site of the Quebec region.
- Ontario Region Recruitment and Staffing Framework 2009-2010 states that the success of Service Canada is dependent on continuing to recruit and retain a highly dedicated, trained and a skilled workforce. The regional Recruitment & Staffing Framework (RSF) serves as a guide for business lines and branches to accomplish their recruitment and staffing needs and establishes specific regional objectives to be integrated into the regional and specific business line operational plans.
- Executive Head Service Management and Service Canada Diversity Champion for Ontario has the following mandate; provide leadership on EE and diversity initiatives, provide guidance in development of diversity strategy, approval of strategy and support implementation and support communication efforts.

Recommendations

These recommendations were discussed and accepted by the employer.

- Promote job opportunities for Aboriginal peoples as close as possible to their communities.
- Provide training to managers in big operational centres on the culture of Aboriginal peoples.
- Provide information in regions on particular disabilities like for instance a blind person coming to work with a guide dog, or somebody with a sever burn in the face etc...
- Work with band council to increase the recruitment of Aboriginal peoples and attract interest for openings.

Short-Term Numerical Goals

HRSDC has agreed to set the following short-term numerical goals (2010-2012) for the hiring and promotion of designated group members in every occupational category where they are under-represented. For now, there exist numerical goals in the staffing operational business plan.

Women	Availability (%)	Gap #	Short-Term Goals		
			#	Hires (%)	Promotions (%)
Operational	34.6	-3	Bridge gap		

Aboriginal Peoples	Availability (%)	Gap #	Short-Term Goals		
			#	Hires (%)	Promotions (%)
Executive	4.3	-9	Bridge gap		
Scientific and Professional	2.8	-5	Bridge gap		

Persons with Disabilities	Availability (%)	Gap #	Short-Term Goals		
			#	Hires (%)	Promotions (%)
Scientific and Professional	5.2	-16	Bridge gap		

Visible Minorities	Availability (%)	Gap #	Short-Term Goals		
			#	Hires (%)	Promotions (%)
Executive	7.8	-10	Bridge gap	20.0	
Scientific and Professional	13.5	-6	Bridge gap		
Administration and Foreign Service	11.5	-352			
Technical	10.5	-7	Bridge gap		
Operational	11.4	-2	Bridge gap		

Note: The above table only includes occupational groups where there are outstanding gaps. To address the gaps, employers may establish goals based on counts or percentages. There are three columns for goals. The first column is used to indicate a specific number of designated group members to be hired or promoted or when employers “bridge the gap”. The last two columns are used when employers set hiring and promotion goals based on percentages of total hires and promotions. When the goal is to hire or promote a specific number of designated group members or to bridge the gap, no other goals are required. In most cases, employers set either percentage hiring or promotion goals.

Longer Term Representation Goals

- HRSDC has committed to obtain full representation of all designated groups in all occupational categories by 2014.

HRSDC has an integrated business plan that includes a number of concrete measures to eliminate employment barriers and to support the short term numerical goals. Furthermore, the employer is in the process of revising its national employment equity plan which should take into consideration the findings from this audit. The implementation of the various measures proposed by HRSDC should lead to further progress in the representation of designated group members.

<p>5. Implementation and monitoring of employment equity plan</p> <p>Indicators</p> <ul style="list-style-type: none"> • The employer makes all reasonable efforts to implement its employment equity plan. • The employer monitors the implementation of its employment equity plan on a regular basis to assess whether reasonable progress is being made.
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Analysis

As of August 2008, HRSDC’s national Workforce Gap Analysis statistical reports were presented in both distribution and detailed formats to employment equity coordinators to conduct the analysis for their regions, branches or business lines, to work with managers, human resources liaison advisors and human resources planners for their integrated human resources

business planning process. The distribution reports, which do not disclose personal information, were made available to employment equity coordinators, human resources management advisors and human resources liaison advisors for wider distribution to managers, employees, bargaining agents, etc.

Qualitative tools have been developed to provide a context for the use of these statistical reports, for example instructions for how to analyse the statistics and the *Diversity and Employment Equity Management Guide and Self-Assessment Tool for Managers*.

Assessment of Goals for the Period from 2001 to 2003

HRSDC established a total of 11 short-term hiring goals according to the Audit Report of December 2001. The goals covered the period from 2001 to 2003 inclusively. They were based on the workforce analysis as of September 2000. Goals were set as percentages of total hires which were at availability rates or above these rates. Sometimes goals were set as numeric goals. During the goal-setting period, 6 goals were met or gaps eliminated.

Women

	Goal setting period of 2001-2003	As of June 2, 2009 latest workforce analysis
<i>Scientific and Professional</i>	Goal met/ gap increased	Gap eliminated
<i>Technical</i>	Goal met/ gap increased	Gap eliminated
<i>Operational</i>	Goal not met/ gap decreased	Gap remains

Aboriginal Peoples

	Goal setting period of 2001-2003	As of June 2, 2009 latest workforce analysis
<i>Executive</i>	Goal not met/ gap increased	Gap remains
<i>Scientific & Professional</i>	Goal not met / gap unchanged	Gap remains

Persons with Disabilities

	Goal setting period of 2001-2003	As of June 2, 2009 latest workforce analysis
<i>Technical</i>	Goal met/ gap eliminated	Gap remains eliminated
<u>New Gaps</u>		
<i>Scientific & Professional</i>		Gap appears

Visible Minorities

	Goal setting period of 2001-2003	As of June 2, 2009 latest workforce analysis
<i>Executive</i>	Goal not met/ gap increased	Gap remains
<i>Scientific & Professional</i>	Goal met/ gap eliminated	Gap reappears
<i>Administrative & Foreign Service</i>	Goal not met/ gap decreased	Gap remains
<i>Technical</i>	Goal met/ gap eliminated	Gap reappears
<i>Administrative Support</i>	Gap eliminated	Gap remains eliminated
<u>New Gaps</u>		
<i>Operational</i>		Gap appears

Achievement of Long-Term Representation Goals

Since the previous audit, and despite subsequent major re-organizations, progress has been made with respect to employment equity at HRSDC. It is particularly interesting to note the increase in representation for visible minorities who now account for nearly 1000 more positions compared to the previous audit.

Comments on Management Accountability

Employment equity and diversity were integrated into the 2008-2009 EX Performance Management Program (PMP) as part of 'On-going Commitment for Service Excellence Culture' as follows: "Public Service values and ethics are demonstrated by building and promoting an inclusive, cooperative and healthy work environment characterized by respect, transparency, fairness, and encouragement of bilingualism and diversity, as per official languages and employment equity policies at all levels."

6. Periodic review and revision of employment equity plan

Indicator

- The employer demonstrates that it updates its employment equity plan and its short-term numerical goals during the period covered by the plan. It also modifies its plan based on changing circumstances.

Analysis

HRSDC has committed to take the necessary actions to ensure a periodic review and revision of the employment equity plan. The Employment Equity and Diversity Union-Management Consultation Committee is monitoring constantly progress of employment equity. Assistant Deputy Minister and union representatives are members of this committee.

7. Information about employment equity

Indicators

- The employer demonstrates that it provides information to employees about the purpose of employment equity.
- The employer keeps its employees informed about the measures it has undertaken or is planning to undertake to implement employment equity.
- The employer keeps its employees informed about the progress made in implementing employment equity.

Analysis

HRSDC has taken measures to fulfill this legislative obligation. Below is a description of some of the actions taken to inform the workforce.

- Employment equity topics and information are communicated to employees on a regular basis, through various channels and approaches.
- "Orientation for New Employees" sessions hosted by the Service Canada College include a module (with activities) around employment equity. As well, participants at the

HRSDC “Orientation for New Employees” session are reminded of the importance of self-identifying and receive a brochure in their participant binder that explains the purpose of the self-identification survey and the reasons why it is important to participate.

- The Diversity and Official Languages Division hosted a kiosk at the National Public Service Week event at national headquarters, “Celebrating HRSDC’s Past, Present and Future”. A computer was set up for employees to register and complete the self-identification survey, if they choose to, and an inventory of reference materials was available for hand-out. Arrangements were made for visual interpretation during the open-panel discussion on the future of HRSDC. Also, the Division hosted a kiosk for *Objective Eye* at the February 2008 national managers’ conference.
- Union membership on the (former) EEDUMCC and (current) HRUMCC represent the employees of the HRSDC. Topics relevant to national human resources policies, direction and issues, including matters of employment equity and of diversity, are discussed in this HRUMCC forum.
- The @HRSDC and Info Service Canada newsletters communicate information to employees regarding employment equity topics. As an example, “The self-identification survey – Thank you for taking the time to count yourself in today.” This and others articles about the survey explain why it is important that everyone completes the survey.
- The @HRSDC and Info Service Canada newsletters are also used as a means of raising awareness of events that celebrate Canada’s culture and heritage:
 - International Day of Disabled Persons;
 - Human Rights Day;
 - Black History Month;
 - Women’s History Month;
 - International Women’s Day;
 - International Day for the Elimination of Racial Discrimination; and
 - Aboriginal Awareness Week/National Aboriginal Day.

<p>8. Consultation</p> <p>Indicators</p> <ul style="list-style-type: none"> • The employer consults its employee representatives by inviting them to provide their views on the assistance that the representatives could provide to the employer to facilitate the implementation of employment equity and towards the communication of employment equity matters to employees. • The employee representatives are also invited to provide their views on the preparation, implementation and revision of the employment equity plan. • Where employees are represented by bargaining agents, they participate in the consultation.

Analysis

As required by section 15 of the Act, HRSDC has previously taken appropriate steps to ensure a meaningful consultation with the employees’ representatives. Here are some examples of the measures taken.

- Until December 2007 (prior to the departmental restructuring which saw the Human Resources Services Branches of Service Canada and of HRSDC merge into a single

organization), the Employment Equity and Diversity Union-Management Consultation Committee (EEDUMCC) met quarterly.

- The EEDUMCC was composed of a team of union and of management representatives. It was a national committee forum that provided opportunity for meaningful consultation on national employment equity policies and strategies for Service Canada, including issues of diversity. This committee provided leadership towards building capacity within the organization (branches/regions, advisory/consultative committees and the Diversity and Official Languages Division at Service Canada) to implement and sustain employment equity legislation, principles, and practices.
- Subsequent to the Human Resources Service Branch merge, the Union-Management Consultation Framework was restructured. Matters relevant to human resources, including employment equity and diversity, are addressed in the Human Resources Union-Management Consultation Committee forum.

Notwithstanding the above, employees representatives and the employer confirmed that no consultation had taken place on the recent ESR. Fortunately, recent discussion and exchanges between the employer and the unions have led to a renewed commitment towards this end.

As part of the audit, the Commission's representatives recently participated in a meeting of the Management Union Committee where an agreement was reached to launch further consultation on potential employment barriers for designated group members.

<p>9. Employment equity records</p> <p>Indicators</p> <ul style="list-style-type: none">• The employer demonstrates that it maintains records in respect of the employer's workforce, the employment equity plan and the implementation of employment equity by the employer.• The employer maintains employment equity records with accurate and up-to-date information on all matters specified in section 11 of the Employment Equity Regulations.
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Analysis

HRSDC has fulfilled this obligation in accordance with the statutory requirement. The employer has a system and procedure to maintain the required employment equity records on all matters specified in the Regulations. This includes records on the employment system review, the employment equity plan, and the implementation and monitoring of the employment equity plan.

The Corporate Management System employee records prior to 1998 were purged/deleted in April of 2000. The employment equity database captures its data directly from the demographic (self-identification) survey data entered through Paperless Office. This employment equity data is then moved to the warehouse (Oracle). Data is available from 2000 onward (when Paperless Office was implemented). Currently, no other data purges have been implemented or planned.

As to security of employment equity data, four individuals in Human Resources Data Management have authorized user profiles to access warehouse data. This is acceptable given the size of the workforce.

CONCLUSION

Since the last audit, Human Resources and Skills Development Canada has eliminated several representation gaps and has increased significantly the representation of visible minorities. The employer is currently implementing various measures to support the achievements of further progress in the representation of designated group members.

HRSDC plans to erase all the gaps by increasing the self-identification response rate, by implementing a new employment equity plan for the period 2010-2012, and by having a closer monitoring process on the progress of representation of designated group members.

HRSDC has put a lot of effort in employment equity in a context of constant reorganisation. Most outstanding representation gaps are relatively small. The Commission is confident that the department will take further actions and wish to underline the cooperation received during the course of this audit

This report concludes the progress assessment phase of the audit. HRSDC must continue to monitor its future plan and assess progress as long as areas of under-representation still exist in certain occupational categories.

The Commission will monitor the performance of the employer through a review of the annual reports submitted to the Office of the Chief Human Resources Officer of the Treasury Board Secretariat. In order to ensure compliance and ongoing progress, the employer must fulfill its obligations by performing the activities outlined in Appendix 1.

APPENDIX 1- ACTIVITIES TO ENSURE COMPLIANCE

STATUTORY REQUIREMENT	REQUIRED ACTIONS FOR ONGOING PROGRESS
1. Collection of Workforce Information <i>(Act, ss. 3 & 9; Regulations, ss. 3, 4, 5, 11, 12 & Schedule IV)</i>	
<p>The employer shall collect information on its workforce.</p>	<ul style="list-style-type: none"> ▶ Ensure that new employees are given the opportunity to self-identify and adjust survey results accordingly. ▶ Adjust survey results to reflect hires, promotions and terminations. ▶ Provide questionnaire to employees who wish to change information previously submitted and to those who request it, and adjust survey results accordingly.
2. Workforce Analysis <i>(Act, s. 9; Regulations, ss. 6, 7, 11 & 12)</i>	
<p>The employer shall conduct an analysis of its workforce, in accordance with the regulations, in order to determine the degree of under-representation of persons in designated groups in each occupational group in that workforce.</p>	<ul style="list-style-type: none"> ▶ Update the workforce analysis periodically to reflect new hires, promotions and terminations, any changes employees make to their self-identification questionnaires, and any revisions made to the availability estimates. ▶ Adjust the availability estimates to reflect major changes in the workforce (e.g. changes in geographic recruitment areas, addition of new occupational groups or changes in the composition of occupational groups). ▶ Update the availability estimates to incorporate new Census data as it is made available for employment equity purposes. ▶ Ensure that any new gaps identified are addressed accordingly.
3. Review of Employment Systems, Policies and Practices <i>(Act, s.9; Regulations, ss. 8 & 9)</i>	
<p>The employer shall conduct a review of its employment systems, policies and practices, in accordance with the regulations, in order to identify employment barriers against persons in designated groups that result from those systems, policies and practices.</p>	<ul style="list-style-type: none"> ▶ Ensure that all new employment systems, policies and practices do not create new barriers. ▶ Review all new employment systems, policies and practices as they are being developed, monitor their implementation and adjust as appropriate.
4. Employment Equity Plan <i>(Act, s.10)</i>	
<p>The employer shall prepare an employment equity plan.</p>	<ul style="list-style-type: none"> ▶ Communicate the plan and its numerical goals to relevant managers. ▶ Implement the employment equity plan to achieve progress. ▶ Communicate the accommodation policy and procedures to all staff. ▶ Ensure accommodation takes place and accessibility is achieved as required.
5. Implementation and Monitoring of Employment Equity Plan <i>(Act, ss. 11 & 12)</i>	
<p>The employer shall ensure that its employment equity plan would, if implemented, constitute reasonable progress toward implementing employment equity as required by this Act. The employer shall also make all reasonable efforts to implement its employment equity plan and monitor implementation of its plan on a regular basis to assess whether reasonable progress toward implementing employment equity is being made.</p>	<ul style="list-style-type: none"> ▶ Implement the corrective measures identified in the employment equity plan according to the established timetable and monitor the results. ▶ Ensure that the implementation of the measures and goals contribute to increasing the representation of designated groups in areas where gaps have been identified. ▶ Ensure managers are held accountable and are committed to achieving the goals and objectives of the employment equity plan. ▶ Demonstrate reasonable efforts were made to implement all measures if goals are not achieved.

STATUTORY REQUIREMENT	REQUIRED ACTIONS FOR ONGOING PROGRESS
6. Periodic Review and Revision of Employment Equity Plan <i>(Act, ss. 10, 12 & 13)</i>	
<p>The employer shall, at least once during the period in respect of which the short term numerical goals are established, review its employment equity plan and revise it (as per section 13 of the Act).</p>	<ul style="list-style-type: none"> ▶ Review and update the plan and its numerical goals based on changing circumstances, at least once every three years.
7. Information to Workforce <i>(Act, ss. 14 & 15)</i>	
<p>The employer shall provide information to its employees explaining the purpose of employment equity and shall keep its employees informed about the measures the employer has undertaken or is planning to undertake to implement employment equity and the progress the employer has made in implementing employment equity.</p>	<ul style="list-style-type: none"> ▶ Keep all staff informed of the purpose of employment equity, the steps taken to implement the plan and the progress made in its implementation.
8. Consultation and Collaboration <i>(Act, ss. 12 & 15)</i>	
<p>The employer shall consult with its employees' representatives by inviting the representatives to provide their views concerning the assistance that the representatives could provide to the employer to facilitate the implementation of employment equity in its workplace, the communication to its employees of matters relating to employment equity; and the preparation, implementation and revision of the employer's employment equity plan.</p> <p>Where employees are represented by a bargaining agent, the bargaining agent shall participate in a consultation.</p> <p>Every employer and its employees' representatives shall collaborate in the preparation, implementation and revision of the employer's employment equity plan. Consultation and collaboration under this section are not forms of co-management.</p>	<ul style="list-style-type: none"> ▶ Maintain meaningful consultations with unions and employee representatives on the development, implementation and revision of the employment equity plan, and on the assistance they could provide regarding the implementation of employment equity and the communication of related matters.
9. Employment Equity Records <i>(Act, s. 17; Regulations, ss. 11 & 12)</i>	
<p>The employer shall, in accordance with the regulations, establish and maintain employment equity records in respect of the employer's workforce, the employer's employment equity plan and the implementation of employment equity by the employer.</p>	<ul style="list-style-type: none"> ▶ Maintain accurate and up-to-date records of employment equity in all areas required by the Regulations.