

CANADIAN  
HUMAN RIGHTS  
COMMISSION

COMMISSION  
CANADIENNE DES  
DROITS DE LA PERSONNE

## Employment Equity Status Report



*Equality of opportunity*

**Human Resources and Skills Development Canada**

**File # 2820-02-H06-2013**

**September 18, 2013**

Canada

**The purpose of employment equity is to achieve equality in the workplace so that no person is denied employment opportunities or benefits for reasons unrelated to ability.**

**Did you know?**

Several studies from a broad spectrum of organizations... have examined the relationship between corporate financial performance and women in leadership roles. Their undisputed conclusion is that having more women at the top improves financial performance. (Ernst & Young)

As one of the fastest growing populations in Canada, Aboriginal people are a particularly rich source of potential workers... The implication for Canadian businesses is a potential domestic solution to labour and skills shortages. (Conference Board of Canada)

Employers reported that providing accommodations [for persons with disabilities] resulted in such benefits as retaining valuable employees, improving productivity and morale, reducing workers' compensation and training costs, and improving company diversity. (Job Accommodation Network)

Members of visible minorities will play an increasingly important role in our economy—as employees, as consumers; and as connectors to the increasingly important emerging markets. The opportunity for Canadian organizations is to recognize this asset and use it to its fullest advantage. (Conference Board of Canada)

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This document is available in alternative formats upon request.

## Report Summary

The overall representation of the four designated groups in your organization is above the labour market availability estimates, which is commendable. This is a very good Employment Equity (EE) result.<sup>1</sup>

This EE status report focuses only on the representation of designated group members in your workforce. As such, this report does not represent the result of a full compliance assessment based upon the nine main legal requirements of the *Employment Equity Act*.

Three years from now, the Commission may evaluate your organization's EE results again.

### **The Commission encourages employers to:**

- Create and maintain a culture of human rights, mutual respect, and work-family balance in the workplace;
- Include a broad definition of "family" in all workplace policies and employee guides, handbooks, websites, or other publications, and include extended and non-traditional family, and caregiving obligations in the definition;
- Put in place policies and negotiate collective agreement clauses that permit flexible work arrangements where ever this is feasible. This can prevent discrimination complaints and allow employees of any gender to more easily balance work and family caregiving responsibilities and reduce potential conflict; and,
- Raise awareness and provide training on this issue to managers, supervisors and employee representatives.

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<sup>1</sup> Refers to the ratio between representation in the workforce and availability in the labour market

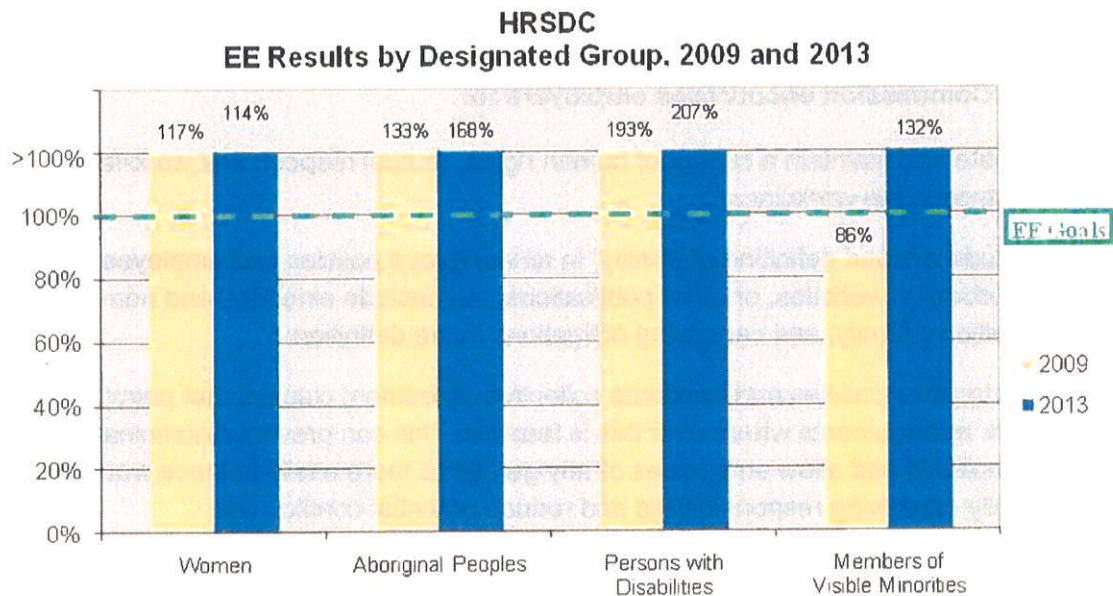
# 1. Human Resources and Skills Development Canada (HRSDC) Employment Equity Profile



The purpose of EE is to achieve equality in the workplace so that no person is denied employment opportunities or benefits for reasons unrelated to ability. It is intended to correct the employment disadvantages experienced by women, Aboriginal peoples, persons with disabilities and members of visible minorities.

## 1.1 HRSDC's profile by designated group

This bar chart illustrates the EE results of designated group members in your workforce over the last few years. EE results show the ratio between the four designated groups' representation in your workforce and their availability in the labour market. A score of 100% means that a group's representation is equal to the availability of that group within the relevant segment of the labour market.

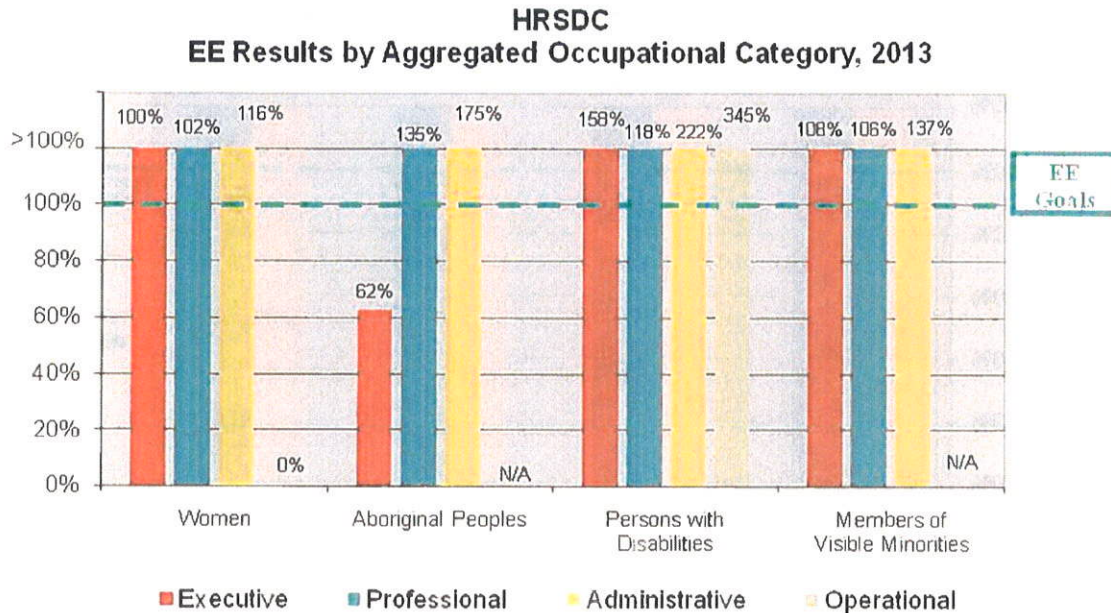


- Since 2009, your organization has maintained an EE result above the 100% EE goal for women, Aboriginal peoples and persons with disabilities, which is very good.
- Your organization has also progressed to exceed the 100% EE goal for members of visible minorities. This performance is excellent.



## 1.2 HRSDC's profile by aggregated occupational category

This bar chart illustrates the overall EE results in each aggregated occupational group<sup>2</sup> in your organization's workforce. EE results show the ratio between the four designated groups' representation in your workforce and their availability in the labour market.



**Note:** "N/A" means that there is no gap due to low labour market availability for the aggregated occupational category.

- Women are well represented in the Executive, Professional and Administrative aggregated occupational categories. Hiring one woman would close the gap in the Operational group (where there are only 5 positions).
- Aboriginal peoples are well represented in the Professional and Administrative groups. However, progress is required in the Executive group.
- Persons with disabilities and members of visible minorities are well represented in all aggregated occupational groups, which is excellent.

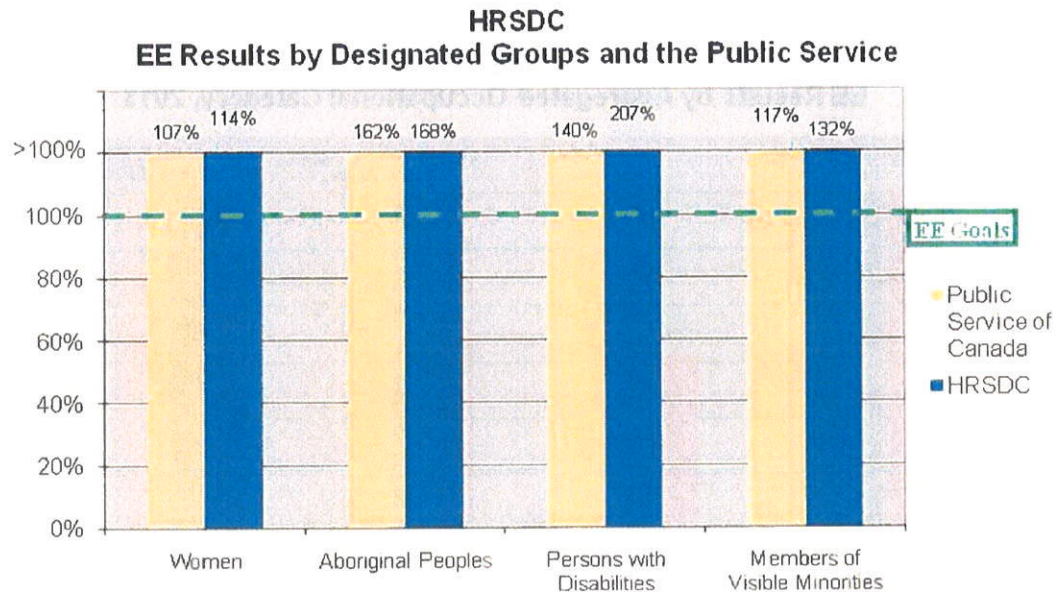
More information about the representation gaps of the four designated groups by occupational group can be found in the Workforce Analysis Summary (Annex 2).

<sup>2</sup> "Executive" includes those identified as such by Treasury Board Secretariat; "Professional" combines "Scientific and Professional" and "Technical"; the group "Administrative" combines "Administration and Foreign Service" and "Administrative Support" categories; "Operational" includes those identified as such by Treasury Board Secretariat.



### 1.3 Comparison with the federal public service

Your organization has representation that is greater than labour market availability for all four designated groups: this is a very good EE result.



- As is the case for the federal public service, your organization has achieved the 100% overall EE goal for all four designated groups.

Employees in diverse workplaces have higher rates of job satisfaction, which can facilitate recruitment and retention. Increasingly, businesses with solid diversity practices are becoming leaders in their field.<sup>3</sup>

<sup>3</sup> Lockwood, N. "Workplace diversity: leveraging the power of difference for competitive advantage" June, 2005, [http://findarticles.com/p/articles/mi\\_m3495/is\\_6\\_50/ai\\_n14702678/](http://findarticles.com/p/articles/mi_m3495/is_6_50/ai_n14702678/)

## 2. Expectations

### 2.1 Employment equity expectations

Under the *Employment Equity Act*, organizations are expected to consider four factors, when creating short-term numerical EE goals:

- a. The degree of under-representation of people in each designated group (in your workforce and the Canadian workforce as a whole).
- b. The availability of qualified persons in designated groups.
- c. The anticipated growth or reduction of your workforce.
- d. The anticipated turnover of employees in your organization.

Beyond these required considerations, organizations are encouraged to consider the following:

- The ongoing growth in availability of members of the designated groups: The availability of the four designated groups within the Canadian labour market continues to increase. As a result, there are more opportunities to recruit qualified people from the designated groups.
- The under-representation of Aboriginal peoples in Canadian censuses: Some First Nations reserves and settlements have not been included in Canadian censuses. This means that Aboriginal peoples' labour market availability is greater than the Census suggests. Adjustments have been made by the Commission in the labour market availability estimates to take this into account and better reflect Aboriginal peoples' workforce participation.

Based on all of the factors above, it is recommended that your organization aim for the following representation of each of the designated groups:

Women	68.8% (already achieved)
Aboriginal peoples	3.5% (already achieved)
Persons with disabilities	4.0% (already achieved)
Members of visible minorities	14.6% (already achieved)

We are very pleased to see that your organization's overall representation already met the suggested goals.



## 2.2 Obligations under the *Employment Equity Act*

The nine statutory requirements of the *Employment Equity Act* are:

1. Collection of workforce information
2. Workforce analysis
3. Employment systems, policies and practices review
4. EE plan
5. Implementation of EE plan and ongoing monitoring
6. Periodic review and revision of EE plan
7. Information available for employees about EE
8. Consultation and collaboration with employee representatives
9. EE records

For more information about your obligations under the *Employment Equity Act* go to:  
<http://laws-lois.justice.gc.ca/eng/acts/e-5.401/index.html>

### **Consultation and collaboration with employee representatives**

Meaningful consultation and collaboration<sup>4</sup> ensure that all workplace partners play an active role in the implementation of EE. It is widely accepted that workplace initiatives and innovations developed and supported by both management and employee representatives have a better chance of succeeding than unilateral employer initiatives.

The involvement of employee representatives, including bargaining agents, in EE policies and procedures should result in the development of policies and implementation of programs that will be effective in achieving EE goals in the workplace. Effective consultation and collaboration require the willing participation of all parties in the workplace. There must be a genuine desire to work cooperatively present on all sides.

However, the Act is clear that final responsibility for compliance with the law rests with the employer. Although employers are strongly encouraged to do everything possible to maximize consultation and collaboration with employee representatives, where this proves infeasible, the employer has the duty to proceed on its own.

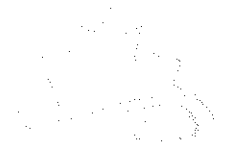
### **Seniority principle in union agreements**

If an employer is of the view that a seniority provision in a collective agreement has an adverse impact on designated group members, the *Employment Equity Act* states that the employer and bargaining agent are required to consult on measures that may be taken to minimize the adverse impact.

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<sup>4</sup> Meaningful consultation and collaboration refers to section 15 of the *EEA* requirement.





## 3. Accomplishments and Challenges

### 3.1 Accomplishments

Your organization has maintained its overall EE results above the 100% EE goal for women, Aboriginal peoples and persons with disabilities. In recent years, HRSDC has also made considerable progress by improving its EE result for members of visible minorities.

The following are good examples of proven practices taken from HRSDC's 2013 narrative report:

- Adding a mandatory sign-off component to its online survey to ensure that employees read and are aware of the benefit of completing the survey.
- Introducing a Paperless Office site where employees who have not yet completed the survey are automatically redirected to the survey site.
- Including EE recruitment, promotion and separation rates in the HRSDC people management dashboards, as indicators to provide managers with workforce information.
- Reporting regularly on EE representation to HRSDC's Workforce Adjustment Committee.

The Commission commends your organization's dedication in maintaining a close eye on the implementation of your EE plan and in taking special measures to continue to improve your EE program.

### 3.2 Challenges

One of the challenges for your organization is to develop strategies to close the remaining gaps in your workforce, specifically for Aboriginal peoples in the Executive category.

## Conclusion

In your organization, the overall representation of the four designated groups is greater than the labour market availability of these groups: this is a very good EE result.

While HRSDC must continue to monitor its EE plan and address the areas of under-representation that exist in the workforce (See Annex 2), it should be proud of what it accomplished so far.

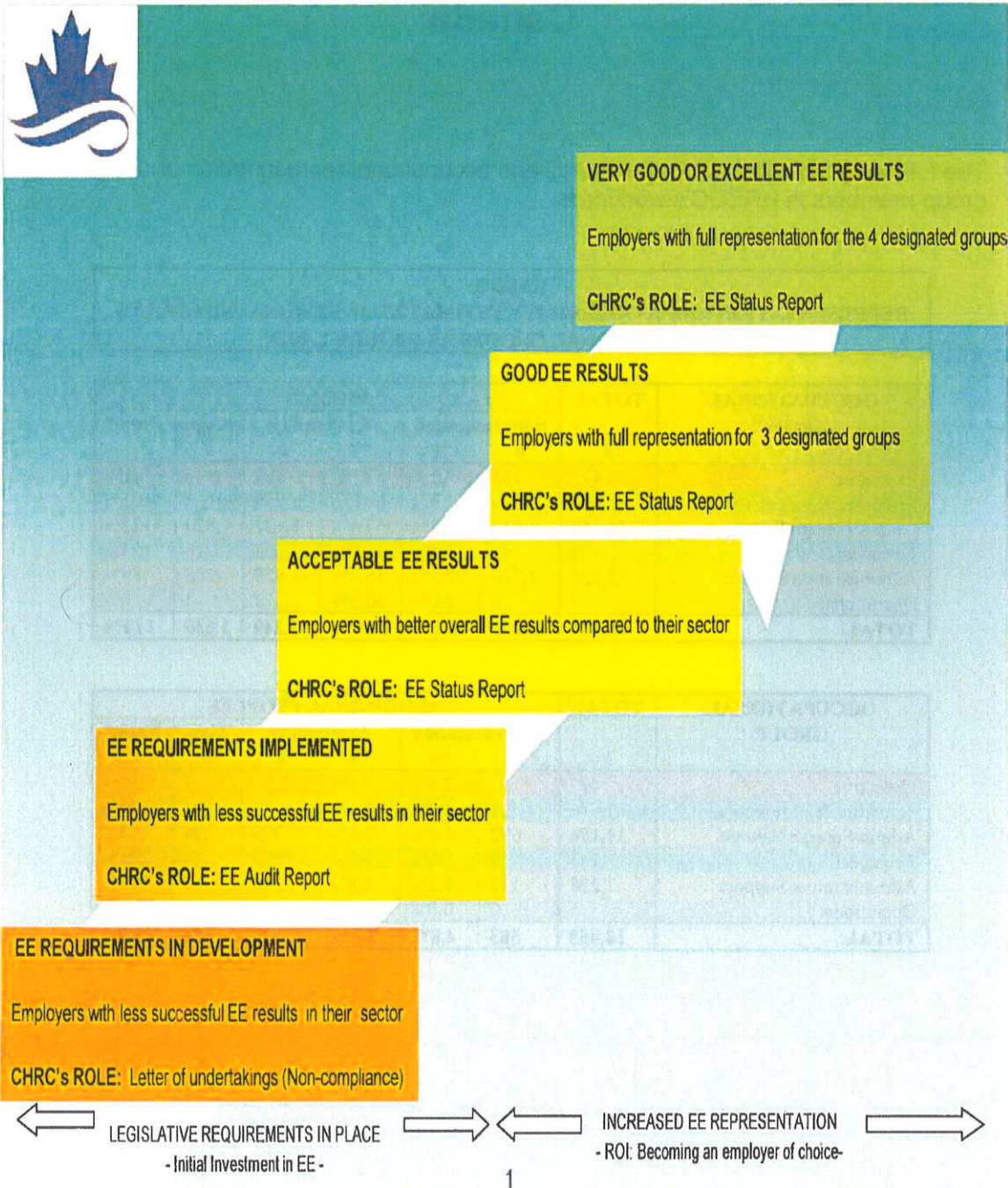
### **Next Steps**

The Commission will continue to monitor your organization's EE results using the annual reports your organization submits to the Office of the Chief Human Resources Officer.

If your organization continues to improve its performance and maintains better overall EE results than its sector, the next EE evaluation will focus only on your achieved EE results.

However, if your organization has less successful results when compared to the federal public service, the next evaluation will focus on the results achieved, as well as the nine legal obligations of EE.

# Annex 1: CHRC-Employment Equity Scale



## Annex 2: Workforce Analysis Summary for Human Resources and Skills Development Canada

The following table illustrates the overall and occupational representation of designated group members in HRSDC's workforce.

**HRSDC  
REPRESENTATION AND AVAILABILITY ESTIMATES OF DESIGNATED GROUPS  
BY OCCUPATIONAL GROUPS AS OF JULY 1, 2013**

OCCUPATIONAL GROUP	TOTAL #	WOMEN					
		Representation		Availability		Gap	Ratio*
		#	%	%	#	#	
Executive	427	223	52.2%	52.1%	222	1	100%
Scientific & Professional	1,476	905	61.3%	60.9%	899	6	101%
Admin/Foreign Service	14,158	9,947	70.3%	57.4%	8,127	1,820	122%
Technical	163	84	51.5%	41.6%	68	16	124%
Administrative Support	2,224	1,720	77.3%	86.7%	1,928	-208	89%
Operational	5	0	0.0%	60.3%	3	-3	0%
<b>TOTAL</b>	<b>18,453</b>	<b>12,879</b>	<b>69.8%</b>	<b>61.0%</b>	<b>11,249</b>	<b>1,630</b>	<b>114%</b>

OCCUPATIONAL GROUP	TOTAL #	ABORIGINAL PEOPLES					
		Representation		Availability		Gap	Ratio*
		#	%	%	#	#	
Executive	427	12	2.8%	4.5%	19	-7	62%
Scientific & Professional	1,476	57	3.9%	3.1%	46	11	125%
Admin/Foreign Service	14,158	692	4.9%	2.8%	396	296	175%
Technical	163	9	5.5%	1.9%	3	6	291%
Administrative Support	2,224	113	5.1%	2.8%	62	51	181%
Operational	5	0	0.0%	1.0%	0	0	-
<b>TOTAL</b>	<b>18,453</b>	<b>883</b>	<b>4.8%</b>	<b>2.8%</b>	<b>526</b>	<b>357</b>	<b>168%</b>

OCCUPATIONAL GROUP	TOTAL #	PERSONS WITH DISABILITIES					
		Representation		Availability		Gap #	Ratio*
		#	%	%	#		
Executive	427	27	6.3%	4.0%	17	10	158%
Scientific & Professional	1,476	90	6.1%	5.2%	77	13	117%
Admin/Foreign Service	14,158	1,042	7.4%	3.4%	481	561	216%
Technical	163	10	6.1%	5.0%	8	2	123%
Administrative Support	2,224	198	8.9%	3.5%	78	120	254%
Operational	5	1	20.0%	5.8%	0	1	345%
<b>TOTAL</b>	<b>18,453</b>	<b>1,368</b>	<b>7.4%</b>	<b>3.6%</b>	<b>661</b>	<b>707</b>	<b>207%</b>

OCCUPATIONAL GROUP	TOTAL #	VISIBLE MINORITIES					
		Representation		Availability		Gap #	Ratio*
		#	%	%	#		
Executive	427	37	8.7%	8.0%	34	3	108%
Scientific & Professional	1,476	239	16.2%	16.0%	236	3	101%
Admin/Foreign Service	14,158	2,149	15.2%	11.3%	1,600	549	134%
Technical	163	30	18.4%	10.7%	17	13	172%
Administrative Support	2,224	391	17.6%	11.6%	258	133	152%
Operational	5	0	0.0%	9.3%	0	0	-
<b>TOTAL</b>	<b>18,453</b>	<b>2,846</b>	<b>15.4%</b>	<b>11.6%</b>	<b>2,148</b>	<b>698</b>	<b>132%</b>

Totals may not equal the sum of components due to rounding.

Source: 2006 Census of Canada and the 2006 Participation and Activity Limitation Survey (PALS)

\*Proportional relation between representation and availability.

If there is a gap for women in an EEOG where women are represented at 50% or more, this gap is not to be considered significant. Your organization is not required to conduct an Employment Systems Review or establish goals for recruitment in its employment equity plan for gaps in EEOGs where women are represented at 50% regardless of availability.<sup>5</sup>

<sup>5</sup> A Four Step Guide to Implementing Employment Equity in Your Workplace, HRSDC, [http://www.hrsdc.gc.ca/eng/labour/equality/fcp/employer\\_tool/step2/page00.shtm](http://www.hrsdc.gc.ca/eng/labour/equality/fcp/employer_tool/step2/page00.shtm) (Accessed May 7, 2013).

## Annex 3: Resources for Employers

### Human Rights Maturity Model

<http://www.hrmm-mmdp.ca/index-eng.aspx>

### Commission Policies, Guides & Other Resources

<http://www.chrc-ccdp.gc.ca/eng/content/publications>

<http://www.chrc-ccdp.gc.ca/eng/content/archived-publications>

- Anti-Harassment Policies for the Workplace: An Employer's Guide
  - Checklist: Small Organizations
  - Checklist: Medium and Large Organizations
- Duty to Accommodate Fact Sheet
- Duty to Accommodate Frequently Asked Questions & Answers
- Guide for Managing the Return to Work
- Harassment and the *Canadian Human Rights Act*
- Harassment: What it is and What to do about it
- Place for All: A Guide to Creating an Inclusive Workplace
- Your Guide to Understanding the *Canadian Human Rights Act*
- A Template for Developing a Workplace Accommodation Policy
- A Template for Developing an Anti-harassment Policy
- Policy on Alcohol and Drug Testing
- Aboriginal Employment Preferences Policy
- Policy and Procedures on the Accommodation of Mental Illness
- Policy on HIV/AIDS
- Policy on Environmental Sensitivities
- Policy on Special Programs
- Pregnancy and Human Rights in the Workplace – Policy and Best Practices
- Pregnancy and Human Rights in the Workplace – A Guide for Employers

### Human Resources and Skills Development Canada

[http://www.hrsdc.gc.ca/eng/labour/equality/employment\\_equality/tools/guidelines/index.shtml](http://www.hrsdc.gc.ca/eng/labour/equality/employment_equality/tools/guidelines/index.shtml)

- Workplace Equity – Legislation and Agreements

## Annex 4: Additional Information

<b>Name of the employer</b>	Human Resources and Skills Development Canada
<b>Contact name &amp; title</b>	Ms. Heather Quinn, Special Projects Officer
<b>Sector</b>	Federal Public Service
<b>Number of employees</b>	18,453 employees
<b>Workforce analysis</b>	The workforce analysis is based on the 2006 Census and the 2006 Participation and Activity Limitation Survey (PALS). It is dated July 1, 2013.
<b>Headquarters</b>	Gatineau, Quebec
<b>Regional locations</b>	Several locations across Canada
<b>Employee Representatives</b>	Public Service Alliance of Canada Professional Institutes of the Public Service of Canada Canadian Association of Professional Employees Association of Canadian Financial Officers
<b>Officer</b>	Kessie Joseph

This is the second EE audit for Human Resources and Skills Development Canada. The last audit concluded with an EE Audit Report sent to the employer in February 2010.

This review was conducted pursuant to the authority contained in section 22 of the *Employment Equity Act*.

HRSDC was notified of this review on June 4, 2013 by the Secretary General of the Commission. This review was based on the workforce analysis provided by the employer of April 1, 2013. Given the very good overall EE result of the organization, the Commission has not conducted an audit on all of the legislative requirements of the Act.

Interviews were conducted with the Special Projects Officer to obtain additional information.

