

# **Equity, Diversity and Excellence in the Appointment of Academic Staff Members**

**PREPARED BY:**

**THE JOINT EQUITY COMMITTEE**

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If you require this document in an alternative format please contact:  
Employment Equity Officer  
E-mail: [equity@mun.ca](mailto:equity@mun.ca)

## 1. EMPLOYMENT EQUITY OBJECTIVES

Memorial's employment equity programs are designed to mitigate any recruitment, selection, promotion, or training practices that have the effect of being discriminatory. Memorial's equity program identifies four targeted groups: women, racialized groups, Indigenous people, and persons with disabilities. These groups are recognized because of statistical evidence of a historical disadvantage in the Canadian workforce, which includes high rates of unemployment, underemployment and lower than average wages. The intent of the employment equity program is to ensure that the recruitment and selection process is free of bias.

This document is circulated by the Joint Equity Committee (JEC) as per clauses 13.28 and 30.10 of the April 20th, 2019 - August 31st, 2020 MUN-MUNFA collective agreement. Guidelines for employment equity in the recruitment and selection of academic staff members are derived from Articles 7, 13, 30 and 31.25. Article 30 in its entirety applies to faculty, librarians and counsellors, however, only parts of Article 30 apply to academic staff members in cooperative or field education as per Article 31.25.

These guidelines draw on the Newfoundland & Labrador Human Rights Code, which is part of provincial law. This document also includes recommendations proposed by the JEC.

These guidelines are based on five principles, each of equal importance:

- The aim of the recruitment and selection process is to appoint the candidate best suited to the requirements of the position, the needs of the unit, and the goals of the university;
- The selection process must adhere to human rights legislation;
- Criteria and qualifications for positions must be established in a fair and objective manner;
- Recruitment must be conducted as widely as appropriate to ensure that the applicant pool is as varied as possible;
- Successful candidates must be selected on the basis of a fair assessment of their merit.

## 2. GUIDELINES

### A. SEARCH COMMITTEES

Search Committees may be established for each appointment or a single Search Committee may be responsible for all academic appointments throughout the year. Search Committees are composed of academic staff members, a majority of whom are elected by their peers. The academic unit head appoints the remaining members of the committee (7.04 - 7.17 and 13.05 -13.18). Search Committees are normally composed of three elected and two appointed academic staff members.

Search Committees are required to include at least one person from an employment equity target group, unless circumstances prevent such an appointment (30.18 and 30.19). The target group member must have self-identified to the Employment Equity Officer through the self-identification email provided to all ASM's. If a designated TGM

has not self-identified through this process, the Employment Equity Officer will provide the link for self-identification.

## **B. POSITION DESCRIPTION AND ADVERTISEMENT**

### **CONTENT OF THE ADVERTISEMENT**

In accordance with clause 30.17, job advertisements must contain the following statement:

“Memorial University is committed to employment equity and diversity and encourages applications from all qualified candidates including women; people of any sexual orientation, gender identity, or gender expression; Indigenous peoples; visible minorities, and racialized people; and people with disabilities.”

Job advertisements must also contain the phrase:

“All qualified candidates are encouraged to apply; however Canadians and permanent residents will be given priority.”

In addition, academic units might consider making a reference to their own commitment to employment equity and including a land acknowledgment such as:

“We acknowledge that the lands on which Memorial University’s campuses are situated are in the traditional territories of diverse Indigenous groups, and we acknowledge with respect the diverse histories and cultures of the Beothuk, Mi’kmaq, Innu, and Inuit of this province”.

### **ADVERTISING THE POSITION**

The Search Committee and the Administrative Head consult on the wording and placement of the advertisement (7.03 and 13.03). The equity provisions in Article 30 only apply to appointments of one year or longer, excluding spousal appointments and special visiting appointments (30.02).

Positions of one year or longer must be advertised in one or more nationally distributed print and/or electronic media. Positions should be advertised for a reasonable amount of time (at least one month) to allow broad exposure. As per article 7.18 (a) positions shall also be advertised by the university on its website. For the appointment of Librarians the position shall be advertised in one or more nationally–distributed print media or the Professional Library Association website (Article 13.19).

The JEC further recommends that job advertisements be circulated to associations and websites of designated target group members and to journals and publications produced by them. A listing is available by contacting [equity@mun.ca](mailto:equity@mun.ca).

A copy of the advertisement must be sent to the following (30.21):

- Employment Equity Officer in the Department of Human Resources
- MUNFA Office
- Office of the Vice-President (Corner Brook), Grenfell Campus

- Office of the Provost and Vice-President (Academic)

### **Diversity statements**

Consider including a diversity statements in the application process. Candidates can be evaluated based on their experience with promoting Equity, Diversity and inclusion. Ask candidates to demonstrate their commitment to diversity in teaching and research, including recruiting, mentoring and supporting diverse employees and students.

Diversity leadership statements should include:

- Demonstrated commitment to promoting a diverse environment.
- Demonstrated commitment to diversity in the educational community.
- Demonstrated commitment to meeting the Truth and Reconciliation Commission calls to action

## **3. SELECTION CRITERIA**

As per clause 7.23 the “Assessment of candidates should be based primarily on their ability to perform the academic duties of the advertised position as evidenced by the candidates’ degrees and their records of, and potential for, teaching, research and other scholarly, creative or professional work.” For the appointment of Librarians, clause 13.28 the “Assessment of candidates should be based primarily on their ability to perform the academic and professional duties of the advertised position as evidenced by the candidates’ degrees and their records of, and potential for a high standard of practice and continued professional development.” Notwithstanding the above, the Search Committee shall consider the document circulated by the Joint Equity Committee as per Clause 30.10.

The selection criteria and the method of assessment must be applied to all candidates consistently, and all procedures should be documented.

As per article 30.28, “ASM positions of one (1) year or longer in Academic Units where target groups are under-represented, the Search Committee shall, in presenting the list of candidates recommended for appointment specified in Clauses 7.21(j) or 13.24 (h), give preference in rank order to under-represented target group candidates in all cases where the qualifications of under-represented target group and non-target group candidates on the short-list are substantially equal and meet the criteria established for the appointment in question. If there are members of an under-represented target group on the list, the Administrative Head shall not lower their place in the order of preference of candidates recommended by the Search Committee in seeking to make the appointment unless, in his or her judgment, one or both of the following conditions apply:

- (a) the qualifications of the candidates in question are not substantially equal;
- (b) one or more of the candidates in question do not meet the criteria established for the appointment in question.

## 4. THE EQUITY PROCESS FROM PUBLICATION TO THE SHORT LIST:

### **Notification of Job advertisement**

When the advertisement is sent for publication, the Administrative Head sends a copy of the job advertisement to the Employment Equity Officer (30.21) as well as the MUNFA Office and Grenfell Campus (7.18 and 13.19).

### **Notification of Search Committee Members**

When the advertisement is sent for publication, the Administrative Head sends a list of the Search Committee members to the Employment Equity Officer (30.21)

### **Reference number for the competition**

All competitions are assigned a reference number. This number is important for equity record keeping purposes and should be referenced in all correspondence.

### **Self-identification forms**

The Employment Equity Officer provides the Administrative Head with an electronic link to the equity survey and standardized text. The Administrative Head sends the equity email with a link to Article 30 to all applicants (30.22). Paper copies and alternative formats of the survey are available upon request. If the Employment Equity Officer does not receive any self-identification forms from target group members it is deemed that no target group members applied (30.04). After confirming this with the Employment Equity Officer, the Administrative Head notifies the Search Committee of this fact. The Search Committee finalizes the short-list and proceeds to interview candidates with no further involvement from the Employment Equity Officer and the JEC (30.25(a)).

If at least one candidate self-identifies as being a member of a target group, the equity provisions in Article 30 always apply (30.25 (b)). When the deadline for candidates to complete the questionnaire has passed, the Employment Equity Officer will send a compilation of the self-identification information.

### **Right of First Refusal for Term positions**

In hiring people for term appointments, the Search Committee shall first consider rehiring any applicant who has previously taught courses at the University. As noted in article 23.13 the Search Committee shall examine the applicants experience over a six years period. Applicants with the most experience shall have the right of first refusal for any term position for which the candidates have qualifications that match those required for the position, as assessed by the Search Committee. Applicants with a documented unsatisfactory record at the University shall not be eligible for the right of first refusal.

### **Preliminary Short-List**

After the Search Committee has completed their initial first screen and prepares to compile a preliminary short-list of candidates to be interviewed, the Chair of the Search Committee notifies the Administrative Head. The Administrative Head then sends the Self-ID information to the Search Committee for finalizing the preliminary short-list (30.24). To assist the Search Committee in its deliberations, the Employment Equity Officer also provides the Search Committee with target group data for the academic unit and labour market information (where available) for the academic field in question. After the short-list is compiled, the Chair of the Search Committee must complete the Joint

Equity Committee Appointment Review Procedure form. The form is located on the Human Resources website: <http://www.mun.ca/hr/services/Equity/committee.php>

The Chair of the Search Committee, in consultation with the Administrative Head, must provide:

1. The composition of the Search Committee (identifying the target group members)
2. Listing of where the position was advertised
3. Explanation on how the short-list was determined and its ranking, if any
4. Rationale for each TGM who was not short-listed. This rationale should explain why a candidate was not substantially equal to the short-listed candidates. Reasons for exclusion must be based on the criteria outlined in the job ad. Rationale must be consistently applied and evident from the CV's or other materials submitted to the Joint Equity Committee whenever possible. Examples of rationale could include:
  - Candidate has a weak publication record and area of research is not in the required field specified in the job ad;
  - Candidate does not have a post-doc;
  - Candidate has limited teaching experience in comparison with short-listed candidates;
  - Candidate lacks industry experience relevant to the position;
  - Candidate has not completed their PhD;
  - Candidate has limited teaching experience relevant to the position
5. Curricula vitae of all short-listed candidates and all candidates who self-identified as target group members
6. Whether the candidates are either Canadian Citizens or Permanent Residents of Canada. Please note that since the applications of candidates who are Canadian citizens and permanent residents of Canada must be considered first (Article 7.21(a)), departments must ensure that candidates are a Canadian Citizen or permanent resident. This can be done by sending applicants the following statement:

“If you are a Canadian citizen or permanent resident of Canada and have not indicated this in the submitted material, you should clarify your status, as soon as possible, so that we can appropriately process your application.”

### **The Joint Equity Committee's Review**

The Administrative Head sends the preliminary short-list with the curricula vitae of all short-listed candidates and all those candidates who self-identified as target group members to the Employment Equity Officer, who then makes this information available to the JEC (30.24). The completed Short-list review form must accompany the CV's and short-list for the JEC's review.

The JEC forwards its advice, if any, to the Administrative Head within five days of receiving the preliminary short-list. If the JEC does not provide advice within five days, the Search Committee proceeds to finalize the short-list (30.26).

### **The Final Short-list**

The Administrative Head forwards the advice (if any) from the JEC to the Search Committee and considers it when finalizing the short-list (30.26). The Search Committee shall make the final short-list known to the academic unit (7.21(c) and 13.24(c)).

## **5. APPOINTMENT OF CANADA RESEARCH CHAIRS**

Since 2006, the Canada Research Chairs Program has worked with Canadian Universities to ensure open and equitable recruitment practices in the appointment of Chair positions. Part of this process involves collecting information from the four targeted equity groups (women, Indigenous people, persons with disabilities and members of racialized groups). The CRC Secretariat monitors Memorial's success in achieving equity targets in its Chairs program. There is an expectation that we will undertake best efforts, in line with the MUN-MUNFA Collective Agreement, in the search for the best candidate.

The Joint Equity Committee supports efforts made towards establishing CRC equity targets and can assist hiring committees to develop strategies as a means to advance its equity targets for the representation of the four designated groups among Canada Research Chairholders. In addition to the requirements outlined in Article 30 Search Committees' responsible for CRC appointments shall also consider equity information available from the CRC Secretariat. As per a 2005 MOU, there is an exemption to the short list composition process. For CRC searches when there is one Canadian candidate shortlisted, one non-Canadian can be added to the shortlist and invited to an interview.

## **6. THE INTERVIEW**

Interviews are conducted with the Search Committee, and all academic staff members of the unit will be invited to meet with interviewees and provide advice to the committee (7.21(i) and 13.24 (e)). All questions should pertain to the requirements of the position, keeping in mind clauses 7.23 and 13.28. The search committee should develop a list of questions to be put to each candidate to ensure a common basis for evaluation. The same questions must be asked of each candidate to ensure consistency and fairness of evaluation.

All questions must be acceptable under the Newfoundland Human Rights Code. Questions must not be asked about any of the following:

- Race
- Colour
- Nationality
- Ethnic Origin
- Social Origin
- Religious Creed
- Religion
- Age
- Disability

- Disfigurement
- Sex (including pregnancy)
- Sexual Orientation
- Gender Identity
- Gender Expression
- Marital Status
- Family Status
- Source of Income
- Political Opinion

At the interview, the Administrative Head will present candidates with a copy of the collective agreement, a written statement notifying them of the need to determine eligible moving expenses, and the eligible years towards sabbatical leave, as well as a copy of the university policies and procedures regarding moving expenses (7.22 and 13.26).

All candidates should be notified that accommodations can be made available for the interview process. To ensure full participation a standard script such as the following could be emailed to all short-listed candidates:

“Memorial is committed to providing an inclusive learning and work environment. If there is anything we can do to ensure your full participation in the interview process please contact [equity@mun.ca](mailto:equity@mun.ca) directly and we will work with you to make appropriate arrangements.”

When conducting virtual interviews consider the following:

- Ensure candidates have access to the technology you will be using. Inform candidates in advance if there are specific features you are requiring for example- raising your hand or the chat feature on CISCO WEBEX. To avoid distractions ensure all search committee members are also familiar with the technology.
- Ask all candidates whether a transcriber or ASL interpreter is required for the interview process. If so, arrange a resource by contacting [hickeyt@mun.ca](mailto:hickeyt@mun.ca).
- Interruptions during the remote interviewing process should not be considered in the formal interview performance evaluation.
- Allow candidates the opportunity to log in, test equipment, and practice how the environment feels.
- Offer the candidate an opportunity to arrive prior to their interview time. Consider posting the interview questions in the chat function or via share screen.
- Let all candidates know who is measuring what and what questions each person is asking.
- To create an on-campus experience, provide a remote tour of the office space or share videos of their co-workers talking about their areas of expertise and work culture.
- Review content on unconscious bias and be aware of stereotypes you and your colleagues hold with respect to a candidate's biographical background.
- Consider privacy regulations in the remote interview process. If the virtual interviews are recorded, all applicants must be informed that they are being recorded and notified why they are being recorded.



- Have a plan in case of a disconnection or other interruption. Ensure the candidate's phone number is available and let all candidates know before the interview process how interruptions will be handled.

## 7. RECOMMENDING THE SUCCESSFUL CANDIDATE

### **Recommendation from the search committee**

In academic units where target groups are underrepresented, the Search Committee shall give preference in rank order to underrepresented target group candidates whenever the qualifications of target group and non-target group candidates on the short-list are substantially equal and meet the criteria established for the appointment in question (30.28).

### **Recommendation from the Administrative Head**

If there are members of the equity deserving group member on the short-list, the Administrative Head shall not lower their place in the order of preference of candidates recommended by the Search Committee unless, in his or her judgment, one or both of the following conditions apply (30.28 (a) and (b)):

- The qualifications of the candidates in question are not substantially equal;
- One or more of the candidates in question do not meet the appointment criteria.

Should the Administrative Head not accept the recommendation of a Search Committee, a written statement of reasons will be prepared and sent back to the Search Committee for further consideration (7.24 and 13.30(a)). The Administrative Head will forward the recommendation to their immediate administrative superior together with the report of the Search Committee and inform the Search Committee of the identity and academic rank of the candidate(s) recommended for appointment (7.25 and 13.30(b)).

If the Administrative Head's superior does not accept the first recommendation, it will be sent back, with a written statement of reasons, for further review in consultation with the search committee. The Administrative Head may reiterate their recommendation or put forward a new recommendation. The new recommendation must be a candidate recommended by the Search Committee (7.26 and 13.32).

In the case of Librarians, the recommendation of the Provost and Vice-President (Academic) shall be sent to the President. Upon request, the Provost and Vice-President (Academic) shall send a letter to any candidate who is an academic staff member stating whether the recommendation is positive or negative, and if negative stating the reasons (13.34).

## 8. NOTIFICATION OF APPOINTMENT

After an appointment has been made, the Provost and Vice-President (Academic) shall transmit to the Employment Equity Officer the name of the person appointed for record-keeping purposes.

## 9. COOPERATIVE AND FIELD EDUCATION – ARTICLE 31.25

Each applicant for a Cooperative or Field Education (ASM-CFE) position shall be sent a self-identification form as referenced in Article 30. Where target groups are under-represented within the Academic Unit and the qualifications of short-listed target group and non-target group candidates are substantially equal and meet the criteria established for the appointment in question, a candidate from a target group shall be recommended for appointment by the Dean. At the conclusion of the search, the Joint Equity Committee shall be invited to review all aspects of the hiring. No other provision of Article 30 shall apply to the hiring of an ASM-CFE.

## 10. DOCUMENTATION

It is essential to keep accurate and complete records of the recruitment and selection process as it assists the review and advisory process of the Joint Equity Committee. It also demonstrates that the hiring process is fair and unbiased. Accurate written records facilitate the compilation of data and report preparation, and avoid relying on memory in the event of an inquiry.

All documents (i.e. advertising and recruitment efforts, job postings, selection criteria, etc.) which pertain to hiring a non-Canadian citizen /Permanent resident of Canada must be retained for a period of six years from the date in which the employee is hired.

## 11. IMPLICIT BIAS

Research has shown that implicit bias can have adverse, unintended impacts on the overall success of individuals from designated groups in their careers. It is well documented that bias exists in the academic hiring and selection process; in addition building awareness of unconscious bias is an effective way to mitigate bias and its negative impacts.

Implicit Bias training is available through an online module created for the Canada Research Chair Program. This module is available here and is an open resource for any Search Committee:

Government of Canada, Bias in Peer Review:

<http://www.chairs-chaires.gc.ca/program-programme/equity-equite/bias/module-eng.aspx?pedisable=false>

Additional resources available here:

Project Implicit

<https://implicit.harvard.edu/implicit/>

Gender-related link and decoder:

<https://www.eremedia.com/ere/you-dont-know-it-but-women-see-gender-bias-in-your-job-postings/>

Gender Decoder: <http://gender-decoder.katmatfield.com/>

Orchestrating Impartiality:

<http://www.nber.org/papers/w5903.pdf>

Are Emily and Greg more employable than Lakisha and Jamal?

<http://www.nber.org/papers/w9873.pdf>

Mitigating bias in hiring:

[https://www.the-scientist.com/news-opinion/biased-evaluation-committees-promote-fewer-women-66355?utm\\_campaign=TS\\_DAILY%20NEWSLETTER\\_2019&utm\\_source=hs\\_email&utm\\_medium=email&utm\\_content=76115629&\\_hsenc=p2ANqtz-\\_n\\_QSPCila9MQRb4mt7cJvyhkLAHO3WYqP9yeRs2MeCHtXxlhnr4ns94UuDL9pQAb-aJaLa2eKK9\\_6\\_KAGichBMbnYjA&\\_hsmi=76115629](https://www.the-scientist.com/news-opinion/biased-evaluation-committees-promote-fewer-women-66355?utm_campaign=TS_DAILY%20NEWSLETTER_2019&utm_source=hs_email&utm_medium=email&utm_content=76115629&_hsenc=p2ANqtz-_n_QSPCila9MQRb4mt7cJvyhkLAHO3WYqP9yeRs2MeCHtXxlhnr4ns94UuDL9pQAb-aJaLa2eKK9_6_KAGichBMbnYjA&_hsmi=76115629)

How to recognize and address unconscious bias:

[https://link.springer.com/chapter/10.1007/978-1-4614-5693-3\\_49](https://link.springer.com/chapter/10.1007/978-1-4614-5693-3_49)