Draft Policy for Consultation

Equity, Diversity and Inclusion in Employment

Feedback can be sent to Policy@Mun.ca

Authority

Provost and Vice-President (Academic).

Purpose

To outline the University’s commitment to its core value of equity, diversity and inclusion in employment as articulated in Memorial’s Strategic Plan, “Transforming our Horizons” 2021-2026, with the objectives of:

- recognizing, preventing and eliminating disadvantage or discrimination; and
- creating and maintaining a culture that supports an inclusive and welcoming workplace.

Scope

Employment activities including but not limited to practices, actions and decisions with respect to prospective employees and employees of the University. For student employment refer to the Student Employment policy.

Definitions

Designated Group — Groups identified by the Canadian Employment Equity Act (S.C. 1995, c. 44) as facing barriers to inclusion and participation in the workforce. These include all equity-deserving groups of women, Indigenous peoples, persons with disabilities, members of racialized groups and people of any sexual orientation, gender identity, or gender expression.

Employment Equity — Involves a systematic effort to achieve fairness in employment. It is necessary to eliminate systemic discrimination through education and other means. No one should be denied access to employment opportunities for reasons unrelated to qualifications or job competencies, and all should have access to the fullest opportunities to develop individual potential. Differences between people must be respected in accordance with human rights legislation.
FCP — Federal Contractors Program. The Federal Contractors Program (FCP) ensures that contractors who do business with the Government of Canada seek to achieve and maintain a workforce that is representative of the Canadian workforce, including members of the four designated groups under the Employment Equity Act.

Prohibited Grounds — A human rights violation under Newfoundland and Labrador Human Rights Act, 2010 occurs when an individual is discriminated against because of one or a combination of the following prohibited grounds of discrimination (as amended from time to time): 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.* This provision does not prohibit the denial or refusal of accommodation, services, facilities or goods to a person who is less than 19 years of age where the denial or refusal is required or authorized by another Act. (ss.11(4), Human Rights Act, 2010)

** Source of Income means the receipt of income or employment support under the Income and Employment Support Act. (2(p)Human Rights Act, 2010)

Unit — Academic or administrative unit as defined in the University Calendar.

University — Memorial University of Newfoundland and Labrador.

Policy

1. GENERAL

1.1 The University strives to ensure its workforce complies with principles of Equity, Diversity and Inclusion (EDI), which enhances innovation and excellence in teaching and learning, research, scholarship, creative activity, service and public engagement.

1.2 The University's goal of a diversified workforce is achieved within a framework of inclusion and support of equity-deserving groups, fostering a culture of respect and accountability, creating a climate free of harassment and discriminatory barriers, and in recognition of the University’s Statement of Vision, Mission and Values.

1.3 In accordance with the Newfoundland and Labrador Human Rights Act, 2010, the FCP, and the Employment Equity Act (S.C. 1995, c. 44), the University identifies and removes barriers in order to create and maintain an inclusive and respectful environment for all employees. Individual qualifications are the prime criterion in decisions of hiring, promotion and other opportunities.
1.4 Through its commitment to its core value of equity, diversity and inclusion in employment, the University strives in its employment practices and programs to:

- ensure that individuals are treated fairly with respect to all aspects of employment, including recruitment and hiring, compensation, training and promotion, retention and accommodation;
- assess and improve the participation rate of members of diverse groups in all jobs and at all levels and achieve a diverse workforce.

2. LEGAL FRAMEWORK

This policy derives from a number of legal and regulatory documents:

2.1 The Newfoundland and Labrador Human Rights Act, 2010 which:

- is premised on the principle of equality of every person in dignity and rights;
- provides for equal rights and opportunities without discrimination; and,
- strives for a climate of understanding and mutual respect for the dignity and worth of each person.

The University prohibits discrimination on the Prohibited Grounds, as stated in the Newfoundland and Labrador Human Rights Act, 2010 (as expressed in subsections 9(3) and 9(4), and as amended from time to time). In addition, the University prohibits discrimination in employment as per subsection 14(1), as stated below and as amended from time to time:

Subsection 14(1): An employer, or a person acting on behalf of an employer, shall not refuse to employ or to continue to employ or otherwise discriminate against a person in regard to employment or a term or condition of employment on the basis of a prohibited ground of discrimination, or because of the conviction for an offence that is unrelated to the employment of the person.

2.2 The FCP as outlined in the Canadian Employment Equity Act (S.C. 1995, c. 44) has application for employment equity. The FCP applies to contractors who do business with the Government of Canada and who meet program inclusion requirements. Participating employers are required to implement an employment equity program, which furthers the goal of achieving and maintaining a workforce that is representative of the Canadian workforce, with workplace equity for Designated Groups in the Canadian labour market.

Memorial has identified the following as equity-deserving groups:

- Women
- People with a marginalized sexual orientation, gender identity or expression
• Indigenous people
• People with disabilities
• Members of racialized groups

3. RECRUITMENT AND SELECTION

3.1 The University is proactive in recruiting diverse and qualified applicants, using targeted recruitment techniques (i.e., cluster hiring, where appropriate). The University strives to ensure that targeted recruitment techniques, as appropriate, is afforded to those who seek employment with the University.

3.2 Where appropriate, advertisements for positions shall include a statement demonstrating the University’s commitment to equity and diversity.

   a) For positions covered by the *MUN-MUNFA Collective Agreement*, the text of the statement shall be that which is outlined in that collective agreement.

   b) For other positions, the text of the statement shall be determined, with appropriate consultation, by the Director of Human Resources or the Director of Faculty Relations, as applicable.

   c) Include an Indigenous land acknowledgment on job ads where appropriate.

3.3 Selection of candidates is on the basis of qualifications as per the requirements of the position and any collective agreements, policies and procedures. In accordance with the University’s *Workplace Accommodation* policy, candidates for employment will be accommodated, as appropriate, during the application and selection process.

3.4 The Search Process for academic positions, covered by the *MUN-MUNFA Collective Agreement*, requires all ASM appointments of one (1) year or longer to be reviewed by a Joint Equity Committee. Special Visiting Appointments (Clause 24.14) and Spousal Appointments (Clause 24.15) are exempt from the JEC process.

3.5 The search process for academic administrators will also be reviewed by the Joint Equity Committee. Refer to Procedures for Academic Administrator Searches. Link to Procedures: [https://www.mun.ca/vpacademic/PP_Academic_Appt.pdf](https://www.mun.ca/vpacademic/PP_Academic_Appt.pdf)

4. EMPLOYMENT PROCESS

4.1 The University is also committed to retaining qualified employees by:
implementing initiatives respecting equity, diversity and inclusion;
offering equitable access to opportunities;
supporting a favourable climate for inclusion so that employees may develop their potential; and
being accountable for achievement of common goals respecting equity, diversity, and inclusion.

In addition to articles in various collective agreements regarding non-discrimination, there are a number of University-wide policies which support this commitment. Refer to the “Related Policies” at the end of this policy.

4.2 The University participates in the Canada Research Chairs Program and observes and complies with the Equity Practices of that program. See: http://www.chairs-chaires.gc.ca/program-programme/equity-equite/index-eng.aspx.

4.3 An employment equity assessment is performed on each new or revised University-wide, non-academic policy, especially those that are developed or revised from legislative changes, before it is approved by the Policy sponsor for submission to Vice-Presidents Council, to determine whether there is an impact on employment, as it relates to equity.

5. EMPLOYMENT EQUITY AND DIVERSITY PLAN

5.1 A University Employment Equity and Diversity Plan (the Plan) will be developed, implemented and renewed every three (3) years. The Plan shall: include the requirement and mechanism(s) to collect and analyze workforce information; establish short- and long-term goals; define the steps necessary to make progress to achieve those goals; establish regular reporting and make recommendations to Vice-Presidents Council of progress toward achieving those goals.

5.2 Based on the Plan, each Unit is required to examine its situation and identify any barriers to diverse representation in the Unit; future staffing requirements; actions to eliminate any barriers; and other measures designed to increase equity and inclusion within the Unit’s workforce. Furthermore, academic units will incorporate EDI goals and objectives in annual Academic Complement Plans as part of the regular budget process. All unit heads are strongly encouraged to incorporate EDI goals and objectives in workforce planning.

5.3 The Plan shall be used in any compliance reviews required for the FCP.

6. CONFIDENTIALITY OF INFORMATION
6.1 The University collects and maintains information on its employees and applicants to positions for the purposes outlined in this policy and as required by the Government of Canada through the FCP.

6.2 All personal data shall be handled with confidentiality and in accordance with the Newfoundland and Labrador Access to Information and Protection of Privacy Act, 2015, other privacy legislation to which the University is subject, and University policies. All persons involved in any process related to this Policy are expected to maintain confidentiality.

6.3 When information is used to report on and release aggregate statistics on the University's workforce, individuals are not identified.

6.4 A breach of confidentiality by any person with respect to employment data may be subject to disciplinary sanction or other appropriate action.

6.5 Confidentiality may not apply to persons subject to extra-University judicial processes, or where disclosure is required or permitted by law, or where the well-being, safety and security of a person or persons is a concern.

7. SELF-IDENTIFICATION

7.1 To assist in determining the diversity of the University’s workforce, employees and prospective employees are asked to complete a survey for self-identification of certain attributes. Self-identification is voluntary, with exception for any targeted or cluster hires from the designated groups. Self-identification information is available only to those who need to know and electronic records are stored in accordance with the University’s Electronic Data Security policy.

7.2 Individuals are considered to belong to a certain group, only if they have self-identified as such. Individuals may identify as belonging to more than one group. Individuals have the right to review and update their self-identification information at any time.

7.3 The self-identification survey is provided to all new employees, employees who wish to update their information, and any employee upon request. In addition, opportunities to self-identify occur at the time of application, in the case of positions covered by the MUN-MUNFA Collective Agreement and Procedures Governing the Appointment, Review, Promotion and Tenure for Academic Administrators.

8. ROLES AND RESPONSIBILITIES

8.1 The Vice-Provost, Equity, Diversity and Inclusion is the senior University official responsible for employment equity diversity and inclusion. The Vice-Provost shall:
• provide leadership in the area of equity, diversity and inclusion (EDI);
• demonstrate commitment to equity, diversity and inclusion in employment;
• communicate this commitment to all levels of the University;
• when necessary, oversee compliance for legislative requirements;
• foster a culture of equity, diversity, and inclusion;
• create and lead a Rights, Equity and Inclusion (REI) office that will enable education about and implementation of relevant policies and guidelines; and
• work collaboratively to advance institutional equity, diversity, and inclusion goals and to foster diverse, inclusive and equitable learning and working environments, as well as a culture of respect, free from harassment, discrimination and violence.

8.2 Vice-Presidents Council responsibilities shall include, but are not limited to:

• promoting and supporting diversity, equity and inclusion in employment;
• reviewing and approving the University Employment Equity and Diversity Plan;
• receiving and reviewing status reports, at least annually, of progress against goals for the University Employment Equity and Diversity Plan;
• considering and deciding upon matters brought forward by its Employment Equity and Diversity Advisory Committee; and
• where necessary, ensuring the criteria of the FCP are implemented

8.3 Employment Equity and Diversity Advisory Committee (EEDAC) is a subcommittee of Vice-Presidents Council with the mandate and composition as outlined in its Terms of Reference, available here.

• EEDAC guides the development of the University Employment Diversity and Equity Plan;
• analyzes workforce data collected by Human Resources as related to employment equity when developing equity plans and determining areas of underrepresentation.
• assists in the review of all employment policies and procedures of the University;
• collaborates with other responsible areas in developing and implementing equity and diversity training; and
• promotes awareness and acceptance of equity, diversity and inclusion.

8.4 The Office of Rights, Equity and Inclusion (OREI) (Proposed Office) is responsible for the development, promotion, implementation, and coordination of employment diversity and equity in consultation with the Employment Equity and Diversity Advisory Committee (EEDAC), the Department of Human Resources and the Office of Faculty Relations, as appropriate. The OREI will report to the Vice-Provost, EDI.

8.5 The Department of Human Resources is responsible for:
• ensuring the ongoing collection, recording, maintenance and analysis of workforce data as related to employment equity;
• encouraging self-identification of current and new employees; and
• ensuring accuracy of employee occupational classifications for equity reporting.

8.6 The Joint Equity Committee (JEC) works with or serves on various University committees including the MUNFA-Administration Equity Committee (Joint Equity Committee) to fulfill its mandate as outlined in the MUN-MUNFA Collective Agreement. The JEC is responsible for:

(a) making recommendations concerning the realization of the University’s commitment to non-discrimination and equity in the hiring and the employment status of target-group members;

(b) providing assistance to the University Employment Equity Officer in implementing strategies; and

(c) assisting the University Employment Equity Officer on other relevant matters.

8.7 The Employment Equity Officer (as defined by the MUN-MUNFA CA) is responsible for:

(a) assisting the Joint Equity Committee in developing criteria for identifying such inequities as may exist with respect to the hiring and the employment status of members of target groups;

(b) promoting awareness of the University’s commitment to non-discrimination and to the promotion of equity in the employment status of ASMs from target groups;

(c) serving as a resource person to ASMs, academic administrators and the Joint Equity Committee;

(d) providing annual reports to the Provost & Vice-President (Academic) and the Association on:

(i) the total number of applicants and the number of self-identified applicants by target-group for each vacant ASM position for which a search has been conducted;

(ii) the composition by target-group of the ASMs in each Academic Unit, by rank and status of appointment;
(iii) the percentage of target-groups by discipline in graduate degree programmes in Canada if available;

(iv) the number of graduates as stated in Clause 30.16; and

(v) other matters deemed necessary to monitor the effectiveness of this Article.

Additionally, the EEO role is responsible for a variety of non-academic staff initiatives, such as education and training, policy reviews, onboarding etc. The EEO also serves as recording secretary to EEDAC.

8.6 Memorial Employees are responsible for upholding the University’s values as defined in its Strategic Plan and key frameworks as they relate to employment equity, diversity and inclusion, including a recognition of the importance of self-identification. Employees are also responsible for participating in educational opportunities provided by Memorial related to EDI and Indigenization.

Related Documents

Policies
Employment Equity at Memorial
Canadian Employment Equity Act
Newfoundland and Labrador Human Rights Act
Canadian Human Rights Act
Equity Practices of the Canada Research Chairs Program
Collective Agreements
Compensation
Employee Training and Development
Kullik Lighting and Smudging
Respectful Workplace
Sexual Harassment and Sexual Assault
Student Employment
Supporting and Accommodating Breastfeeding
Workplace Accommodation
Recruitment and Selection of Non-academic Employees

Plans
Memorial’s Strategic Plan 2021-26
Strategic Framework for Indigenization 2021-2026
Strategic Internationalization Plan (SIP)
Employment in Equity and Diversity Advisory Committee (EEDAC) Plan
Procedure

No procedures anticipated at this time

Contact

Provost and Vice-President (Academic)