



POLICY TITLE	Employment Equity
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DEPARTMENT	Corporate Services
POLICY AUTHOR	Human Resources
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APPROVED BY	City Manager/CLT
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POLICY STATEMENT

The City of Cambridge recognizes and appreciates how diversity and inclusion enhances our public value commitment: *Emphasizing the importance of sustainability, leadership, collaboration, transparency, and engagement as we deliver service excellence and promote pride of place.*

The City of Cambridge is committed to enhancing equity and inclusion efforts. This includes identifying and eliminating recruitment, selection, and employment barriers; alleviating past discrimination; preventing future barriers; and supporting Equity-Deserving Groups members' access and representation throughout all occupations and at all levels.

PURPOSE

This policy recognizes the dignity and worth of every person and provides for equal rights and opportunities without discrimination, with the aim of supporting and enabling full participation of every individual within the workplace. It provides clarity of the organizational commitment, intention, and application of Employment Equity.

This policy establishes a framework for which the City of Cambridge's employment equity program will be managed, implemented, and monitored.

This policy identifies the collection, analysis, and reporting of workforce data to track progress in achieving representation of the Equity-Deserving Groups.

This policy communicates the principles of equity and diversity in the workplace and identifies the roles and responsibilities connected to the equity program.

DEFINITIONS

Accommodation: any modification to the work or workplace that is made to remove barriers and address the needs of an employee based on the *Ontario Human Rights Code (OHRC)* protected grounds. The goal of accommodation is to enable an employee to perform the essential duties of their occupation and participate fully in all aspects of employment.

Barriers: include attitudes and designs that prevent employees from fully participating in employment and are typically grouped into three broad categories:

- physical e.g., building design.
- attitudinal e.g., stereotypes or prejudices; and/or,
- systemic barriers e.g., formal, or informal policies, practices, or rules which, when applied in the same way to everyone, may have the effect of excluding or restricting the participation of some individuals.

Designated Groups – groups of people who have historically faced, and continue to face, barriers in the labour market. The Employment Equity Act identifies these groups as:

- Women;
- First Nations, Métis, and Inuit Peoples;
- Persons with Disabilities [visible and invisible]; and,
- Visible Minorities.

Equity-deserving Groups – Communities that experience barriers to equal access, opportunities, and resources due to disadvantage and discrimination. This includes the four designated groups plus members of groups that commonly experience disadvantage and/or discrimination due to race, ancestry, colour, religion and/or spiritual beliefs, or place of origin; all Indigenous peoples; and, persons of marginalized sexual orientations, gender identities, and gender expression.

Duty to Accommodate is the obligation of an employer to take steps, up to the point of undue hardship, to eliminate the disadvantage caused by physical, attitudinal, or

systemic barriers that exclude individuals or groups protected under the OHRC from participating fully in all aspects of employment.

Employment Equity Achieving equality in the workplace so that no person shall be denied employment opportunities or benefits for reasons unrelated to ability and, in the fulfillment of that goal, to correct the conditions of disadvantaged in employment experienced by Women; First Nations, Métis and Inuit Peoples; Persons with Disabilities; and, Visible Minorities by giving effect to the principle that employment equity means more than treating persons in the same way but also requires special measures and the accommodations of differences. (*Employment Equity Act, 1995*)

Members of visible minorities – Persons, other than Indigenous peoples, who are non-Caucasian in race or non-white in colour. (*Employment Equity Act, 1995*)

Special Programs are programs that help disadvantaged groups improve their situation. It is not discrimination to put in place a ‘special program’ if it is designed to improve equality of opportunity and help eliminate discrimination for such groups. Special Programs are protected by the Ontario Human Rights Code and The Canadian Charter of Rights and Freedom.

Supervisor is a person who has charge of a workplace or authority over a worker.

For this policy, ‘Supervisor’ includes employees with the titles of Supervisor, Manager, Director, Deputy City Manager, City Manager or equivalent.

Undue Hardship refers to the legal limit of an employer’s duty to accommodate the needs of an employee who has proven that accommodation is needed based on a protected ground under the OHRC. The OHRC prescribes three considerations when assessing whether accommodation would cause undue hardship to an employer. However, it is not universally accepted that these are the only considerations, nor does the City find these considerations to be exhaustive. The three OHRC considerations are:

- cost i.e., whether the cost threatens the viability of the City of Cambridge.
- outside sources of funding i.e., whether the city can access special funding to alleviate the direct costs of an accommodation; and/or,
- health and safety requirements i.e., whether the accommodation would present a health and safety risk to the employee or others.

Workplace is any land, property, structures, facilities, premises, location, City vehicle and equipment owned, leased, operated, or otherwise controlled by the City or any other place at, upon, from or near which an employee works during his or her duties. This may

include social functions, training, and conferences, during travel, at restaurants, hotels or meeting facilities being used for business purposes, during telephone, email or other communications, and social media.

AUTHORITY

Employment Equity Act, 1995

SCOPE

This policy applies to all employees of the Corporation of the City of Cambridge. It does not apply to members of Council.

POLICY

Guiding Principles

- The City of Cambridge understands that the equity initiatives are ongoing, especially related to job equity. The City of Cambridge will continue to identify and eliminate barriers so that:
 - Employees and job applicants are treated equitably with respect to recruitment, retention, promotion, and advancement.
 - Appropriate accommodation of individual needs is taken.
 - Salary and wage scales are based on the value of the work performed
 - Employment barriers against persons in Equity-Deserving Groups that result from policies, practices, and systems are identified and eliminated, so long as they are not authorized by law.
- Employee hiring and promotion procedures will be reviewed and evaluated regularly to ensure that standards, tests, and other selection criteria do not limit opportunities to persons, on the grounds named in the Ontario Human Rights Code.
- Standard wording is to be used in recruitment advertisements and/or job postings (Appendix A)
- Applicants must meet the essential qualifications for the work to be performed. The Corporation will actively look for and encourage people of Equity-Deserving Groups, who are qualified, to compete for all vacant positions and training opportunities.
- Although committed to employment equity, the City of Cambridge is not bound to take a particular measure to implement employment equity when taking such a measure causes undue hardship to the employer.

Accommodations

- The City of Cambridge commits to providing accommodation, up to the point of undue hardship, during the recruitment process and throughout the employment relationship.

- Accommodation needs related to providing equitable access throughout the hiring and promotion process are to be made to a Human Resources representative. The request will be reviewed, and the Human Resources representative may require consultation with legal counsel and/or experts. The city recognizes the sensitive nature of accommodation requests and will keep all requests confidential, to the extent that it is able to do so. The city will only release as much information as is necessary to fulfill the obligation of the duty to accommodate up to the point of undue hardship. The applicant may have to supply verifiable documentation to support the accommodation request and to determine a reasonable and mutually acceptable accommodation plan. If mutual agreement is not achieved, please refer to the Supports section of this policy.
- Employees requiring Ontario Human Rights Accommodation are to refer to the Human Rights Accommodation Procedure.
- Accommodations related to a medical disability are to be directed to the Wellness, Health and Safety Team.

Data Collection, Reporting and Privacy

- Workforce data is gathered on a regular basis to understand the composition of our workforce, including the representation of Equity-Deserving Groups, and to foster Employment Equity, in keeping with the City's commitment to Employment Equity.
- The information gathered is collected and analyzed under the authority of the Employment Equity Act, 1995.
- The City of Cambridge will take steps to obtain and protect personal information and handle records per MFIPPA (Municipal Freedom of Information and Protection of Privacy Act).
- The City of Cambridge may publish statistics on the overall representation of Equity-Deserving Groups using anonymized data to produce aggregate reports.

Supports

- Any concern or question about the interpretation or application of this policy can be directed to a supervisor and/or Human Resources Services.
- Employees reporting an alleged violation of rights protected by the Ontario Human Rights Code, Accessibility for Ontarians with Disabilities Act, or Employment Equity legislation can bring their concerns forward through the Respect in the Workplace policy, their relevant Collective Agreement, Human Resources, or an external avenue for redress.
- External applicants reporting an alleged violation of rights protected by the Ontario Human Rights Code, Accessibility for Ontarians with Disabilities Act, or Employment Equity legislation can bring their concerns forward through the Director of Human Resources or an external avenue for redress.

Accountability

- The City Manager and Deputy City Managers are responsible for ensuring that employment policies, practices and procedures are consistent with the Employment Equity program, and for the overall achievement of Employment Equity in their respective departments.
- The Director of Human Resources is responsible for managing and monitoring the City of Cambridge's Employment Equity program and for ensuring compliance with legal requirements and will consult with Legal Services as appropriate.
- Human Resources will aid those responsible for making hiring decisions with the implementation of the Employment Equity program.
- Employees are responsible for following this policy and fostering and endorse attitudes and behaviours that advance employment equity.
- Hiring managers and those who have an impact on employment decisions are responsible for ensuring that the policy is consistently applied and communicated within the scope of their authority.
- Opportunities for Special Programs will be organized through Human Resources and Equity, Diversity, Inclusion, and Accessibility Services.

POLICY COMMUNICATION

This policy will be included on the Policy SharePoint page and will be distributed to all employees through the CambridgeU LMS.

The policy will be posted in the Careers section of our intranet site.

RELATED PROCEDURES

Human Rights Accommodation Procedure

RELATED DOCUMENTS/LEGISLATION

Employment Equity Act

Ontario Human Rights Code

Accessibility for Ontarians with Disabilities Act

Appendix A – Employment Equity Statement

The City of Cambridge recognizes and appreciates diversity and inclusion enhances our public value commitment.

We strive to create an accessible and inclusive experience and encourage all qualified people to apply, including and especially people from equity-deserving groups. Qualified



applicants will receive consideration for employment with honour and respect toward their individual dimensions of diversity.

We strive to remove barriers that may prevent qualified applicants from fully participating in the recruitment and selection process. Accommodation in accordance with the Ontario Human Rights Code and other applicable legislation is available throughout all stages of the recruitment and selection process. Contact HRServices@Cambridge.ca to make your needs known in advance.

For more information on our Employment Equity, please read our full policy.