

TOPIC EMPLOYMENT EQUITY IN STAFFING

POLICY Employment Equity is a factor in the staffing process when a designated group is under-represented in the level, class, series or occupation within the department and across government.

Questions and Answers

1. Why is Employment Equity a factor in selection?
2. When is Employment Equity a factor in selection?
3. When is a designated group no longer included in Employment Equity factor?
4. How is Employment Equity factored into the staffing process?
5. How is the Employment Equity criterion weighted?
6. How is Preference defined?
7. How is Designated defined?
8. How is under representation determined for the purpose of employment equity?

Authority

Affirmative Action Policy Cabinet Order, Government of Manitoba, 1983

The Manitoba Human Rights Code 9(1), 11, 14(1)

The Canadian Charter of Rights and Freedoms

The Civil Service Act 13 (2) (3)

The Civil Service Act Regulations 23

GEMA 7:01 (no discrimination); Memorandum #8, 2004, (Employment Equity)

Civil Service Commission Board. Minute CSC 14-96/97 & CSC 5-97/98-13

Cabinet Minute #16, of February 11, 2004

Civil Service Commission Board. Minute CSC 29-03/04-1

Civil Service Commission Board. Minute CSC 26-04/05-06

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Questions and Answers

1. Why is Employment Equity a factor in Selection?

Employment Equity has been established as an organizational need and therefore it is a factor in the staffing process.

2. When is Employment Equity a factor in selection?

Employment Equity is a factor in appointments to regular, departmental, term, casual and contract employment where there is under representation. Employment Equity is a factor in direct appointments as well as competitive appointments. Appointments from the Re-employment List are the only exception that may preclude the application of this policy.

3. When is a designated group no longer considered for Employment Equity?

A designated group is no longer considered for Employment Equity when government-wide and department-wide representation for that level, class, series or occupation has been attained. Women are included as a designated group wherever the position provides opportunity to acquire the skills necessary for advancement to management, professional or non-traditional occupations.

4. How is Employment Equity factored into the staffing process?

Employment Equity is factored into all steps of the staffing process:

In the Opportunity Analysis step, staffing submissions shall state how the staff year will be used to implement the Department's Diversity and Employment Equity Strategy. Selection criteria are free of systemic barriers. See Removing Employment Barriers 1.5.2. Preference or Designated for one or more equity groups is applied whenever possible. Employment Equity is named as a selection criterion. See also Selection Criteria Policy 2.1.1, Q7.

In the Recruitment step, employment advertising is barrier-free and states that Employment Equity is a factor in selection. Outreach recruitment is conducted to attract applications from designated groups. Applicants have several options for declaration. See also Barrier Free Advertising Guideline 2.2.3 and Outreach Recruitment Guideline 2.2.2.

In the Assessment step, a variety of assessment methods are used. See also Assessments Methods Policy 2.3.2. In rating of Employment Equity criterion, the “meets” value on the rating scale shall be given to a candidate from a designated group. A candidate who belongs to more than one designated group (for example, an Aboriginal woman with a disability) is not awarded additional consideration.

In the Selection step, Employment Equity is factored into the assessment of candidates before determining whether the candidates are equal or not equal. The candidate who best meets all the essential criteria, after Employment Equity has been factored into the rating of candidates, is offered the position.

5. How is the Employment Equity criterion weighted?

The Employment Equity selection criterion is weighted to make a difference. The weight should reflect the organization’s need for a diverse and representative workforce. Employment Equity is a bona fide organizational need and shall be weighted equal to the highest weighted essential criterion.

6. How is Preference defined?

Preference is a special measure that allows for the appointment of persons from one or more designated groups. Applying Preference means that if one or more candidates within a particular designated group meet all the essential criteria then the one with the highest ranking will be selected. If there is no candidate from that designated group who meets all the essential criteria then a non-designated candidate who meets all the essential criteria may be selected.

7. How is Designated defined?

Designating Employment Equity in a competition is a special measure where only designated employment equity members are eligible to apply. If there are no designated candidates who meets all the essential criteria, then the department would rebulletin or conduct further outreach.

8. How is under representation determined for the purpose of employment equity?

Under representation is determined by examining:

- Distribution in a classification across government
- Distribution in a series or occupation
- Inclusion of classifications that may impact access to higher classifications that are under represented (career pathing)
- Representation at all levels

COMMENT BOXES

Designated Group Defined in Employment Equity Policy 1.5
Declarations are accepted as accurate.

Factor Factor means an influence or circumstance which produces a result so as to make a difference. In the staffing process, in order for Employment Equity to be a factor that affects the selection decision, it must be one of the selection criterion.

Representation Representation is based on a government's workforce statistics. The goal is to achieve representation at all levels of the organization that reflects the population being served. To determine if representation has been achieved, the manager would examine whether representation is achieved in the department and

government-wide for that level, class, series or occupation.

Declaration

Declaration refers to the process where individuals identify themselves as belonging to one or more of the designated groups for Employment Equity. Candidates and current employees can self-declare in a number of ways:

- completing the Civil Service application form
- completing the declaration form
- declaring in their cover letter or resume
- responding to the selection board's questions related to the Employment Equity criterion followed by a written declaration
- letter of offer
- during the employee's orientation
- responding to a department-wide workforce survey
- sending a memo to Human Resources or Manager.