

Spotlight on Employment Equity

Harper government attacks workplace equality

In the span of only two weeks in July, the Harper government abolished the long form census and launched a full-scale attack on employment equity in the federal public sector.

Prompted by a complaint from a constituent of Citizenship and Immigration Minister Jason Kenney, Treasury Board President Stockwell Day ordered a review into federal hiring practices. In doing so, he promoted misconceptions and allowed outright lies about federal employment equity to go unaddressed.

Media commentators and human rights advocates agree that this attack was largely about optics. Both Kenney and Day are ignoring the facts about employment equity and refusing to address real concerns about lack of diversity in the federal public service.

“The Harper government is reinforcing the misconception that equal opportunity is threatened by employment equity measures,” said Patty Ducharme, National Executive Vice-President of PSAC. “In fact, employment equity continues to ensure that people are hired based on merit, while also seeking to ensure a more representative and diverse workforce.”

Both the *Employment Equity Act* and the *Public Service Employment Act* require all staffing to be done on the basis of merit. Employment equity recognizes that certain disadvantaged groups face barriers to employment, not because of their lack of merit, but because discrimination – whether intentional or not – continues to persist in society.

Shortly after the government’s announcement, PSAC President John Gordon sent a letter to Stockwell Day, expressing the union’s concerns with the government’s actions. He reminded Day that any review of employment equity policies and practices



Delegates at PSAC's Access conference in June.

must involve the unions representing federal public sector employees. Gordon also stated that the process should be open and transparent.

The call for a federal review of employment equity follows a Senate Committee on Human Rights report entitled *Reflecting the Changing Face of Canada: Employment Equity in the Federal Public Service*, which confirmed that the federal government has a long way to go before its workforce is representative of Canadian society.

In addition to calling on senior government officials to ensure meaningful consultation on employment equity, PSAC has endorsed an open letter to Prime Minister Stephen Harper that has been signed by many individuals and community organizations concerned about the recent attack on employment equity.

“The attack on employment equity is part of a disturbing trend,” said Gordon. “It follows other decisions that undermine human rights, including cuts to human rights organizations, Status of Women Canada and attacks on pay equity in the federal public sector.”

To sign the letter in support of employment equity, visit equityaction.ca.

Five things you should know about employment equity

1. Employment equity ensures equality in the workplace.

Everyone deserves a fair opportunity to apply for jobs and to advance their careers. Employment equity promotes equal opportunity for all, by ensuring that hiring, promotion, and other employment practices are free from biases, favouritism, and prejudice. All workers should be recognized for their skills and abilities. Employment equity helps make sure that there are job opportunities available to everyone – not just the people who look and think like the boss.

2. Employment equity helps make workplaces more representative of the people they serve.

As of last year, less than 10 per cent of federal public sector workers were racialized Canadians, compared to over 15 per cent of the overall workforce. It is projected that by 2017, one in five Canadians will be a member of a racialized community. If the federal government is going to best serve Canadians, its workforce needs to represent the population.

3. Employment equity addresses systemic disadvantages.

Discrimination is not always obvious and outright: sometimes it



A recent Senate committee report found that women are under represented in public service executive jobs.

is embedded in our systems, practices, and policies. It is often a natural inclination to befriend and to hire people who look and think like us. Employment equity offers a proactive way of addressing systemic discrimination in the workplace by recruiting people from communities who are traditionally underrepresented.

The “designated groups” under employment equity are: women, Aboriginal Peoples, racialized people, and people with disabilities. These are groups that have historically faced disadvantages, and who continue to face disproportionate levels of unemployment, underemployment and barriers to full participation in the workplace.

4. Employment equity does not involve hiring quotas.

Employment equity does not set hiring quotas. What it does do is require employers to analyze their workforce and to set their own

hiring goals based on the composition of their workplace in comparison with the general population. This allows them to put measures in place that will make their workforce more representative and equitable over time.

5. Employment equity helps create a more just society.

Employment equity is necessary if we are to achieve an equal society. We know that discrimination exists and that barriers continue for women, Aboriginal Peoples, racialized people, and people with disabilities. These barriers will not disappear without intervention.

To quote Justice Rosalie Abella, “If we do not act positively to remove barriers, we wait indefinitely for them to be removed. This would mean that we are prepared in the interim to tolerate prejudice and discrimination ... It is in the act of remedying the inequity that we show our commitment to equality.”

Senate report slams federal government for employment equity inaction

On June 15, 2010, the Senate Standing Committee on Human Rights released its second report on employment equity in the federal public service titled, *Reflecting the Changing Face of Canada*.

The report asks why the federal public service is still “not there” and calls for effective and immediate implementation of employment equity.

“The evidence is clear; the committee’s report is clear,” said John Gordon, PSAC National President. “There is no reason that employment equity cannot be a reality in the federal public service today.”

PSAC shares many of the committee’s concerns, having testified twice before the committee on the issue.

According to the report:

- The gap in representation of racialized people in the federal public sector is “widening” despite the fact that they are the most highly educated and are applying for public service jobs “at twice their availability in the Canadian workforce.”
- Women are still under-represented among the executive ranks and are more likely to work in temporary jobs.
- Aboriginal Peoples are not represented across the public service but are clustered in a few departments.
- People with disabilities are not being recruited into the public service at a rate that reflects their representation in the labour market.

The committee points to a number of reasons for these problems, including the over-use of casual and term jobs, the lack of recognition of foreign credentials and experience, and the government’s failure to hold managers to account when they don’t meet their employment equity obligations.



The committee’s report contained 13 recommendations to address the problem, including staffing strategies, better accountability measures and increased funding to “allow government departments and agencies to fulfill their [employment equity] objectives.”

PSAC is calling on the federal government to implement the Senate Committee’s recommendations without delay and has been pressing this point in meetings with the Treasury Board and the Public Service Commission.

Abella report still rings true

In 1984, Justice Rosalie Abella chaired a Royal Commission on Equality in Employment. After hearing from 1,000 Canadians about the challenges they faced in the workplace, she released a report coining the term “employment equity” and forming the basis of what would later become the *Employment Equity Act*.

More than 25 years after the release of the Abella report, her words still ring true and provide the most compelling argument in favour of employment equity:

Sometimes equality means treating people the same, despite their differences, and sometimes it means treating them as equals by accommodating their differences... Ignoring differences and refusing to accommodate them is a denial of equal access and opportunity. It is discrimination ...

It is not that individuals in the designated groups are inherently unable to achieve equality on their own, it is that the obstacles in their way are so formidable and self-perpetuating that they cannot be overcome without intervention.

Equality in employment will not happen unless we make it happen...

The economic advancement of women and minorities is not the granting of a privilege or advantage to them; it is the removal of a bias in favour of white males that has operated at the expense of other groups ...

Equality demands enforcement. It is not enough to be able to claim equal rights unless those rights are somehow enforceable.

What you can do to support employment equity:

- Ask your employer for a copy of your workplace's employment equity plan, and ask for information about what measures are being taken to ensure that equity is being addressed.
- Talk to your co-workers about the purpose of employment equity and why it is needed.
- Ask your union representative about what kind of consultation the employer is doing and whether or not there is a workplace employment equity committee. If you are a member of a designated group, ask how you can get involved
- Talk to family, friends and members of the community about why employment equity makes for fairer workplaces and a more just society.

Victory! PSAC campaign against cuts helps new Canadians

Thanks to push-back from PSAC members, immigration applications will continue to be processed in a timely manner, saving families months of delays and anxiety.

Citizenship and Immigration Canada (CIC) recently announced it will be hiring up to 160 term staff to address the centre's backlogs at CIC Sydney's Case Processing Centre, Permanent Resident Card Centre and the Federal Skilled Workers Project.

In the spring, Citizenship and

Immigration Canada said that it was terminating 147 term and casual employees at its application processing centre in Sydney, Nova Scotia.

This caused further delays in the processing of citizenship applications. Applicants to Canada's Foreign Skilled Workers program were already facing a seven year wait.

The combination of political action by PSAC members and a crushing workload at CIC Sydney

forced the government to change its plans. The 160 new term positions will contribute to cutting the wait times for new Canadians and improve their integration into Canadian society.

"People immigrating to Canada, new Canadian citizens and Canadian citizens in general should be entitled to prompt service from their government," said Jeannette Meunier-McKay, President of the Canadian Immigration and Employment Union (CEIU).

Processing applications for citizenship is a key public service provided by the members of the CEIU, a component of PSAC.

"This victory proves that political action makes a difference," said John Gordon, National President of PSAC. "We will continue to fight for permanent employment for workers at CIC, so they can continue to serve immigration applicants and all Canadians."



PSAC members in Sydney spent months fighting against job cuts at Citizenship and Immigration Canada.