

GUIDELINES

EMPLOYMENT EQUITY POLICY

January 21, 2008

The Government of Nova Scotia is committed to being a workforce that is free of discrimination, values diversity and is representative, at all job levels, of the designated groups: Aboriginal People, African Nova Scotians and Other Racially Visible Persons, Persons with Disabilities and Women in occupations or positions where they are under-represented.

The following guidelines will assist in the development of Employment Equity Plans and reports and provide direction for the implementation of Employment Equity initiatives.

A proactive and planned approach will contribute to the achievement of our Corporate goal to become an organization that is free of discrimination and values diversity. This commitment recognizes fairness and equity as cornerstones of human resource management in the public service. Fairness and equity help ensure that staffing decisions, access to training, and other opportunities are based on merit, and that no one is excluded for reasons unrelated to qualifications.

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1. EMPLOYMENT EQUITY PLANNING

POLICY DIRECTIVE: “Each Department shall develop a three-year Employment Equity Plan that will identify quantitative and qualitative equity goals and measures designed to both improve the representation of the designated groups and to build a corporate culture that values diversity, is inclusive and is culturally competent. These plans will be developed each year for the upcoming three-year period. The plans should include a reasonable timetable for achieving the stated goals.”

An Employment Equity Plan is the department's commitment to implement the Employment Equity Policy. It is a measurable action plan for achieving the department's employment equity goals. A measurable action plan provides focus and direction for achieving results with respect to the representation, distribution and retention of members of the designated groups.

The intent of the Employment Equity Plan is to guide a department in creating a more representative workforce, and in creating workplace conditions that welcome diversity.

Deputy Heads must ensure that an Employment Equity Plan is implemented and monitor the results of the Plan. Equity planning should be a part of all planning strategies, such as Departmental strategic planning, human resource, business and operational planning. Leadership must be taken by the Senior Management Team and delegated to a member of the team to ensure that planning, implementation, achievement and monitoring of goals is established.

Effort should be made for wide collaboration and communication throughout the department as the action steps are designed.

The Deputy Minister and the Departmental Senior Management Team should:

- authorize the strategy, including timing of its goal commitments and how progress will be monitored. its expectations of managers, the Employment Equity Coordinator and Human Resources in implementing the strategy.
- require reporting on a frequency that would allow for a fair assessment of the strategy's effectiveness and for adjustments.

The role of the Public Service Commission is to provide departments with advice, suggestions and feedback in the development of their Plans. The Commission also is required to report to government on the cumulative results of all departmental employment equity activity in an Annual Diversity and Employment Equity Progress Report that is tabled in the House of Assembly by the Minister of Human Resources.

An Employment Equity Plan should include, at least, the following:

- a workforce analysis;
- quantitative and qualitative goals;
- an action plan with timetables for implementing each activity;
- the Deputy Minister's authorization; and
- a report of the previous year's results.

A suggested Table of Contents is provided in Chapter 11.

QUALITATIVE GOALS: describe desired results that may not be quantifiable but which foster a work environment that values and manages diversity and equity.

QUANTITATIVE GOALS: are established voluntarily by departments to express their desired results in numbers or percentages. They are express benchmarks for the representation, distribution and retention of designated groups in a department's workforce. A department may also establish targets for designated group appointments. Departments' quantitative goals are self-managed, but should help to achieve the government-wide diversity objective to be a Public Service that is representative.

It is highly recommended that a Diversity/ Employment Equity Coordinator, supported by an Equity or Diversity Committee, be designated within each department or Agency. These individuals may have to be relieved of some other duties in order to carry out their functions for the development and monitoring of the Department's Employment Equity Plans. At a minimum, an individual should be assigned overall responsibility for the development and implementation of the department's Employment Equity Plan and Diversity Initiatives.

Following are some suggested roles or guidelines for the coordination of diversity or equity initiatives and a Diversity Committee.

1.1 Departmental Diversity/Employment Equity Coordination

Whoever the lead is who undertakes responsibility for the coordination of equity initiatives, should be an individual who has knowledge, interest, and commitment to diversity and employment equity, is familiar with the various aspects of human resource management activities, and who possesses the ability to integrate human resource problems and issues with broader departmental programs and plans. He/she must be able to adjust their ongoing work priorities and commitments to allow effective performance of this function. Ideally, the lead person should report directly to the Deputy Minister.

This direct reporting relationship will:

- demonstrate the department's commitment to diversity and employment equity;
- provide program visibility both within the department and within the larger community;

- reinforce and respect confidentiality considerations;
- support the lead's responsibility for the monitoring and auditing functions; and
- assist in resolving any conflicts, or perceived conflicts, which may arise with the operational human resource management system and the employment equity initiatives.

The specific responsibilities of the lead person could include:

a. Planning and Program Development

- developing an Employment Equity Plan for the department, in consultation and cooperation with a departmental Equity Committee, described below; and
- developing methods and procedures for arriving at numerical goals and qualitative goals.

b. Program Monitoring and Auditing

- maintaining a confidential employment equity database and developing relevant reports as required;
- reporting on diversity and employment equity initiatives and trends to the department;
- conducting employment systems reviews and other equity analyses in the department in order to identify and remove systemic barriers; and
- monitoring and making recommendations on human resource policies and programs in order to ensure that diversity and employment equity objectives are met.

c. Education

- advancing employment equity concepts in the workplace through education efforts;
- ensuring access to training on diversity and employment equity by managers and supervisors.

d. Communications

- developing an overall communications strategy and communications materials for diversity and employment equity within the department.

e. Provision of Advice and Consultation

- provide advice to senior managers on diversity and employment equity;
- provide advice to line managers on equity issues and their resolution; and
- provide advice to staff on diversity and employment equity issues.

1.2 Departmental Diversity Committee

Departmental Employment Equity Goals and Work Plans will be successfully achieved with meaningful input and involvement of employees from each sector of the department. It is best practice to identify and appoint an Equity or Diversity Committee composed of individuals representing management, bargaining unit employees, employees from various occupational categories, and designated group employees. The overall mandate is to assist in the development

and implementation of the department's Employment Equity Plan and program. Specific areas of involvement and responsibility include consultation on the following:

- education and training about diversity and employment equity and related matters;
- Workforce Analysis and interpretation;
- employment barriers analysis and identification of alternate measures and systems;
- Identification of the department's goals, milestones and timetables;
- Participation in implementing strategies to meet qualitative goals;
- Developing monitoring systems; and
- Preparing reports and recommendations for the Deputy Minister.

2. EMPLOYMENT SYSTEMS REVIEW (ESR)

POLICY DIRECTIVE: “Each department shall continually monitor their employment systems to identify and remove barriers to employment, retention and advancement for members of the designated groups.”

This is an Employment System Review (ESR).

An employment barrier is an employment Policy or practice that disproportionately excludes certain groups based on factors unrelated to the nature of work or merit. Employment barriers constitute systemic discrimination when they result in a disadvantage to an individual or group with characteristics protected by The Nova Scotia Human Rights Act. An employment barrier includes any act or omission that results in discrimination even when there is no intent to discriminate. Employment Barriers can occur in all human resource functions.

The ESR covers both formal and informal employment systems, and also includes attitudes and behaviors.

An ESR may result in findings that will inform the Departmental Employment Equity Plan to work towards the establishment of a more equitable workforce.

Procedures and processes to be reviewed include:

- **recruitment**
- **selection criteria/position specifications**
- **employee orientation**
- **assignment**
- **training**
- **compensation**
- **career development and mobility**
- **performance appraisal**
- **promotion and transfer**
- **layoff, recall and termination**
- **conditions of work**
- **implementation of support measure**

The following criteria are used to identify employment barriers:

Legality:	Does the practice or policy conform to human rights legislation?
Consistency:	Is the practice or policy applied in an equitable manner?
Adverse Impact:	Is there a policy or practice that applies to all employees but has a negative impact on one or more of the designated groups?
Validity:	Are processes such as hiring and performance evaluation objective, with meaningful questions and/or procedures that predict performance or evaluate candidates fairly?
Job Relatedness:	Is the practice based on bona fide occupational requirements?
Operational Necessity:	Is the practice necessary for the safe or efficient operation of the organization?

Managers should review the employment practices that are within their Authority to change by applying these criteria for identifying employment barriers. A manager's review of employment practices is situational and informal. Managers should also review the Corporate values of Respect, Integrity, diversity, Accountability and The Public Good, to determine if the work environment is hospitable to diversity and equity.

A department reviews its policies and practices for employment barriers by conducting an Employment Systems Review (ESR). An Employment Systems Review is a formal systematic review of the department's employment policies and practices. The effectiveness of an Employment Systems Review is further enhanced by linking it to the department's strategic goals and its commitment to continuous improvement. While the department determines the scope and priorities of its review, it is recommended that a department select one of the human resource functions for review each year.

An Employment Systems Review process should be open, inclusive and consultative. The process for an Employment Systems Review normally consists of the following steps:

- Deputy Minister appoints a Diversity committee comprised of departmental managers and employees including representatives of the designated groups;
- The Diversity Committee conducts a workforce analysis to identify areas for review;
- The Deputy Minister approves area(s) for review and communicates the purpose of the Employment Systems Review to employees and managers;
- The Diversity Committee applies the criteria for identifying barriers in a consistent manner to the area(s) for review;
- The Diversity/ESR Committee reports findings including recommendations and an action plan to the Deputy Minister and Senior Management Team;
- The Deputy Minister and Senior Management Team reviews the report and recommendations, and assigns responsibility for implementing the action plan; and

- The Diversity Committee communicates the results of the Employment Systems Review to all employees.

Review of employment systems may provide examples of systemic discrimination or disparate impact on one or more of the designated groups. Some examples are:

- Position descriptions which state higher qualifications than necessary for workers starting out in the job, or do not allow for alternative ways of doing the job; or overlook non-traditional ways of getting experience;
- Incomplete implementation of policies and procedures related to fairness in hiring guidelines;
- Recruitment and selection procedures that do not include active outreach
- Required level of physical ability may not conform to bona fide occupational requirements;
- Measures such as flexible working hours or modified work week may not be implemented as fully as possible;
- Analysis of expenditures for training may show lower per capita investment in designated group members; or
- Interview panels for employee selection may consistently lack participation by designated group members.

The identification of barriers is followed by planning steps for their removal, with designation of staff responsible. The removal of barriers, then, will constitute one part of the qualitative goals for the department or agency's Employment Equity Plan.

The Diversity Unit of the Public Service Commission will be a resource for departments in conducting ESR'S and is in the process of developing corresponding tools and training.

3. JOB POSTINGS

POLICY DIRECTIVE: "Each job posting shall contain a statement that promotes a culture that values diversity and a welcoming message to encourage applications from members of the designated groups."

The following is a recommended statement:

"Our goal is to be a diverse workforce that is representative, at all job levels, of the citizens we serve. The government of Nova Scotia has an Employment Equity Policy and we welcome applications from Aboriginal People, African Nova Scotians and Other Racially Visible Persons, Persons with Disabilities and Women in occupations or positions where they are under-represented. If you are a member of one of the equity groups you are encouraged to self-identify, on either your application form, your covering letter or your resume."

For other examples you can visit: www.gov.ns.ca/psc/diversity

In the case of designated positions the posting should explain that only those who have self identified on their cover letter, resume or application form will be considered for the position.

4. SELF IDENTIFICATION

A) Applicants

For the purposes of employment equity, applicants can self-identify as a member of a designated group in a number of ways:

- identification on the application form;
- identification in the covering letter;
- identification in a resume.

Self-identification is accepted as accurate, except in the case of unintentional misinterpretation by the candidate.

B) Employees

POLICY DIRECTIVE: “A Workforce Self-Identification Survey form shall be provided to new employees upon appointment.”

Workforce analysis data, initially collected in June 1993, and which has been updated annually, can provide a baseline measure of the number of designated group employees in each Department or Agency. If your Department has not been ensuring that all new employees receive an employee self-identification survey, then a first qualitative goal may be to survey your Department to gain more confidence in the baseline data. The Public Service Commission has the tools available for Departments to resurvey their employee population.

It is the responsibility of the Director of Human Resources to ensure that all new employees receive a self-identification survey form and that they are encouraged to fill out the form. All full or part-time casual or permanent employees, contract employees or statutory Departmental appointments should be given the survey upon their appointment.

Newly appointed employees and current employees can self-identify in a number of ways:

- by filling out the self-identification form they receive upon their appointment;
- by printing and completing the self-identification form which can be printed from www.gov.ns.ca/psc/workforcesurvey; or
- by completing the on-line survey at www.gov.ns.ca/psc/workforcesurvey.

5. DESIGNATED POSITIONS

Designated Positions are those positions which are limited to candidates from the designated groups under Employment Equity. Designating positions is one way to implement our employment equity goals to become more representative of the citizens of Nova Scotia.

According to the current Civil Service Master Agreement between the Province of Nova Scotia and the Nova Scotia Government and General Workers Union, the Union and the Employer may agree that job postings be restricted to Aboriginal Peoples, Racially Visible Persons, Persons with Disabilities, and Women and Men in non-traditional roles.

Designating positions can be done when the Department has established an employment equity goal or special measure in their employment equity plan, to improve the representation of designated group members; through succession planning, and through equity initiatives for example, where it is deemed more appropriate to have a designated group member work in a specific geographic area, or with a specific community (i.e., the African Nova Scotian or Aboriginal community).

The Nova Scotia Human Rights Act under Section 6(I) deems it not to be discriminatory to have special programs or activities that work to improve the conditions of groups of people who face disadvantage in areas covered by the act, which includes employment.

When the position matches an employment equity goal, and is a Bargaining Unit Restricted position, then permission from the Union is required prior to the posting of the position. For Non-Bargaining Unit positions, the Diversity Management Unit of the Public Service Commission should be informed.

All recruitment efforts, but in particular those for designated positions, should include strategies that reach out to community groups/agencies.

In all cases, if a position is designated then the job posting should indicate that only those applicants that have self identified in their cover letter, resume or application form that they are a member of the designated group will be considered for the position.

The Diversity Management Unit is available for assistance.

6. SELECTION PANELS

POLICY DIRECTIVE: “Departments should make every effort to have a member of a designated group on Selection Panels when a candidate has identified as a member of a designated group.”

- The panel member can be a current employee in the department or a person from another department. Departments can seek assistance from their Human Resources Consultant or the Diversity Management Unit to select a panel member from the designated groups.
- The Public Service Commission is in the process of establishing a diversity Selection Panel Pool. This Pool of members of the designated groups from across the Public Service will be trained on the recruitment and selection process and will be available to support Departments and Offices achieve diversity on their selection panels. For more information contact the diversity Unit at the Public Service Commission.

7. ACCOMMODATION

POLICY DIRECTIVE: “Departments shall provide reasonable accommodation to applicants, candidates and employees.”

Accommodation is an individualized process by which the employer removes barriers in the recruitment and selection process, as well as in the workplace.

REASONABLE ACCOMMODATION:

Human Rights legislation requires that employers have a duty to accommodate by providing reasonable accommodation to support the special needs of all employees, for example, improving accessibility to the workplace, religious observance, and alternative work arrangements. "Reasonable" imparts a duty to accommodate unless it would impose undue hardship on the employer.

UNDUE HARDSHIP:

Is determined on a case-by-case basis taking into consideration many factors which include, safety, financial cost, employee morale, operational requirements and the impact on collective agreement provisions. It is recognized that the use of the term "undue" implies that some hardship is acceptable.

Departments should consult Staff Relations when assessing whether the test of "undue hardship" has been met.

A. Selection Process

Accommodation in the selection process is meant to remove barriers that keep an applicant or candidate from fairly competing for an employment opportunity for which they are qualified. The requirement to provide accommodation in the selection process is based on the prohibited

grounds of discrimination under the Nova Scotia Human Rights Act. The following guidelines should be followed:

- all interviews should be held in accessible locations;
- all candidates identified for an interview should be asked if they need any accommodations when they are contacted for an interview;
- accommodations may, for example, include sign-Language Interpretation for candidates who are Deaf, provision of electronic copies of job-descriptions, modification of the day or time of the interview if religious observance, accessible transportation or child care are at issue, provision of interview questions in braille, large print or electronically if questions are provided to all candidates prior to the interview;
- candidates may not be asked during an interview whether they need any accommodations to fulfill the requirements of the position;
- inappropriate questions should not be asked during an interview, please refer to the Nova Scotia Human Rights Commission publication “For Employers: A guide for drafting job application forms and interview questions”
<http://www.gov.ns.ca/humanrights/publications/default.htm>
- accommodations can only be discussed in an interview if they are raised by the candidate;
- if testing is require candidates must be notified beforehand in case they need to bring a technical aid to fully participate in the testing;
- Upon offer of employment then the successful candidate can be asked whether they need any accommodations to fulfill the duties of the position.

B. On the Job

The duty to accommodate imposes a positive duty to accommodate the workplace to provide an employee protected under the Human Rights Act with an opportunity to perform a productive job. The duty to accommodate is to the “point of undue hardship”.

The process of accommodation is an individualized process. “Undue hardship” is a variable standard and must be approached on a case-by-case basis taking into consideration many factors including, health or safety risk, financial cost, size and resources of the Employer, employee morale, disruption to the workforce and impact on collective agreement provisions. It is recognized that the use of the term "undue" implies that some hardship is acceptable.

Departments should consult with their HR departments and PSC Staff Relations when assessing whether the test of "undue hardship" has been met.

Some examples of reasonable accommodation could include:

- provision of technical aids and accessibility to parking, buildings, offices, washrooms, etc. to accommodate persons with physical disabilities;
- provision of print materials in alternate formats to accommodate persons who are blind or vision impaired;
- changes to a work schedule to accommodate cultural or religious differences;
- modification or reassignment of duties.

In many cases, a manager in consultation with his/her employee and Human Resources will be in a position to develop and implement reasonable accommodations. In more complex cases, managers, line HR professionals, Occupational Health and Safety Consultants, PSC Staff Relations Consultants and the Union will be engaged in the process.

The following process should be followed when dealing with an issue of workplace accommodation:

1. Establish that a “Duty to Accommodate” Exists – The employee’s request for an accommodation must be based on a protected ground under human rights legislation.
2. Medical Assessment – As the majority of accommodation cases relate to physical or mental disability, the first step in dealing with an issue of accommodation is most usually a medical assessment. In some instances, an occupational or functional assessment should be completed. The medical information must be adequate to understand and facilitate the accommodation (for example, limitations, capabilities, prognosis, fitness to return to work, duration of any limitations or restrictions).

In cases where the disability and the accommodation is obvious (E.G. the employee is a wheelchair user and requires access or the employee is Deaf and requires an Interpreter) then a medical assessment will not be necessary. In these instances the individual, working with their Manager, Human Resource representative and the Diversity Unit of the Public Service Commission are in the best position to identify the appropriate accommodations.

3. The Employee’s Position – Based on the medical information, the Employer must consider whether the employee’s position can be modified/alterd to accommodate to the point of undue hardship the employee’s limitations or restrictions while enabling the employee to be productive in the workplace.
4. Departmental Options -- In the event the employee cannot be accommodated in his/her position without the Employer enduring undue hardship, the Employer must canvass other opportunities within the Department.
5. Options outside the Employee’s Department – In the event the employee cannot be accommodated within his/her Department, the Employer must consider opportunities across all government departments. The Public Service Commission will work with the employee and any other players to facilitate the accommodation.

The Public Service Commission administers the Diversity Accommodation Fund which Departments or Offices can access should there be a need to accommodate individual employees. Contact the Diversity Unit of the PSC’s Strategic Support Services Division or visit the PSC’s website for more information: www.gov.ns.ca/psc/diversity

8. SCREENING AND SELECTION

POLICY DIRECTIVE: "Selection shall be based on the principles of merit, fairness and equity."

Fairness, merit and equity are fundamental principles by which we build and sustain our Nova Scotia Public Service workforce.

The Civil Service Act states that (Section 14) "Appointments and promotions to fill vacancies in the Civil Service shall be based on merit principles and the Commission shall use selection processes designed to establish the merit of candidates." The Act further clarifies: (Section 19) "...the matters to be considered in determining merit may include education, skills, knowledge, experience, years of employment in the public service, personal attributes and any other matters deemed by the Commission necessary or desirable having regard to the nature of the duties to be performed."

In a merit-based public service, people including members of designated groups, are selected on the basis of their competence, through processes that are accessible, transparent and impartial. In essence, an offer of employment is made on the basis of merit when the candidate meets the qualifications of the position and the process used to determine merit was fair.

Equity speaks to the principle of "representedness". Our goal is to be a public service that is representative of the populations we serve, particularly by members of the designated groups (Aboriginal People, Persons with Disabilities, African Nova Scotians and Other Racially Visible Persons and Women in occupations or positions where they are under-represented).

Employment equity has two components:

- It concerns fair treatment and the removal of barriers, and
- It relates to the correction of past imbalances through the implementation of special measures to accelerate the achievement of a representative workforce.

The deputy head of a department may establish and apply any operational requirement or organizational need in order to find the ideal (qualified) candidate for the organization. This means that Departments can identify representedness or employment equity goals as an bona fide organizational need. When employment equity goals are established as an organizational need are a consideration in the selection process.

The key is that there is a link to the quantitative goals in the employment equity plan of the Department.

The following guidelines should be followed in the selection process:

1. **Non-Bargaining Unit Positions** - (or competitions where no qualified bargaining unit member has made application for a bargaining unit position)

a) Screening Applicants

In the process of screening applicants, employment equity is factored into the assessment process after other essential screening criteria have been met. Applicants who meet the required (essential) qualifications for a position and who have identified as a member of a designated group will be eligible for an interview or further testing in the selection process.

Example: A competition has 30 applicants. Screening has identified 10 applicants with the essential qualifications for the position. One of the qualified applicants has self-identified as a member of a designated group. The department is under-represented and has established goals to improve the representativeness of their department. The qualified designated group applicant is one of the applicants chosen for an interview.

b) Selection

When the top candidates scores are within 10 % and the Department is under-represented, the selection panel can recommend the candidate who self-identified as a member of a designated group.

Example: Five candidates have been interviewed for an “excluded” position. Two candidates have excelled in the determination of relative merit through the interview, testing and reference checking process. The second ranked candidate is a member of a designated group. The score difference is 2%. The department is under-represented and has established goals to improve the representation of designated groups. The position can be offered to the designated group candidate.

2. Bargaining Unit Positions

Section 15 of the Civil Service Act states, "Notwithstanding Section 14, appointments and promotions to fill vacancies in the Civil Service in positions that are covered by a collective agreement shall be made in accordance with the collective agreement."

a) Screening Applicants

When screening for bargaining unit positions, bargaining unit members are screened first, in order to determine if there are qualified bargaining unit applicants for the position. If it is determined that there are no qualified bargaining unit applicants then screening can proceed to consider non-bargaining unit applicants.

employment equity is factored into the assessment process after other essential screening criteria have been met. Applicants who meet the required (essential) qualifications for a position and who have identified as a member of a designated group will be eligible for an interview or further testing in the selection process.

Example: Twenty individuals have made application for a bargaining unit position. Of these, 10 of the applicants are members of the bargaining unit. Upon screening these 10 applicants it is determined that they all have the necessary qualifications for the position. One of the qualified bargaining unit applicants has self-identified as a member of a designated group. The department is under-represented and has established goals to improve the representativeness of their department. The qualified designated group applicant is one of the applicants chosen for an interview or further testing in the selection process.

b) Selection

If there is a 5%, spread or less between the top scores in a competition, length of service becomes the determining factor for identifying the top-ranked candidate. If length of service is equal, position should be awarded to a candidate who has self-identified as a member of a designated group. Anything over 5% but less than 10% in the top candidates scores, length of service and representation from designated groups should be taken into consideration.

Example: Five bargaining unit candidates have been interviewed for a position and two candidates have achieved acceptable ratings in the determination of relative merit through the interview, testing and reference checking process. The second-ranked candidate is a member of a designated group. The score difference between the top two candidates is 5%. The department is under-represented and has established goals to improve the representation of designated groups. The number one and number two-ranked candidates have equal length of service - the position can be offered to the designated group candidate.

9. EDUCATION

POLICY DIRECTIVE: “Each department shall ensure employees participate in mandatory Diversity and Employment Equity training.”

Managers and Supervisors are to ensure that all employees attend mandatory Diversity and Employment Equity training. New employees must attend the training as part of their orientation. It is recommended that employees upgrade their Diversity and Employment Equity training on a regular basis, and that they participate in the training every 3 to 5 years.

It is also recommended that employees take advantage of all training related to diversity and employment equity, offered in the Corporate Calendar (i.e., Aboriginal Perceptions, Diversity for Leaders).

10. COMMUNICATIONS

POLICY DIRECTIVE: “Each Department should develop and implement a communication plan to support their employment equity goals. The communication plan should include

communication of the Departmental employment equity goals and 3-year plans with staff of the Department and be posted on the Departmental website.”

Communication strategies include:

- information sessions for all employees to provide information about the Employment Equity program and to give opportunities to ask questions;
- information on how to address issues such as race relations, gender equity, workplace harassment, effective accommodation of the needs of persons with disabilities, and cross-cultural communication;
- information sessions for designated group members about the employment equity program and how the specific measures adopted can be used;
- internal consultation with designated group members on measures which will affect them.
- developing print materials, posters, brochures on the department’s commitment to equity or equity initiatives; and
- contributing articles or stories to departmental newsletters using technology such as e-mails to inform employees about equity initiatives.

Departmental profile information must be posted in compliance with the Workforce Profile Privacy Impact Guidelines (Chapter 13).

11. TEMPLATE FOR PROGRESS REPORTS AND EQUITY PLANS

POLICY DIRECTIVE: “Each Department shall submit an annual Employment Equity Progress Report to the Public Service Commissioner regarding their Employment Equity Plan.”

Deputy Ministers are responsible for developing and submitting a 3-year Employment Equity Plan and Progress Report to the Public Service Commission.

This Plan should provide in summary what the proposed quantitative and qualitative goals for the Department or Agency will be for the following 3-year period. It should contain more details on what initiatives are being planned that will lead to the achievement of employment equity goals. The report should also include a summary of what progress the Department has made over the past fiscal year.

The Plan and Progress Report should be accompanied by a letter of transmittal from the Deputy Head to the Commissioner of the Public Service Commission that endorses the Report and Plan.

The following template “Table of Contents” is recommended for consistency in reporting and to ensure that the information that is provided is easily analysed and summarized for annual business planning purposes and for inclusion in the annual Employment Equity Report (Moving Toward Equity) that is tabled in the House of Assembly each autumn by the Minister of Human Resources. If there have been any changes in the Departmental Equity Plan these should be highlighted.

1. Introduction and Statement of Commitment to Employment Equity

This section should state the Department's commitment to the objectives of the Employment Equity Policy and outline in general terms the overall approach the Department or Agency is taking, or plans to take, in this area.

2. *Organizational Profile (Workforce Analysis)*

This section should provide an overview of the Department's representation and a comparison to the labour force. This section is where the Departmental Workforce Analysis results should be summarized. It could also provide a general sense of issues and environmental factors that are having an impact on the organization: skill shortages, technological change, reorganization, etc.

3. *Quantitative and Qualitative Goals*

This section should provide in summary what the proposed quantitative and qualitative goals for the Department or Agency will be for the following 3-year period.

4. *Three-Year Employment Equity Plan*

This section should contain more details on what initiatives are being planned that will lead to the achievement of the above noted goals.

5. *Progress Report*

This section should provide information on the progress that has been made over the past 12 months. Reference should be made regarding how the profile of the Department has changed over this 12 month period in respect to designated group representation. It is this section that should be updated each year unless the 3-year Action Plan has been modified or the Department is at the end of this 3-year cycle and has developed a new Plan.

Also, the measures (qualitative goals) that the Department or Agency has successfully implemented, or designed for implementation, should be highlighted in this section.

12. *TEMPLATE FOR POSTING EQUITY PLANS ON DEPARTMENTAL WEBSITES*

The following template or Table of contents is recommended for posting Employment Equity Plans and Annual Progress Reports on Departmental Websites. Should your Department or Office wish to report your demographic profiles then adherence to the Privacy Impact Protocol is imperative (Chapter 13).

The following are suggested for Departmental Websites.

1. *Introduction and Statement of Commitment to Employment Equity*

This section should state the Department's commitment to the objectives of the Employment Equity Policy and outline in general terms the overall approach the Department or Agency is taking, or plans to take, in this area.

2. *Organizational Profile*

This section should give an overview of the occupations and skills that most appropriately suit the Departmental or organizational needs. It could also provide a general sense of issues and environmental factors that are having an impact on the organization such as skill shortages and technological change (for example).

3. *Quantitative and Qualitative Goals*

This section could provide in summary what the proposed quantitative and qualitative goals for the Department or Agency will be for the following 3-year period. For example a Department may report that it plans to improve the representation of the designated groups each year over the next three years and that it will support this objective by supporting a number of initiatives (and providing some high level examples).

4. *Progress Report*

This section could provide information on the progress that has been made over the past 12 months. This section should highlight areas where the Department of Office has initiated activities that support their diversity goals.

13. WORKFORCE PROFILE PRIVACY IMPACT PROTOCOL

Information gathered from workforce surveys is confidential.

As a public body, the Nova Scotia Public Service Commission is bound by the *Freedom of Information and Protection of Privacy Act* (“*FOIPOP Act*”) and its regulations as well as any other relevant legislation. The *FOIPOP Act* requires that when managing personal information, the Nova Scotia Public Service Commission has a responsibility:

- to be accountable to the public for the personal information it collects and manages;
- to protect the privacy of each individual whose personal information it holds;
- to use personal information effectively and responsibly to support our goal to become a diverse workforce and measure our progress; and
- to protect personal information by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure and disposal.

Request for Information Protocol

- All requests for information must be directed to the Diversity Management Consultant who will assess for privacy issues, in consultation with the FOIPOP Administrator for the Public Service Commission (when necessary), and the consultant will forward the request, if appropriate, to the Planning and Coordination Division, Information Management Section.
- The Planning and Coordination Division, Information Management, will provide responses to approved requests back to the Diversity Management consultant for a further disclosure evaluation and a decision to disclose/release the information.

Disclosure Protocol

- All information that is intended for internal or external disclosure/release must be approved by the Diversity Management Consultant prior to its release.
- Information will not be publicly released that could identify any individual who has self-identified as a member of a designated group.
- Any designated group with fewer than 5 respondents will not be publicly reported or will be reported in combination with other designated groups.
- Profile information from any department or office with fewer than 50 employees will only be publicly reported as a consolidation of the public service as a whole.