



# Equity Audit 2020

HWDSB

November 20, 2020



# Table of Contents

<b>EXECUTIVE SUMMARY</b> .....	<b>i</b>
<b>PART A: INTRODUCTION</b> .....	<b>1</b>
1. The Hamilton-Wentworth District School Board.....	1
2. Overview of an Equity Audit .....	1
2.1 The purpose of an Equity Audit .....	1
2.2 What are barriers? .....	1
2.3 The benefits of an Equity Audit .....	4
3. Methodology.....	6
3.1 Working Group .....	6
3.2 Equity Audit framework.....	6
3.3 The employment systems reviewed.....	7
3.4 Data collection methods.....	7
4. Limitations and Constraints .....	10
<b>PART B: THE CONTEXT</b> .....	<b>11</b>
5. The Demographic Context .....	11
5.1 Increased reliance on immigration for population and labour market growth .....	11
5.2 Increasingly diverse population.....	12
5.3 Growing racialized population (visible minorities).....	12
5.4 Growing Indigenous population .....	14
5.5 Growing population of persons with disabilities.....	15
5.6 Increased social acceptance of, and openness from, people who identify as Two-Spirit and LGBTQIA+ .....	16
6. The Organizational Context .....	17
6.1 The organization .....	17
6.2 Ontario's Education Equity Action Plan.....	17
6.3 Equity Action Plan .....	18
6.4 Staff census .....	18
<b>PART C: FINDINGS &amp; RECOMMENDATIONS</b> .....	<b>20</b>
7. Policy and Procedure Review .....	20
8. Recruitment and Selection Processes and Practices .....	37

8.1	Job postings .....	38
8.2	Advertising job openings .....	41
8.3	Accommodation during the hiring and selection process.....	43
8.4	Selection criteria .....	44
8.5	Pre-screening .....	45
8.6	Assessment of candidates .....	45
8.6.a	<i>Interviews</i> .....	47
8.6.b	<i>Interview questions</i> .....	48
8.6.c	<i>Testing</i> .....	49
8.7	Background checks .....	51
8.8	Competition files.....	51
9.	Vice-Principal and Principal Promotion Process.....	52
10.	Employee Perspectives .....	57
10.1	Perceptions of the hiring and selection process .....	57
10.2	Perceptions of opportunities for advancement.....	65
10.3	Working conditions .....	69
10.3.a	<i>Accessibility and accommodation for persons with disabilities</i> .....	70
10.3.b	<i>Religious accommodation</i> .....	75
10.3.c	<i>Work/life balance and accommodation of family responsibilities</i> .....	77
10.4	Respectful work environment.....	81
10.5	Attitudes and corporate culture.....	102
10.6	Equity infrastructure .....	112
<b>PART D: CONCLUSIONS AND NEXT STEPS .....</b>		<b>114</b>

# EXECUTIVE SUMMARY

The Hamilton-Wentworth District School Board (HWDSB, the Board) employs over 7,000 employees who directly or indirectly support the education of close to 50,000 students in 84 elementary schools and 13 secondary schools.<sup>1</sup> HWDSB schools are located in urban, suburban and rural communities and serve students of all abilities that represent diverse racial, ethnic, and religious groups as well as diverse sexual and gender identities.

There are 11 bargaining units and associations that represent both academic and business employees. The majority of HWDSB employees are represented by a union or an association. Each collective agreement sets out hiring procedures for that particular group of employees. The organization uses a combination of centralized and decentralized hiring. In some cases, hiring is centralized (e.g., the hiring of occasional teachers), while in other cases hiring is decentralized and conducted by managers and school administrators (e.g., the hiring of permanent teachers).

In 2018, the Board launched its 3-year Equity Action Plan<sup>2</sup> with the goal of intentionally embedding the core principles of human rights and equity at the system, school, and classroom levels. The plan aligns with the Government of Ontario's Equity Action Plan, using the same four priority areas, and identifies the expected outcomes as follows:

- Identify and eliminate biases, systemic barriers, and discriminatory practices
- Support positive learning and workplace environments where all students and employees are safe, supported, and accepted
- Ensure inclusive community partnerships and engagement, and
- Ensure accountability regarding the Board's commitment to equity and communicating results to the public.

Turner Consulting Group Inc. was contracted in May 2019 by the HWDSB to conduct this Equity Audit. This work was delayed twice, the first time as a result of job action and the second time as a result of the global COVID-19 pandemic.

The Equity Audit will help drive the HWDSB's improvement of its human resources practices and its working environment to create a more diverse workforce, equitable policies and practices, and an inclusive workplace for all employees.

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<sup>1</sup> <https://www.hwdsb.on.ca/about/>

<sup>2</sup> [https://www.hwdsb.on.ca/wp-content/uploads/2019/08/Equity-Action-Plan\\_SinglePage\\_Web.pdf](https://www.hwdsb.on.ca/wp-content/uploads/2019/08/Equity-Action-Plan_SinglePage_Web.pdf)

## **An Inclusive Organization**

The ultimate goal of this work is to create an inclusive organization. An inclusive organization is one that not only strives for diverse representation among its employees but also one that embraces, values, and capitalizes on this rich diversity as a source of strength, innovation, and creativity. It is a place where everyone feels comfortable — free from discrimination and harassment — and where each person is supported to achieve and contribute their best. Given the increasing diversity of the province’s labour market, inclusive work environments have also become a business imperative. Creating an inclusive organization is no longer the “nice” thing to do but rather the smart thing to do in order to attract, retain, and benefit from the best talent offered by the rich diversity of the province’s workforce.

An inclusive organization does not come about by chance — even in a country that welcomes and champions diversity. Instead, it requires the intentional and persistent effort of an organization. The journey to becoming an inclusive organization must be deliberately begun, boldly led, and constantly nurtured. It requires time, energy, commitment, tenacity, and the allocation of appropriate financial and human resources. It requires that the approach to building inclusivity be customized for the organization, with the understanding that this is an ongoing organizational journey and not a one-time initiative.

The HWDSB serves a growing and increasingly diverse population of almost 750,000 residents. As a public school board in Ontario that educates the leaders of tomorrow, it is critical that the Board is responsive to its increasingly diverse school communities and ensures that students see themselves reflected at the front of the classroom and as leaders within the Board itself. As a public institution, the HWDSB also has the moral and legal duty to ensure that its hiring practices are non-discriminatory and that its workplaces are inclusive of the rich diversity of Hamilton’s community.

## **Methodology for the Equity Audit**

This report is the product of the consulting team’s review and analysis of the Board’s employment policies and practices as well as employee perceptions and experiences. This Equity Audit aims to identify and make recommendations for the elimination of systemic, cultural, and attitudinal barriers to a diverse workforce, equitable employment policies and practices, and an inclusive workplace.

While the consulting team was open to exploring any issue of equity that arose in the course of the Equity Audit, the research inquiry was focused on issues affecting the groups that have been identified as experiencing persistent and systemic discrimination in the labour market, namely Indigenous peoples, racialized people (visible minorities), persons with disabilities, women, and those who identify as Two-Spirit and LGBTQIA+ (referred to as “Indigenous

peoples and the equity-seeking groups” in this report).<sup>3</sup> While the report focuses on these groups, it is important to note that the removal of barriers to the hiring, advancement, and full inclusion of these groups also benefits all employees and offers advantages to the organization as a whole through improved productivity, effectiveness, and responsiveness to the community served.

The Equity Audit blends both qualitative and quantitative data collected through the following methods:

- Review of employment policies, written procedures, and related documents
- Review of 27 files for competitions conducted between 2017 and 2019 to assess how policies are implemented and to identify informal practices
- 21 focus groups in which 76 employees participated
- An online Workplace Equity and Inclusion Survey that was distributed to all employees via email, in which 1,197 employees participated
- One-on-one interviews with 13 senior leaders, 8 school administrators, 8 union representatives, and 8 additional employees
- 9 meetings held with staffing officers and coordinators to discuss the hiring process and the policies and practices that guide hiring, and
- Meetings with the Principals Advisory Council and the Managers Advisory Council.

In total, about 1,339 employees participated in these consultations, representing close to 20% of the HWDSB workforce.

While we have conducted a fairly thorough review of the HWDSB’s employment systems for both academic and business employees, this review does not purport to be a comprehensive assessment of all the practices used by the hundreds of school administrators and managers responsible for hiring and managing employees throughout the Board’s hundreds of worksites. Instead, this Equity Audit provides a high-level perspective of the policies, practices, and organizational culture and their impact on employees.

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<sup>3</sup> See *Equality in Employment: A Royal Commission Report* by Judge Rosalie Abella. Released in 1984, this landmark report recommended enactment of employment equity as a government intervention to address the magnitude of systemic discrimination faced by Indigenous peoples, racialized people, persons with disabilities, and women.

## **The Journey Ahead: Key Priority Areas**

In response to the issues and gaps identified through this review, recommendations are made throughout the report that fall into four key priority areas.

### **Priority 1: Diversify the workforce at all levels**

By all accounts, Indigenous and racialized people are underrepresented within the organization. As such, it is critical that the HWDSB work to close this gap.

In order to advance efforts to diversify the workforce, those involved in the hiring process must be supported to recognize and mitigate their unconscious biases and understand the value that diversity brings to the workplace. They must also be provided with the tools, resources, and policies to ensure that hiring is not based on who you know, but what you know.

### **Priority 2: Create a more inclusive and welcoming work environment**

While persons with disabilities, women, and those who identify as Two-Spirit and LGBTQIA+ may be better represented within the HWDSB workforce compared with their representation in the external labour market, HWDSB work sites are not always safe and welcoming environments. As such, the HWDSB must also focus its attention on fostering a more inclusive organizational culture in which employees from diverse communities, backgrounds, and identities feel welcome, safe, and able to contribute their best. This effort needs to be championed and modelled by the Board's senior leaders and supported by mandatory training as well as strong anti-harassment and accommodation policies and processes.

### **Priority 3: Create more equitable policies and practices**

Create equitable employment policies and processes that support the hiring, advancement, and full inclusion of a qualified and diverse workforce. This is particularly important as the provincial government moves to repeal Regulation 274. Without strong policies and appropriate resources in place, the HWDSB will not be able to capitalize on opportunities to diversify its workforce and address issues when they do arise.

### **Priority 4: Strengthen the organization's equity infrastructure**

In order to fully operationalize its equity commitment, the HWDSB needs to create the infrastructure that will embed equity within the Board's employment policies and practices, sustain ongoing training and educational opportunities, and respond appropriately when issues arise. This investment will also help to increase momentum and support all employees to embed workplace equity, diversity, and inclusion in their day-to-day work, preventing employees from seeing it as an add-on to their core business. Creating this infrastructure will allow the Board to ensure the sustainability of this work and create long-lasting change.

# PART A: INTRODUCTION

## 1. The Hamilton-Wentworth District School Board

In 2018, the Hamilton-Wentworth District School Board (HWDSB, the Board) launched its 3-year Equity Action Plan<sup>4</sup> with the goal of intentionally embedding the core principles of human rights and equity at the system, school, and classroom levels. The plan aligns with Ontario's Equity Action Plan and identifies an Equity Audit as an action to assess current hiring, promotion, and mentorship practices in order to identify gaps.

## 2. Overview of an Equity Audit

### 2.1 The purpose of an Equity Audit

An Equity Audit is a comprehensive review of written and unwritten, formal and informal employment policies, practices, and procedures that identifies and makes recommendations for the removal of systemic/institutional, cultural, and attitudinal barriers to equitable policies and practices, a diverse workforce, and an inclusive work environment. An Equity Audit provides an organization with information on what is working well and what requires improvement so that it can build on its strengths and remove the identified barriers.

### 2.2 What are barriers?

Barriers are formal or informal policies, practices, and procedures that operate either by themselves or together to restrict or exclude groups of employees from entry into, advancement in, and full participation within an organization. Although any employee can face barriers in the organization for a variety of reasons, certain groups (i.e., women, racialized people,<sup>5</sup> Indigenous peoples, and persons with disabilities) have faced persistent and systemic barriers to gaining employment commensurate with their education, skills, and experience, as well as advancement and full inclusion in the workplace.<sup>6</sup> As such, these groups have been identified as the focus of the federal *Employment Equity Act*. In addition, the HWDSB has also included those who identify as Two-Spirit and LGBTQIA+<sup>7</sup> as part of this Equity Audit because of

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<sup>4</sup> [https://www.hwdsb.on.ca/wp-content/uploads/2019/08/Equity-Action-Plan\\_SinglePage\\_Web.pdf](https://www.hwdsb.on.ca/wp-content/uploads/2019/08/Equity-Action-Plan_SinglePage_Web.pdf)

<sup>5</sup> The term “racialized” is used throughout this report to replace the term “visible minority” used by Statistics Canada. This definition includes those who self-identify as South Asian, Chinese, Black, Filipino, Latin American, Arab, Southeast Asian, West Asian, Korean, Japanese, mixed race, and others who identify as non-White and non-Indigenous.

<sup>6</sup> See *Equality in Employment: A Royal Commission Report* by Judge Rosalie Abella. Released in 1984, this landmark report recommended enactment of employment equity as a government intervention to address the magnitude of systemic discrimination faced by Indigenous peoples, racialized people, persons with disabilities, and women.

<sup>7</sup> This is a shortened acronym that incorporates both sexual orientation and gender identity and is meant to refer to the entire lesbian, gay, bisexual, trans, queer, questioning, intersex, pansexual, and asexual communities and their allies, otherwise referred to as LGBTQQIP2SAA.



evidence that this group also faces discrimination in the labour market and harassment on the job.<sup>8</sup> Recognizing that Indigenous peoples are not just another equity-seeking group, we refer to these five groups as “Indigenous peoples and equity-seeking groups” throughout this report.

While the focus is on these five groups, issues that affect other groups — newcomers, those from non-Christian faith systems, and those from lower socio-economic backgrounds — will be noted where issues have been identified. Furthermore, while the focus is on these equity-seeking groups, it is important to note that the removal of employment barriers benefits all employees and offers advantages to the organization as a whole through improved productivity, effectiveness, responsiveness to the community served, and outcomes for all students.

Barriers fall into three categories: systemic/institutional, cultural, and attitudinal. These barriers are interrelated and reinforce each other.

### ***Systemic/institutional barriers***

Systemic barriers are embedded in the policies and practices of an organization. They arise from the use of criteria that are not job-related or are not required for the safe and efficient operation of the organization. Systemic barriers might have evolved from historical practices (i.e., the way the organization has always done things) that possibly exclude Indigenous peoples and members of the equity-seeking groups or place them at a disadvantage in the workforce. On the surface, the policies and practices may appear to be neutral or even reasonable. They may also result from unconscious biases on the part of decision makers. They may, however, have a negative impact on members of certain groups.

Examples of systemic barriers that Indigenous peoples and the equity-seeking groups face in the labour market include:

- Staffing through personal networks, which could prevent individuals outside these networks from hearing about, applying for, and demonstrating their competency for certain jobs, and
- Informal mentoring and networking that support the advancement of some groups and disadvantage Indigenous employees and employees from the equity-seeking groups.

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<sup>8</sup> See for example:

The Canadian Press. (2014, September 1). Transgender unemployment is a result of discrimination, advocate says. CBC News. Retrieved from <http://www.cbc.ca/news/canada/toronto/transgender-unemployment-is-a-result-of-discrimination-advocate-says-1.2752459>

Serebrin, J. (2018, May 15). Survey reveals Canada still has a ways to go on workplace discrimination. *The Globe and Mail*. Retrieved from <https://www.theglobeandmail.com/report-on-business/careers/the-future-of-work/survey-reveals-canada-still-has-a-ways-to-go-on-workplace-discrimination/article27006279/>

### ***Cultural barriers***

Barriers can also be created by an organizational culture that isolates and alienates Indigenous peoples and members of the equity-seeking groups, sometimes unknowingly, and one in which stereotypes and preconceived notions about these groups persist and inform decision making. The impact can reinforce the underrepresentation of these groups in the organization, thereby reinforcing the pre-existing biases about these groups.

Cultural barriers can also be systemic in that they may be embedded in the informal practices of the organization. In addition, cultural barriers can influence and be influenced by the individual attitudes of employees and leaders within the organization.

Examples of cultural barriers that Indigenous peoples and the equity-seeking groups face in the labour market include:

- A work environment that excludes or undermines the success of Indigenous peoples and members of the equity-seeking groups in various ways, such as isolating them, withholding critical information, or creating an unwelcoming work environment
- Assumptions that permeate the organization about what certain groups of people can and cannot do and which occupations they are suited for, and
- A “macho” work culture that excludes women from male-dominated occupations or positions of leadership.<sup>9</sup>

### ***Attitudinal barriers***

Attitudinal barriers result from the attitudes and behaviours of individuals. They can arise from unconscious biases, inaccurate assumptions and stereotypes, as well as an individual’s actual intent to be discriminatory.

Examples of attitudinal barriers that Indigenous peoples and the equity-seeking groups face in the labour market include:

- Not hiring a young person for a job because the manager thinks they may get pregnant and go on maternity leave shortly after being hired<sup>10</sup>

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<sup>9</sup> See for example:

Spector, B. (2017, June 5). *Why macho culture is bad for business*. PBS News. Retrieved from <https://www.pbs.org/newshour/economy/column-macho-culture-bad-business>

Wilkie, D. (2015, September 16). *Tackling a ‘macho’ mentality at work*. Society for Human Resource Management. Retrieved from <https://www.shrm.org/ResourcesAndTools/hr-topics/behavioral-competencies/global-and-cultural-effectiveness/Pages/macho-workplaces.aspx>

<sup>10</sup> See for example: Press Association. (2014, August 12). 40% of managers avoid hiring younger women to get around maternity leave. *The Guardian*. Retrieved from <https://www.theguardian.com/money/2014/aug/12/managers-avoid-hiring-younger-women-maternity-leave>

- Removing resumes or applications from individuals with “ethnic” or Indigenous-sounding names because of stereotypes about these groups,<sup>11</sup> and
- Not hiring a candidate with a disability because of discomfort interacting with persons with disabilities or assumptions that accommodation may be too costly.<sup>12</sup>

Cultural and attitudinal barriers are not found in the written policies or procedures of the organization, and in fact may not be consistent with the organization’s stated policies.

### 2.3 The benefits of an Equity Audit

The argument for workplace equity, diversity, and inclusion has gone beyond the moral argument that “it is the right thing to do.” There is a growing body of literature that makes a compelling business case for ensuring and supporting a diverse workforce and inclusive work environment. The literature identifies a number of benefits, including:

**Increased student success and well-being.**<sup>13</sup> A diverse workforce helps the HWDSB understand and respond to the needs of an increasingly diverse student population in three areas:

- At the *strategy level*, where strategic decisions about policies are made
- At the *design level*, where decisions about practices, curriculum, and instructional practice are made, and
- At the *service level*, which is the point of contact between the HWDSB and students, their parents, and the community.

In addition, the research shows that student success and outcomes such as well-being, test scores, attendance, and suspension rates are improved when students see themselves reflected

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<sup>11</sup> See for example: Oreopoulos, P., & Dechief, D. (2012, February). *Why do some employers prefer to interview Matthew, but not Samir? New evidence from Toronto, Montreal, and Vancouver*. Canadian Labour Market and Skills Researcher Network. Working Paper No. 95. Retrieved from [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2018047](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2018047)

<sup>12</sup> See for example: Kaye, H., Jones, E., & Jans, L. (2010). Why employers don’t hire people with disabilities: Research findings and policy implications. *Disability and Health Journal*, 3(2). <https://doi.org/10.1016/j.dhjo.2009.08.086>

<sup>13</sup> See for example:

Cherng, H. S., & Halpin, P. F. (2016). The importance of minority teachers: Student perceptions of minority versus white teachers. *Educational Researcher*, 45(7), 407–420. <https://doi.org/10.3102%2F0013189X16671718>

Gershenson, S., Hart, C. M. D., Lindsay, C. A., & Papageorge, N. W. (2017, March). *The long-run impact of same-race teachers*. IZA Institute of Labor Economics. Retrieved from <https://www.iza.org/publications/dp/10630/the-long-run-impacts-of-same-race-teachers>

Stuart Wells, A., Fox, L., & Cordova-Cobo, D. (2016, February 9). *How racially diverse schools and classrooms can benefit all students*. The Century Foundation. Retrieved from <https://tcf.org/content/report/how-racially-diverse-schools-and-classrooms-can-benefit-all-students/>

in their school materials and their school environments and as school boards develop more inclusive and responsive policies, programs, and practices.

**Strengthened confidence in public education.** Board employees that reflect, understand, and are responsive to the needs of students, their parents, and the community also help to improve public confidence in publicly funded education. As noted in Ontario's Equity and Inclusive Education Strategy, an equitable, inclusive education system is fundamental to achieving the priorities of high levels of student achievement, reducing gaps in student achievement, and increasing public confidence in publicly funded education.<sup>14</sup> Further, an equitable and inclusive education system is recognized internationally as critical to delivering a high-quality education for all learners.<sup>15</sup>

**Strengthened employee relations and confidence in the HWDSB as an employer of choice.** Formalized non-discriminatory and inclusive human resources policies and practices, increased transparency, and consistency of human resources practices also strengthen employee's confidence that they are being treated in a fair and equitable manner. These practices, along with a welcoming and inclusive work environment, help to improve employee morale and loyalty and reduce complaints, grievances, and turnover.

**Improved image of the HWDSB as an employer of choice.** Employers that are known to have a commitment to diversity and inclusion are more likely to be positively regarded by the public in general and by prospective employees in particular. This positive corporate image then increases the organization's ability to attract and retain high-calibre employees from diverse communities, backgrounds, and identities.

**Improved employee job satisfaction and productivity.**<sup>16</sup> Employers that create and support a work environment in which all employees feel valued and safe from harassment and that treat their employees fairly and with respect are typically rewarded with increased morale, better performance, and higher productivity.

**Increased creativity and innovation.**<sup>17</sup> Organizations that encourage and support workplace inclusion are better able to attract and retain top talent from diverse backgrounds,

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<sup>14</sup> <http://edu.gov.on.ca/eng/policyfunding/equity.pdf>

<sup>15</sup> United Nations Educational, Scientific and Cultural Organization. (2008). *Inclusive education: The way of the future*. UNESCO International Conference on Education, November 25–28, 2008. Geneva: Author.

<sup>16</sup> Stazyk, E. C., Davis, R. S., & Liang, J. (2012). *Examining the links between workforce diversity, organizational goal clarity, and job satisfaction*. Prepared for the 2012 Annual Meeting and Exhibition of the American Political Science Association, New Orleans, LA (August 30 – September 2, 2012). Retrieved from <https://www.bc.edu/content/dam/files/centers/cwf/individuals/pdf/DiversityClarityandSatisfaction.pdf>

<sup>17</sup> See for example:

McKinsey & Company. (2015). *Women in the workplace*. Retrieved from <https://womenintheworkplace.com/>

communities, and identities. This increases the diversity of perspectives, approaches, knowledge, and skills within the organization, which can then boost the organization's creativity, innovation, and overall success.

### 3. Methodology

#### 3.1 Working Group

A staff Working Group was formed to oversee the work of the consultant, provide input into the proposed methodology, offer further insights into the issues identified, and review the draft Equity Audit report.

#### 3.2 Equity Audit framework

In conducting this Equity Audit, the consultants relied on the Canadian Human Rights Commission's Framework for Compliance with the *Employment Equity Act*, as this document outlines the legal framework and assessment factors related to an Employment Systems Review (ESR) as well as the general approach to be taken by employers.<sup>18</sup> This framework identifies how important it is for an ESR to review each employment policy, practice, and system as well as the corporate culture and work environment in order to determine whether they present a barrier to prospective and existing Indigenous employees and employees from the equity-seeking groups.

The review includes an assessment of each policy or practice in terms of the following criteria:

- **Legal compliance** — To ensure compliance with equity-related legislation such as the *Ontario Human Rights Code*, *Occupational Health and Safety Act*, and *Accessibility for Ontarians with Disabilities Act*
- **Consistency** — To ensure that policies and accompanying procedures are applied in a consistent manner throughout the organization
- **Job relatedness** — To ensure that each policy or practice clearly demonstrates a bona fide occupational requirement, is objective, and constitutes a business necessity
- **Validity** — To determine whether each policy or practice objectively predicts successful job performance

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Reynolds, A., & Lewis, D. (2017, March 30). Teams solve problems faster when they're more cognitively diverse. *Harvard Business Review*. Retrieved from <https://hbr.org/2017/03/teams-solve-problems-faster-when-theyre-more-cognitively-diverse>

Rigger, D. (2018, March 12). *How a diverse workforce can be your competitive advantage*. Human Resource Director Australia. Retrieved from [www.hcamag.com/opinion/how-a-diverse-workforce-can-be-your-competitive-advantage-247585.aspx](http://www.hcamag.com/opinion/how-a-diverse-workforce-can-be-your-competitive-advantage-247585.aspx)

<sup>18</sup> Canadian Human Rights Commission. (2002, December). *Employment Systems Review: Guide to the audit process*. Retrieved from [http://publications.gc.ca/collections/collection\\_2007/chrc-ccdp/HR4-3-2002E.pdf](http://publications.gc.ca/collections/collection_2007/chrc-ccdp/HR4-3-2002E.pdf)

- **Adverse impact** — To assess whether each policy or practice has a disproportionately negative effect on employees from the equity-seeking groups
- **Accommodation** — To assess whether there are policies and procedures in place to identify and remove barriers in the workplace that keep qualified employees from participating in all aspects of employment and provide the accommodation needed by employees, and
- **Inclusive** — To assess whether policies and practices are inclusive of all employees, including those who identify as belonging to the equity-seeking groups.

This Equity Audit also explores whether the organization lacks policies or practices that would support the creation of more equitable hiring and promotion practices, greater workforce diversity that is reflective of the community served, and a more inclusive organizational culture.

### 3.3 The employment systems reviewed

The following employment systems were reviewed through this process:

- **Recruitment, hiring, and selection**, including outreach recruitment, job applications, notification and provision of accommodation during the hiring process, fair and consistent application of selection criteria, interview process, and interview questions
- **Development and advancement**, including access to career development, access to informal mentoring and networking, and the vice-principal and principal promotion process
- **Accommodation and workplace accessibility**, including accommodation for persons with disabilities, religious accommodation, and work–life balance, and
- **Organizational culture and work environment**, including equity policies and programs, workplace harassment, discrimination and violence prevention policies and programs, as well as individual attitudes toward equity and diversity.

### 3.4 Data collection methods

This Equity Audit began in May 2019 and was delayed twice, the first time as a result of job action and the second time as a result of the global COVID-19 pandemic. As a result, the data collection spanned two school years, 2019–2020 and 2020–2021, and included the following methods:

#### ***Document review***

Human resources policies, written procedures, and other related documents were reviewed to identify potential barriers in employment policies as well as barriers created by the manner in which these policies are applied by managers, school administrators, and human resources staff.

The list of the policies and documents reviewed is included in [Appendix A](#).

### ***Competition file review***

Competition files are intended to be a record of the hiring and selection process. In total, 27 files for competitions held between 2017 and 2019 were randomly selected and reviewed to determine whether staffing policies and practices are being applied in a fair and consistent manner. These included competitions for non-teaching positions with one vacancy and competitions seeking to hire multiple employees into similar positions. The files for the promotion processes for vice-principals and principals were also reviewed.

Typically, a file is kept for each competition and includes information such as:

- Job description and job ad
- Selection criteria
- Interview questions and candidate responses
- Reference check information
- Names of interview panel members and reports
- Interview schedule
- Rating and ranking materials
- Sufficient information to explain the assessment of each applicant, including screening, rating, and ranking steps

### ***Consultations with employees***

An essential component of an Equity Audit is consultation with employees. Employees' perceptions of what happens in the organization and their experiences in the workplace are a critical source of information. Their observations act as a window into whether employment systems are fair, or perceived to be fair, and identify how organizational practices might differ from organizational policies. Consultations were conducted using various methods and offered all employees multiple opportunities to provide input into this Equity Audit.

In total, 1,339 employees participated in these consultations, representing close to 20% of the HWDSB workforce. This level of participation gave us sufficient data to identify workplace issues and make recommendations for change. However, it did not allow us to identify all issues in all work locations of such a large and geographically dispersed organization.

Consultations were held with employees through focus groups and an online survey. In addition, senior leaders, human resource staff, equity staff, and bargaining unit representatives provided input through one-on-one interviews.

**Workplace Equity and Inclusion Survey:** The link to the online survey was distributed to all employees by email. The survey was open from June 6 to 26, 2020. Emails were sent to all employees to invite them to share their perspectives through the confidential online survey.

In total, 1,197 employees completed the survey by the cut-off date.

**One-on-one interviews:** In addition, 13 senior leaders, 8 school administrators, 8 union representatives, and 8 additional employees were invited to participate in one-on-one telephone interviews with the consulting team. These interviews gave the consultants the opportunity to further explore workplace equity, diversity, and inclusion issues and to identify the key challenges the organization will face in implementing the recommendations from this review.

In addition, 9 meetings were held with staffing officers and coordinators to discuss the Board's hiring process and the policies and practices that guide hiring.

**Focus Groups:** In 2019, the consultants meet with members of the Managers Advisory Council and the Principals Advisory Council to gather their input for this Equity Audit.

A total of 21 focus groups were scheduled in September and October 2020, affording various groups of employees the opportunity to provide input to this Equity Audit. Each virtual focus group allowed up to 10 participants. Focus groups were set up by identity group, with focus groups for racialized people, Indigenous peoples, persons with disabilities, those who identify as Two-Spirit and LGBTQIA+, women who do not belong to another group, and men who do not belong to another group.

Given the small number of Indigenous peoples, persons with disabilities, Two-Spirit and LGBTQIA+ individuals, and racialized individuals, focus groups were scheduled in which employees were able to attend regardless of their occupational group.

For women and men who do not belong to another group, focus groups were held based on the following occupational categories:

- **Supervisory staff:** School administrators, managers, and supervisors
- **Academic staff:** Employees who influence learning, including classroom teachers, EAs, DECEs, PSSP, ESL, Instructors, Instructional Coaches, Youth Counsellors, Consultants, Resource Teachers, etc.
- **Non-academic/non-supervisory staff:** OCTU, CUPE, Non-supervisory PASS

Emails were distributed to employees asking them to register directly with the consultant to participate in the focus groups.

The discussions covered various aspects of employment practices and the working environment, what impact they might have on employees, barriers created by organizational culture and individual attitudes, and strategies to remove these barriers.

In total, 76 employees participated in the focus groups.



Information from the focus groups is summarized in this report. To maintain confidentiality and protect the privacy of the employees who participated in the focus groups, no names or identifying information are included.

#### **4. Limitations and Constraints**

While we have conducted a thorough review of the HWDSB's employment systems for both academic and business staff, this review does not purport to be a comprehensive review of all the employment practices used by the hundreds of school administrators and managers responsible for hiring and supervising staff throughout the Board's hundreds of workplaces. As such, it is important to identify the limitations and constraints of this review.

For academic staff, the focus of this review is on the hiring of new employees and their promotion to vice-principal and principal. As such, we did not examine the teacher transfer process. In addition, the hiring and/or promotion of employees into superintendent positions was also beyond the scope of this project.

The consultant also did not review the hiring methods and management practices employed by each manager and supervisor in the HWDSB or the work environment of each of the hundreds of workplaces throughout the Board. Rather, the findings refer to the system as a whole and use employees' comments as indicators of issues that need to be addressed at the corporate level.

## PART B: THE CONTEXT

### 5. The Demographic Context

A number of demographic and social trends are impacting the diversity of both the province and the HWDSB school community. These trends are also shaping the issues of workplace equity, diversity, and inclusion that organizations are challenged to address.

The HWDSB serves a growing and increasingly diverse population of almost 750,000 residents. As a public school board in Ontario, the HWDSB must be responsive to its increasingly diverse school communities. As a public institution, the HWDSB also has the moral and legal duty to ensure that its hiring practices are non-discriminatory and that its workplaces are inclusive of the rich diversity of the Hamilton community. While the diversity of the province has long been touted as a strength, organizations are challenged to also focus on equity and inclusion to ensure that their workforce reflects and benefits from this diversity.

This section briefly explores the changing diversity of Hamilton that the Board must be cognizant of if it is to become a truly diverse, equitable, and inclusive organization.

#### 5.1 Increased reliance on immigration for population and labour market growth

Because of the aging Baby Boom generation and the declining birth rate, the Canadian population will be unable to replace itself. As a result, the country will rely more heavily on immigration for population and labour market growth. Statistics Canada estimates that around the year 2030, deaths will outnumber births and Canada will be completely reliant on immigration for population growth.<sup>19</sup>

In response to this demographic reality, the country's immigration targets have continued to increase. Immigration targets ranged from 240,000 to 265,000 between 2007 and 2011. The annual immigration target has progressively increased over the years to 300,000 in 2017.<sup>20</sup> The federal government's multi-year plan for immigration projects national targets of 310,000 in 2018, 330,000 in 2019, and 340,000 in 2020.<sup>21</sup>

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<sup>19</sup> Statistics Canada. (2008, January 25). *Components of population growth*. Retrieved from <http://www.statcan.gc.ca/pub/91-003-x/2007001/4129903-eng.htm>

<sup>20</sup> Schnurr, L. (2016, October 31). *Canada holds 2017 immigration target at 300,000 people*. Reuters. Retrieved from <https://www.reuters.com/article/canada-immigration/update-1-canada-holds-2017-immigration-target-at-300000-people-idUSL1N1D11PA>

<sup>21</sup> Government of Canada. (2017, November 1). *Supplementary Information 2018–2020 Immigration Levels Plan*. Retrieved from <https://www.canada.ca/en/immigration-refugees-citizenship/news/notices/supplementary-immigration-levels-2018.html>

In 2016, nearly 25% of the Hamilton census metropolitan area (CMA) population was born outside of Canada, with international migration accounting for 66% of the area's population growth between 2011 and 2016.

## **5.2 Increasingly diverse population**

This reliance on immigration for population and labour market growth means that Canada as a whole and the Hamilton area in particular will become increasingly racially, ethnically, linguistically, culturally, and religiously diverse.

In the 1960s, Canada's immigration policy shifted toward being more open to immigration from around the world. This change in policy came after the country's previous restriction of immigration to people primarily from Europe came under increased scrutiny as no longer being morally, economically, and politically sustainable. Thus, the point-based immigration system allowed for newcomers to migrate to Canada in greater numbers from diverse racial, ethnic, linguistic, and religious backgrounds. Since the 1980s the vast majority of new immigrants to Canada have come from countries outside of Europe.

The 2016 Census data highlights the dramatic demographic changes that the province and the Hamilton CMA have undergone and are expected to continue undergoing in the coming years:<sup>22</sup>

- 1.2 million immigrants arrived in Canada between 2011 and 2016, with about 40% of these newcomers (472,170) settling in Ontario.
- 17,420 immigrants settled in the Hamilton CMA between 2011 and 2016.
- Over 80% of newcomers to Canada came from countries outside of Europe and the United States.
- The top 11 countries of origin for recent immigrants to the Hamilton CMA are the Philippines, India, Syria, Iraq, China, Pakistan, the United States, the United Kingdom, Egypt, Iran, and Colombia.
- 25% of Hamilton CMA residents were born outside of Canada.

## **5.3 Growing racialized population (visible minorities)**

Fuelled largely by immigration, Ontario's racialized population is growing at a faster rate than the provincial population and comprises an increasing proportion of the provincial population.

As Table 1 shows, between 2006 and 2016 the racialized population in Ontario grew by 42% (from 2,745,200 to 3,885,585), while the population of the province grew by only 5% (from

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<sup>22</sup> Statistics Canada. (2017, February 8). *Census profile, 2016*. Retrieved from <http://www12.statcan.gc.ca/census-recensement/2016/dp-pd/prof/index.cfm?Lang=E>

12,851,821 to 13,448,494). As such, the racialized population increased from 21% of the population in 2006 to 29% of the provincial population in 2016.

Given the concentration of the racialized population in the Greater Toronto-Hamilton Area, the changes in the Hamilton CMA have been more dramatic. As the table shows, between 2006 and 2016 the racialized population in the Hamilton CMA grew by 55% (from 84,295 to 130,305), while the population of the Hamilton CMA grew by only 8% (from 692,911 to 747,545). As such, the racialized population increased from 12% of the population in 2006 to 17% of the Hamilton CMA population in 2016.

Table 1. Rate of Population Growth, Racialized and Total Population (2006 to 2016)					
Year	Racialized Population			Total Population	
	#	% of Population	Rate of Growth Since 2006	#	Rate of Growth Since 2006
<b>ONTARIO</b>					
2006	2,745,200	21.4%	—	12,851,821	—
2016	3,885,585	28.9%	41.5%	13,448,494	4.6%
<b>HAMILTON CMA</b>					
2006	84,295	12.2%	—	692,911	—
2016	130,305	17.4%	54.6%	747,545	7.9%
<b>Source:</b> Statistics Canada, Census of Canada, 2006, 2016.					

Of the 130,305 residents in the Hamilton CMA who identified as a member of a racialized group in 2016, the majority were South Asian (31,155), Black (24,275), Arab/West Asian (18,710), and Chinese (13,790).

Statistics Canada projects that the racialized population will continue to grow at a faster rate than the general population, resulting in racialized people representing a larger proportion of the population over the coming years. While the growth of the racialized population will be fueled largely by immigration, a growing proportion of racialized people are Canadian-born. In 2011, about 31% of racialized people in Canada were born here.<sup>23</sup>

Statistics Canada projections show that the population of Ontario will approach 18 million by 2036, with the racialized population increasing to 48% of the population.<sup>24</sup> Other projections by Statistics Canada show that by 2036 racialized people will comprise approximately 30% of the working-age population (age 15 to 64) in the Hamilton CMA.<sup>25</sup>

<sup>23</sup> Statistics Canada. (2016, September 15). *Immigration and ethnocultural diversity in Canada*. Retrieved from <https://www12.statcan.gc.ca/nhs-enm/2011/as-sa/99-010-x/99-010-x2011001-eng.cfm>

<sup>24</sup> Statistics Canada. (2017, January 25). *Immigration and diversity: Population projections for Canada and its regions, 2011 to 2036*. Retrieved from <https://www.statcan.gc.ca/pub/91-551-x/91-551-x2017001-eng.htm>

<sup>25</sup> Ibid.

## 5.4 Growing Indigenous population

Statistics Canada notes that the Indigenous population is the fastest-growing segment of the Canadian population and has a younger age profile than the non-Indigenous population. This younger age profile means that in 2011, children made up a larger proportion of the Indigenous population than the non-Indigenous population. While children aged 14 and under make up 17% of the non-Indigenous population, children make up 28% of the Indigenous population. In addition, there are more than 254,515 Indigenous youth aged 15 to 24, representing 18% of the total Indigenous population. By comparison, youth make up 13% of the non-Indigenous population.<sup>26</sup> In total, children and youth (aged 24 and under) make up 30% of the non-Indigenous population and represent almost half (46%) of the Indigenous population.

The 2016 Census enumerated 374,395 Indigenous peoples in Ontario, representing 2.8% of the provincial population. This is the largest number of Indigenous peoples in any province or territory, representing 22% of Canada's total Indigenous population.

Table 2. Rate of Population Growth, Indigenous and Total Population (2006 to 2016)					
Year	Indigenous Population			Total Population	
	#	% of Population	Rate of Growth Since 2006	#	Rate of Growth Since 2006
<b>ONTARIO</b>					
2006	242,490	1.9%	—	12,851,821	—
2016	374,395	2.8%	54.4%	13,448,494	4.6%
<b>HAMILTON CMA</b>					
2006	8,890	1.3%	—	692,911	—
2016	14,440	2.0%	62.4%	747,545	7.9%
<b>Source:</b> Statistics Canada, Census of Canada, 2006, 2016.					

As Table 2 shows, Ontario's Indigenous population grew by 54% between 2006 and 2016 (from 242,490 to 374,495), increasing to 2.8% of the provincial population in 2016. During that time period, the population of the province grew by 5%. Similarly, the Indigenous population in the Hamilton CMA grew by 62% between 2006 and 2016 (from 8,890 to 14,440), while the overall population of the Hamilton CMA grew by only 8%.

Historically, Indigenous peoples in Canada have faced many barriers that are specific to their communities. Canada has acknowledged the injustices of the residential school system and Sixties Scoop and has committed to addressing the structural and systemic racism that Indigenous peoples continue to experience. In response to the Truth and Reconciliation Commission's Calls to Action, the Government of Ontario has committed \$250 million over

<sup>26</sup> Statistics Canada. (2016, September 15). *Aboriginal peoples in Canada: First Nations people, Métis and Inuit*. Retrieved from <https://www12.statcan.gc.ca/nhs-enm/2011/as-sa/99-011-x/99-011-x2011001-eng.cfm>

3 years for programs and actions focused on reconciliation.<sup>27</sup> This includes mandatory Indigenous content in the teacher-education programs offered by Ontario's faculties of education on subjects such as residential schools, the legacy of colonialism, and the rights and responsibilities of all Ontarians as treaty people.

### **5.5 Growing population of persons with disabilities**

The 2012 Canadian Survey on Disability is a national survey of Canadians aged 15 and over whose everyday activities are limited because of a long-term condition or health-related problem. This survey found that:<sup>28</sup>

- 15.4% of the Ontario population aged 15 and over reported having a disability
- 11.4% of the Ontario labour force (aged 15 to 64) reported having a disability, and
- 8% of the Ontario labour force reported having a moderate, severe, or very severe disability.

The analysis of the data suggests that one factor contributing to the increase in the number of persons with physical disabilities is aging. Because the prevalence of most types of disabilities increases with age (particularly physical disabilities), an aging population will result in a higher overall disability rate. As such, we can expect to see disability rates increase as the Baby Boom generation grows older. This trend means that more employees will require accommodation from their employers to remain productive in their jobs.

Furthermore, the prevalence of mental illness has also been increasing in Canadian society. One study estimates that in any given year, 1 in 5 Canadians will experience a mental health or addiction issue.<sup>29</sup> While the stigma associated with mental illness has been diminishing over the years, significant stigma remains. Canadians are more reluctant to tell friends or co-workers that they have a family member with a mental illness (just 50%) than they are sharing a diagnosis of cancer (72%).<sup>30</sup>

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<sup>27</sup> Government of Ontario. (2020). *The journey together: Ontario's commitment to reconciliation with Indigenous peoples*. Retrieved from <https://www.ontario.ca/page/journey-together-ontarios-commitment-reconciliation-indigenous-peoples>

<sup>28</sup> Statistics Canada. (2012). *Canadian Survey on Disability*. Retrieved from <https://www150.statcan.gc.ca/n1/en/catalogue/89-654-X>

<sup>29</sup> Smetanin, P., Stiff, D., Briante, C., Adair, C. E., Ahmad, S. & Khan, M. (2011). *The life and economic impact of major mental illnesses in Canada: 2011 to 2041*. RiskAnalytica, on behalf of the Mental Health Commission of Canada. Retrieved from [https://www.mentalhealthcommission.ca/sites/default/files/MHCC\\_Report\\_Base\\_Case\\_FINAL\\_ENG\\_0\\_0.pdf](https://www.mentalhealthcommission.ca/sites/default/files/MHCC_Report_Base_Case_FINAL_ENG_0_0.pdf)

<sup>30</sup> Canadian Medical Association. (2008). *8th Annual National Report Card on Health Care*. Retrieved from [https://www.cma.ca/multimedia/CMA/Content/Images/Inside\\_cma/Annual\\_Meeting/2008/GC\\_Bulletin/National\\_Report\\_Card\\_EN.pdf](https://www.cma.ca/multimedia/CMA/Content/Images/Inside_cma/Annual_Meeting/2008/GC_Bulletin/National_Report_Card_EN.pdf)

Persons with disabilities have long experienced patterns of exclusion from all aspects of society, including education, housing, transportation, and employment. Although some people may have a physical or functional limitation, this challenge may not necessarily interfere with their ability to do a particular job or to deliver top-quality performance in that job. It does mean that certain kinds of accommodation may need to be provided to enable persons with disabilities to function to the best of their ability in the workplace. As persons with disabilities continue to become more fully integrated into society and educational institutions, more will also be entering the labour market. As such, more employers will need to consider accommodation beginning at the hiring stage and throughout the employee's work life.

Although the Ontario *Human Rights Code* provides for equal rights and opportunities and prohibits discrimination on the basis of disability (and other protected grounds), systemic barriers in organizations persist, preventing people with disabilities from fully participating in many areas of life, including education and employment. As a result, the *Accessibility for Ontarians with Disabilities Act* was passed to achieve accessibility for all Ontarians with disabilities on or before January 1, 2025, through the development, implementation, and enforcement of accessibility standards in key areas.

## **5.6 Increased social acceptance of, and openness from, people who identify as Two-Spirit and LGBTQIA+**

In 2005, same-sex marriage was legalized in Canada. In 2012, gender identity and gender expression were added as protected grounds to the Ontario *Human Rights Code*. These legal protections and greater social inclusion have resulted in more adults being open about their sexual orientation and gender identity, while children and youth are being increasingly open about their sexual orientation and gender identity at younger ages.<sup>31</sup>

Questions about sexual orientation and gender identity are not included on the Canadian Census. One estimate on the size of the Two-Spirit and LGBTQIA+ population comes from the 2014 Canadian Community Health Survey, the first Statistics Canada survey to include a question on sexual orientation. In total, 3% of Canadians aged 18 to 59 self-identified as gay, lesbian, or bisexual — 1.7% self-identified as gay or lesbian and 1.3% as bisexual.<sup>32</sup>

Another estimate of the size of the Two-Spirit and LGBTQIA+ population comes from a 2012 Forum Research poll, which found that 5% of Canadians aged 18 and over identify as lesbian,

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<sup>31</sup> CBC News. (2016, October 25). *Transgender kids coming out younger, experts say after judges ordered 4-year-old to dress like a boy*. Retrieved from <http://www.cbc.ca/news/canada/calgary/trans-coming-out-earlier-1.3820013>

<sup>32</sup> Statistics Canada. *Canadian Community Health Survey, 2014*. Retrieved from <https://www150.statcan.gc.ca/n1/daily-quotidien/150617/dq150617b-eng.htm>

gay, bisexual, or transgender.<sup>33</sup>

With increased legal protections and greater social acceptance of Two-Spirit and LGBTQIA+ individuals in Canadian society, there is a greater openness in the workplace. However, not all workplaces are as accepting of Two-Spirit and LGBTQIA+ employees, which sometimes results in discrimination and marginalization in the workplace. Some people who identify as Two-Spirit and LGBTQIA+ report having to remain “in the closet” to maintain positive relationships with their managers and colleagues, protect their jobs, and protect their opportunities for advancement.

## **6. The Organizational Context**

### **6.1 The organization**

The HWDSB operates within a particular context that is important to understand and consider when drawing conclusions and considering action to address the issues identified through this review. Analyzing this context will also allow us to gain insight into the opportunities and threats at play in the context within which the HWDSB operates.

The HWDSB employs over 7,000 employees that directly or indirectly support the education of close to 50,000 students in 84 elementary schools and 13 secondary schools.<sup>34</sup> HWDSB schools are located in urban, suburban, and rural communities and serve students of all abilities that represent diverse racial, ethnic, and religious groups as well as diverse sexual and gender identities.

The majority of HWDSB employees are represented by a union or association. There are 11 bargaining units and associations that represent academic and business employees. Each collective agreement sets out hiring procedures for that particular group of employees. The organization uses a combination of centralized and decentralized hiring. In some cases, hiring is centralized (e.g., the hiring of occasional teachers), while in other cases hiring is decentralized and conducted by managers and school administrators (e.g., the hiring of permanent teachers).

### **6.2 Ontario's Education Equity Action Plan**

In September 2017, the Ministry of Education launched *Ontario's Education Equity Action Plan*<sup>35</sup> to comprehensively address systemic barriers in Ontario's education system. The action plan, which is being implemented by the Education Equity Secretariat in partnership with school boards and education partners, will address inequities in four areas: school and classroom

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<sup>33</sup> Blaze Carlson, K. (2012, July 6). The true north LGBT: New poll reveals landscape of gay Canada. *The National Post*. Retrieved from <http://nationalpost.com/news/canada/the-true-north-lgbt-new-poll-reveals-landscape-of-gay-canada>

<sup>34</sup> <https://www.hwdsb.on.ca/about/>

<sup>35</sup> Ministry of Education. (2017). *Ontario's Education Equity Action Plan*. Queen's Printer for Ontario: Toronto. Retrieved from [http://www.edu.gov.on.ca/eng/about/education\\_equity\\_plan\\_en.pdf](http://www.edu.gov.on.ca/eng/about/education_equity_plan_en.pdf)



practices; leadership, governance, and human resources practices; data collection, integration, and reporting; and organizational culture change.

### **6.3 Equity Action Plan**

Since 2018, the HWDSB has continued to refine and deliver on its Reimagined Vision. With a commitment to learning, equity, engagement and innovation, this vision has five priorities: positive culture and well-being; student learning and achievement; effective communication; school renewal; and partnerships.

In 2018, the Board also launched its 3-year Equity Action Plan<sup>36</sup> with the goal of intentionally embedding the core principles of human rights and equity at the system, school, and classroom levels. The plan aligns with Ontario's Equity Action Plan, uses the same four priority areas, and identifies the expected outcomes as follows:

- Identify and eliminate biases, systemic barriers, and discriminatory practices
- Support positive learning and workplace environments where all students and employees are safe, supported, and accepted
- Ensure inclusive community partnerships and engagement, and
- Ensure accountability regarding the Board's commitment to equity and communicating results to the public.

### **6.4 Staff census**

In 2019, the HWDSB conducted a voluntary, anonymous, and confidential employee census to understand the makeup of its workforce, inform decision making, and foster workplace inclusion and equity.

The questions for the census fell into two categories: questions about an employee's position at the HWDSB (employment status, length of employment, employee groups, etc.) and questions about their socio-demographics (including race, ethnicity, sexual orientation, gender identity, etc.).

The results of the census suggest that, compared with the local labour market, the Board's workforce has more female representation, approximately the same representation of Indigenous persons, fewer racialized persons, and more individuals who report having a condition/disability.

Of the Board's 7,619 employees, only 2,505 employees participated in the staff census, which indicates an overall response rate of 33%.

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<sup>36</sup> [https://www.hwdsb.on.ca/wp-content/uploads/2019/08/Equity-Action-Plan\\_SinglePage\\_Web.pdf](https://www.hwdsb.on.ca/wp-content/uploads/2019/08/Equity-Action-Plan_SinglePage_Web.pdf)

The findings from the census include the following:<sup>37</sup>

***Gender and sexuality***

- 78% of the respondents identify as female
- 21% of the respondents identify as male
- 0.8% of the respondents identify as gender diverse (includes Two-Spirit, fluid, non-binary, transgender, and others), and
- 5.2% of respondents identify as asexual; 5.6% identify as lesbian, gay, bisexual, questioning, and others.

***Race and indigeneity***

- 88% of the respondents identify as white.
- 2% of respondents self-identify as Indigenous to Turtle Island (North America).
- 9% of respondents self-identify as racialized, the highest for employees hired in the past year (16.4%).

***Diverse abilities***

- 15% of respondents indicate they have a condition or disability.

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<sup>37</sup> <https://www.hwdsb.on.ca/wp-content/uploads/2020/03/We-all-count-Staff-Census-Final-Report-2019.pdf>

## PART C: FINDINGS & RECOMMENDATIONS

This section summarizes the findings from the following aspects of the review:

- Review of policies, practices, and documents
- Review of competition files
- Review of the vice-principal and principal promotion process, and
- Consultations with employees.

In each section, we provide:

- A summary of the findings and any conclusions drawn, and
- Recommendations to remove the identified barriers and address the identified issues.

### **7. Policy and Procedure Review**

This section summarizes our review of the HWDSB's human resources policies, procedures, and other relevant documents. It includes a summary of each policy and procedure, then identifies issues and areas of concern, if any. Recommendations are then made to strengthen the policy and procedure to comply with equity-related legislation, meet the HWDSB's duty of care as an employer, and support workplace equity, diversity, and inclusion. We also address overarching concerns and identify any gaps in the HWDSB's policy framework.

#### **Equity Action Plan (2019/20-2021-22)**

The HWDSB's Equity Action Plan states its commitment "to the principles of equity through inclusive programs, curriculum, services and operations with a mission to empower students to learn and grow to their full potential in a diverse world." The plan states that it takes an anti-oppression and human rights perspective with a goal to identify and address systems of oppression, including ableism, racism, sexism, classism, Islamophobia, anti-Semitism, homophobia, transphobia, and so on. The action plan aligns with Ontario's Education Equity Plan and focuses on four key priority areas: school and classroom practices; leadership, governance, and human resources practices; positive culture and well-being; and data collection, integration, and reporting.

The Equity Action Plan identifies the expected outcomes as follows:

- Identify and eliminate biases, systemic barriers, and discriminatory practices
- Support positive learning and workplace environments where all students and employees feel safe, supported, and accepted

- Ensure inclusive community partnerships and engagement, and
- Ensure accountability regarding the Board's commitment to equity and communicating results to the public.

The priority area of leadership, governance, and human resources has the goal of creating safe, inclusive, and engaging learning and working environments where employee composition reflects student diversity and all employees are knowledgeable, committed, and accountable. It includes various actions in the following areas:

- Improving accountability for equity and human rights
- Enhancing diversity in hiring and promotion at all levels
- Professional development focused on equity, inclusion, and human rights, and
- Establishing equity and human rights support structures.

While the Board's first Equity Action Plan is strong, it could be strengthened.

**Recommendation 1:** It is recommended that the next iteration of the Equity Action Plan:

- Specify a focus on the groups that experience systemic and persistent discrimination in employment, namely women, Indigenous peoples, persons with disabilities, racialized people, and those who identify as Two-Spirit and LGBTQIA+, and
- Commit the HWDSB to developing an employment equity program that addresses the issues identified through the Workforce Census and Equity Audit.

### **Equity and Inclusion Policy**

The HWDSB's Equity and Inclusion Policy articulates a commitment to "the principles of equity through inclusive programming, services, and operations, in accordance with the *Canadian Charter of Rights and Freedoms*, the *Ontario Human Rights Code*, the *Education Act*, and Ministry of Education PPM119." It goes on to identify the areas of focus as follows:

- Ableism and discrimination based on disability
- Anti-classism and socio-economic equity
- Anti-racism and ethnocultural equity
- Gender equity
- Gender identity and gender expression
- Religious and creed-based accommodation, and
- Sexual orientation.

The guiding principles include:

- Employment equity and workforce diversity
- Equitable and inclusive Board policies and procedures
- Positive culture and well-being for students and employees, and
- Professional learning on equity for all employees and trustees.

The policy also defines ableism, anti-racism, barrier, bias, discrimination, diversity, employment equity, equity, and other related terms. While the policy defines employment equity, it does not commit the Board to developing and implementing an employment equity program. It also fails to identify which groups are the targets of employment equity efforts and why—that is, women, Indigenous peoples, persons with disabilities, racialized people, and those who identify as Two-Spirit and LGBTQIA+ are the targets of employment equity efforts because they experience systemic and persistent discrimination in the labour market.

The policy commits the HWDSB to various actions to implement the policy, including the implementation of the related procedures and the development and implementation of an Equity Strategy aligned with Ministry of Education direction.

The policy also includes progress indicators, including:

- Identifying and addressing biases, barriers, and discriminatory actions, as assessed through a Staff Voice Survey and Staff Census (among other assessment tools), and
- Supporting positive learning and workplace environments where all employees feel safe, supported, and accepted, as assessed through the Staff Voice Survey.

The policy is supported by a number of procedures:

- Ableism and Discrimination Based on Disability
- Anti-classism and Socio-economic Equity
- Anti-racism and Ethnocultural Equity
- Gender Equity
- Gender Identity and Gender Expression
- Religious and Creed-Based Accommodation, and
- Sexual Orientation.

Each procedure shares the HWDSB's commitment to equity in a number of areas including policies, guidelines, and practices; leadership; accountability; school community partnership; curriculum; student languages; student assessment, evaluation, reporting, and placement; counselling/guidance/support services; harassment; employment practices; and employee

development. Given the focus of this Equity Audit, the next sections will review only the sections of the procedures relevant to workplace equity, diversity, and inclusion.

While the Equity and Inclusion Policy has some strong elements, it could be further strengthened by implementing the following recommendations.

**Recommendation 2:** It is recommended that the Equity and Inclusion Policy be updated to state the HWDSB's commitment to complying not only with the *Canadian Charter of Rights and Freedoms*, the *Ontario Human Rights Code*, the *Education Act*, and Ministry of Education PPM119, but also with the *Accessibility for Ontarians with Disabilities Act*.

**Recommendation 3:** It is recommended that the Equity and Inclusion Policy clearly state the roles and responsibilities of senior leaders, managers, and school administrators to implement the policy.

### **Anti-Classism and Socio-economic Equity / Anti-Racism and Ethnocultural Equity / Gender Equity / Sexual Orientation Procedures**

These procedures support the implementation of the Equity and Inclusion Policy. These procedures are very similar and commit the HWDSB to a number of actions, including:

#### **Employment practices**

- Providing recruitment, interview, selection, training, placement, and promotion practices and procedures that are inclusive and do not discriminate
- Providing interview teams that have an understanding of and sensitivity toward oppression and equity
- Modifying interview teams to reflect the Indigenous, racial, ethnocultural, and religious diversity within the community at large, and
- Ensuring that procedures for progressive discipline, performance appraisal, review, and reporting are as free as possible from bias and stereotypical assumptions.

#### **Staff development**

- Making available staff development programs that enable employees to identify and challenge biases, stereotypes, prejudices, and discrimination
- Providing employees with the knowledge, skills, and resources needed to teach, work, and learn from a perspective that is free from oppression and to challenge bias and stereotypical assumptions
- Creating staff development initiatives that will allow employees to identify and examine bias and stereotypical assumptions as it relates to evaluation, reporting, assessment, and placement

- Implementing professional development programs based on identified needs to enable trustees and employees to understand the manifestations of oppression and to respond effectively to issues of harassment, and
- Requiring all employees and trustees to broaden their knowledge of anti-racism and ethnocultural equity through courses, workshops, and community consultations.

### **Harassment**

- Putting in place effective policies and procedures for reporting, responding to, and resolving incident of harassment, and
- Providing professional development opportunities that give employees the knowledge, skills, and resources to effectively identify and respond to harassment.

**Recommendation 4:** It is recommended that these procedures specify the roles and responsibilities for senior leaders, human resources staff, managers, school administrators, and employees to implement the procedures and foster a respectful and inclusive work environment.

### **Religious Accommodation Procedure**

Under the Ontario *Human Rights Code*, the HWDSB has a legal duty to accommodate employees based on any human rights protected ground, including creed/religion. The common workplace issues related to religion concern dress code, dietary requirements, time off for religious observance, provision of prayer space, as well as the scheduling of breaks, shifts, and interviews.

While the Religious Accommodation Procedure applies to employees as well as students and their families, it could be strengthened to fully address the Board's obligations as an employer.

**Recommendation 5:** It is recommended that the Religious Accommodation Procedure be updated to:

- Ensure that employees are appropriately referenced throughout the procedure
- Name the Board's duty to accommodate Indigenous spiritual practices
- Clearly state that any reprisal against an employee for requesting or receiving accommodation is a violation of the policy, and
- Specify the principles for how requests for accommodation must be dealt with, including good faith, limiting the requests for information, confidentiality, respect for dignity, responding to a person's individualized needs, and allowing for integration and full participation.

### **Persons with Disabilities Procedure**

This procedure states the Board's commitment to equity for persons with disabilities. It commits the organization to establishing policies and practices that will ensure equity for

persons with disabilities, accessibility for all employees, and examining policies and procedures as they are developed and/or revised with regards to accessibility. The procedure also addresses the need to ensure that every individual has the right to be free from harassment based on disability and that appropriate and effective accommodations and supports are in place to assist persons with disabilities. The procedure includes a commitment to “provide recruitment, interview, selection, training, mentoring, placement, and promotion practices and procedures that are inclusive and that do not discriminate against persons with disabilities.”

However, the procedures could be strengthened and revised to ensure that they fully meet the Board’s legal obligations to provide accommodation under the Ontario *Human Rights Code*<sup>38</sup> and the *Accessibility for Ontarians with Disabilities Act*.

**Recommendation 6:** It is recommended that the Persons with Disability Procedure be updated to ensure compliance with the Ontario *Human Rights Code* by including the following:

- Examples of accommodations that may be provided to employees with disabilities in the definition of accommodation
- A definition of undue hardship
- The principles for how requests for accommodation must be dealt with, including good faith, limiting the requests for information, confidentiality, respect for dignity, responding to a person’s individualized needs, and allowing for integration and full participation
- The rights and responsibilities of the Board, those in management positions, and those of employees in the accommodation process
- The requirement that accommodation plans be prepared and documented
- The duty of managers and school administrators to be alert to the possibility that a person may need an accommodation even if they have not made a specific or formal request
- The obligation to obtain expert opinion or advice where needed but not as a routine matter and to limit requests for information to those reasonably related to the nature of the limitation or restriction, to be able to respond to the accommodation request
- The need to keep a record of the accommodation request and action taken
- The need to communicate regularly and effectively with the person, providing updates on the status of the accommodation and planned next steps
- The duty for all involved to maintain confidentiality

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<sup>38</sup> <http://www.ohrc.on.ca/en/policy-ableism-and-discrimination-based-disability/8-duty-accommodate>



- Specify the responsibility of the Board to implement accommodations in a timely manner and to the point of undue hardship
- A statement that the Board is responsible for ensuring that funding is provided for accommodation, regardless of the ability of an individual school or department to pay, and
- A statement that the Board is a “single employer” and that accommodation may be provided across bargaining units.

**Recommendation 7:** It is recommended that the Persons with Disability Procedure be revised to ensure compliance with the Employment Standards of the *Accessibility for Ontarians with Disabilities Act* by including the following:

- The duty of the Board to comply with the *Accessibility for Ontarians with Disabilities Act*
- The need to include an accommodation statement on job advertisements
- The requirement that applicants be asked whether accommodation is needed when they are invited for an interview
- The requirement that assessment and selection material be provided in accessible formats, upon request, and
- The requirement that successful candidates be notified of the policies for accommodation of employees with disabilities.

**Recommendation 8:** It is recommended that the HWDSB educate all employees about their rights regarding workplace accommodation and the process of obtaining said accommodation. All employees should understand the Board’s legal obligations under the Ontario *Human Rights Code* and the *Accessibility for Ontarians with Disabilities Act* to provide accommodation, as well as how accommodation helps employees to perform their best at work. When this information is presented in this context, employees will be less likely to view accommodations as special treatment provided to some employees.

**Recommendation 9:** It is recommended that the HWDSB develop a return to work policy and procedure to support the early, safe, and successful return to work of employees who must take leave due to illness or injury.

### **Recruitment and Selection Policy and Procedure**

The Recruitment and Selection Policy states the HWDSB’s commitment to hiring qualified employees to support the achievement of the Board’s strategic directions through recruitment and selection practices that are “consistent, transparent and equitable.”

The policy specifies a number of guiding principles, including the following:

- Recruiting and hiring skilled and qualified employees to support student achievement

- Developing a workforce that is representative of the diversity of the student body
- Exercising due diligence throughout the hiring process
- Equitable treatment of potential employees throughout the hiring process, and
- Providing support and training to employees who are involved in the hiring process.

The policy also identifies the following intended outcomes:

- Hiring the best candidates to meet the HWDSB's strategic directions and student needs
- Meeting mandated legislative requirements
- Providing and maintaining a safe and secure working and learning environment, and
- Providing a consistent, equitable process for screening, interviewing, and selecting potential employees.

The policy also identifies progress indicators to identify assessment criteria for each intended outcome.

The procedures support the implementation of the policy and also do the following:

- Provide definitions of conflict of interest and equity
- Identify the grounds on which the Board shall not discriminate
- Detail the recruitment and interviewing process, and
- Detail the process for conducting criminal background checks and vulnerable sector screening.

The procedure also provides guidance on considering a positive police record check, stating:

While the conviction of any of the above noted offences would, in the normal course, present a bar to employment, the Board does recognize the principle of rehabilitation and may therefore consider the hiring of a person after a full assessment based upon consideration of the following factors:

- The specific duties and responsibilities of the position in question and the relevance of the police records, criminal charge(s), and/or conviction(s) to that position
- The length of time since the police record was established
- Rehabilitative efforts undertaken
- The risk posed to the safety and security of students, employees, volunteers and/or Board property

While the policy and procedure provide a strong framework for the Board's hiring and selection, our review determined that they could be strengthened.

**Recommendation 10:** It is recommended that the Recruitment and Selection Policy be revised to:

- Specify the legal framework within which the Board hires, including the *Ontario Human Rights Code*, *Occupational Health and Safety Act*, and the *Accessibility for Ontarians with Disabilities Act*, and
- Specify the Board's goal of diversifying the workforce to reflect the community served.

**Recommendation 11:** It is recommended that the Recruitment and Selection Procedure be revised to:

- Specify the Board's requirement to comply with the *Accessibility for Ontarians with Disabilities Act* by requiring that:
  - Applicants be asked whether accommodation is needed when they are invited for an interview
  - Assessment and selection material be provided in accessible formats, upon request, and
  - Specifying that successful candidates will be notified of the policies for accommodation of employees with disabilities.
- Require that new employees receive training on the *Accessibility for Ontarians with Disabilities Act*
- Require job advertisements to include an equity and accommodation statement
- State the need for diversity on hiring committees
- Expand the definition of conflict of interest to include the *appearance* of a conflict
- Include "participation in the appointment, promotion, or hiring of a person with whom members of the hiring panel *have a close personal relationship*" as a conflict of interest, not simply family members
- Define "family member" as those related to the employee by blood or marriage, including in-laws
- State that a conflict of interest also arises when family members or close personal friends are employed in situations where a reporting relationship exists and where the supervisor has influence, input, or decision-making power over an employee's performance evaluation, salary premiums, special permissions, potential for promotion, conditions of work, and similar matters
- Require that those participating in the hiring process sign a document stating that they have no conflict of interest
- Update the list of the grounds on which the Board will not discriminate in hiring to include the complete list of human rights protected grounds: age, ancestry, colour, race,

citizenship, ethnic origin, place of origin, creed, disability, family status, marital status, gender identity, gender expression, record of offences; sex (including pregnancy and breast feeding), and sexual orientation

- Specify that employees and trustees are not to use their positions of authority to influence hiring decisions that involve family members or close personal friends, and that doing so would be a conflict of interest, and
- Specify the roles and responsibilities of human resources staff and the hiring manager to implement the procedures.

### **Accommodation of Staff Policy and Procedure**

In addition to the Persons with Disabilities Procedure, which addresses accommodation and accessibility, the Board also has the Accommodation of Staff Policy and Procedure, whose stated purpose is providing “safe working and learning environments that support employees with disabilities in the performance of their job duties and to foster the development of trustful and respectful relationships.”

The policy defines disability, accommodation, and reasonable accommodation and includes the following guiding principles:

- Respecting the dignity of all employees with disabilities in the accommodation process
- Protecting the safety of all employees
- Maintaining employees’ right to privacy
- Supporting employees in a flexible and responsive manner as need arises, and
- Responding appropriately to support employees by providing reasonable accommodation.

All Ontario employers have a duty to accommodate employees based on any human rights protected ground. To support them to meet this obligation, the Ontario Human Rights Commission recommends that each employer have an accommodation policy. While the principle of accommodation applies to all grounds of the Ontario *Human Rights Code*, accommodation issues in employment most often relate to the needs of:

- Employees with disabilities (disability)
- Older workers (disability)
- Employees who observe religious teachings (religion/creed)
- Pregnant or nursing employees (sex)
- Employees with caregiving responsibilities (family status), and
- Gender identity.

While the policy and procedure address the Board's obligation to provide accommodation based on disability, they do not address the Board's obligation to provide accommodation based on any other human rights protected ground.

The procedure states that the HWDSB will consider the following factors in the accommodation process: seniority, availability, qualifications, and legislative or contractual obligations. The procedure does not clarify how these factors will be considered in the process.

The Ontario Human Rights Commission states that an accommodation policy plays a key role in informing employees about their rights and responsibilities with respect to accommodation and states that an accommodation policy should:<sup>39</sup>

- Outline the rights and responsibilities of the organization, those in management positions, and employees
- Require the preparation and documentation of accommodation plans
- Monitor and evaluate the implementation of the policy, and
- Educate employees about accommodation.

**Recommendation 12:** It is recommended that the Accommodation of Staff Policy and Procedure reflect the Board's duty to accommodate employees based on any human rights protected ground.

**Recommendation 13:** It is recommended that the Accommodation of Staff Policy and Procedure be updated to:

- Include the need to provide individualized accommodation, the need for the inclusion and full participation of the employee in the process, and the need to adhere to the principles of accommodation<sup>40</sup>
- Specify the Board's legal obligation to comply with the *Accessibility for Ontarians with Disabilities Act*
- Recognize the need to accommodate employees outside of the return to work process
- State the responsibilities of managers and school administrators to:
  - Be alert to the possibility that a person may need an accommodation even if they have not made a specific or formal request
  - Accept the person's request for accommodation in good faith, unless there are legitimate reasons for acting otherwise

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<sup>39</sup> [http://www.ohrc.on.ca/sites/default/files/attachments/Policy\\_and\\_guidelines\\_on\\_disability\\_and\\_the\\_duty\\_to\\_accommodate.pdf](http://www.ohrc.on.ca/sites/default/files/attachments/Policy_and_guidelines_on_disability_and_the_duty_to_accommodate.pdf)

<sup>40</sup> <http://www.ohrc.on.ca/en/accommodating-students-disabilities-principles-fact-sheet>

- Obtain expert opinion, advice, or additional information where needed (but not as a routine matter)
- Keep a record of the accommodation request and action taken
- Communicate regularly and effectively with the employee requesting accommodation, providing updates on the status of the accommodation and planned next steps
- Maintain confidentiality
- State the Board's obligation to implement accommodations in a timely manner, to the point of undue hardship
- State the responsibility of the Board to ensure that funding is provided for accommodation, regardless of the ability of an individual school or department to pay
- Specify the accommodation requirements under the *Accessibility for Ontarians with Disabilities Act* in the hiring and selection process and the requirement to ask new hires whether they require accommodation, and
- Specify that, as the Board is a "single employer," accommodation may be provided across bargaining units.

**Recommendation 14:** It is recommended that the HWDSB clarify and provide guidance on the factors that will be considered in the accommodation process, such as seniority, availability, qualifications, and legislative or contractual obligations.

### **Workplace Violence and Harassment Prevention Policy**

This policy is intended to implement the Board's belief "in the prevention of workplace violence and harassment while promoting a safe workplace in which all people respect one another and work together to achieve common goals."

The policy:

- Includes guiding principles
- Identifies intended outcomes
- Defines terminology
- Identifies the action required, and
- Prohibits reprisals against those who have raised good-faith concerns or participated in an investigation.

The policy can be strengthened to better align it with the requirements of the Ontario Human Rights Commission and best practices.

**Recommendation 15:** It is recommended that the Workplace Violence and Harassment Prevention Policy be updated to better align it with the requirements of the Ontario Human Rights Commission and best practices by:

- Specifying that senior leaders and supervisors have the responsibility to create a respectful workplace and address issues that they become aware of, regardless of whether employees make a complaint
- Specifying that the policy applies to telephone, email, or other communications
- Listing all of the human rights protected grounds, including gender identity, gender expression, and record of offences
- Stating that protection also extends beyond the human rights protected grounds to include association or relationship with a person identified by one of these grounds and perception that one of these grounds applies
- Indicating that people may experience discrimination and harassment based on the intersection of multiple grounds of discrimination (“intersectionality”)
- Specifying that the organization should take action to:
  - Educate employees about the policy
  - Develop a complaint process
  - Hold managers accountable for responding to and resolving complaints of harassment
  - Ensure that all reports of workplace discrimination and harassment are appropriately investigated
  - Provide for the monitoring and evaluation of the application of the policy, such as the collection and analysis of employee comments, feedback from investigators and managers, and information collection through exit interviews to inform the monitoring and review of the policy
- Specifying that managers should take action to:
  - Model the behaviours they expect from employees
  - Respond to and resolve complaints of harassment
- Requiring that a report be compiled annually for the leadership team on the number and type of complaints and any trends and systemic issues that need to be addressed proactively
- Defining workplace as including, but not limited to:
  - Schools, Board offices, and facilities as well as vehicles used in the course of completing work and traveling to and from work sites

- Any place where employees perform work or work-related duties or functions
- Schools and school-related activities such as extracurricular activities, co-instructional activities and excursions
- Conferences, training sessions, workshops, and social events related to work, as well as travel to and from these activities
- Activities within offices, staff rooms, classrooms, cafeterias/lunchrooms, and other Board property.

### **Workplace Harassment Prevention Procedure**

This procedure supports the Board’s commitment “to providing a working and learning environment free from discrimination and harassment where all individuals are treated with respect and dignity.”

The procedure is fairly comprehensive and does the following:

- Defines bad faith, frivolous, vexatious, workplace, workplace harassment, and workplace sexual harassment
- Specifies that complaints found to be vexatious, frivolous, or made in bad faith may result in disciplinary action
- Articulates the disciplinary actions that can be taken against those found to have harassed, up to and including dismissal
- Lists the human rights protected grounds
- States that all employees have a duty to report incidents of discrimination or harassment in the workplace that they have witnessed or become aware of
- States that efforts should be made to resolve the concern at the earliest possible stage in a collaborative and respectful manner
- States that complaints will be treated in a confidential manner, and
- Includes an appeal process.

This procedure has been assessed against the Ontario Human Rights Commission’s *Guide to Developing Human Rights Policies and Procedures*.<sup>41</sup> The review identified a number of changes that can be made to strengthen the policy and ensure compliance with the Commission’s guide.

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<sup>41</sup> Ontario Human Rights Commission. (2013). *A policy primer: Guide to developing human rights policies and procedures*. Retrieved from <http://www.ohrc.on.ca/en/policy-primer-guide-developing-human-rights-policies-and-procedures>



While the procedure states the responsibility of every person to create and contribute to a climate of understanding and mutual respect, it does not specify the duties of managers and school administrators to:

- Be good role models
- Promote positive and respectful relationships among employees
- Intervene when issues arise
- Be aware of what's happening in the workplace
- Act to stop any harassment or discrimination that managers or school administrators have witnessed or become aware of, and
- Take issues seriously.

The procedure also defines workplace as “any land, premises, location or thing at, upon, in or near which a worker works.” This limited definition of workplace does not then include harassment that may occur when employees travel to and from different locations or other locations where work-related activities occur, such as social gatherings, conferences, and training sessions. The limited definition of workplace also does not cover harassment that occurs electronically.

**Recommendation 16:** It is recommended that the Workplace Harassment Prevention Procedure be strengthened by:

- Defining and including the following as violations of this policy: failure to accommodate; interference; condonation; poisoned work environment; discrimination; and threats/retaliation
- Broadening the definition of workplace
- Updating the list of human rights protected grounds to include sex
- Including gender-based harassment as a type of sexual harassment
- Providing examples of harassment
- Stating that individuals retain the right to pursue remedies through external processes, including under the *Human Rights Code* and the *Occupational Health and Safety Act* or by contacting police
- Clearly articulating the rights and responsibilities of managers, school administrators, and the Board
- Clearly articulating the rights of complainants and respondents when a complaint has been made

- Identifying responsibilities to report annually to the Director of Education on complaints made in order to identify trends and systemic issues and to propose proactive measures to address these issues
- Noting that while the definition states a “course of conduct,” a single significant incident may be sufficiently offensive to meet the definition of harassment
- Specifying that the policy also applies to discrimination or harassment based on association or relationship with a person identified by one of these grounds and perception that one of these grounds applies
- Indicating that people may experience discrimination and harassment based on the intersection of multiple grounds of discrimination (“intersectionality”)
- Ensuring that those assigned to investigate a human rights complaint have sufficient training and understanding of the Ontario *Human Rights Code* and the *Occupational Health and Safety Act* to conduct an appropriate investigation, and
- Delineating the monitoring and evaluation of the application of the policy, such as the collection and analysis of comments and feedback from employees, investigators, and members of the school community.

### **Workplace Violence Prevention Procedure**

This procedure provides a framework for the various policies and processes related to workplace violence and outlines the measures and procedures to:

- Control risks identified under the Board’s workplace violence risk assessments
- Summon immediate assistance when workplace violence occurs or is likely to occur
- Report incidents of workplace violence to the employer or supervisor, and
- Set out how the employer will investigate and deal with incidents or complaints of workplace violence.

It provides a number of definitions, including bad faith, history of violence, workplace, workplace violence, and domestic violence.

The procedure is fairly comprehensive and states the following:

- That some acts of workplace violence may be criminal matters to be dealt with by the police
- That the procedures apply to workplace violence regardless of the source (worker to worker, visitor to worker, or parent to worker)
- The specific duties of the employer, principal/supervisor, and employees, and
- The need to conduct site-specific risk assessments.

The procedure also provides a limited definition of workplace. This limited definition of workplace does not include harassment that may occur when employees travel to and from different locations or other locations where work-related activities occur, such as social gatherings, conferences, and training sessions. The definition of workplace also does not cover harassment that occurs electronically.

**Recommendation 17:** It is recommended that the Workplace Violence Prevention Procedure be strengthened by:

- Defining and including the following as violations of this policy: interference and condonation
- Expanding the definition of workplace
- Providing examples of what constitutes workplace violence, and
- Delineating the monitoring and evaluation of the application of the policy, such as the collection and analysis of comments and feedback from employees, investigators, and members of the school community.

### **Code of Conduct Policy and Procedure**

The Code of Conduct Policy and Procedure commits the HWDSB to fostering positive school climates where all employees feel safe, included, and accepted. However, the policy does not extend to all Board workplaces.

**Recommendation 18:** It is recommended that the Code of Conduct Policy and Procedure be revised to address behaviours in all Board workplaces, not only school-based workplaces.

**Recommendation 19:** It is recommended that the Board develop an Equity and Inclusion Lens to be used when developing new or revising existing Board policies.

### **Practices not embedded in policy**

We heard from a few employees who participated in the consultations that there are some Board practices that have not been embedded in policy, which has allowed for the inconsistent application of these practices by managers and school administrators as well as by human resources staff. In particular, employees raised concerns that some educators were not able to teach in the same school or class as their children, while others shared stories of multiple times that this occurred within their school. In addition, concern was raised by some that their previous teaching experience was accepted by the Board, while others with similar teaching experience, but in a different context, shared that their previous teaching experience was not accepted.

**Recommendation 20:** It is recommended that the Board develop policies to clarify and guide the consistent application of its practices, in particular whether educators are permitted to

teach in the same school or class as their children and what type of previous teaching experience will be accepted.

## **8. Recruitment and Selection Processes and Practices**

The purpose of the recruitment process is to attract a diverse pool of qualified applicants to fill vacant positions. An organization's method of recruitment contributes greatly to the composition of its workforce. For example, the diversity among applicants in response to a vacancy advertised in a national newspaper will likely be different from the diversity among applicants in response to a job opening advertised by word of mouth through existing employees.

The hiring and selection process includes activities designed to identify a qualified candidate for appointment to a vacant position. Hiring and selection systems are closely linked to the recruitment system — the recruitment system provides the candidates who go through the hiring and selection process.

The nature of the recruitment and selection process renders it susceptible to systemic barriers and individual biases. Consequently, it is important to use a structured process to minimize the potential for barriers and biases. A structured process helps to ensure that only clearly defined job-related criteria are used to assess candidates at each stage of the process and that steps are taken to mitigate cultural and personal biases. While a structured process does not guarantee the elimination of barriers and biases, it does help reduce their impact. It also helps to reduce the level of subjectivity in the hiring process, which may undermine the Board's strategic priorities and human rights obligations.

The components of the recruitment, hiring, and selection process reviewed in this section include:

1. Job postings
2. Advertising job openings
3. Accommodation during the hiring process
4. Selection criteria
5. Pre-screening
6. Assessment of candidates
7. Background checks, and
8. Competition files.

## 8.1 Job postings

The wording of, and information contained in, a job ad has the effect of limiting or broadening the applicant pool. In addition to describing the duties of the position, job ads posted by organizations with equity or diversity programs typically include wording that presents the organizations as welcoming to applicants from the equity-seeking groups, which helps to attract job seekers from diverse communities, backgrounds, and identities.

In addition, other information in the job ad supports job seekers to fully understand the position, know where to find more information about the job opening, and apply for the position.

### Findings

#### *Webpage*

Job openings are included on the Careers page of the HWDSB's website. The webpage provides:

- An overview of the Board and its mission
- Current job openings, along with their posting and closing dates
- How to apply
- Information for international applicants, and
- Conditions of employment.

The information on how to apply provides information specific to new teachers and the requirement that they apply directly to [www.applytoeducation.com](http://www.applytoeducation.com). Information for how non-teachers apply is not provided on the webpage.

The webpage also notes that:

Individual school postings will not be posted on Apply to Education. When there is a vacant position the Principal will access Apply to Education to conduct a candidate search seeking candidates whose qualifications will best suit the needs of the school.

Information is also provided for job seekers who are internationally trained, and notes that:

We encourage all international applicants to have their academic credentials evaluated prior to applying for employment, in order to accurately interpret and compare to Canadian equivalents.

The webpage also refers job seekers to World Education Services to have their qualifications assessed.

The webpage provides information on conditions of employment, including the requirement to complete the Pre-Employment Screening Process, which includes reference checks, a police record check, a TB test, a job-related medical note, and WHMIS training.

While the Careers webpage does provide information helpful to job seekers, it could provide additional information that would help them to better understand and prepare for the selection process. The Government of Ontario, for example, provides information to job seekers on what to expect if invited for an interview.<sup>42</sup>

We also noted that one job ad included the following statement:

In the spirit of the *Human Rights Code*, we ask that resumes not include personal data, such as age, marital and family status, or health.

In some countries, including personal information and a photo on one's résumé is common. As such, it appears that more information may be needed to help newcomers and those entering the labour market to design their résumé and ensure that information that may be the basis for a human rights complaint is not provided.

The Board should recognize that the cost of using Apply to Education to apply for a job can be a barrier to low-income applicants and those from Indigenous communities and the equity-seeking groups. Further, the requirement to apply via the Internet could create a barrier to job seekers with low computer literacy. While many organizations use a computer system to accept and manage job ads, many also allow job seekers to complete paper-based job applications or submit resumes by email, mail, or in person to ensure that there are no barriers in the hiring process. Some continue to require applicants to apply through their online system, but provide assistance through their human resources department.

### ***Content and language used***

The job ads reviewed were written in clear, unbiased language and includes various types of information, including:

- Background information about the Board
- Salary range
- How to apply
- Contents of application package, and
- Deadline for submission.

However, the job ads reviewed do not follow a similar format and, as such, do not provide consistent information to job seekers.

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<sup>42</sup> See <https://www.gojobs.gov.on.ca/Pages/WhatToExpect.aspx>

### ***Equity and accommodation statement***

The equity and accommodation statement is an important component of the job ad and encourages a diverse applicant pool. It also helps the Board to meet its obligation under the *Human Rights Code* and *Accessibility for Ontarians with Disabilities Act* to offer and provide accommodation to prospective employees based on any human rights protected ground.

The following statement is included in most of the job ads that were reviewed for this Equity Audit:

Hamilton-Wentworth District School Board is committed to equity in employment. As an equal opportunity employer, we are committed to establishing a qualified workforce that is reflective of the diverse population we serve. The Board is committed to providing accommodations throughout the recruitment and selection process. If you require accommodation, please notify us in advance and we will work with you to meet your needs. We encourage applications from all qualified individuals; however, only those under consideration will be contacted.

While this statement is included on most job ads, it is not included on all the job ads reviewed, nor is it included on the Careers webpage.

**Recommendation 21:** It is recommended that the Board's Careers webpage include information to better support job seekers, including information on the recruitment process and what a candidate should expect if invited for an interview.

**Recommendation 22:** It is recommended that the Board's Careers webpage address the various ways in which candidates may submit an application for various job openings, as not all applications are to be submitted through [www.applytoeducation.com](http://www.applytoeducation.com).

**Recommendation 23:** It is recommended that the language on the Careers webpage be updated to refer to job seekers as "foreign-trained" rather than as "international applicants."

**Recommendation 24:** It is recommended that the Careers webpage include an FAQ section that answers the question "What information should and should not be included on my résumé?"

**Recommendation 25:** It is recommended that the requirement for a TB test and a job-related medical note be removed from the Board's website and from consideration in the hiring process.

**Recommendation 26:** It is recommended that all the HWDSB's job ads follow a similar format and provide job seekers with the following information:

- Background information about the Board
- Job duties

- Education and qualifications, including professional registrations
- Experience required, e.g., related experience in a public-sector environment
- Skills and knowledge required
- Location of the position
- Hours of work
- Salary range or hourly wage, and
- How to apply.

**Recommendation 27:** It is recommended that the equity and accommodation statement be included on each job ad and on the Board’s Career webpage.

**Recommendation 28:** It is recommended that the proposed FAQ section on the Careers webpage address questions that job seekers may have about requesting accommodation, such as “What is accommodation?” and “Will asking for accommodation affect the Board’s hiring decision?” Examples of the types of accommodations that may be provided could be included to help job applicants understand whether they should be requesting accommodation. Job seekers should also be informed that accommodation will be provided based on any human rights protected ground, including disability, family status, and religion.

**Recommendation 29:** It is recommended that the Board allow applicants to submit applications at no cost through Apply to Education to remove the financial and other barriers that using Apply to Education may create for Indigenous job seekers and those from the equity-seeking groups.

## **8.2 Advertising job openings**

### **Findings**

#### ***Advertising job openings***

The Board uses its website as its primary means of advertising job openings to the public. For professional or specialist positions, the Board conducts broader advertising, including posting job ads in newspapers, through professional associations, and on other websites such as Indeed and LinkedIn.

#### ***Outreach recruitment***

Outreach recruitment has been a valuable, practical, and successful tool for many employers to reach members of diverse communities and ensure greater diversity within the applicant pool. Not only does outreach recruitment encourage a more diverse applicant pool for the positions currently vacant, but it also signals to those from diverse communities, backgrounds, or identities that the organization is welcoming of people like them, which could then increase the likelihood that they may consider applying to job openings in the future. Without the



relationship building that is inherent in outreach recruitment, job seekers may hear about specific job openings, but may not apply if they perceive the organization to be a “closed shop” and unwelcoming of people from their community, background, or identity.

In order to diversify the applicant pool for certain positions, the HWDSB has recently begun to hold job fairs, at which time job seekers can have their résumé reviewed and an interview conducted. Some of these job fairs have been conducted in partnership with the Immigrants Working Centre and outreach conducted in order to diversify the applicant pool.

Throughout Ontario, school boards are facing the challenge of diversifying their teacher workforce to reflect the diversity of the student population. If school boards are to close the Teacher Diversity Gap,<sup>43</sup> they need to effectively use their influence to ensure that faculties of education are graduating more racialized teachers. School boards can also develop curriculum and strategies to support elementary and secondary students from all backgrounds to see teaching as a viable profession. In an attempt to diversify its teacher workforce, various school boards are also conducting targeted outreach recruitment efforts. For example, to better reflect and serve its Black students, the Durham District School Board recently hosted its first recruitment night for Black teachers.<sup>44</sup> In order to hire more male and racialized teachers, the Toronto District School Board has also included gender and race among the factors used to select who will be invited for an interview.<sup>45</sup>

School boards also have a role to play in ensuring that universities are graduating teachers from diverse racial backgrounds. The ability of employers to influence universities to diversify their student populations is not new. Faced with the lack of diversity among law school graduates, the legal community has worked with faculties of law to increase diversity among those entering the profession. Canada’s legal community has designed a *Call to Action Canada: Diversity in the Legal Profession* to help foster more diverse Canadian legal environments within the next decade.<sup>46</sup> Those who have signed onto the Call to Action include law firms, corporations, Crown prosecutors, judges, and law schools. These organizations have

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<sup>43</sup> <https://www.turnerconsultinggroup.ca/blog-tana-turner/teacher-diversity-gap>

<sup>44</sup> CBC News. (2018, April 20). *Durham school board hosts 1st-ever recruitment night for black teachers*. Retrieved from <http://www.cbc.ca/news/canada/toronto/durham-school-board-hosts-recruiting-for-black-teachers-1.4627791>

<sup>45</sup> Hammer, K., & Alphonso, C. (2013, February 19). Hiring should favour male, minority teachers: Toronto school board. *The Globe and Mail*. Retrieved from <https://www.theglobeandmail.com/news/toronto/hiring-should-favour-male-minority-teachers-toronto-school-board/article8797933/>

<sup>46</sup> Stern, J. (2010, January 11). Driving diversity: A call to action to Canada’s legal community. *Canadian Lawyer*. Retrieved from <http://www.canadianlawyermag.com/author/heather-gardiner/driving-diversity-a-call-to-action-to-canadas-legal-community-692/>

undertaken a range of initiatives to not only hire lawyers from diverse backgrounds, but also influence the diversity of those entering law schools.

In response, law schools have undertaken various efforts to diversify their student populations. For example, the Faculty of Law at the University of Toronto has a strategy to diversify its student population that includes:<sup>47</sup>

- Creating innovative youth outreach programs to encourage young people from underrepresented communities to consider law school
- Removing the financial obstacles faced by low-income students when applying to law school by offering a free LSAT prep program and waiving the law school application fee
- Collecting demographic information about incoming student classes, and
- Offering specialized student support services to Indigenous students.

**Recommendation 30:** It is recommended that the Board work with other school boards to use their influence to call on faculties of education to increase the racial diversity of their graduates.

**Recommendation 31:** It is recommended that the Board promote teaching as a profession to elementary and secondary students from Indigenous communities and the equity-seeking groups.

**Recommendation 32:** It is recommended that the Board engage in targeted outreach recruitment to attract teacher applicants from more diverse backgrounds, in particular Indigenous and racialized teachers.

### 8.3 Accommodation during the hiring and selection process

During the hiring and selection process, the Ontario *Human Rights Code* requires that organizations accommodate both existing and prospective employees based on any human rights protected ground. The *Accessibility for Ontarians with Disabilities Act* also requires that persons with disabilities receive accommodation in the hiring and selection process if necessary. The Employment Standard in the *Accessibility for Ontarians with Disabilities Act* requires that organizations:

- Notify candidates about the availability of accommodation during the recruitment and selection process
- Provide assessment and selection materials in accessible formats, upon request, and

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<sup>47</sup> Inclusivity and Diversity at the Faculty of Law. Retrieved from <https://www.law.utoronto.ca/about-law-school/inclusivity-and-diversity-faculty-law>

- Notify successful candidates of the policies for accommodation of employees with disabilities.

## Findings

A few of the competition files reviewed included the email that invited the candidates for an interview. These emails did not ask candidates whether they needed accommodation to participate in the selection process.

**Recommendation 33:** It is recommended that guidance be provided to all those involved in the hiring process about:

- The duty to provide accommodation based on any human rights protected ground, and that the need for accommodation should not be a consideration when making the hiring decision
- The duty to notify candidates about the availability of accommodation during the recruitment and selection process
- The duty to provide assessment and selection materials in accessible formats, upon request, and
- The duty to notify successful candidates of the policies for accommodation of employees with disabilities.

**Recommendation 34:** It is recommended that procedures be updated to support employees to accurately describe the interview process and practicums so that candidates are able to determine whether they will require accommodation.

## 8.4 Selection criteria

### Findings

Our review of job ads indicates that the selection criteria requested on the job ads appear to be consistent with the requirements of the job.

The competition file review found that, in some cases, the Board identifies the qualifications needed for a position and notes that it also accepts a combination of education and work experience. For example, one job included the following wording:

2-year college diploma in a related field or an equivalent combination of education and experience.

This helps to remove barriers to both younger and older workers, women returning to the labour market, and newcomers who may have gained the needed skills for the job through volunteer and paid work experience, but lack the needed education credentials. However, our review of competition files found that equivalencies were not accepted for all positions for which a specific diploma or degree is not needed for the position.

**Recommendation 35:** It is recommended that an equivalent combination of education and experience be accepted for positions that do not require a specific diploma or degree.

## 8.5 Pre-screening

Pre-screening includes reviewing applications against the stated requirements on the job ad to identify who will be invited for an interview. Typically, a spreadsheet is used to document that each applicant has been assessed against the criteria and to justify the selection of those invited for an interview.

### Findings

Pre-screening is conducted in some cases by the staffing officer and/or staffing coordinator, and in other cases by the hiring manager. The screening is based on the minimal requirements (education and experience) listed in the job ad. For unionized positions in which hiring opportunities are restricted to internal applicants, there is no flexibility on the pre-screening criteria, as the educational and experiential requirements have been negotiated with the bargaining unit.

Teacher positions are based on educational qualifications for each panel, as well as additional qualifications that are needed within the Board.

In some of the competition files reviewed, a Resume Scoring Matrix was used and included in the file. In most of the files reviewed, however, a pre-screening form was not included. As such, we are unable to determine the basis on which applicants were invited for an interview.

**Recommendation 36:** It is recommended that Human Resources Services develop, share, and require the use of a Resume Scoring Matrix to support the consistent assessment of applicants in order to determine who is invited for an interview.

## 8.6 Assessment of candidates

In a formal assessment process, interview questions are designed to assess each candidate against job duties and qualifications. The general practice is to establish tests and interview questions that reflect the skills and abilities needed for the job; identify a score and weight for each type of assessment; and administer the same tests and ask the same questions of all candidates.

Ensuring consistency in the assessment of candidates helps to ensure that staffing decisions are based on a fair assessment of the candidate's skills and abilities against job-related criteria rather than an interviewer's subjective assessment of the candidate. Studies have shown that the more subjectivity there is in a hiring process, the less likely it is that women are successful

in the process.<sup>48</sup> This finding likely holds true for candidates from the other equity-seeking groups as well.

Other studies have found that bias and error on the part of the interviewer is a key reason why the candidate who is most likely to perform well in the job is not always hired.<sup>49</sup> Without the standardization of the interview process — supported by adequate training — interviewers may make hiring decisions based on “gut feeling” and intuition, which could have a negative effect on the hiring of Indigenous persons and individuals from the equity-seeking groups.

For decades, research studies in Canada and the United States have been conducted on the impact of gender, race, and ethnicity in various aspects of employment. This research suggests that both conscious and unconscious biases influence interactions with and the assessment of job candidates. One study found that in the hiring process, men are judged based on their potential and women on their past performance.<sup>50</sup> Some studies found that when there was a hiring decision to be made, men of equal skill and ability were more likely to be hired over their female peers.<sup>51</sup> There is also evidence that the qualifications and work experience of immigrants are likewise undervalued, and that biases against those with “ethnic-sounding” names negatively affect the ability of job applicants to be considered for positions for which they are fully qualified.<sup>52</sup>

To minimize the effect of bias on candidates from Indigenous and equity-seeking communities, organizations typically strive to ensure diversity among interview panels to increase the validity of the interview as a primary selection tool and to decrease the differences in outcomes between equally qualified candidates from various groups. Having a diverse interview panel decreases the likelihood of gender or cultural bias in the interview process and, in turn, increases the fairness — and perceptions of fairness — of the process.<sup>53</sup>

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<sup>48</sup> Polisar, J., & Milgram, D. (1998, October). Recruiting, integrating and retaining women police officers: Strategies that work. *The Police Chief*, 65(1), 42–52.

<sup>49</sup> Bohnet, I. (2016, April 18). How to take the bias out of interviews. *Harvard Business Review*. Retrieved from <https://hbr.org/2016/04/how-to-take-the-bias-out-of-interviews>

<sup>50</sup> Jacobs, T. (2019, April 25). Men are judged based on their potential; women are judged based on their past performance. *Pacific Standard*. Retrieved from <https://psmag.com/economics/men-are-judged-based-on-their-potential-women-are-judged-based-on-their-past-performance>

<sup>51</sup> Gonzalez, M.J., Cortina, C., & Rodriguez-Menes, J. (2019, March). Are women less likely to get hired? La Caiza Social Observatory. Retrieved from <https://observatoriosocialacaixa.org/en/-/mujeres-oportunidades-contratadas>

<sup>52</sup> Cruickshank, A. (2017, December 26). Black job seekers have harder time finding retail and service work than their white counterparts, study suggests. *The Toronto Star*. Retrieved from <https://www.thestar.com/news/gta/2017/12/26/black-job-seekers-have-harder-time-finding-retail-and-service-work-than-their-white-counterparts-study-suggests.html>

<sup>53</sup> Dechief, D. & Oreopoulos, P. (2012, February). Why do some employers prefer to interview Matthew, but not Samir? New evidence from Toronto, Montreal, and Vancouver. *SSRN Electronic Journal*. 10.2139/ssrn.2018047.

In addition, interviewers, no matter how well intentioned, may also tend to favour those who are more like them, as well as those they know on a personal basis or with whom they have previously worked. A diverse interview team would help to mitigate any such bias.

### **8.6.a Interviews**

#### **Findings**

Depending on the position, human resources staff and/or the manager may set up the interview, develop the interview questions, and convene the interview panel. For many central positions, the staffing officer may sit on the interview panel.

In some cases, where the Board is hiring for a pool, such as Occasional Teachers and EAs, candidates are interviewed by retired principals.

Human resources staff are not involved in hiring conducted at the school and the hiring of DECEs.

#### ***Use of an interview panel***

The review of the competition files indicates that interview panels of two or more individuals are consistently used in the hiring process.

#### ***Scoring***

The review of the competition files found that they included interview forms, which had the interview questions, “look-fors,” and scoring. However, while the forms included a space to score the candidates’ responses to the interview questions, scores were not always included. As such, we are unable to determine the basis on which candidates were assessed and a hiring decision made.

While such comments were not typically found in the competition files, a few interview panel members did include notes in the file to indicate that they assessed candidates on more than their skills and abilities to do the job. These comments included:

- Tone was monotone.
- Vastly over-qualified. No indication that he is willing to re-locate to Hamilton.
- Vastly over-qualified. Difficult to imagine their level of satisfaction or willingness to commit to a junior position for a year.

Judging the candidate on their tone is not a job-related criterion. In addition, one’s tone of voice can reflect cultural differences or a disability. As a result, it may put individuals from the equity-seeking groups at a disadvantage during the hiring process.

Similarly, screening job seekers out of the hiring process because they are deemed to be “over-qualified” is problematic and can be discriminatory. It may negatively impact older workers who have significant work experience but could be changing careers or transitioning into retirement. It may also have an adverse impact on newcomers, those re-entering the labour market, and those who have experienced discrimination in the labour market, all of whom have no choice but to apply to positions for which they are over-qualified in order to gain “Canadian experience” or to “get their foot in the door.”<sup>54</sup> As the Ontario Human Rights Commission notes:<sup>55</sup>

Human rights law is based on the principle that employment decisions should be based on the applicant’s ability to do the job. Therefore, the potential for human rights claims can arise where a qualified person is willing to take a job at the rank and salary offered but is refused simply because he or she has additional experience or skills.

### **Feedback**

Regulation 274 requires that candidates be provided with feedback. A form is provided to the interview panel to include information on strengths and suggested areas for development. The information provided on these feedback forms appeared to be job related and constructive.

### **8.6.b Interview questions**

#### **Findings**

The competition file review found many examples of good interview questions that were relevant to the position and allowed the interview panel to assess candidates’ knowledge, skills (e.g., tell us about your approach to... ), and what they would do in a given situation (e.g., what would you do if...).

While interview questions about equity and diversity were included for most teacher positions, such questions were not asked for all teacher positions nor in most of the competition files we reviewed, including for ECEs, supervisors, and CYCP.

Through the review of the competition files, we did identify some questions that were used that do not support the bias-free assessment of job candidates:

- Some questions were not related to an assessment of the candidate’s skills and abilities needed for the job. These included:
  - Why do you want this position?
  - Why did you apply to this position?
  - Tell us the last book you read.

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<sup>54</sup> <http://www.ohrc.on.ca/en/policy-discrimination-against-older-people-because-age/5-employment>

<sup>55</sup> <http://www.ohrc.on.ca/en/policy-discrimination-against-older-people-because-age/5-employment>

- Some questions favour candidates who have previous organizational knowledge, including:
  - As a member of the team, what do you believe are your key responsibilities in managing the finances?
  - Tell us about the programs this department operates.
- Some questions are culturally biased and may disadvantage candidates not from the dominant North American culture:
  - Why do you believe you are the best candidate for this position?

In some cases, the same interview questions are used for different competitions for the same position. As a result, candidates who apply to more than one position are then at an advantage, as they have had the opportunity to hear the interview questions and use them to prepare for subsequent interviews. Using a pool of questions for each of the competencies of interest would allow for different questions to be asked for each competition.

In some cases, but not all, the candidate was provided with a written copy of the interview questions to refer to during the interview. This is a best practice that supports those who are visual learners to understand the question and fully respond to it. Providing a copy of the interview questions a few minutes prior to the interview further supports candidates to prepare their responses and manage the time allotted for the interview.

The review of the competition files also found that in one case, the interview panel did not appear to probe to ensure that the candidate fully answered the question. A panel member noted that the answer was not fully answered, but there was no indication that any probing or follow-up questions were asked to explore whether the candidate didn't understand the question or didn't know the response.

### **8.6.c Testing**

#### **Findings**

Some competitions included a test to support the assessment of the job candidates. The tests found in the competition files reviewed include:

- Test of Excel skills and ability to use PowerSchool
- Web design case study
- Written knowledge of logic and process
- Presentation on a particular topic, and
- Practical demonstration of their ability to safely climb a ladder and work at a certain height.



However, most of the competition files did not include a scoring sheet to determine how these tests were assessed.

**Recommendation 37:** It is recommended that all competitions include questions to assess the candidate's ability to work with a diverse group of co-workers, work in a diverse school community, or manage a diverse group of employees.

**Recommendation 38:** It is recommended that where multiple competitions are held for the same position, a bank of interview questions be developed to avoid the use of the same questions in each interview.

**Recommendation 39:** It is recommended that a Hiring Toolkit be developed to:

- Provide guidance to hiring managers on developing interview questions that focus on assessing the candidate's skills and abilities to do the job and the need to score each question against predetermined "look-fors"
- Educate users about how cultural, gender, and other biases may impact their hiring decisions and the need to focus on the candidate's skills and abilities to do the job. This should include focusing the interview questions on the skills and abilities to do the job and not assessing candidates on other factors such as their tone of voice and judgements about their being over-qualified
- Require that interview panel provide a written copy of the interview questions for the candidate to refer to during the interview and, where possible, allow the candidate to review the written questions a few minutes prior to the interview
- Include instructions for interview teams that reflect a number of best practices:
  - Open the interview by explaining the process to the candidate, including the number of questions to be asked and the time allotted for the interview
  - Guidance on the use of look-fors
  - Guidance on probing
  - Consensus scoring
- Provide guidance on testing to ensure that tests are consistently administered and scored and to ensure that candidates are asked whether they require any accommodation to complete the test, and
- Address the potential impact of unconscious bias in the hiring process and provide tips for hiring managers to mitigate the impact of bias on the hiring process.

**Recommendation 40:** It is recommended that ongoing training be provided to managers and administrators involved in the hiring process to help them understand and mitigate the impact of unconscious bias on the hiring process, and to help them understand their responsibility to hire based on the skills and abilities to do the job.

**Recommendation 41:** It is recommended that the Board embed in policies and procedures a commitment to including visible diversity on the interview panel, and that the Board identify this as a best practice for principals and managers.

**Recommendation 42:** It is recommended that Human Resources Services serve as a model and leader for the rest of the organization by increasing the diversity of employees within the department.

**Recommendation 43:** It is recommended that the Board regularly communicate with employees about the hiring process, including any changes to the process, to strengthen employees' confidence that the Board has a fair and bias-free process that supports the equitable assessment of candidates from Indigenous communities and the equity-seeking groups.

## 8.7 Background checks

### Findings

#### *Reference checks*

Reference checks are conducted following interviews. The reference check forms reviewed include some very good questions designed to assess how the candidates performed in previous positions as well as the soft skills they bring to the position. However, most of the reference checks reviewed did not include a question on equity and diversity.

#### *Police record check*

In accordance with the *Education Act*, the Board requires anyone seeking employment to provide an appropriate police record check from the police jurisdiction in which they reside. A Police Vulnerable Sector Check is required when an individual will be in a position of trust or authority over vulnerable persons, including students.

Each year, employees are required to complete an Annual Compliance Declaration to disclose convictions for offences under the *Criminal Code* for which a pardon has not been granted.

**Recommendation 44:** It is recommended that reference checks include a question, appropriate for the position, on equity and diversity.

## 8.8 Competition files

A complete competition file allows the organization to document the hiring process and justify the interview panel's hiring decision. This allows for an accurate and thorough debrief of all candidates should it be requested. It also enables the organization to defend its hiring decision, should it be challenged through a grievance or human rights complaint.

## Findings

For interviews conducted centrally, all interviews and practicums are scored and competition files maintained in the Human Resources Department. For interviews conducted at the school level (e.g., permanent positions) documents are maintained by the principal. Files are maintained for 1 year.

While most of the competition files we reviewed were complete, the files did not include a checklist to ensure that all relevant documents are included in the competition file once the hiring process is complete.

The review of the staffing process also shows that each staffing officer and staff coordinator does things somewhat differently, as there is no manual on how hiring is to be conducted and, consequently, no guidance on how to conduct hiring that is equitable and supports the hiring of Indigenous peoples and those from the equity-seeking groups. As such, there is a need to bring consistency to the process, both as it is done by human resources staff, as well as the hiring conducted by others without the involvement of human resources.

**Recommendation 45:** It is recommended that a checklist be provided to specify which items should be maintained in the competition files.

**Recommendation 46:** Given that individuals have up to 1 year after an incident to make a human rights complaint, it is recommended that all competition files be kept for 18 months after the competition closes.

**Recommendation 47:** It is recommended that Human Resources Services develop tools, resources, and training for staffing officers/coordinators that support the consistent application of policies, equitable hiring, as well as the hiring of Indigenous peoples and those from the equity-seeking groups.

**Recommendation 48:** It is recommended that Human Resources Services develop tools, resources, and training for school administrators and others involved in the hiring process that support the consistent application of policies, equitable hiring, as well as the hiring of Indigenous peoples and those from the equity-seeking groups.

## 9. Vice-Principal and Principal Promotion Process

### Findings

The HWDSB's vice-principal and principal promotion process is open to internal and external applicants who have the required qualifications. Through the promotion process, the Board creates a pool of qualified candidates for future elementary and secondary vice-principal and principal job openings. Successful candidates are placed in the pool and on a ready list for a 2-year period, and they may be assigned at any time.

HAMILTON-WENTWORTH DISTRICT SCHOOL BOARD  
Equity Audit

The Board starts its search for new vice-principals and principals by advertising on its website, from which the necessary forms can be accessed. The Board then uses a multi-stage process to select vice-principals and principals, during which candidates are assessed on different aspects of their leadership skills and abilities. Candidates are encouraged to prepare for the promotion process well in advance of applying.

The fall 2020 promotion process is described below. Because of the global COVID-19 pandemic, many meetings that were once conducted in-person are now held through a virtual platform.

<b>Internal and External Vice-Principal and Principal Promotion Process</b>	
<b>Stage 1: Job ad</b>	The posting opens on the HWDSB internet, intranet, social media, and in the HWDSB Weekly Memo.
<b>Stage 2: Promotion Process Preparation Session 1</b>	At this meeting, an overview of the process and requirements for both internal and external candidates is provided. Both candidates and principal mentors are encouraged to participate.
<b>Stage 3: Promotion Process Preparation Session 2</b>	This meeting provides an overview of the promotion process and requirements for both internal and external candidates. Internal and external candidates who have received confirmation of readiness for promotion from their principal mentor can participate in this session. The primary focus is the Leadership Experience Summary.
<b>Stage 4: Posting Closes</b>	<p>All candidates are required to submit an electronic copy of their application package in PDF format addressed to the Superintendent of Human Resource Services via email.</p> <p>The candidate's application package must include a cover letter; a resume; a minimum of three professional references with email contact information and permission to contact references; a copy of current OCT qualifications; a copy of TPA (completed within the past 3 years) or letter of support from their principal mentor; and the Leadership Experience Summary with Sections 1, 2, 3, and 4 completed.</p>
<b>Stage 5: Review of Packages</b>	<p>Human Resources distributes the application packages to Executive Council for review.</p> <p>Internal Candidates: Validation meetings are held with the superintendent, principal mentor, and candidate to discuss candidate application package and Leadership Experience Summary. Meetings also include a physical or virtual classroom visit, contingent upon public health standards.</p> <p>External Candidates: Referees are contacted by Human Resources to complete a detailed reference check template, which is added to the candidate's application package for review by members of Executive Council prior to recommendation for an interview.</p>
<b>Stage 6: Interviews</b>	Candidates who are recommended for an interview are contacted.

<b>Internal and External Vice-Principal and Principal Promotion Process</b>	
<b>Stage 7: Promotion Process Preparation Session 3</b>	Recommended candidates are provided with an opportunity to participate in a mock interview process, either online or in person.
<b>Stage 8: Interviews</b>	Interviews are conducted with interview teams consisting of two Superintendents, two Principals, and one Human Resources Staffing Officer.
<b>Stage 9: Notification of Successful Candidates</b>	Executive Council reviews and finalizes the list of successful candidates. Candidates are notified. Successful candidates are communicated to the system.
<b>Stage 10: Placement</b>	Placement notification is made by Executive Council.

The HWDSB provides a Self-Assessment Tool for Aspiring Leaders to enable potential school leaders to assess their practices in reference to the knowledge, skills, and attitudes required for individuals aspiring to the role of vice-principal/principal in addition to informal leadership positions in the province of Ontario. The tool is based on the competencies and practices within the Ontario Leadership Framework and gives aspiring leaders the opportunity to reflect upon and cite evidence of the experiences that have contributed to their leadership development. The tool gives teachers examples of classroom, school, and system/community leadership practices needed to achieve the three provincial education priorities of: high levels of student achievement; reduced gaps in student achievement; and increased public confidence in publicly funded education. Using the tool for personal reflection, individuals can reflect upon their own practice and develop a growth plan for continued leadership development.

The tool defines and makes transparent the attributes and competencies that the Board considers important in a leader within its system, allowing emerging leaders to focus on developing those leadership qualities. Principals and superintendents are expected to use these competencies to assess a teacher and vice-principal's readiness for leadership and to support their development.

While the HWDSB has made a commitment in principle to creating a diverse workforce, it has not operationalized this commitment sufficiently to support the advancement of teachers and vice-principals from Indigenous and equity-seeking communities. Through the online survey, interviews, and focus groups, HWDSB employees identified a number of concerns with respect to the promotion process.

The first and most significant barrier identified is that current principals serve as gatekeepers to the promotion process. They noted that the promotion process begins years before a candidate participates in the selection process and that the principal plays a central role in the advancement of teachers into leadership positions, as the principal provides the leadership opportunities that allow teachers to develop the skills and depth of experience needed for advancement. As such, developing and offering guidance and tools for principals, coupled with

effective monitoring and accountability mechanisms, would support principals to encourage and develop emerging leaders who are Indigenous and from the equity-seeking groups. It would also support principals to base their support of teachers based on merit rather than personal relationships. This is particularly important given the overwhelming perception among employees that advancement into leadership positions within this Board is relationship based.

The requirement that each candidate have the full support of a principal mentor can function as a barrier to the advancement of Indigenous teachers and vice-principals and those from the equity-seeking groups. It sets up an entry criterion based on relationship and not skill, ambition, or qualifications. This issue was a common theme heard throughout the consultations with all groups of employees, with some employees commenting that because the process is relationship based, they have chosen not to seek advancement.

Research indicates that in organizations without formal mentoring programs, it is typical for leaders to mentor those who look like them and have similar backgrounds.<sup>56</sup> This reliance on informal processes creates an advantage for some employees and undermines the advancement of Indigenous employees and those from the equity-seeking groups. It also serves to reinforce negative perceptions about the lack of ability among Indigenous employees and those from the equity-seeking groups, because they do not advance within the organization to the same extent as individuals from other groups. This can then reinforce the unconscious bias that certain groups do not have the ability or ambition for leadership positions.

Our review of the files from the Winter 2018–2019 promotion process also identified a number of systemic barriers that may undermine the success of Indigenous candidates and those from the equity-seeking groups. First, we did not find any evidence that individual candidates' interviews were scored. Instead, interviewers discussed the candidate following the interview and made a determination about whether or not the candidate was successful. The lack of scoring undermines the ability of interviewers to be more objective in their assessment of the candidate and instead allows their assessment to be based on their subjective assessment of the candidates. Second, we found a number of comments made in the files that suggests that the interviewers assessed the candidates on subjective factors. While not typical in the file, these subjective assessments may undermine the success of Indigenous candidates and those from the equity-seeking groups because of the limited perceptions of what a leader looks like and sounds like. Some of these comments include the following:

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<sup>56</sup> See for example:

Mitchell, L. (2015, April 14). *Affinity bias key blocker for women in high profile overseas assignments*. Mitchell Services. Retrieved from <http://mitchellservices.net.au/affinity-bias-key-blocker-for-women-in-high-profile-overseas-assignments/>

Government of Australia. (2015, August 3). *Unconscious bias*. Retrieved from <http://www.apsc.gov.au/publications-and-media/current-publications/human-capital-matters/2016/unconscious-bias>

- Comments on the number of minutes not used in the interview
- Comments on the candidate's tone, e.g., "Voice increases as she gets stressed," "Aggressive in her delivery at times."

Providing training to those involved in the promotion process will help them understand and minimize the impact of unconscious bias and could help support the success of Indigenous applicants and applicants from the equity-seeking groups.

**Recommendation 49:** It is recommended that the Board conduct a demographic survey of all applicants to the vice-principal and principal promotion process so that it can track the success of applicants throughout the entire process to identify any barriers to advancement and ways in which the Board can improve the process.

**Recommendation 50:** It is recommended that the Board create a mentoring program to support the advancement of racialized and Indigenous teachers by giving them access to the knowledge and the breadth of experience needed to advance within the organization.

**Recommendation 51:** It is recommended that the Board develop appropriate training and mentoring programs to support aspiring racialized and Indigenous leaders.

**Recommendation 52:** It is recommended that the Board communicate any changes made to the promotion process to all employees to strengthen their confidence in a fair and bias-free process that supports the equitable success of Indigenous candidates and those from the equity-seeking groups.

**Recommendation 53:** It is recommended that the candidates' responses to interview questions during the promotion process be scored to support advancement based on merit.

**Recommendation 54:** It is recommended that members of the interview panel for vice-principal and principal promotions receive training to help them understand and minimize the impact of unconscious bias in the promotion process.

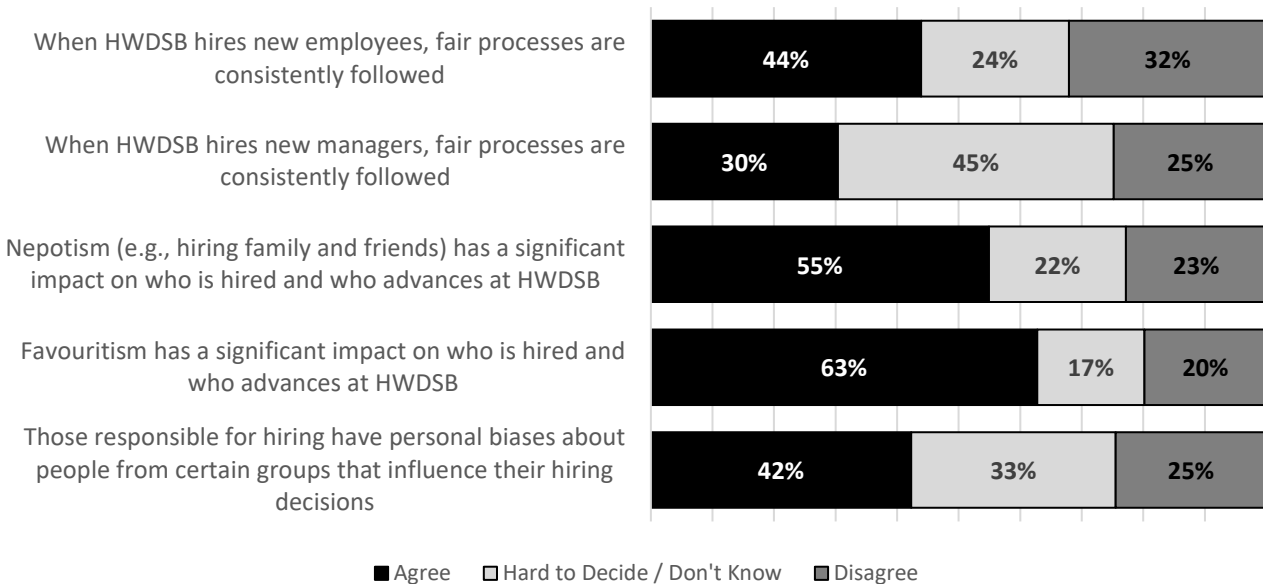
## 10. Employee Perspectives

### 10.1 Perceptions of the hiring and selection process

#### Findings

The online Workplace Equity and Inclusion Survey asked employees about their perceptions of the hiring and selection process. In response to the survey questions, a large proportion of survey respondents indicated that they did not know or were undecided about the hiring process, as they might not participate in the hiring process. However, the results from the employee survey, as shown in Graph 1, indicate that survey respondents, when they do have an opinion about the hiring and selection process, have little faith that the process is fair and bias-free.

**Graph 1. Employee Perceptions of the Hiring and Selection Process**



**Source:** Workplace Equity and Inclusion Survey, 2020.

*n* = 1,197

As the graph shows, 44% of the 1,197 survey respondents agreed that when the HWDSB hires new employees, fair processes are consistently followed, while 32% did not agree.

Furthermore, only 30% agreed that fair processes are followed when new managers and/or administrators are hired, compared with 25% who disagreed.

When employees were asked to comment on the hiring and selection process, by far the most frequently shared sentiment was about the HWDSB's failure to hire employees that reflect the diversity of the student population or the Hamilton community. While survey respondents commented mainly on the lack of racialized people at the HWDSB, they also shared that they felt there is a lack of employees with visible disabilities and those who identify as Two-Spirit



and LGBTQIA+. They also raised concern about the low representation of Indigenous employees despite the large proportion of Indigenous students in some schools and the Board's proximity to Six Nations. Many shared their perspective that the lack of diversity among teachers serves to reinforce the systemic and structural oppression that students face.

Survey respondents expressed frustration and disappointment that while the population of Hamilton has become increasingly diverse over the past few decades, the HWDSB has not made efforts to reflect this diversity in the hiring of teachers, employees, and leaders. This sentiment was echoed by some of those who participated in the focus groups — they observed that the HWDSB experiences a significant gap between the make-up of its workforce and its school communities. Survey respondents also shared their perception that opportunity hoarding and people's unwillingness to work with people they don't know is the underlying cause of the lack of diversity within HWDSB schools. They also noted that the lack of racial diversity means that when racialized people do get hired, employees are likely to think that the person was hired to fill a diversity quota, rather than because of their qualifications, skills, and experience. As one person commented, "It is not nice having that feeling in the back of your mind."

Many also reflected on the negative impact that this lack of diversity has on students and employees, sharing the following perspectives:

*It's really embarrassing as a staff person of such a diverse student population in Hamilton to have such little reflection of diversity in our leadership... Shame on us, that when we look at the leadership of our board it is almost exclusively white (aside from specific equity roles). We need racialized leaders in our board so students can see that people that look like them CAN be leaders. If students of colour (particularly Black and Indigenous students) can't see themselves reflected in the staff, it sends a message that people of colour are not actually included and accepted in all parts of the board or make acceptable leaders. It is the job of white people to see how we (as I identify as a white person) reinforce structural and systemic racism.*

*We need more diversity from the bottom to the top of this workplace, as well as more opportunities for staff to have better opportunities, it is not just enough to state we care for all, it needs to be seen and reflect in the staff.*

*Hire educators with diverse backgrounds to help students feel represented and included in a school environment.*

*I believe that it is incredibly important that students see themselves reflected in the staff at HWDSB. During my education, I did not see any teachers, educational assistants, or administrators that looked like me. The lack of diversity made me feel as though a career in education was not a viable option for me, and to this day, I do not see an adequate reflection of the diverse student population in the staff at HWDSB.*

*I feel that all the higher-up positions are dominated by people who are not from my village (e.g. It Takes A Village). As a board, I don't feel there is anyone higher up who represents me and my unique experience as a First Nations' person. I could not imagine myself as a consultant, principal or other higher-up. I would, however, feel comfortable pursuing positions on-reserve, where I do feel a part of the village.*

Those with whom we spoke through interviews also shared their concern about the lack of diversity at the HWDSB. They acknowledged that those in leadership positions at the Board and within schools tend to be White and middle class. They also acknowledged that this may signal to the community and other employees that diversity is not a priority for the Board.

Both interviewees and survey respondents identified various factors that they feel limited the diversity of employees: the lack of diversity among those doing the hiring; the lack of training and consistent practices established for those doing the hiring; the lack of focus on and accountability for increasing workforce diversity; current HWDSB policies and practices; and nepotism, favouritism, and opportunity hoarding.

Some of those with whom we spoke through interviews shared that the diversity that has been achieved so far has been by chance rather than by design. They shared their concern that in the absence of guidance and tools, biases play a significant role in the hiring and advancement process, including a preference to hire men who have the “presence” to be school administrators; affinity bias, which is the tendency to hire people with a similar background; and assumptions about who is a good “fit” for the school or workplace. They also acknowledged that the lack of diversity may mean that some employees will not apply to the Board or seek advancement because they don't believe they would be welcomed at the Board.

Leaders also warned that the focus cannot simply be on hiring and that more needs to be done to support employees from diverse communities, backgrounds, and identities once they are hired. They feel that the HWDSB needs to do more to ensure that employees from diverse communities, backgrounds, and identities feel that they belong, can contribute their best, and can advance their careers.

A number of survey respondents and focus group participants shared their concern that diversity has not been a focus of the HWDSB over the years, resulting in the lack of diversity they see today throughout the school board. Survey respondents also shared their perspective that current HWDSB policies and practices are not sufficient to ensure that hiring is based on merit or they feel that the policies and practices create barriers to the hiring of employees from diverse backgrounds and, as such, should be strengthened.

A number of survey respondents shared what they feel are barriers embedded within the hiring process. They felt that the need to use “buzz words” during the interview process limits the hiring of people who have not previously worked with the HWDSB. In addition, the practice of allowing principals to recommend someone to the OT list creates an advantage for those who

have been able to volunteer in the school or who were student teachers, which creates a disadvantage for others. As one principal noted, “If I’m going to recommend someone to the OT list, I need to see them teaching. And how would I see them teaching unless they are a student teacher or a volunteer at my school?”

While the Board notes that this practice was ended last year, survey respondents and focus group participants raised their concerns about how this practice contributed to the lack of diversity among the teacher workforce:

*Hiring practices requiring volunteering in order to be recommended for interview present a barrier to teachers who do not have the income to spend time in schools without pay. This practice creates an unequal access to employment for teachers from lower incomes. Additionally, this practice allows administrator bias to play a role in the recommendation of applicants to the OT list.*

*Volunteering is inherently inequitable to those facing economic barriers, and yet it is necessary for gaining employment as a teacher (French aside). Volunteers seem to also need to gain the principal’s favour if their application for employment is to be taken seriously. This can be awkward if a person the principal really likes (and maybe sees themselves in) is also seeking a recommendation. I know of years when each principal could only put forth one name for recommendation.*

Some also shared that principal references from the HWDSB are preferred over references from principals at other boards. This then gives an advantage to student teachers who did their placement at the HWDSB and those who have volunteered at the HWDSB. They suggested that the Board is very insular and hesitant to hire someone without a previous connection to the Board.

Employees expressed concern that this practice favours the placement of young people who have recently graduated from teachers’ college (particularly White teachers with connections within the Board) to the OT list, who are then at an advantage when the Board is hiring for permanent positions. This then leaves racialized teachers and others trapped on the OT list for decades. They feel that despite Regulation 274, which was meant to address this very issue, school administrators have found ways to continue to give White teachers an advantage in the hiring process.

*I am so tired of hearing from well-qualified people of colour who apply to our board and NEVER get an interview or get told they need more experience for the jobs. The same expectations are not placed on White people. It’s so wrong and flies in the face of anything the board puts in their equity statements*

*It feels nearly impossible to advance from my position to anywhere else. Advancement to LTOs or anything more permanent is near impossible unless you know someone in administration.*

*When there are supply teachers in our board that have undergone LITERALLY over 100 job interviews and have been with the board for over 10 years and continually are teaching, why are they not accepted onto a teaching contract or preferred LTO list? This makes no sense; if they are solid educators why are they commonly passed over for a more permanent position. If they are good enough to be an LTO, year after year, why are they still on the list?*

Survey participants also described a culture of nepotism and favouritism that they feel is limiting the ability of the HWDSB to hire a more diverse workforce. As discussed in the focus groups, this is not just a culture unique to the HWDSB, but something many feel permeates the entire sector:

*It's the worse kept secret at the board. Hiring is not about what you know, but who you know.*

*Nepotism is the hallmark of our sector.*

A number of focus group participants pointed to the many generations of educators who are from the same families, and the many people whose relatives also work at the Board, noting that this trend is not a coincidence and that relatives are hired over more qualified people. Participants also noted that personal connections, developed by being in the right social circle, playing hockey or golf, and serving on the right committees are important to advancement. But, they noted, not everyone is invited to participate in these important social circles or committees, and therefore many are unable to make these connections.

As Graph 1 shows, over half of all survey respondents (55%) agreed that nepotism has a significant impact on who is hired and who advances at the Board, while 23% disagreed and 22% didn't know. Survey respondents shared their perceptions that hiring at the HWDSB is based on relationships, rather than qualifications:

*We need less favouritism as well as the old boys who you know network and who you socialize with outside of work.*

*Ongoing inequity in education feels less about who is purposely discriminated against, and more about who is preferred, seen, supported, valued, hired, encouraged, and empowered.*

*We should hire based on ability and seniority rather than nepotism and who they know, which is the norm at HWDSB.*

*NO NEPOTISM... or a who knows who... hire fairly and treat employees fairly when they apply for different jobs within HWDSB.*

Graph 1 also shows that an even larger proportion of survey respondents (63%) agreed that favouritism has a significant impact on who is hired and who advances at the HWDSB, with only 20% disagreeing. The majority of respondents do not feel that all HWDSB employees have the

same access to opportunities and that hiring and advancement are not based on merit. Instead, they feel that favouritism and personal relationships influence who is hired and who advances. They shared the concern that the same people, who have connections to those in leadership positions, are repeatedly selected for opportunities that give them the requisite knowledge and skills needed for advancement.

*There is a popular feeling and sentiment that entry into the HWDSB workforce is still determined by having a backer somewhere in the managerial or supervisory level.*

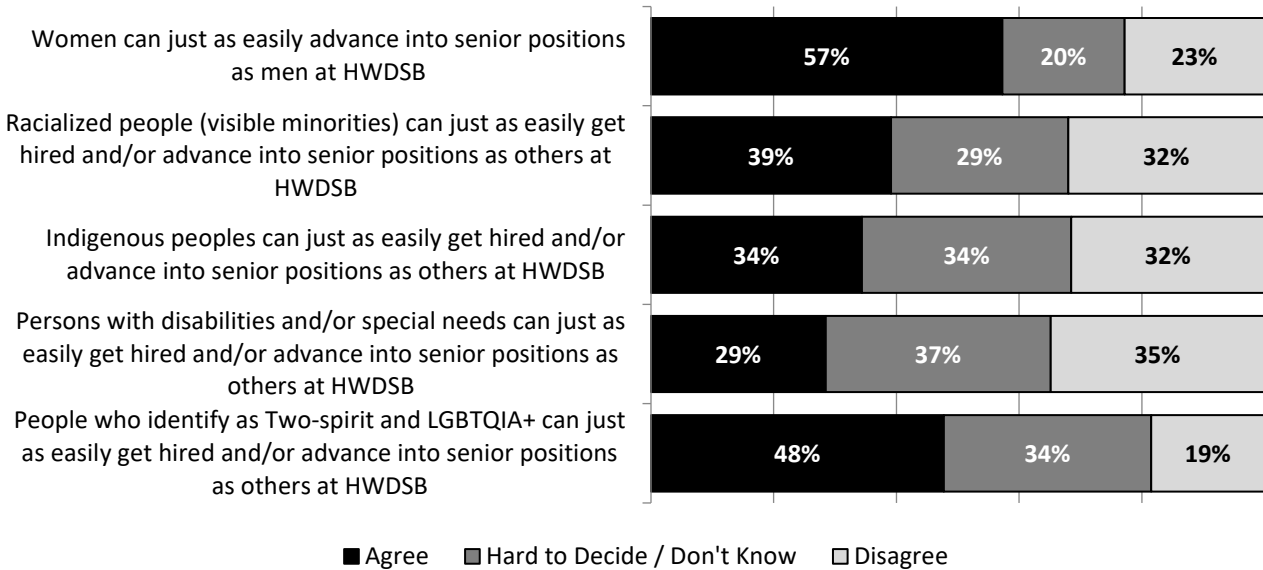
*Hiring practices are very secretive. Feedback is not freely given about why certain people did not even get a chance to interview for a job. Favourites are picked and shortlisted without interviewing others with better qualifications and equal experience.*

*Please look into favouritism and nepotism; I am tired of seeing certain people get hired because they know people.*

*Whenever one admin moves up the chain, their buddies draft up behind them. There's no other way to account for the success of many of our system principals. Certainly merit isn't a factor, while golfing appears to be.*

Some of those with whom we spoke in the focus groups shared concerns about managers and school administrators using temporary placements and co-op opportunities as a way to hire people from within their personal networks, who are then groomed and supported for particular positions. Then, when permanent positions open up, these individuals are better prepared to be successful in the hiring process. So while the person is ultimately hired through a competitive process, they have already been given an advantage even before the job opening is advertised.

**Graph 2. Employee Perceptions of the Impact of Bias in the Hiring and Selection Process**



**Source:** Workplace Equity and Inclusion Survey, 2020.

*n* = 1,197

Graph 1 shows that survey respondents also believe that personal biases about people from certain groups also influence hiring decisions: 42% agreed with this statement, 25% disagreed, and 33% found it hard to decide or didn't know.

Employees were asked to rate the extent to which they feel that particular groups of employees could just as easily be hired and/or advance within the HWDSB. The results show that respondents do not feel that Indigenous persons and those from the equity-seeking groups can just as easily get hired and/or advance into senior positions as others at the HWDSB. As Graph 2 shows:

- 57% believed that women can just as easily advance into senior positions in the Board as men
- 39% believed that racialized people can just as easily get hired and/or advance into senior positions
- 34% believed that Indigenous people can just as easily get hired and/or advance into senior positions
- 29% believed that persons with disabilities and/or special needs can just as easily get hired and/or advance into senior positions, and
- 48% believed that those who identify as Two-Spirit and LGBTQIA+ can just as easily get a job and/or advance into senior positions.

The survey also asked employees whether they believe that groups other than women, racialized people, Indigenous peoples, persons with disabilities, and those who identify as Two-Spirit and LGBTQIA+ experience discrimination or are disadvantaged in the hiring and promotion process. A number of survey respondents as well as those who participated in the interviews and focus groups indicated that the following groups experience barriers to hiring and advancement at the HWDSB:

- **Newcomers / people with accents:** Those with a non-Canadian accent were seen as disadvantaged in the hiring process because of the lack of familiarity with these accents:

*I believe that People of Colour with a different accent are not as likely to get hired into a contract position than a white candidate. Even if their grammar is correct.*

*People who hire are not trained in hiring practices so not sure of cultural differences that may exist amongst applicants and actually say things such as “can’t understand that accent at all” and don’t listen to the content of responses and write applicants off because they are unable to pronounce names or understand accents.*

- **Older workers and younger workers, particularly women:** A number of survey respondents expressed concern that ageism plays a role in the hiring process and can disadvantage both older and younger workers, particularly women.

A number of respondents noted that older workers experience discrimination within the organization because of perceptions that they don’t need to work or that they don’t have much to contribute to the workplace:

*I am constantly being asked when I will retire. One young occasional teacher told me I should retire so she could take my job, because she’s tired of being a supply teacher and I and the other older teachers are blocking her.*

*Be fair and be transparent. Stop discrimination against older workers and people who don’t fit the mould of the ‘perfect’ type A young go-getter newly graduated teacher. Hire people who demonstrate guts, have varied life experiences, who question and think critically.*

*Favouring young teachers who don’t have other commitments like children because they involve themselves in every possible activity at the school, puts parents and older teachers still trying to get jobs at a disadvantage (often harming women/mothers the most).*

Many also felt that young women were disadvantaged in the process, particularly because of the perception that they would be having children, which would hamper their ability to engage

in work activities. Some shared that the HWDSB favoured those without children while discriminating against pregnant women.

*The ability to advance in this board favours males and/or women who choose not to have children or who have older children.*

*I would like to mention, however, that women face a great deal of disadvantage when working through interviews while visibly pregnant.*

*When I was 8 month pregnant I applied for a job as I was surplus to my current location. As soon as I walked into an interview with my giant belly, I saw the look on their faces and I knew I was not going to get the job, despite being very qualified and having excellent references. I ended up getting placed at a location that is very undesired where I did not have to interview for.*

While many of the leaders with whom we spoke shared concerns about the lack of focus on equity and diversity in the hiring process and the impact of biases on hiring. However, it is important to note that not everyone agreed that there were barriers to hiring and advancement. They shared their perception that the Board has a lot of procedures and tools in place to hire a more diverse workforce. Instead, they felt that the lack of diversity within the HWDSB reflects the lack of diversity among applicants.

There were also some who shared their concern that many believe the myth of meritocracy and that anyone, given the right skills, qualifications, and ambition, can be hired and can advance at the HWDSB. They noted that this then leaves people to believe that if Indigenous peoples and members of the equity-seeking groups are not well represented at the HWDSB, it is because of deficiencies in the applicants and employees, rather than the barriers embedded within employment systems.

## **10.2 Perceptions of opportunities for advancement**

Research consistently shows that members of the equity-seeking groups remain concentrated in lower-level positions within organizations despite their skills, abilities, and level of education. These studies confirm that upward mobility continues to be a problem even in organizations where these groups are well represented and even when employees have the qualifications, skills, and abilities comparable to those of their counterparts.<sup>57</sup>

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<sup>57</sup> See for example:

Ngué-No, F., & McKie, D. (2018, March 31). *Local black Canadians face 'systemic barriers' to senior-level jobs, critics say*. CBC News. Retrieved from <http://www.cbc.ca/news/canada/ottawa/black-population-ottawa-increase-barriers-work-1.4600403>

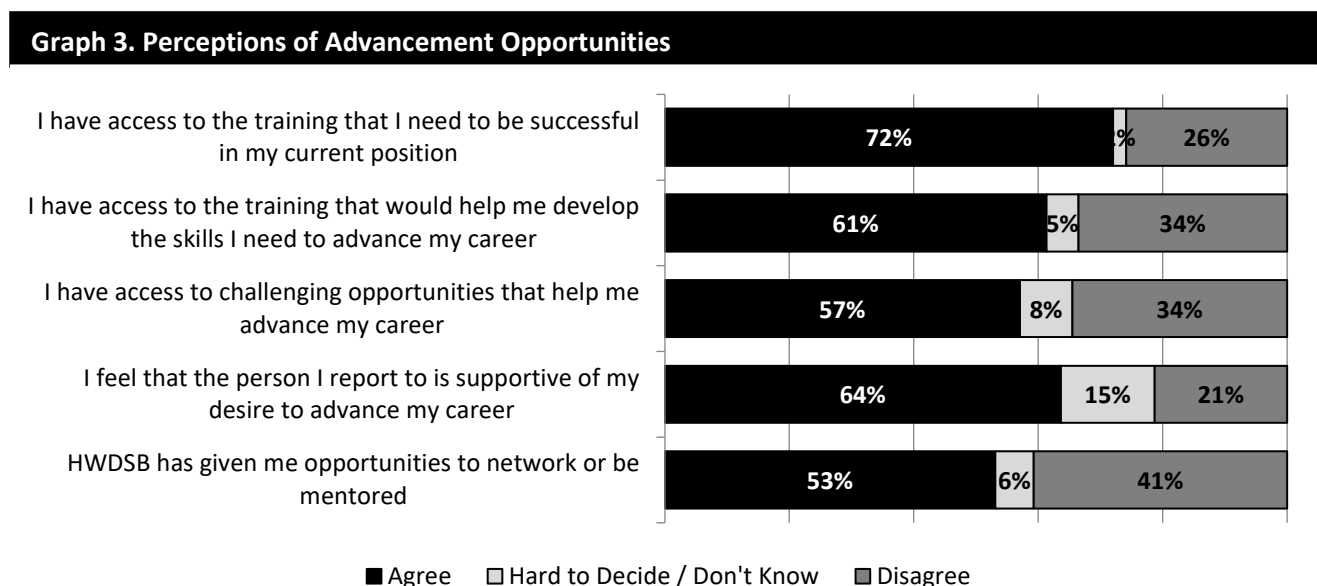


The issues that affect the upward mobility of Indigenous employees and employees from the equity-seeking groups are connected to and overlap with many of the issues discussed and recommendations made in other sections of this report.

## Findings

The Workplace Equity and Inclusion Survey asked employees to share their perceptions about their opportunities for advancement.

As Graph 3 shows, 72% of survey respondents agreed that they have access to the training they need to be successful in their current position; 61% indicated that they have access to the training that would help them develop the skills they need to advance their career, and 57% reported that they have access to challenging opportunities that help them advance their career.



Source: Workplace Equity and Inclusion Survey, 2020.

n = 1,197

The Conference Board of Canada. (2013, December 19). *Young women face barriers to workplace advancement*. Retrieved from [http://www.conferenceboard.ca/press/newsrelease/13-12-19/young\\_women\\_face\\_barriers\\_to\\_workplace\\_advancement.aspx](http://www.conferenceboard.ca/press/newsrelease/13-12-19/young_women_face_barriers_to_workplace_advancement.aspx)

Catalyst. (2007, June 15). *Career advancement in corporate Canada: A focus on visible minorities*. Retrieved from <http://www.catalyst.org/knowledge/career-advancement-corporate-canada-focus-visible-minoritiessurvey-findings>

Diversity Institute. (2012). *Diversity leads. Women in senior leadership positions: A profile of the Greater Toronto Area (GTA)*. Retrieved from [https://www.ryerson.ca/content/dam/diversity/reports/DiversityLeads\\_Gender\\_2012.pdf](https://www.ryerson.ca/content/dam/diversity/reports/DiversityLeads_Gender_2012.pdf)

Overall, 64% feel that the person they report to is supportive of their desire to advance their career, and 53% believe that the HWDSB has given them opportunities to network or be mentored. Conversely, 21% did not agree that the person they report to is supportive of their desire to advance their career, and 41% did not agree that the Board has given them opportunities to network or be mentored.

A number of survey respondents shared their perception that opportunities to advance were based on who you know, rather than one's skills, qualifications, and desire to advance:

*I feel like the promotion process is unfair and sometimes based on certain principals not working to mentor potential leadership candidates based on a personal dislike for the candidate.*

*The hiring and promotion practice for teachers and administrators, even with structures in place to avoid nepotism and personal bias, still relies heavily on administrator opinion of staff. I have definitely avoided speaking out about problems within schools because I worry that it will hinder my ability to be hired or promoted in the future based. I believe that speaking out would impact my reputation as an educator among those making hiring decisions.*

*Often promotions seem to be given based on who an individual knows, as opposed to an individual's qualifications.*

*It's hard to comment on the process because of the inconsistency in hiring practices, the lack of communication and the obviously back door deals based on favouritism and nepotism. There has been a recent trend towards moving females into senior positions. Not clear their motives for this; to be equitable or look equitable? In a nutshell, promotions and hiring practices don't make sense because of the tainted practices that still occur.*

*I feel like the promotion practice is based on if you know the right people and not always on merit. I am unsure how some admin are able to teach for only 5-6 years and be successful in the process on their first attempt when they have had minimal classroom experience whereas others with a multitude of years are unsuccessful and discouraged from reapplying.*

*Most of the opportunities I have been given have come because a) I have created them, b) I have sought them out and advocated to be included or c) a friend got me 'in the door.' There are so many people who miss out on these opportunities because they aren't in the right place at the right time. Also, HWDSB is far too reliant on existing leadership structures (specifically department headship positions) to grant access to training or learning opportunities. There are many talented people who aren't in a POAR who don't even get a chance to learn. Again, this reinforces*

*generational privilege, because there is a generation of people who have had to fight just to get work, and then are held back from advancement once they are hired.*

Some also shared that the structure of the organization, particularly for non-educators, provides limited opportunities for advancement. Given these limited opportunities for advancement, non-educators feel that they do not have the same opportunities for mentoring and networking or the same opportunities for professional development:

*If there are network and mentoring services I have been unaware of this. As it stands right now there is virtually nowhere for me to advance to without getting another degree. I would have to leave HWDSB to advance as we don't have any higher positions in my area. We should have them but we don't.*

*I am unsure about any mentoring or networking; I have never been offered such a thing. Do we even have that? Probably the teachers have it, but I doubt any other group has it.*

There was also concern that the lack of racial diversity at senior levels of the organization also limits the availability of mentors for racialized employees who are interested in advancement:

*There should be a leadership and mentoring program specific for racialized staff to help them access leadership positions and promotions. The lived experiences of racialized people should be valued as experience that will help HWDSB better reflect and serve the community There should be better supports for staff who experience racism and harassment at work. It is not fun being the only Black person in any building.*

*There are no racialized individuals in the board that are available to be mentors.*

*More mentorship programs would be appreciated and beneficial.*

Many with whom we spoke through interviews and focus groups acknowledged that advancement into leadership positions begins much earlier in one's career, and in fact begins when an employee first enters the organization. As such, they feel that it is critical to examine who is asked to take on additional responsibilities, who is groomed, and who is supported to advance into leadership positions. Many people noted that getting "tapped" provides opportunities for employees to showcase their skills and knowledge, and also to develop important relationships with various people throughout the Board. Given that the vast majority of school administrators and managers are White, participants shared their perception that leaders tend to support employees who look like them to advance. As such, the lack of diversity among those in leadership positions keeps being replicated.

The phrases "old boys' club" and "White boys' club" were frequently used to describe the culture of leadership at the HWDSB. There was also concern that women must behave with

“masculine energy” if they are to move into leadership positions at the HWDSB and that there is little room for diversity of management style or work style at the Board. Participants expressed their concern that this creates a lot of barriers to employees from diverse communities, backgrounds, and identities to advance, as they are not seen as the “right fit” for management positions and are sent the message that “this space is not for me.”

### 10.3 Working conditions

This section examines aspects of the workplace that make employees feel welcomed and valued and allow them to fully contribute to the organization. These aspects include accommodation, work environment, as well as violence, harassment, and discrimination prevention efforts.

The Canadian Human Rights Commission has identified the examination of attitudes and behaviours within an organization as a key component of an Equity Audit. The Commission notes that, without this analysis, significant barriers can be missed by the organization, particularly when negative attitudes, stereotypes, and corporate culture play an important role in staffing.<sup>58</sup>

While an unwelcoming work environment negatively affects Indigenous peoples and members of the equity-seeking groups, it can also have implications for other employees and the organization as a whole. Unhealthy workplaces have been linked to low productivity, high absenteeism, high turnover, high legal costs, and many hours of staff time needed to deal with a host of employee issues. Studies have also found that employees who work in workplaces that are not welcoming and inclusive are more likely to leave for other jobs, take extended leaves of absence, and retire early.<sup>59</sup> Unhealthy workplaces also negatively affect the mental

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<sup>58</sup> Employment Systems Review: Guide to the Audit Process. Canadian Human Rights Commission. December 2002.

<sup>59</sup> See for example:

*Summary Report on Engagement Sessions for a Racism-Free Workplace.* John Samuels and Associates for Labour Program, Human Resources and Social Development Canada. March 2006. See also *A Business Case for Diversity.* Dr. Jeffrey Gandz. Updated Fall 2001.

Bailey, S. (2014, May 20). *Why diversity can be bad for business (and inclusion is the answer).* Forbes. Retrieved from <https://www.forbes.com/sites/sebastianbailey/2014/05/20/why-we-should-prioritize-the-i-in-d-and-i/#2e8461da600d>

health of employees,<sup>60</sup> which has contributed to mental health becoming the leading cause of short- and long-term disability absences.<sup>61</sup>

A work environment that is known to be unwelcoming to employees from Indigenous and equity-seeking communities can also pose challenges to an organization that is trying to recruit from these communities. Being seen as an unwelcoming employer within diverse communities could make it extremely difficult to hire top talent from an increasingly diverse labour market. Alternatively, being seen as an organization that welcomes diversity has become increasingly important as employees from the Baby Boom generation begin to retire in larger numbers and employers compete for recruits from a more diverse population and from younger generations that are much more comfortable with, and welcoming of, diversity.

The Ontario *Human Rights Code* and the *Occupational Health and Safety Act* place legal obligations on all organizations to create workplaces that are free from violence, harassment, and discrimination. Furthermore, the Ontario *Human Rights Code* and the *Accessibility for Ontarians with Disabilities Act* require organizations to provide accommodation to current and prospective employees, short of undue hardship. While accommodation is to be provided based on any human rights protected ground, it is most frequently requested on the basis of disability, religion, family status, sex (related to pregnancy and breastfeeding), age (related to disability), and gender identity.

In addition, where organization-wide barriers exist, employers are expected to actively identify and remove them rather than require each affected employee to submit individual requests for accommodation. Where undue hardship prohibits the immediate removal of the barrier, interim or next-best measures should be put in place until more ideal solutions can be implemented or phased in.

### **10.3.a Accessibility and accommodation for persons with disabilities**

The Ontario *Human Rights Code* prohibits discrimination on the basis of disability. In addition to complying with the Code, the Board must also comply with the requirements of the *Accessibility for Ontarians with Disabilities Act* to make the organization and its services accessible to students, employees, and members of the community who have a disability. Failure to provide equal access to a facility or equal treatment in employment or customer service could violate the *Accessibility for Ontarians with Disabilities Act* and/or be considered a form of discrimination under the Code.

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<sup>60</sup> Mental Health Works. (2016, February 29) How can the workplace contribute to or create mental health problems? Retrieved from <http://www.mentalhealthworks.ca/how-can-the-workplace-contribute-to-mental-health-problems/>

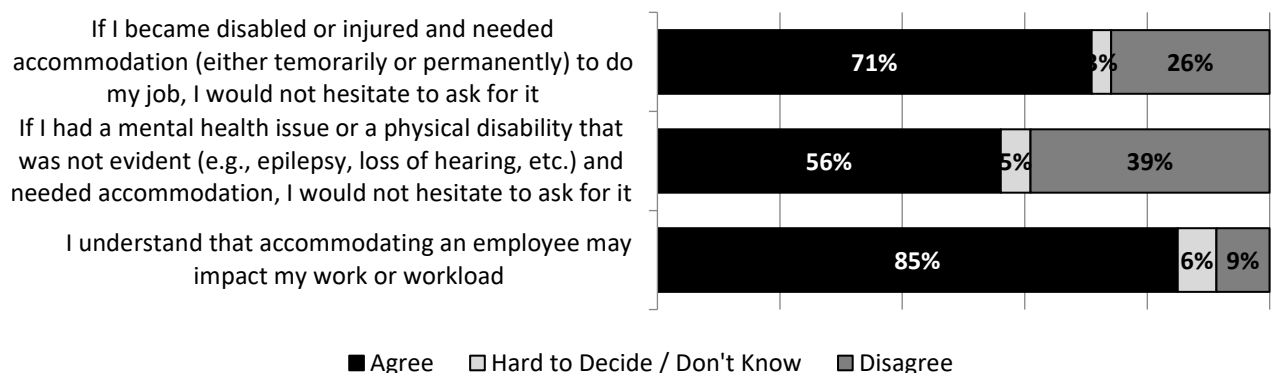
<sup>61</sup> Chai, C. (2017, May 5). 500,000 Canadians miss work each week due to mental health concerns. Global News. Retrieved from <https://globalnews.ca/news/3424053/500000-canadians-miss-work-each-week-due-to-mental-health-concerns/>

Accessibility and accommodation are fundamental and integral parts of the right to equal treatment in the workplace. This requirement may mean that certain aspects of the workplace or the duties of a job may have to be changed to accommodate any employee protected by the Code. Providing accommodation to employees creates: a work environment that is flexible in how and when work is completed; a physical environment that allows all individuals to have equal access to the workplace and work tools; and an environment in which all employees are able to fully engage in the work environment.

## Findings

The Workplace Equity and Inclusion Survey asked employees about accommodations for persons with disabilities. Graph 4 shows employee responses to these questions.

**Graph 4. Accommodation for Persons with Disabilities**



Source: Workplace Equity and Inclusion Survey, 2020.

n = 1,197

As the graph shows, 71% of employees indicated that if they became disabled or injured and needed accommodation to do their job, they would not hesitate to ask for it, while 26% indicated that they would hesitate to ask for this accommodation. A smaller proportion (56%) indicated that they would not hesitate to ask for accommodation if they had a mental health issue or a physical disability that was not evident, while 39% indicated that they would hesitate to ask for accommodation if this were the case.

The majority of survey respondents (85%) understood that accommodating an employee may impact their work or workload.

A number of employees shared reasons why they have not or would not request accommodation for a disability or injury.

### ***Fear of reprisal / concern that it would negatively impact career***

A number of employees expressed their fear of reprisal for requesting accommodation or concern that the need for accommodation could negatively impact their career:

*While I do think management is accommodating for religious purposes, I think there is a fear to seek other accommodation - that you might be considered weak or can't do the job. You become fearful to ask for help.*

*I feel that, although I understand my rights, there is still a difference between knowing what you can ask for and being encouraged and not penalized for asking for those accommodations.*

*In my experience, and in hearing about others' experiences, requests for accommodations because of mental health or physical issues are met with arguments, disdain, and a lasting view that you are "a difficult employee".*

*I would not ask for an accommodation due to the fact that it would limit me to apply for other positions.*

*If you are not a permanent staff member, seeking accommodations can be detrimental to your career journey.*

*I would be unsure if I could share any mental health issues with supervisors as it may impact relationship and advancement.*

*Accommodation process is flawed and many people have suggested that you are better off not to say anything or you will be ousted from the department under the guise of "something else."*

### **Process for requesting accommodation**

Through the survey, a number of employees shared their concerns about the process for receiving accommodation, describing it as disrespectful, difficult, and humiliating. Others shared that the treatment they received in the accommodation process was a barrier to requesting accommodation, and having gone through it once, they would not request accommodation again. While there were some who shared that they did receive timely and appropriate accommodation, most of those who shared their experiences raised concerns about the accommodation process:

*The process for getting accommodation at HWDSB is dehumanizing. Meetings for accommodations are combative and belittling. On more than one occasion HR has tried to deny my right to union representation.*

*I was sent by Human Resources to a doctor to have a report filled out to see if I could actually do the job because of my disability. They sent me to [a doctor who was not a specialist in my issue]. To this day I am unsure why I was sent to this doctor as it was an extremely uncomfortable experience. They did not take the time to research a doctor before sending me out, I find that reprehensible, I voiced my concerns to them and even sent them the doctor's webpage prior to the visit and was dismissed*

*outright... I regret ever going forward to ask for any type of accommodation due to my [disability].*

*I have recently needed accommodations because of surgery. The hoops that I needed to jump through are unreasonable. I eventually gave up, because there seemed to be no end to the forms I needed to fill in. I also have an invisible handicap. I would not even bother to ask for accommodations. There is no room in HWDSB to have a handicap.*

*The accommodation process has been long for me personally. It's been over 5 years since I informed them formally of my disability and essentially not much has changed. Some things are worse, but it's been such a trial and a certain stigma has been attached to me that I sincerely wish I had not informed them at all and tried to balance it myself.*

*Finally, I would hesitate to let the board know of any disability or injury. I have heard so many EAs say that the board showed them zero interest or compassion in these circumstances. In fact, if the injury takes place at work, the board blames the EA. It is very discouraging and utterly terrifying. Time and time again I have seen the board add enormous stress to a person who is already carrying a very heavy load. I understand that not everyone is honest, but surely there is a better way? We are not your enemies. We are your employees...and our job can be very dangerous!*

*The environment is that in which if one needs an accommodation the loopholes to request it make it humiliating and difficult. Plus the realization that if one needs an accommodation the workload just dominoes into colleagues shaming people into sucking it up. The workload is unmanageable and unsustainable both physically for some, and mentally for many.*

*Many schools regard asking for accommodations as equal to saying you're fully unable to do your job so it's hard if not impossible to feel able to ask.*

*I have occasionally needed accommodations and have had varied experiences depending on who I'm dealing with. Most recently, I needed an accommodation due to a mental health issue. At my accommodation meeting, [someone] literally made a joke about taunting a colleague at the HWDSB head office who suffered from the same condition that I had. She laughed about how upset their harassment made him. I was horrified but no one else in the room batted an eye (including my principal and union rep). Had my mental state not already been fragile at the time I would have spoken up, but we were there because I was in a vulnerable state so I wasn't able to address it.*



While a number of employees shared issues with the process for requesting accommodation, a number of senior leaders with whom we spoke felt that the HWDSB does a good job of providing accommodation when it is requested. Many, however, did acknowledge that leaders could benefit from increased understanding about accommodation and their responsibilities for providing accommodation.

### ***Impact of lack of appropriate accommodation***

Survey respondents also shared that the lack of timely and appropriate accommodation impacted their ability to work, and for some it meant that they had to go on long-term disability or reduce their work hours:

*People with disabilities are not supported fully. They are often forced to go on LTD even if they could continue working due to lack of support and compassion. I have personally been subjected to poor treatment by colleagues over my disability and it was brushed over by my manager with the words "there's nothing we can do since it happened two weeks ago."*

*Some people work part time as a way of reducing the demands of work and to help them balance work/life balance. This is done to avoid needing accommodations. However, some part time employees are made to feel that their choice to work part time is an inconvenience or puts others out.*

### ***Little proactive effort to ask about and provide accommodation***

Some survey respondents also shared that the HWDSB has not been proactive in its efforts to create accessible workspaces or ensure that persons with disabilities are able to participate fully in work-related activities and professional development sessions, as is required by the Ontario *Human Rights Code*. They also note that a number of the HWDSB's buildings are not accessible to people with physical challenges:

*I have a physical disability and sometimes events are planned that make my participation difficult and I find this embarrassing.*

*Employees with disabilities have no dedicated specialists within the board that have the background in supporting those of us with disabilities. The onus is still on the employee with a disability to self-identify our needs. PD workshop descriptions do not include the ability to self identify. One must take several steps to find the name of the speaker, send an email to request accommodations. It is very time consuming and the burden continues to be on the personal with a disability, not the organization. There have been some processes implemented with universal design, i.e. using microphones in meetings at the Ed Centre (this is great) but these same processes are not in place outside of the Ed Centre.*

*Add accessible entrances to all buildings and add elevators to older buildings.*

### **Cost as a barrier to accommodation**

A few employees also shared that cost is sometimes raised by administrators as a reason why accommodation cannot be provided:

*These needs are not addressed. For example, colleagues have asked for ergonomic accommodation based on reports made by HR staff. Answer is always, we don't have the money.*

*I often felt bullied, or like I was being treated this way to pressure me into no longer asking for accommodations, because accommodations cost the board money. Helping and accommodating me was costing them money, and losing money seemed to be more important than any form of support.*

### **Stigma associated with mental health issues**

Employees shared concerns about the stigma attached to mental health issues and feeling unsafe making an accommodation request related to mental health. They also shared that because of how co-workers speak about people with mental health issues, they hesitate to request accommodation:

*I would have no problems asking for help with a physical injury or disability, but mental health - no way! This organization talks about mental health but does not practice what it preaches.*

*I believe there is still a large stigma when it comes to mental health. Although our board sends verbal messages that it is important and respected - I have been in a situation with HR where there was little regard shown for my own mental health. My faith and trust in HWDSB's Equity Plan was never quite restored after this experience.*

*HWDSB is not supportive of staff mental health in any way, so I would never ask for accommodations for mental health.*

### **10.3.b Religious accommodation**

The Ontario Human Rights Code requires the HWDSB to accommodate employees based on any human rights protected ground, including religion. Typically, issues related to religion arise in the workplace with respect to dress code, time off for religious observance, breaks, prayer space, scheduling of shifts, and scheduling of interviews.

## Findings

### **Employee perceptions**

The Workplace Equity and Inclusion Survey asked employees whether they understand that employees may request religious accommodation and don't think employees would hesitate to ask; 75% agreed with this statement.

However, the comments shared from employees who have requested accommodation based on religion suggest that some employees experience a difficult time when they do. In addition, many indicated that they have a need for religious accommodation, but have not asked for it, fearing the repercussions:

*I had asked once to be excused from Halloween activities for religious reasons but I wasn't.*

*I can ask for religious accommodations, but when I do, I am judged and talked about.*

*It should be far easier for people of different religious affiliation to take their religious holidays off. There are currently too many hurdles, and can be far too long a process. It is not equitable. This includes allowing teachers to take off their religious holidays without special permission from principals just because it happens to fall on the day before or after a board holiday (e.g. Easter). We should not have to provide letters of explanation of our religious holiday from faith leaders if we have already established that we practise that faith. As well, we shouldn't have to get special permission to take unpaid days off for travel before or after our holidays. The entire process, as it stands, is long, laborious, demeaning, and creates feelings of anxiety and fear. Those are not signs of equity, diversity, and inclusion. There should be easy to find (ahead of time) step-by-step policy for all employees as to what will be required of them if they would like to request religious days off (e.g. travel days), including whether or not those days will be paid or unpaid. No one should be put in a position where they need to take "sick days off" in order to accommodate their religious holiday needs.*

*Others disrespect non-Christian faiths, making people feel like criminals for saying they'll be off for lesser-known holidays (e.g. Shavuot).*

*There are many accommodations I do not feel comfortable asking for in the workplace. For example, kosher food meal/snacks to be provided during a staff meeting or course. Staff get together or board activities not on the Sabbath (Friday night/Saturday day). Not to have to be part of Xmas or Halloween assemblies/activities (they are against my religion), etc.*

### ***Others feel disadvantaged***

It is important to note that there was some resistance to the provision of religious accommodation (to both employees and students), leaving some survey respondents feeling that Christians or those who are not religious are disadvantaged in the workplace:

*Agnostic and/atheists are disadvantaged by accommodations offered to others.*

*It seems to me that all religious persons, at the moment, have rights except Christians, I understand how this has come to pass - but it is hypocritical and it is also very strange.*

*I think heterosexual white men are discriminated against in order for HWDSB to look more equitable and diverse. I also think that Christianity is the only religion that is not accepted or celebrated in the HWDSB community-There is actually discrimination and persecution against Christians happening all the times-and it is considered completely acceptable whereas minority religious groups are celebrated and praised.*

### **10.3.c Work/life balance and accommodation of family responsibilities**

Women continue to have primary responsibilities for child and elder care in Canada. As a result, women continue to struggle to balance the demands of their careers with caring for their families. Workplaces that are not supportive of women with family responsibilities can limit the ability of female employees to contribute their best to their work and their ability to advance in the organization.

Employers have a duty to accommodate employees based on family status. Under the Code, family status means the status of being in a parent–child relationship. As such, accommodation of family responsibilities could include accommodating the need to care for children as well as parents.

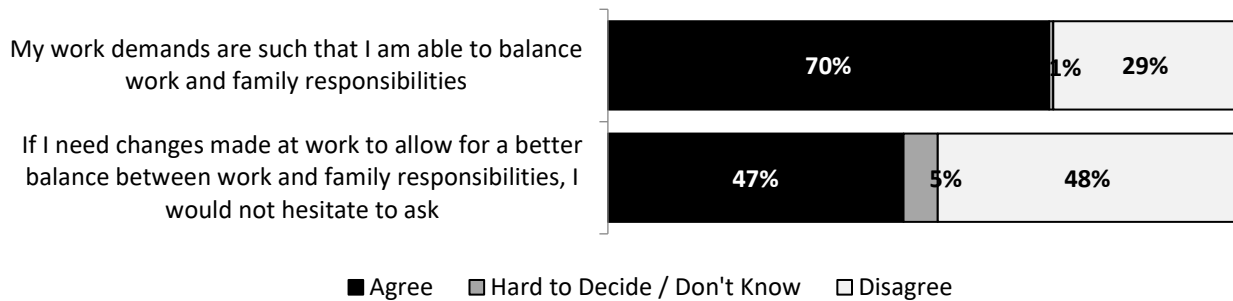
## **Findings**

### ***Employee perceptions***

Graph 5 shows employee responses to questions on the Workplace Equity and Inclusion Survey about work/life balance and accommodation for family responsibilities.

As the graph shows, while 70% of respondents agreed that they are able to balance work and family responsibilities, about one-third of employees (29%) felt they could not. The survey also asked respondents whether, if they needed changes made at work to allow for a better balance between work and family responsibilities, they would hesitate to ask. Slightly fewer than half (47%) of survey respondents indicated that they would not hesitate to ask, while the other half (48%) indicated that they would hesitate to ask for the needed accommodation.

**Graph 5. Employee Perceptions: Work/Life Balance and Accommodation**



**Source:** Workplace Equity and Inclusion Survey, 2020.

*n* = 1,197

When commenting on their ability to balance work and life responsibilities, the vast majority of the comments shared through the survey pertain to the nature of the teaching profession, which has been impacted by the increasing demands of the role over the years, the declining supports for students in the school, and the increasing number and complexity of needs of students. While these issues are beyond the scope of this Equity Audit, they are important for setting the context to better understand the extent to which these employees feel that they can have a healthy work/life balance.

While teachers broadly expressed a high level of commitment to their jobs and understand that working after hours is the nature of the profession, the widespread sentiment among teachers is that there is too much paperwork, a lack of resources to support them, too many projects with competing priorities, too many committees and extracurricular activities, and too many students in one classroom. The combination of these factors means that teachers must work into the evening and on weekends, resulting in the need to take time away from family, sleep, and self-care in order to get work done. Many also commented that the COVID-19 pandemic has made the situation worse for teachers, particularly those who also have school-age children.

School administrators also reported feeling that their many responsibilities and the demands on their time make it difficult to strike a healthy work/life balance. They indicated that many mandatory meetings and training events take place during the busiest parts of the year, with no leeway to miss these activities. They commented that it is common for administrators to work 10–12 hours a day and that those with a much larger number of students in their school are not compensated better. Some commented that it is impossible as a school administrator to achieve a work/life balance.

The comments shared through the Workplace Equity and Inclusion Survey provide insights into the range of experiences and perspectives of Board employees.

### **Positive experiences**

While a number of employees raised concerns about work/life balance and accommodation for family responsibilities, there were some who felt that they are able to achieve a healthy balance and are appreciative of the support provided by the Board.

*Work-life balance is good.*

*I think it is important to have a balance in work-life. I also appreciate that the door is open to communicating and understanding this need at times.*

### **Nature of the job**

Many employees commented that the demands of teaching, along with work expectations and demands, are a significant barrier to good work/life balance:

*The workplace expectations and demands mean I can't get it all done. When I balance work and family appropriately my workload gets easily behind. I consider myself to be an efficient worker.*

*Teaching has a ridiculous workload. Years of 3 hours sleep (or none) outside summer months & dealing with unbelievable behaviours all day. By the time the day is over you're numb & have to do prep or marking anyway. Then you're burnt out & no one will believe you. There is no time for balance.*

*It is becoming harder and harder each year to maintain a healthy work-life balance (and to meet the needs of my students and their families). The main reasons for this are: the ever-increasing HWDSB initiatives (with little being taken off plate); the deluge of HWDSB communications (which must be read and digested in a timely fashion in order to do parts of my job effectively; the "administrative" tasks that have become an ever increasing part of my job (often paperwork that must be done to protect the HWDSB from lawsuits); and the increased needs of my students (mental health and special education) without the proper supports in place.*

*Sometimes it can be too much and I need a day (sick day) to catch up on life (grocery shopping, laundry, cleaning, spending time with my son and our family). So, honestly, I have not achieved a good work/life balance. I feel like teachers and EAs, DECEs always make education work. We are the frontline workers and we make it work. More cutbacks mean more put on our plate. More on our plate means less time for our lives. So yes, I'm still trying to have a healthy work/life balance. Maybe when I retire.*

*At times the workload is heavy and I go home exhausted and drained, leaving little energy for my own children. It can be frustrating. Unfortunately, until more funding is provided from the government, this is not going to change.*

***Ability to achieve work/life balance is dependent on one's supervisor***

Regardless of whether they are educators or non-educators, employees commented that their ability to achieve good work/life balance and receiving the needed accommodation to do so is highly dependent on the support of the person they report to, which varies widely across departments and schools:

*In my experience, the flexibility and understanding varies from principal to principal. For example, with small children, I requested to have no afterschool duty and would prefer morning or lunch duty so I can pick up my children from daycare in a timely manner. Some principals have kindly accommodated me in this while others ignored this request without reason and purposely gave me all afterschool duties.*

*Asking for accommodations depends on the manager or administrator. In some cases, this can be a “sticky” situation between shame and embarrassment and the ability to do one's job.*

***Fear of reprisal***

Some employees shared their fear of reprisal should they ask for accommodation to deal with family responsibilities. Teachers expressed fear that if they requested time off, an accommodation, or refused an assignment or additional responsibilities because of a related issue, they would be labelled by their administrator and not given opportunities in the future. They also shared their concern that they could be punished by being given undesirable teaching assignments and duties:

*Superintendents have no regard for work life balance. There is no way they make you feel comfortable about asking about anything and when you do ask, you are not supported.*

*If I ever asked for changes to be made at work to allow for a “better balance between work and family responsibilities” I would be laughed at, mocked, and made to feel like an incompetent loser. The board doesn't care about work life balance.*

*As for work-life balance, my manager discourages any type of change in hours to accommodate life. After actively being discouraged, you stop seeking it or else you will end up being micromanaged, making the job extremely uncomfortable.*

***COVID-19***

Concern was also expressed about the impact of COVID-19 and how difficult it has been and will continue to be for employees, particularly teachers, who also have young children:

*During the best of times, being a single parent who teaches full time is challenging. During COVID, it is exponentially difficult. My child's own education has suffered during these months of working to keep my students educated and learning. In*

*September, I need to know that the HWDSB is supportive of my role as a full time teacher with different family dynamics. I do not have any supports, and worry about childcare. If we will be working on-site, will we be frontline workers, and will my child qualify for childcare when he does not have classes? Can he join my class or my school during those times? What accommodations will be offered for teachers who have these extenuating circumstances and no partner or spouse to provide alternate care?*

*As a single mother with no support, I worry about teaching on-site in the fall. If students are only on-site on alternate days, what will I do with my son on alternate days if he is not in school? These worries keep me up late at night and impact my mental wellness. Equity is important for everyone.*

**Recommendation 55:** It is recommended that the HWDSB provide appropriate training and ongoing education for all supervisors about their duty to accommodate employees based on any human rights protected ground, in particular disability, religion, and family responsibilities. This training should also help supervisors understand the range of physical and mental disabilities, both evident and non-evident, for which accommodation may be requested and the types of accommodation that may be provided. Emphasis should be placed on explaining the Board's legal obligations under the Ontario *Human Rights Code*, as well as how accommodation helps get the best from employees so that accommodation is not seen as special treatment provided to some employees.

**Recommendation 56:** It is recommended that the Board educate all employees about their rights regarding workplace accommodation and the process of obtaining said accommodation. Emphasis should be placed on explaining the Board's legal obligations under the Ontario *Human Rights Code* as well as how accommodation helps get the best from employees so that accommodation is not seen as special treatment provided to some employees.

## **10.4 Respectful work environment**

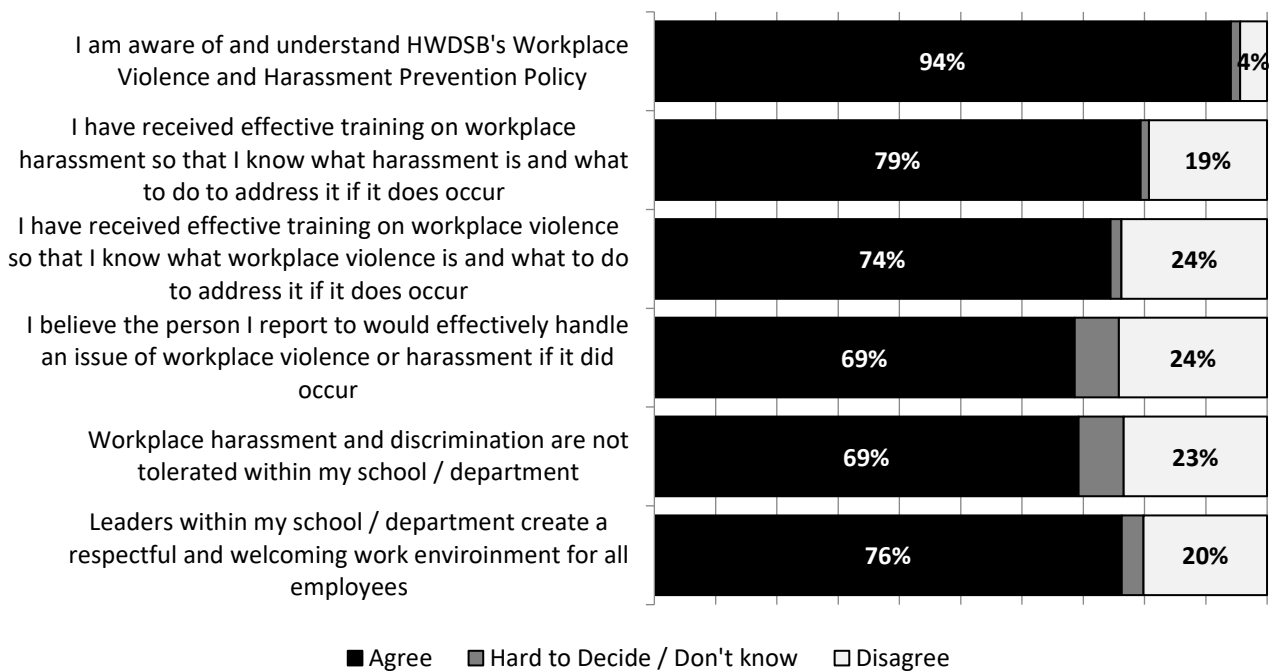
### **Findings**

The Workplace Equity and Inclusion Survey also asked employees to share their perspectives about harassment and discrimination in the workplace.

As Graph 6 shows, employee responses to the survey indicate that the HWDSB has done a good job of educating employees about the Board's violence and harassment prevention policies. Nearly all employees (94%) who responded to the survey reported that they are aware of and understand the HWDSB's Workplace Violence and Harassment Prevention Policy. However, only 79% of survey respondents indicated that they have received effective training on workplace harassment, and 74% said that they have received effective training on workplace violence so that they know what harassment and violence is and what to do to address it if it does occur.



**Graph 6. Employee Perceptions: Workplace Harassment and Discrimination**



Source: Workplace Equity and Inclusion Survey, 2020.

n = 1,197

A similarly large proportion of employees (69%) reported that they feel the person they report to would effectively handle an issue of workplace violence and/or harassment if it did occur.

69% of survey respondents reported that harassment and discrimination are not tolerated within their school or department, and 76% reported that leaders within their school or department create a respectful and welcoming work environment for all employees.

Many of those with whom we spoke through the interviews and focus groups shared their perception that employees do not feel comfortable raising issues of harassment and discrimination, particularly when they are based on a human rights protected ground, because of a fear of repercussions. Many participants stated that employees come forward only when things get so bad that they have no other choice. They noted that in the past few years, the HWDSB has done a better job of responding to allegations of harassment, but there are lingering effects of ongoing harassment by leaders and others, which has deterred people from coming forward with their issues.

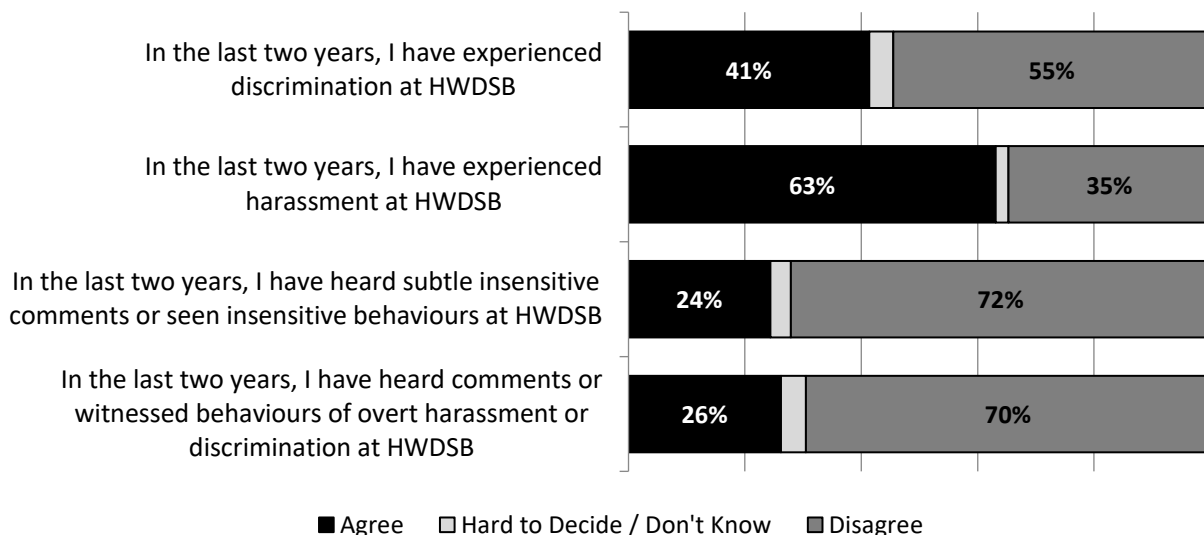
There was disagreement among the leaders we heard from whether leaders in the Board have the awareness, knowledge, and skills needed to create an inclusive organization and address issues when they do occur. Some noted that there is a large knowledge gap among senior

leaders and school administrators regarding workplace violence, harassment, and discrimination. However, others expressed that leaders have the capacity to effectively handle complaints, as they have had sufficient training and know that they are able to receive support from Human Resources.

Leaders also shared their perception that whether an issue is appropriately addressed is largely dependent on the person experiencing the harassment and their relationship with their supervisor. If the employee has a good relationship with their supervisor, then the employee may be more willing to raise their concerns because they trust that the supervisor will believe them and take the right steps to handle the situation. If that trusting relationship is not there, the employee may choose not to come forward with their issues.

There was also concern that there is little accountability for leaders to foster an inclusive organizational culture and effectively deal with issues when they do occur. Participants shared that the victim of harassment is labelled a troublemaker, as the organization does not want to hear complaints. As such, some felt that rather than deal with harassment directly and firmly, oftentimes the organization “waits out” the situation and then eventually moves the perpetrator to another area or encourages them to retire. Participants stated that this sends the message that victims of harassment should not come forward with issues and that harassers can continue to engage in these behaviours.

**Graph 8. Experiences of Workplace Violence, Harassment, and Discrimination**



**Source:** Workplace Equity and Inclusion Survey, 2020.

*n* = 1,197

As Graph 8 shows, 41% of survey respondents indicated that in the last 2 years they have experienced discrimination at work, while 63% indicated that they have experienced harassment at work. About one-quarter of respondents indicated that in the last 2 years they have heard subtle insensitive comments or seen insensitive behaviours at the HWDSB (24%) or have heard comments or witnessed behaviours of overt harassment or discrimination at the HWDSB (26%).

Many of those interviewed noted that the culture of the HWDSB is not inclusive of employees from diverse communities, backgrounds, and identities. They noted that on a regular basis, employees are exposed to microaggressions and inappropriate behaviours that go unaddressed. Some shared that Indigenous and racialized people don't feel safe within the organization and that the lack of racial diversity and lack of awareness makes it physically and emotionally exhausting for them. They shared that being the only Indigenous or racialized person in a school also is very isolating and stressful. Many felt that when they do raise issues of harassment, their concerns are often not taken seriously or they are told that they are overreacting.

A consistent message heard through the survey and focus groups is that many workplaces are not safe for those with hidden identities (e.g., those with a non-evident disability, those who are Two-Spirit and LGBTQIA+, and some who are Indigenous), as they hear the stereotypes and negative ways in which people are speaking about these communities. In these environments, employees do not feel safe disclosing these hidden identities.

Some Board and union leaders stated that they recognize that many employees experience harassment but are afraid to make a complaint because they fear repercussions. They understand that employees fear being labelled as a troublemaker and the impact this would have on their careers. Union leaders noted that occasional teachers and casual workers in particular are afraid to speak out, as it may negatively affect their future job prospects.

There were also some leaders who expressed that they believe employees are comfortable raising issues of harassment and have multiple avenues through which to do so. Some of the union leaders with whom we spoke also shared that they feel that their members feel confident coming to the union with issues of workplace violence, harassment, and discrimination. However, a number of employees who participated in these consultations shared that their union was an impediment to addressing issues of harassment and discrimination.

Survey respondents also offered a number of comments on their experiences at the HWDSB. These comments are categorized into the following themes.

### ***Positive environment***

While many survey respondents raised numerous concerns, it is important to note that a number of employees report that they experience a positive and welcoming work environment:

*Have always had nothing but positive and welcoming experiences from HWDSB. They are very inclusive and diverse to all cultures, backgrounds, religions.*

*I have worked at HWDSB for six years and never once have I felt harassed or discriminated against.*

### **Harassment addressed appropriately**

There were also employees who reported that they have experienced or witnessed harassment that was appropriately handled:

*The items I witnessed in the past two years were dealt with quickly and effectively. The person wasn't aware of their bias and how it was being communicated.*

*I have heard comments that were homophobic/transphobic. They were addressed immediately by admin, appropriately.*

### **Experiences of harassment and discrimination**

Throughout the survey, respondents shared the various types of discrimination and harassment that they have witnessed or experienced at the HWDSB, not just directed at employees but also at students. While harassment occurs in even the most inclusive and welcoming workplace, what is troubling is that the comments and behaviours were done in front of others, without fear of reprimand.

### **Ethnicity/race**

*Co-workers have made discriminating and stereotype remarks about the ethnic group that I belong to.*

*There is so much racism toward [a particular ethnic group]. It's terrible what is being said about them in the staff room. I don't go anymore because of these comments.*

*As part of a minority I've experienced discrimination from my coworkers. They will ignore me, ask for help to other staff members, give looks, make some stereotypical comments about my culture, etc. At the beginning I thought that it was me. I understand that not all people are going to like me. But talking to other coworkers that also were from other minority communities they expressed that they also have similar experiences.*

*I have had numerous occasions of racism and discrimination in HWDSB from colleagues, e.g. a peer calling me a quota hire, asking about blood quantum, wanting me to do ancestral research on someone's family, asking if I know someone's cousin, assuming my experiences are not valid, asking to see my ID, arguing with me about my ancestry, asking if Indigenous peoples are all alcoholics, asking if I pay taxes, etc.*

*Superintendents do not attend meetings, finding little time for Indigenous education in their portfolios, seeing it as an “equity add-on.”*

*Some old-timers who are Caucasian have said negative sentiments about non-whites (especially Asians) getting the jobs away from their own kind (family and friends).*

*There is a high degree of unconscious bias, covert racism, e.g. mixing names up of the only two racialized people on staff, witnessing and dealing with angry white fragility. Exclusion from lunches out, sitting at a table during staff meetings. Students experiences racism, Islamophobia from other teachers with complaints going unchecked.*

*I have been traumatized by the racism and harassment that has been condoned within this board. The HWDSB often acts as if it’s a union issue when it’s a human rights issue. They are scared to tackle the union and staff get away with awful acts of educational violence all the time. I had a staff member refer to black students as “monkeys”, me as a “black bitch”, parents told to “speak English”....trying to discipline staff got me removed from the school for “harassment”. The staff got to continue practising their racism.*

*There have been comments about “immigrant” populations. I look “white”, but am of a mixed family heritage. My husband is first-generation Canadian. The comments would not be said and are stopped when I identify my family and personal bias about this.*

*Harassment is done in a subtle manner, not in the form of physical or verbal violence but in a more unnoticeable way, e.g., not giving important information or ignoring a person. I also heard a racist comment on COVID-19 from an employee in a school office setting: “This (situation) is going to be bad because Chinese people don’t care!”*

*Will you truly listen to the results of this survey? Why not try something that goes beyond a survey, like working groups. Has HWDSB ever had an Indigenous focus group and truly listened?.... Other boards have WHOLE TEAMS of ten or more people on their Indigenous Education Team! You can’t expect [one person] to do it all. We live beside the BIGGEST reserve in Canada, yet we have ONE Indigenous curriculum consultant.*

### **Sexual harassment**

*When women are asked to speak, a certain administrator takes the opportunity to look at our breasts, his conversations can be inappropriate, and he enjoys his power over women.*

*HWDSB is a sexist environment. I have heard lewd comments made by males about other staff and admin. People don't say anything because the fear of nothing happening to them is real – especially when they share the same workplace. Also, there is admin that is known to the board to be sexist and they continue to work – you feel stuck and there is nowhere to go. You just internalize the way some men treat women.*

*In my experience, reporting violence and harassment was never solved properly. HWDSB has a culture of victim blaming deeply rooted in rape culture and systemic sexism. I have PTSD from this job.*

*Some staff are much more committed to equity, diversity, and inclusion than others. I've worked at a few schools and Westmount staff are very committed to equity, diversity, and social justice. I never experienced sexism there, but I've experienced sexism at [a high school] from other staff. I've been called "princess" in a paternalistic, sexist way. I've had a male staff member explain to me how to order food at a concession stand as if I didn't know. I've heard staff talk about how unattractive Asian men are because they have a slim physique (I'm paraphrasing here). As a white woman in a mixed race couple, this was extremely disturbing.*

*Male teachers have acted inappropriately - comments about my appearance and physical abilities, asking about my relationship status etc. Texting outside of work hours (when no friendship/relationship has been established previously), making me feel very uncomfortable in their presence at work.*

*There is at least one staff in the board in which the admin gives long, inappropriate looks up and down, and gets too close physically. The person applied for another job and left, over fears of having to confront this administration and his "followers" on staff. In some staff, there is a gang mentality where certain members are ostracized and whispered about.*

## **Homophobia**

*I've been accused of giving "inappropriate" sex ed classes simply via telling a student I'm gay. Teachers accuse me of being inappropriate if I use the word sex (as opposed to gender) even if doing so is right/appropriate (I've always known and respected the words' nuance/difference). People always expect me to be Jewish like other Jews they've met are (e.g. blow Chanukah up into being - as I once heard a student dub it - Christmas times eight). People failing to believe me when I tell them I'm gay, Jewish and have a different gender identity than sex.*

*It's pure marketing. As an out dyke, I've been summoned to many meetings due to homophobic staff being disgusted that I came out to refute homophobic commentary spoken by students or based off natural conversation flow with students.*

*There are some administrators in the school who have the “old boys” mentality, where if you belong to a sport or coach you are more important than the rest of the staff. They use phrases like “boys will be boys” and “let them fight it out” when discussing students having problems. They are homophobic and disrespect the LGBTQ community. They should not be principals in schools.*

### **Disability**

*I have witnessed a hired EA with special needs admonished for her performance without regard to her circumstances.*

*I have seen co-workers and students bullied, and made fun of, who appear to have (or do have) a mental illness, and when these individuals take time off, it is met with anger rather than understanding. I have also seen students made fun of, though not to their face, by staff. Mental illness remains, in my opinion, the least understood, and least accepted, disease in our society.*

*I avoid staff rooms as people use language that is offensive in the way they speak about students, calling students with autism “ASD kids” etc. There are people in leadership (department heads) positions who are sexist and racist.*

### **Subtle forms of harassment**

*Discrimination at HWDSB is very subtle, which makes it extremely difficult for a victim to complain or do anything about it.*

*People talk the talk but don’t walk the walk. There are a lot of exclusive and offensive language used, without any recognition of saying anything wrong, even when brought to their attention. “You are being too sensitive!” “I didn’t mean it that way!” My school is not safe for me and I am not convinced that any school would be safe for me due to White privilege, misogyny, classism, heterosexism, cissexism, and ableism.*

*The difference between what is seen on the “surface” is equitable and inclusive – but at a deep level is really not – people do enough to be politically correct – but there are a lot of microaggressions.*

*Harassment tends to be subtle and below the radar. Sights during group collaboration. Resources and information not shared among colleagues. Little cliques that are grandfathered from recently retired staff members. Pointed lack of caring and interest, beyond the bare polite public graces.*

### **Harassment tolerated in some workplaces**

Many survey respondents shared that experiences of harassment are not isolated incidents. They share that harassment is ongoing, consistent, and done openly, and yet these behaviours

are not addressed and are allowed to continue. Some also described inappropriate behaviours modelled by senior leaders, which sets the tone for others in the organization:

*There is a [person] in HWDSB who mistreats teaching staff and has a history of bringing them to tears. Her behaviour has been dismissed as, “Oh that’s just how she is,” leading me to believe she has never been confronted by her supervisor about this harassment.*

*I worked with a principal who did not address racism in his school. This sends a clear message to staff and students about the tolerance of racial slurs and lack of seriousness in dealing with these issues.*

*We have the training about these matters, but people don’t feel comfortable going to management to have them addressed because they feel people are not properly reprimanded for the negative behaviour. When victims start seeing people be publicly reprimanded, they will be more willing to go to management about harassment and discrimination.*

*I worked last year with an administrator who appears to keep getting moved from school to school because of her aggressive, racist, and oppressive behaviours. It almost seems as if she is moved to locations and neighbourhoods where parents may not know they have power to complain. It seems like no matter how vulgar, aggressive and unprofessional she is, she continues to be employed. In bringing this up to my managers who were of course very supportive and validating, it seems as though they were also at a loss as to how to proceed, as it seems our formal complaint system for administrators is ineffective. This is not the fault of my direct managers; it seems this is a systemic issue where those in leadership get passes and there are no consequences for administrators who say inappropriate or violent things. This administrator uses bullying strategies, is passive aggressive, uses micro aggressions or just outright aggressive behaviours against staff and students (example screaming at small students, literally in their face). This particular person has been curiously moved multiple times though continues to be employed. As a staff person this models acceptance of those behaviours and does not make me have faith in our system. If we suspend students for inappropriate behaviour, should we not have consequences for our staff as well? There are sadly many examples of administrators who behave poorly though there does not seem to be a safe way to express this, where there are real consequences.*

### **Reported but no action taken**

Some employees also shared that they have reported their experiences of harassment, and still the behaviours have continued:



*Reported to SOSA but never investigated to my knowledge. No follow up with me regarding the documented incidents I reported.*

*Issues get passed around and passed around and nothing is done, with families and staff, no one wants to deal with the issues.*

*I would not report again as I was incredibly discouraged by my last experience.*

*I was subjected to workplace harassment... which was reported to both my union and the board. However, the matter was swept under the carpet... Also there was supposed to be a conclusion meeting, following the so-called investigation, to discuss the outcome, which never took place.*

### ***Fear of reprisal for raising or reporting the issue***

Some survey respondents reported that they are afraid to intervene when they do hear or witness harassment because they may experience reprisal or become the target of harassment themselves. Similarly, those who experience harassment report being afraid to report it because the impact may be worse than the harassment itself. This hesitancy is compounded by the perception that those in leadership positions and those in human resources already know about the behaviours and have either not dealt with them or have dealt with them ineffectively:

*I personally don't experience it often, but I do see others experience it. I find that if I try to stand up and say something I fear being ostracized myself.*

*So why would I report any discrimination and harassment if all it achieves is making me even more talked about and isolated, with no power to state my side of the story.*

*Unfortunately, while I think most intend well there are still many comments/conversations that I and others overhear that make many people uncomfortable (sexist, racist comments). These are the hardest to stop and confront, as trust in the outcomes and your own well being in the situation are not there. Many feel by saying something, their situation will only get worse, instead of the person engaging in the inappropriate conversation.*

### ***Misunderstanding of avenues to address issues***

Of note in the comments made by survey respondents is their lack of understanding that it is the employer's duty to address issues of workplace harassment and the avenues by which to do so. While the union may offer support and enable an employee to address the issue through the grievance process, the HWDSB has its own process that an employee can use to have the issues addressed. Particularly troubling is the sense that if the harasser is another union member, the employee feels they will not receive support from the union to address the issue.

Some employees also raised concerns that their union doesn't understand the subtleties of racism, and as such they don't feel supported by or comfortable approaching their union to address these concerns:

*When bullied by a staff member at my school, my principal did nothing to help and my union discouraged me from doing anything because it's a member to member issue.*

*Discrimination happens daily and my manager is unable or unwilling to deal with it and in fact almost spearheads it. She is unable to keep anything confidential so everyone knows everything about each other. Despite reporting this to the union almost nothing has changed.*

### **Need for a different body to report to**

Some survey respondents shared their concern that they have no place to report to if the person they report to is the harasser:

*I experienced harassment by a principal about 8 years ago and there were no policies in place. Everyone was afraid of him and he was untouchable. I witnessed him harass me, the VPs, and many others. It left a lasting impact. There needs to be a reporting system or something in place for leaders that isn't just the teacher's union. I am happy to report this principal is no longer employed with the board. But he has shown up at school events still which I think shows respect to him but not his victims.*

*I have seen teachers horribly harassed by co-workers (though it is, in my experience, very rare) and I have been harassed myself. Where does an EA (or teacher) go when a principal is harassing you? You can't go anywhere. Certainly not the board! They will believe the principal before you have even said one word.*

*I have never experienced bullying until I worked for the school board. 5 years ago I was harassed by my principal for 7 months. I reported this to numerous people but no one would help me. I had to take a sick leave then change schools. No one was willing to go against the principal.*

*The whole process needs to be started over. Human Resources needs to be investigated and cleared. We need to have an honest clean up in order to actually help this board move forward. More outside and government intervention and they will see that there are major problems. The board should not be policing themselves or their friends.*

*There are times that the behaviours of an individual are overlooked or go unreported in part due to their "status"/"Union Group" and in part due to the intimidating policy for reporting harassment. The "strength" of some of the unions makes reporting often feel pointless.*

*I feel supervisors/managers believe they are sometimes untouchable. And know their employees may not reach out to the appropriate peoples. One, because we may not be sure who to exactly reach out to. And two, if you have a small department if you were to bring it forward some members feel then things in the office will definitely be more uncomfortable, which is unfortunate.*

*Specific moments of obvious racism exist. However, compounded incidents of daily, covert, structural racism outweigh the extreme incidents. There is no way of reporting these. They go unnoticed by most people but are experienced and lived by others on an ongoing daily basis. This is why staff training is important. Many admin and people in positions of power have so much learning to do and are not equipped, or able, to even have the vocabulary or understanding to effectively deal with complaints of racism and oppression.*

### **Toxic workplace**

Some employees shared that the inappropriate behaviours are not necessarily based on identity. Instead, they describe a work environment that is toxic, in which the manager or administrator is the bully:

*People can be very toxic, making flippant remarks not realizing how they affect others. This comes from managers as well. I struggle to come up with any solution for this. I will say my manager is extremely toxic and polarizing and no one seems to care in upper management.*

*Bullying tactics can and do come from the people that I report to.*

*In order to end bullying among students, bullying among staff should be addressed too. Positively rewarding people who stand up for others, refusing to engage in bullying behaviour or who do not fall for the bystander effect, and implementing real consequences and training to address bullying behaviour among and between staff.*

*There has been no mention of bullying. Maybe this is not the right platform for the topic, but I believe that there is a lot of bullying amongst the workers. I also believe that racism and bullying go hand in hand. There should be harsher penalties for bullying and it should not be swept under the carpet. We have an entire committee set up to address and study this subject and not one of them have spoken to staff for our input. I have seen bullying; I have not witnessed racism.*

*When it is clear you have been victimized and there is no visible consequence against the perpetrator, you do not feel your workplace is safe.*

### ***Harassment from parents or students***

Some survey respondents also shared their concern of harassment from parents or students, which has not been appropriately addressed by administrators:

*I feel I am harassed and abused by parents and that we are taught/trained to “take it” in order to preserve the relationship with parents.*

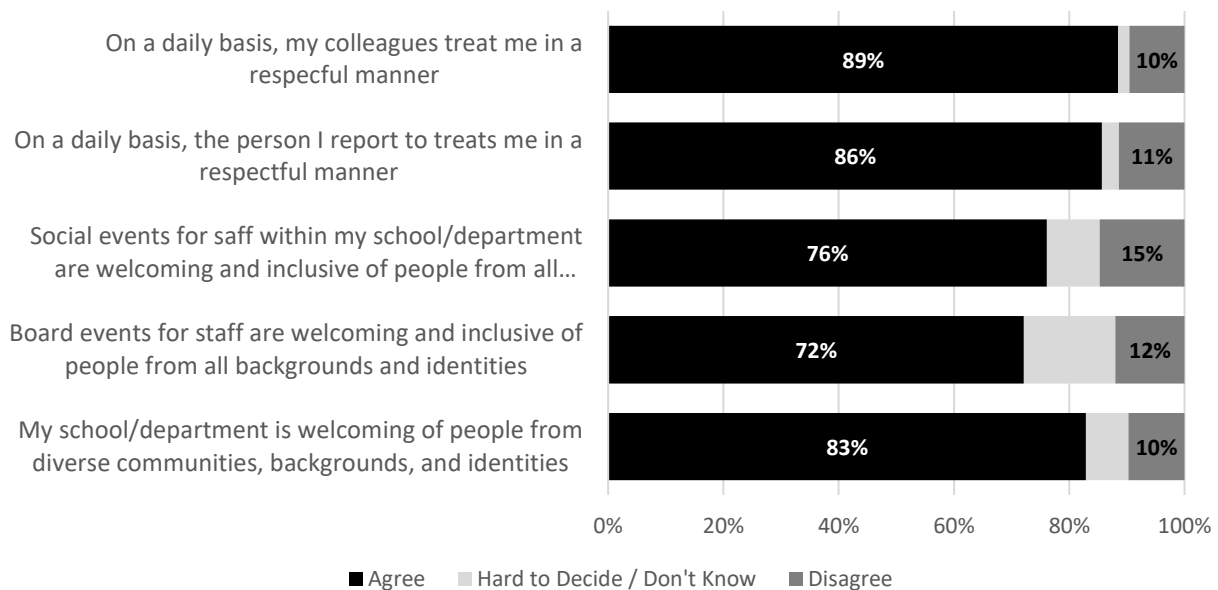
*If the harassment is from a parent and/or student, there is zero support.*

*Harassment and discrimination often are displayed by students towards other students or towards staff. They also occur from parents toward staff on occasion. The latter is tolerated because parents threaten or do approach superintendents or the director with complaints about teachers, sometimes without speaking with the principal first.*

The survey also asked employees about their daily workplace experiences. As Graph 9 shows, the vast majority reported that on a daily basis their colleagues (89%) and the person they report to (86%) treat them in a respectful manner.

76% reported that social events for employees in their school or department are welcoming and inclusive of people from all backgrounds and identities, while 72% reported the same for Board events.

**Graph 9. Daily Workplace Experiences.**



Source: Workplace Equity and Inclusion Survey, 2020.

n = 1,197

83% reported that their school or department is welcoming of people from diverse communities, backgrounds, and identities. Of note in the comments is the need for all HWDSB workplaces to be welcoming and inclusive of employees who identify as Two-Spirit and LGBTQIA+, including making gender-neutral staff washrooms available.

While many employees agreed that the Board needs to create workplaces that are more inclusive of people's various identities, they also noted that greater respect for all employees is needed. They described a hierarchy within the schools in which teachers are valued over those in other employee groups, such as Educational Assistants, caretakers, and secretaries. As such, these employees feel that they are not respected and valued within the school community, which was reflected in the lack of information being shared with them and their exclusion from various activities. They expressed concern that a broader culture of inclusion is needed throughout the Board:

*I feel that occasional teachers are often not valued, or treated with support and friendliness at many (not all) schools. Often ignored in the hallways and staff rooms – I've gone an entire day without another teacher talking to me.*

*I don't always feel welcomed or respected as an occasional teacher by the permanent teachers because they don't know me and are not interested in talking to me because they know I'm only here temporarily. It's like being in high school all over again and the cool kids don't want to talk to you or eat lunch with the new kid. It's sad to see.*

*As an EA we are treated like property. We are made fun of, coworkers feel it is ok to make horrible comments about us. One person said we should not be allowed to park in the school parking lot because we are not "real staff."*

*Sometimes it feels like OTs are not treated the same as permanent employees, as if they are second class compared to permanent teachers.*

*Some schools do not welcome occasional teachers in the staff rooms at lunch and breaks. It doesn't seem to me that you could "legislate" a change in that, but maybe there are short "games" and activities that could be done at staff meetings to encourage staff to look around and acknowledge new people among them.*

In the focus groups, which were organized based on identity group, participants also shared their experiences and the issues and challenges that they face working at the HWDSB.

### ***Indigenous peoples***

Indigenous peoples who participated in the focus groups shared feelings of isolation because there are so few Indigenous employees at the HWDSB. They also speculated that there may be more Indigenous peoples working at the Board, but they may be fearful to disclose their First

Nations, Inuit, or Métis (FNIM) status because schools are not seen as a safe space for either employees or students.

They also shared their concern about what their students are experiencing, which must be many times worse than what they experience. As one person asked, “How are students going to feel safe if we don’t feel safe?” They shared the need for the HWDSB to make schools safe for FNIM students, first and foremost, but also reflected on the importance of making these spaces safe for FNIM employees so that they can be successful in their roles and serve as role models for all students, but FNIM students in particular. The safer it is for Indigenous employees, the better they are able to support FNIM students, the more likely FNIM students are to graduate, and the more likely they are to view teaching as a viable profession. They shared their concern that despite the critical need for this work, the Board is at the beginning of its journey; while there are good intentions, much more work is needed.

Linked to this is the need for more visible representation of the Board’s commitment to Indigenous education, such as through treaty and land acknowledgements. Participants recognized the need for this visible representation, but stated that it must also be followed up with action by hiring more Indigenous employees as well as ongoing learning about Indigenous education and ensuring that Indigenous education is embedded throughout the curriculum.

### ***Two-Spirit and LGBTQIA+***

Many participants identified the support of their school administrators and superintendents as critical to their being able to be open about their gender identity and sexual orientation. They shared that they were lucky to receive the support they needed from both colleagues and leaders, and they were supported by the organization when issues did arise. Participants noted that, for the most part, they encounter employees and leaders who are willing to learn and create a positive culture for both students and employees who identify as Two-Spirit and LGBTQIA+.

Some noted that the harassment that they experience comes in very subtle forms, including in the form of microaggressions directed not only at employees, but also at students. Participants stated that if the behaviours and comments were more direct and overt, they could be more easily addressed, but that it is more difficult when these negative behaviours and comments are so subtle. Some also noted that while some colleagues behave like allies by actively interrupting inappropriate behaviours or comments, they also shared that not all educators interrupt homophobic and transphobic comments and behaviours from students and their colleagues. In some cases, some of their colleagues are the source of these behaviours or comments. Some also shared feeling that they must hide their sexual and gender identity, and that they are not able to be their full selves at work. This means not displaying pictures of their partner or family, not responding when students ask whether they have an opposite-sex partner, and not sharing that part of their identity when interrupting an inappropriate,

homophobic, or transphobic comment. In fact, some reported being reprimanded for disclosing their sexual orientation to students.

While many described that they currently work in an inclusive environment, they did share that they have worked with some leaders who have been openly homophobic and/or transphobic. Some went as far as describing their school environments as “toxic” for Two-Spirit and LGBTQIA+ employees and students. They were concerned that there are some openly homophobic and/or transphobic school administrators who are “protected” from being fired and are moved from school to school when issues arise, without an expectation of changed behaviour. They shared their concern that their work environment could change significantly if these individuals were moved to their school.

While focus group participants described some school administrators who were inclusive and some who are homophobic or transphobic, they also described those in the middle who chose to “remain neutral.” They noted that school administrators set the tone on these issues, and by not taking a firm stand for human rights for all, these administrators allow harassment and discrimination to occur. They shared that while professional development may be offered, they feel that school administrators are not required or supported to act on their learnings to create welcoming environments for Two-Spirit and LGBTQIA+ students and employees.

Many noted that the inclusive tone set by the school administrator or manager is based on that person’s individual knowledge and commitment, rather than the tone or direction set by the HWDSB. Further, they shared their concern that if they were open about their identity and an issue were raised by a parent, they were not certain that they would be supported by their principal or the Board. As a result, they keep their sexual and gender identity hidden, concerned that openness would only harm them. As one person commented, “In what way would it benefit me? It would only be a disadvantage to be out.” Others shared that if they are seeking permanent employment or wishing to advance within the Board, it may be particularly harmful to their career if they were openly Two-Spirit or LGBTQIA+.

Another concern raised by those in the focus groups was the need to be the school or department expert on everything related to Two-Spirit and LGBTQIA+. As one person noted, “I’m trying to do my job, and now I’m supposed to be an expert on Two-Spirit and LGBTQIA+ issues as well.” They shared that the Board should have experts on these issues whose job it is to increase the knowledge and understanding of all staff. They felt it was unfair and tokenizing for this additional expectation to be placed on them.

There was also some concern shared about the lack of support employees received from their union locals, as the executive is not necessarily knowledgeable or supportive of equity, human rights, or Two-spirit and LGBTQIA+ issues in particular.

### ***Persons with disabilities***

Employees with disabilities who participated in the focus groups shared their concern that the HWDSB is not a safe space in which to disclose their disability. While they feel that students from all backgrounds would benefit from seeing educators and employees from all abilities, they felt that disclosing their disability would only serve to limit their careers. Requesting accommodation is particularly concerning for those newly hired or precariously employed because they may feel that their job is at risk if they appear to be “difficult.”

The focus group with persons with disabilities centred on accommodation, their experiences of the accommodation process, and whether they would ask for additional accommodation if they needed it. The overwhelming sentiment was that the accommodation process was dehumanizing, only served to add anxiety and fear to their lives, and they would not request accommodation in the future. Some employees spoke about the support they received from colleagues when they needed accommodation, but when they formalized the request, the process became far more cumbersome and dehumanizing. Many shared that the process does not align with the supports provided to students, nor does it align with the Board’s commitment to inclusion.

Employees describing feeling that they were not trusted and were lying about their needs, even after providing medical documentation. Some expressed their perception that the process was constantly changing and that their need for accommodation was not taken seriously. Participants also expressed that there are inconsistencies between managers and principals and how they respond to requests for accommodation, as well as little understanding of when Human Resources should become involved. They also noted that there was little information and consistency with respect to the renewal of accommodation, particularly when someone has a recurring medical condition or disability that requires permanent accommodation. Others shared that the process was so difficult that they withdrew their request.

There was also concern that the Board should be making its events and communications accessible, rather than waiting for employees to request accommodation. Specifically, they noted that the HWDSB-TV is not closed captioned, nor are videos or online training. There was also concern about meetings and the lack of consistent use of microphones. Rather than ensuring accessible communications, the HWDSB is putting the onus on employees to repeatedly request accommodation, thereby forcing employees to disclose their disability and putting them at risk of being labelled difficult.

Many of those who had previously requested accommodation shared that they regretted it and would never again request accommodation both because of how they were treated during the process and the uncertainty of not knowing whether or not they would receive the needed accommodation. As one person commented, “I’m afraid to go through this process, because I’m not sure what will be on the other side.” Another shared feeling that “they made it worse for me than if I’d kept my mouth shut.”



Some shared that the process for requesting and receiving accommodation is so difficult that there is a hidden culture of people with disabilities who share strategies on how to work at the Board without formal accommodation. This group shares among themselves the workarounds that they have put in place, including relying on their colleagues' support.

Some employees shared that they have been discouraged from requesting accommodation by their union. The union has told them that neither they nor their doctor would be able to determine the accommodation that would be provided and that it was at the sole discretion of the employer. Because of this information, some chose not to request accommodation. Conversely, others shared that they went first to their union, who then supported them through the accommodation process. They felt that the involvement of their union was instrumental to their receiving the needed accommodation.

### ***Racialized people***

Like other employees, racialized employees identified the lack of racial diversity among the HWDSB workforce as an issue. They shared concern about the hiring process that resulted in this lack of diversity, the isolation and unwelcoming environment experienced by the few racialized people working at the HWDSB, and the personal impact on them.

Many commented on the barriers within the hiring process that have excluded racialized people from being hired at the Board. These barriers include word-of-mouth hiring, with managers asking existing employees whether they know someone who can fill a vacancy. When the majority of current employees are White, hiring from word-of-mouth referrals only serves to perpetuate the lack of racialized people at the Board.

Many also cited the "old boys' club" as being a significant barrier to being hired and advancing at the Board. They noted that while they have the qualifications, skills, and work experience, they are often overlooked for younger, less experienced White teachers who have personal connections at the Board.

Others pointed to unconscious and in some cases the very conscious biases about who administrators want at the front of the classroom. Some noted that even with a nation-wide shortage of French teachers, racialized French teachers, core or immersion, still experience a great deal of difficulty getting hired at the Board. One person noted that they were told that she would never be hired as a French teacher at the HWDSB because they don't "fit the image of a French teacher." Others described the active and open discrimination by all principles when hiring into permanent positions. They described being told that they would not be hired because their name is too difficult to pronounce or because the White families would not be able to relate to them.

Racialized teachers also shared that they are such a rarity at the Board that students are surprised to see them in the classroom. Some OTs share being mistaken for the custodian or an EA, and even being reprimanded for using spaces designated only for teachers.

They pointed to the many studies of the positive impact that racialized teachers have on all students and shared concerns that most racialized students at the Board will never have a racialized teacher. They also were concerned about the message being sent to both racialized and White students when they only see White people as teachers and in leadership positions. They noted that when racialized teachers only see White people as teachers, they get the message that teaching is not a profession for them, thereby perpetuating the underrepresentation of racialized people in teaching.

Many racialized teachers also shared their feelings of isolation, as they are often the only racialized educator, if not the only racialized person, in the building. They stated that they do not feel welcomed by all their colleagues, that their ideas are dismissed, and despite their qualifications and years of experience, they are being pushed aside to give advantages to White teachers.

Many noted their fear in attending the focus group, as they worried that speaking about racism could limit their job prospects or ability to advance in the organization. They noted that doing anti-racism work in schools is often a career-limiting move. Some noted that speaking on this topic makes them very unpopular, with people who they considered to be friends shunning them because they have taken an anti-racist stance. Many reflected on the subtle, yet persistent, nature of racism at the Board and how it is often overlooked:

*We work in an insidious environment of microaggressions, gaslighting. It's everyday, non-stop. It comes at us from colleagues, parents, and students.*

*When I raised my issues, it was excused. He said, "I'm sure they didn't mean to be racist." Or I'm told I am overly sensitive or am overreacting.*

*All I want is to be treated as an equal. I want them to see beyond my colour, my gender, my accent, and be given the same opportunities as everyone else.*

Some shared that racism is so systemic and engrained in the culture of the HWDSB that the only way to dismantle it is to call it out; but by calling it out, employees stated that they put themselves at risk of reprisal. They noted that reprisal is often not immediate nor overt. So, there is often no way to connect the reprisal with the issue that was raised. Participants noted that reprisal may come in many forms: stacking the class with challenging students or those with special needs; not assigning an EA to students in one's class; how their teaching schedule is arranged; being overlooked for an opportunity; or being asked to teach a class one is not qualified to teach or which they haven't taught in years. Others shared that racism, or reprisal for speaking out about racism, comes in the form of being deliberately undermined by not

being given the needed workspace, textbooks, and other resources that their colleagues receive, and even being “missed” and not invited for meetings or trainings.

Racialized employees shared that the lack of allies further isolates them in the workplace. So, while everyone may see or hear the same inappropriate comment or behaviour, it is often left to the racialized person to speak up. When this happens repeatedly, they fear being labelled a “troublemaker” and targeted. They shared that silence is complicity and allows these behaviours to be normalized, yet they feel that the onus is consistently put on them to speak up. When HWDSB workplaces are predominantly White, expecting the few racialized employees in the organization to address racism only serves to further isolate them.

In response to racist and unwelcoming work environments, some reported that they have given up trying to fit in and have begun to self-isolate. Some described having “racial battle fatigue,” a term coined to describe the psychophysiological symptoms — from high blood pressure to anxiety, frustration, shock, anger, and depression — racialized people may experience in response to living in and navigating historically White spaces. Educators in particular shared their concern for racialized students, who likely experience a much more racially hostile environment and may be less equipped to cope and protect themselves from racism.

### ***Women***

Some women noted that because it is a female-dominated organization, they feel supported by many peers who share their experience. But, they noted, because the organization is female dominated, they can become desensitized to the issues and challenges faced by women, in particular the barriers to advancement and the challenges in maintaining a work/life balance.

Many women shared that despite the Board workforce being comprised primarily of women, it is an environment that benefits men, who tend to advance quicker in the organization, with fewer qualifications and fewer years of experience. As one person noted, “The proportion of men in leadership doesn’t make sense. It doesn’t make sense that they are better qualified than women.” They feel that what happens at the Board reflects the sexist view that men are better leaders. They also pointed to how women who are direct, strong leaders are seen as abrasive, while these are leadership qualities valued in men.

Furthermore, they feel that the “old boys’ club” supports the advancement of men within a female-dominated organization, with men making personal connections and supporting each other to advance. They also noted that because advancement is based on who you know and close personal relationships, it requires the investment of a lot of time outside of work to socialize. They noted a connection between the many men who joined the organization at the same time, bonded at meetings for school administrators, and then supported each other to advance.

Women point to the expectation that they work far beyond an 8-hour workday as negatively impacting many women, as they continue to be the primary caregivers for children and elders. As such, they noted that it is often difficult to compete with men, who don't have those added family responsibilities. Some women shared that the demands of the job were so great that they delayed seeking advancement until after their children had completed high school; some have delayed having children, and others noted that they simply gave up those ambitions because they could not advance and have a family at the same time.

**Recommendation 57:** Recognizing that a great deal of inappropriate behaviours can be stopped and their impact minimized if they are immediately addressed, it is recommended that employees have access to training that provides them with the knowledge and techniques for intervening when they do witness or learn about these behaviours.

**Recommendation 58:** It is recommended that managers and school administrators be reminded through ongoing communication, training, and other means of their legal duty to foster a respectful work environment, to lead by example, and to act to stop harassment and discrimination when they witness or hear about these behaviours.

**Recommendation 59:** It is recommended that all employees and unions be reminded of the Board's process for receiving and accepting complaints of workplace violence, harassment, and discrimination, and that complaints can be made without going through the grievance process.

**Recommendation 60:** It is recommended that leaders throughout the organization commit to, and be provided with, adequate supports, including anti-racism and anti-oppressive practice training, to enable them to demonstrate a greater personal and professional commitment to equity, diversity, and inclusion through behaviours and language that demonstrate inclusion and respect for all employees.

**Recommendation 61:** It is recommended that the Board help to create and provide ongoing support to affinity groups/employee resource groups in order to create safe and inclusive spaces for Indigenous employees and those from the equity-seeking groups for networking and support. Further, the Board should use the affinity groups as a valuable resource to continue its work to identify and remove barriers to employment equity, diversity, and inclusion.

**Recommendation 62:** It is recommended that the Board ensure that it creates inclusive and safe workplaces that allow employees who identify as Two-Spirit and LGBTQIA+ to bring their full selves to work. This should include visual displays of positive spaces as well as training for managers and school administrators about their roles and responsibilities to create inclusive and welcoming spaces for all employees.

**Recommendation 63:** It is recommended that the Board develop policies and programs to ensure that its work environment is inclusive of employees who are transgender and gender

non-conforming. As such, the board should develop policies such as a Transitioning at Work Policy, provide gender-neutral washrooms for staff, and train managers and employees.

**Recommendation 64:** It is recommended that the Board develop and distribute a guide on how to hold inclusive meetings to ensure that employees are not required to repeatedly request accommodations.

### 10.5 Attitudes and corporate culture

Individual attitudes and corporate culture have an impact on the job performance and retention of Indigenous employees and employees from the equity-seeking groups. While some behaviours may not be deemed harassment or discrimination as defined by the Ontario *Human Rights Code*, they can nonetheless have a significant impact on the work environment. For example, negative attitudes toward equity and diversity, even when expressed out of ignorance, can affect the work environment and whether Indigenous employees and employees from the equity-seeking groups feel welcomed and included in the workplace.

An understanding of employees' support of workplace equity, diversity, and inclusion efforts also helps to assess the organization's readiness for change and the strategies that will be needed to effect and sustain change. Many workplace equity, diversity, and inclusion efforts have been derailed by failing to measure an organization's readiness for change, undertaking too rapid a pace of change, and undertaking initiatives without first ensuring the needed understanding and buy-in from managers and employees. Implementing diversity programs without creating this foundation of understanding can create fear and resentment and lead to backlash.

Organizations that are positioned to succeed in their workplace diversity and inclusion efforts have included diversity objectives in their business plans, integrated equity into procedures and practices, and displayed a high level of commitment and leadership from the top.

In order to support success, many organizations have also hired dedicated equity staff and ensured that they play a key role within the organization, work collaboratively with human resources, and have a reporting relationship with top management.

While an unwelcoming work environment negatively affects Indigenous employees and employees from the equity-seeking groups, it can also have negative implications for other employees and the organization as a whole. Unhealthy workplaces have been linked to low productivity, high absenteeism, high turnover, high legal costs, and many hours of staff time needed to deal with a host of workplace issues. Studies have also found that employees who work in environments that are not welcoming and inclusive are more likely to leave for other

jobs, take extended leaves of absence, and retire early.<sup>62</sup> Unhealthy workplaces also negatively affect the mental and physical health of all employees.

## Findings

The Workplace Equity and Inclusion Survey asked respondents about their own commitment as well as their perception of the Board's commitment to workplace equity, diversity, and inclusion.

As Graph 9 shows, 76% of survey respondents agreed that workplace equity, diversity, and inclusion are important to the HWDSB. An even larger number of employees (92%) feel that diversity in the workforce adds to the Board's ability to better serve a diverse school community, and 93% agreed that diversity in the workforce adds to the strength of the organization. Nearly all (95%) survey respondents agreed that a workplace that welcomes and values diversity is important to them.

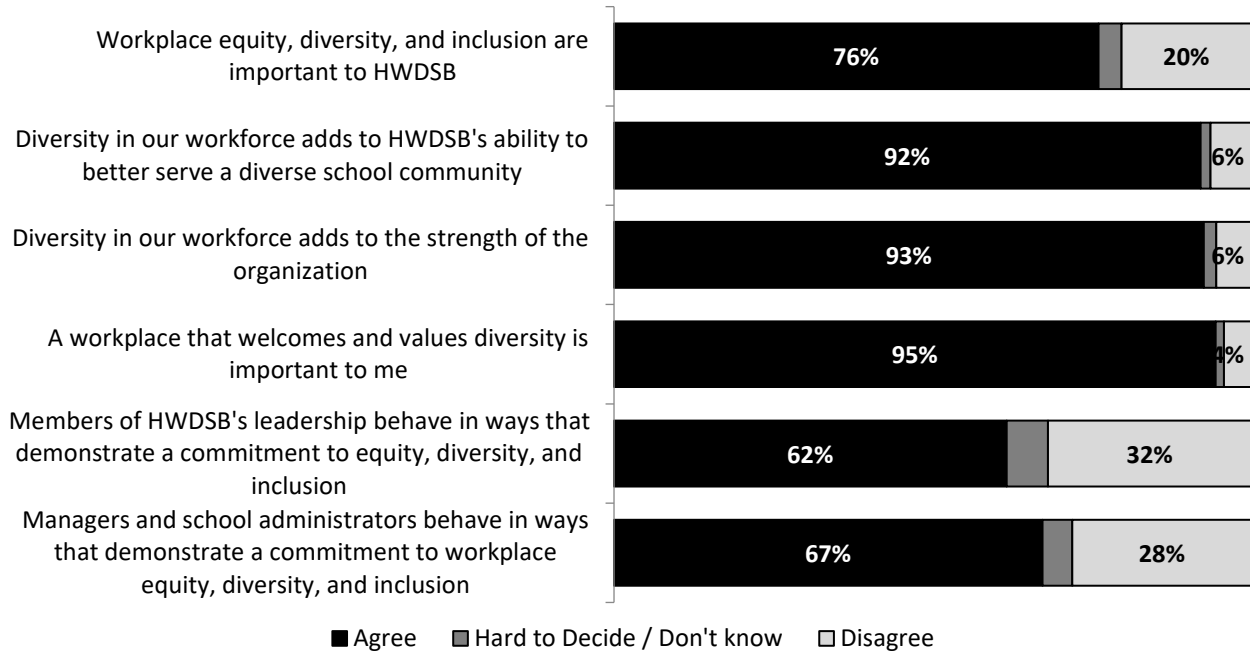
The majority of the Board and union leaders with whom we spoke acknowledged that the HWDSB is at the beginning of its equity journey. They shared that there is a commitment to equity, which has been reaffirmed because of the killing of George Floyd and the protests around the world in support of Black Lives Matter. However, they feel that much more needs to be done to operationalize this commitment. They noted that there have been multiple false starts over the years — with training begun but not rolled out to all staff and the completion of the Workforce Census — but that little has changed within the organization. They acknowledged that there has been a renewed focus on equity by the current Director of Education and agreed that it is important work for the HWDSB to engage in. There are also many who agreed that while senior leaders are supportive of the HWDSB's equity initiatives, they may not have done the best job communicating this to employees. They also acknowledged that if leaders throughout the organization are to lead this work, they need to do a great deal more personal learning and growth in this area.

Only 62% believe that members of HWDSB's leadership behave in ways that demonstrate a commitment to equity, diversity, and inclusion, while 67% indicate that managers and administrators behave in ways that demonstrate a commitment to workplace equity, diversity, and inclusion.

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<sup>62</sup> See John Samuels & Associates. (2006, March). *Summary report on engagement sessions for a racism-free workplace*. Human Resources and Skills Development Canada; Gandz, J. (2005). *A business case for diversity*. Canadian Department of Labor: Ottawa, Canada.

**Graph 9. Organizational and Employee Commitment to Workplace Diversity**



**Source:** Workplace Equity and Inclusion Survey, 2020.

*n* = 1,197

In our interviews with Board and union leaders, it was evident that many of them need to do more to deepen their understanding of the issues and increase their personal commitment to making change. We found that not all were in support of these efforts. In fact, some individuals shared that they don't believe that employees from diverse communities, backgrounds, and identities have experienced issues within the organization and that the HWDSB was doing better than most organizations. Even those who expressed a commitment to equity do not fully understand the issues and barriers facing employees from diverse communities, backgrounds, and identities. They themselves observed that the commitment of leaders throughout the organization is greater in theory than in practice, and they questioned how they will be able to lead this work when leaders do not have a common understanding of the issues and are all at a different place along their learning journey.

Leaders also shared their concern about how the HWDSB will support leaders and employees throughout the organization to understand their role in operationalizing the Board's commitment to equity and what accountability measures will be put in place. If change is to occur, this work cannot be seen as the responsibility of one person or department, but must be embedded within the work of all employees. They point to the "good intentions" within the

Board's Equity Action Plan as a good start, but noted that the challenge will be to determine how this work will be operationalized within a large organization with hundreds of workplaces.

Some leaders also noted that if the HWDSB is to do this work effectively, it needs the infrastructure to help the organization operationalize its commitment to equity. They feel that there is much work to do to help employees at all levels change their mindsets and create more inclusive workplaces. In addition, they stressed that this work needs to go beyond superficial changes and instead needs to change the oppressive structures embedded within the education system.

There was also concern that a shift in HWDSB culture is needed in order to support rather than punish those who advocate for equity. There was concern that currently employees who advocate for equity are being sidelined and silenced, rather than supported and encouraged. Employees advocating for equity need to feel that when they speak out, they will have the support of the organization and will have issues addressed. This shift can only occur through ongoing training that provides employees at all levels with the opportunity to engage in meaningful discussions that will challenge their biases and deepen their understanding of systemic oppression.

There was also some critique of the training that has taken place to date, with some noting that not everyone tasked with delivering training had the level of knowledge to do so and that the training caused harm to marginalized people in the room. They noted that while training is needed, it needs to be carefully planned and vetted, and a better strategy for delivery of the training developed.

The comments throughout the survey provide valuable insights into employee perceptions about the HWDSB's commitment to and implementation of equity initiatives.

### ***No issues of equity and diversity***

Some respondents to the survey shared their perception that there are no issues of equity and diversity at the HWDSB. They lauded the Board for the work it is doing and shared that it is a great place to work:

*I think HWDSB does a fantastic job.*

*HWDSB does more than any organization I have been with.*

*Overall, I think we are doing a good job with diversity.*

*I think they are doing a great job, there's always room for more diversity and education on racism.*



### **Lack of action**

Some survey respondents also shared their concern that while the HWDSB has stated a commitment equity, diversity, and inclusion, this commitment has been largely performative not yet translated into action:

*Words are a good start and policy. However, action dictates change.*

*They say the right things, but it is not proven in daily actions.*

*If the HWDSB wants to become serious about “equity”, they need to do more than have employees fill out surveys and send out “Hallmark” style bulletins. They need to value those who need valuing the most.*

*Messages of inclusivity is not enough. Saying we are inclusive and want to support is not enough. Words are only effective if they are backed up with actions.*

*There needs to be large changes to the way in which policy translates into practice. The amount of lip service is staggering. Racialized employees need to be represented in all levels of decision making at the board and amongst educators in schools. In short - Action, direct, purposeful, nuanced and helpful action. Often what occurs runs counter to what is asked.*

*HWDSB has developed an impersonal focus on corporate image that discourages honest conversation about matters of equity, diversity, and inclusion. The senior management of HWDSB (since HWDSB per se cannot responsibly “do” anything) could stop focusing on paying lip service to moral values and instead reflect dialectically in personal, granular conversation with its employees, students, and their parents/guardians to learn about their blind spots, their possibly misaligned actual, procedural priorities (in contrast to public relations priorities), and to understand how as agents of public education they can serve our society’s members best by embodying and practicing humanist virtues, such as love, openness, humility, humour, honesty, justice, and courage. As a top-down, command hierarchy, the HWDSB will never become “a more inclusive and welcoming work environment.”*

*Lots of talk. Not enough action. When management is confronted with systemic racism and racist behaviour, they tend to revert to a lot of white fragility in reaction to being confronted, rather than change behaviours or systems.*

### **Resistance to diversity**

While the vast majority of comments supported the HWDSB’s equity efforts, there were some who expressed resistance. These employees shared their perception that there are no issues of equity at the Board and questioned the HWDSB’s reasons for engaging in this work.

Throughout the survey, interviews, and focus groups, employees shared their own resistance to this work and the resistance expressed by their colleagues. While many of these employees did not want their comments quoted in this report, they called these efforts “race bating” and “political correctness,” referring to this work as the “DIE (diversity, inclusion, equity) religion.” They shared that the HWDSB should focus on hiring a more capable workforce, allow for free speech, and promote “love and understanding.” Others feel that this work and new knowledge they need to learn is burdensome, asking, “How can I be expected to know all of this?” However, some reported that their colleagues who lack a basic understanding of the terminology are offended when they are called “White” or “cisgender.” There were also those who shared their concern that the Board was “pushing their agenda” onto its employees, particularly regarding its support of Two-Spirit and LGBTQIA+ students and employees. They feel that it is a personal choice to support Two-Spirit and LGBTQIA+ positive spaces and that their employer should not pressure them to support these initiatives.

Others shared that while they are committed to learning, they are fearful of using the wrong term or saying the wrong thing, and therefore often say nothing. They feel that the Board needs to take a learning stance and that more information and opportunities for ongoing learning should be provided to employees throughout the organization.

Rather than a focus on equity and diversity, some suggested that Board policies and practices are already equitable and the focus should be on hiring the most qualified:

*They need to focus on the most qualified individuals. It doesn't benefit anyone if individuals are hired without qualification to satisfy a diversity quota.*

*This is a waste of time. HWDSB is already equitable. Don't need to waste more resources on this.*

Some shared their concern about “reverse discrimination” and that White Christian heterosexual men are the group at a disadvantage at the HWDSB:

*Listen to and respect the white, male, heterosexual portion of staff and stop blaming this group of individuals for all of life's problems.*

*I believe HWDSB hires good talent. At times, the focus on equity means that racialized groups can be given priority over the most qualified individual.*

*The “non diverse” population is being overlooked to accommodate the board's emphasis on diversity.*

*Straight white men. Where do they fit in your ‘diverse and inclusive’ vision for HWDSB? Please stop being racist and sexist and hire people based on their qualifications and value as a human being.*

*People who do not fall under being a minority are systematically being discriminated against through the falsehood of “best practices.”*

*Your definition of a diverse community is too limited and wrong - (e.g., women, racialized and Indigenous people, persons with disabilities and/or special needs, and those who identify as Two-Spirit and LGBTQIA+, etc.) - what about men? I am sexually harassed almost every day by teachers and parents commenting on my looks, my eyes, my legs; What about Christian men? Who tolerate when they hear announcements over the P.A. saying “it’s ok to be gay” to the entire school, but who personally believe that this is not true? I am allowed to have this opinion while still valuing and respecting those with a different belief. And yet, if I was to talk as openly about how I am a straight white male with Christian values, I would be chastised and shunned, potentially fired or switched to another school. Everyday I am bombarded with messages that essentially say that I am the cause of all of the problems in the world - black racism, poor indigenous peoples from whom I stole their land, etc., etc., and I am sick and tired of it. I will not be labeled a racist white supremacist simply because of the colour of my skin. The last time I checked, judging someone based on the colour of their skin is RACISM.*

*I think heterosexual white men are discriminated against in order for HWDSB to look more equitable and diverse. I also think that Christianity is the only religion that is not accepted or celebrated in the HWDSB community-There is actually discrimination and persecution against Christians happening all the time-and it is considered completely acceptable whereas minority religious groups are celebrated and praised.*

### **Leaders need to “walk the talk”**

Through the comments on the survey, it is evident that employees do not feel that leaders “walk the talk” of inclusion and do not model the behaviours and focus on equity that they expect of others. If employees are to believe the Board’s commitment to this work, it must become evident not only in employment policies and practices but also through the behaviours of leaders at all levels of the organization.

This sentiment was echoed in the interviews and focus groups conducted for this review. There was concern that because the HWDSB is at the beginning of its equity journey, there is a gap between the organization’s stated commitment and leaders’ demonstration of that commitment. They shared that while the right words were being said, they feel that the efforts to date are about appearances rather than an actual commitment to making systemic change within the organization. They shared that leaders along with employees remain uncomfortable with the discussions, and that rather than embracing the learning that their discomfort offers, they avoid the discussions and the change that needs to occur.

In order to create equitable and inclusive workplaces, leaders need more than just ongoing training — they must also be held accountable for putting their learning into action. Not only must they understand their own social location, sites of privilege, biases, and how to embed equity into their leadership, but they must also understand and “buy-in to” the business case for equity and diversity.

Employees felt that in order to lead this work, members of the Senior Leadership Team, managers, and school administrators must have a deeper understanding of equity and a deep commitment to this work. Without this commitment, change at the HWDSB will be stalled:

*Starting with senior management training in equity, diversity, and inclusion, and cascading down. Making sure that equity, diversity, and inclusion are central to school improvement plans. Shifting culture in simple ways (all HWDSB teachers stand outside their classrooms to greet students upon arrival) to make a big difference.*

*I worked with a principal who did not address racism in his school. This sends a clear message to staff and students about the tolerance of racial slurs and lack of seriousness in dealing with these issues.*

*The messages that come from our top leaders are not necessarily followed by our managers. The managers are often following directives of their own making with little oversight on them.*

*Principals are not leaders with respect to equity, diversity and inclusion. Oftentimes - in fact, EVERY principal I have served in 20 years of teaching has needed coaching on issues of diversity and each of them has treated this like a portfolio they were ready to hand off to a progressive person on staff.*

### ***Female dominant, but not female friendly***

Despite being a predominantly female organization, a recurring theme from women in the organization is that the organizational culture is not “female friendly,” which is reflected in the ongoing struggle of female employees to find work/life balance and what some described as a misogynistic culture at some worksites:

*More transparency in criteria for leadership positions (system principals), admit to addressing extreme gender bias in this board. More men in leadership positions than females even though they represent significantly less than half of educational workforce. Less favouritism as well for the old boys who you know network and who you socialize with outside of work. Gender equity is a huge issue in this board but it has never truly been addressed. There has always been a patriarchal hierarchy that has suppressed women in leadership positions. Even now the women that are promoted are seen as displaying “male” qualities - no kids, work comes first, married*

*to their job, and they are still often overlooked. When will the board recognize that women can be Directors and that women with families can be successful in their roles as well?*

*Although there are more women in my department, women are relegated to the lower paying jobs while men hold most of the higher paying ones.*

*All you have to do is look at who gets promoted in this board to see that there is obviously a problem. Promotions overwhelmingly go to white males, yet there are lots of women working in the board.*

### **Organizational culture**

A number of employees described the culture of the organization as a barrier to identifying and addressing equity, diversity, and inclusion. Many described an organizational culture that is toxic, dysfunctional, and lacking in empathy. While it is clear that some employees experience a welcoming and inclusive work culture, that is not the experience of all employees:

*The entire system is terrible. Only those with friends in power, or who put on a good show for the important people (while at the same time doing a piss poor job of actually teaching students) get to move up the ladder. The HWDSB is like being in grade 7 all over again; gossip, bullies (principals), and people willing to lie, cheat, backstab, and bully others in order to feel accepted. In other words, total bullshit.*

*The problem is not at the school level. Harassment happens at the board level. The corporate culture fostered at the board is contrary to the image that they project. SOs will not talk directly to teachers - there is a toxic adherence to chain of command. People who dare talk to someone at the board without authorization are targeted. The schools are fine, the problem is the culture of the board.*

*Honestly, I don't feel this will change anything. I feel there is no trust at board leadership level for leaders at the school level. There is a culture of fear and dysfunction that keeps it from actualizing itself. There is an overt fear of litigation that keeps us from being creative and human to the point of being robotic. There is ignorance of what is REALLY "wildly important" and that is WELL-BEING which is paid lip service but is not COURAGEOUSLY and BRAVELY sought. The veneer of always being seen to do the right thing is eclipsing the ability to do the right thing and accept being wrong sometimes, owning it - and gaining respect by doing so. Staff want change - but there is an administrative grip on change that is keeping us from being what we could be - and that needs to change.*

They describe a "culture of fear," silence, and conformity where individual voices of dissent or different opinions are not wanted and "yes men" are rewarded. They shared that those who ask questions that challenge the prevailing beliefs are labelled as "troublemakers":

*It is shown over and over that those in places of promotion only speak what is said by higher admin, if they speak out with an opinion different than senior admin, or question what is done they will not be moving forward. A quality school board needs to listen to what people are saying, it isn't good enough to have people that are just "yes" people, the people making decisions need to take on a leadership style that responds to concerns and asks for input, instead of always the top-down style. There are many in the schools that have valuable insight and ideas, but if they are never provided a voice, then these individuals are no longer challenged to create an amazing workspace. Stifling discussion is not moving the staff team forward.*

*The type of people who are currently in leadership positions are tweaking the system so that like-minded people TO THEM are getting promoted. It creates an unhealthy system of "yes men". Those with differing perspectives are shut down in the interviewing process.*

**Recommendation 65:** It is recommended that a communications/learning strategy be developed (which may include a newsletter, lunch and learns, and other informal methods of promoting knowledge, resources, tools, and practices, etc.) with the goal of:

- Increasing employee understanding of workplace equity, diversity, and inclusion
- Increasing employee understanding of barriers to hiring, advancement, and inclusion in the labour market generally and within the Board more specifically, addressing the facts and myths associated with workplace equity, diversity, and inclusion
- Defining key terms and concepts, and
- Developing and communicating a business case for workplace equity, diversity, and inclusion that links the organization's diversity and inclusion efforts to operational considerations.

**Recommendation 66:** It is recommended that the Board better support employees to understand the need and rationale for its equity, diversity, and inclusion efforts, by sharing this report and the resulting action plan with employees and providing regular updates with respect to implementation.

**Recommendation 67:** It is recommended that the Board develop a strategy to engage employees throughout the organization in equity and inclusion training for all employees, beginning with relevant competencies for senior managers, team leads, and supervisors. Such training, involving both online and face-to-face learning, should involve role play on how to hold difficult conversations and address issues as they arise, as well as evaluation of knowledge and skill retention. Core topics should include dimensions of systemic racism, implicit bias, as well as intersectionality (i.e., how class, race, gender, ability, and sexual orientation intersect within the workplace). Specific training on the issues facing particular equity-seeking groups should also be provided.

**Recommendation 68:** It is recommended that issues of equity and inclusion be embedded into all other training provided to leaders, including classroom management, duty to report to the children's aid society, etc.

## 10.6 Equity infrastructure

Through the consultations, we repeatedly heard that the Board has the best of intentions with respect to equity, but regularly falls down with respect to implementation. Employees shared that it is in part due the culture of the Board, which is seen as reactive, risk averse, and not innovative. As such, they commented that the Board is hesitant to chart a new course for itself by engaging boldly in its equity work. As some employees noted:

*It's a board of good intentions. But we fall flat on execution.*

*Their heart is in the right place. But it is a lot of lip service; a lot of show. The things they do always seems like such a good idea, but nothing ever changes.*

*Equity is priority number one in words, but not in action.*

Participants stated that in an organization this large and complex, and with such a long road to travel, the absence of an equity infrastructure means that equity at the HWDSB will remain performative. Employees also expressed that while equity work is hard personal work, the Board is not providing the supports and resources for employees to engage in this work at the personal level. So, while they feel that the Board is saying the right things and giving the appearance of engaging in equity work, without putting in place the culture change, tools, and resources needed, nothing will change. As one person commented:

*Equity can't be like salt and pepper sprinkled on top after something is done. It needs to be foundational, and baked into everything we do.*

Participants shared their perception that the Board needs to allocate resources if equity is to be embedded within everything it does, rather than compartmentalized as one-off activities that are planned only when issues arise. Participants also stated that a large part of this work needs to focus on cultivating a culture of kindness and compassion for employees, including a culture that is open to difference. Some feel that there is no support or acknowledgement for the emotional labour and toll of being a champion of equity, particularly when these employees are pushing against the culture of the organization. They expressed that a significant shift is needed to activate leaders and allies within the organization.

Employees also shared their concern that equity work will be pushed aside given the weight of too many priorities, the COVID-19 pandemic, and the Board trying to do too much with too few resources. While in the long run it will be cheaper to embed equity into everything the Board does, in the short term it requires the allocation of additional resources.

Participants also shared their concern about the expectations placed on the Human Rights Officer who was hired about 2.5 years ago. They feel that anyone who occupies this role is not well positioned to make change and is ultimately set up to fail, as they are not provided with the proper resources, including additional employees.

Managers and school administrators also shared that while they want to hire for diversity, be more equitable, and foster inclusive work environments, they don't always have the knowledge and skills to do so. As such, they welcome the learning opportunities, tools, and resources to help them operationalize equity within their departments and schools.

Employees also shared that training is foundational to creating change within organizations, but that training to date has not been well done, has been voluntary, and has focused on employees on the academic side, rather than the entire organization.

**Recommendation 69:** It is recommended that appropriate financial and human resources be allocated to implementing the Employment Equity Plan and leading the Board's employment equity efforts.

**Recommendation 70:** It is recommended that the Board conduct another Equity Audit in 5 years to assess progress and develop a new Employment Equity Plan.



## PART D: CONCLUSIONS AND NEXT STEPS

Education is a vital public service that will shape this country for generations to come. As many research studies show, those responsible for designing and delivering education through our public education system play a critical role in determining the outcomes for students, who increasingly come from diverse communities, backgrounds, and identities.

Canada as a whole is becoming increasingly diverse as the population ages and the country relies more heavily on immigration for population and labour market growth. In addition, Indigenous peoples remain the fastest-growing communities in the country. To remain vibrant and growing, the province must be welcoming and inclusive to all communities. The HWDSB, as a major employer and community partner in the region, can also lead the community in being welcoming and inclusive of Indigenous peoples and those from the equity-seeking groups. In a time of limited financial resources, equity in employment will allow the HWDSB to benefit from the creativity and innovation that a diverse workforce can offer while also becoming more responsive to students, parents, and school communities.

As such, conducting this Equity Audit is an important step in the Board's employment equity, diversity, and inclusion efforts. But while this is an important step, the thoughtful and well-coordinated implementation of the recommendations from this report, led by courageous leadership, is critical to making sustained change.

## Appendix A: Policies and Documents Reviewed

Accommodation of Staff Policy and Procedure  
Anti-classism and Socio-economic Equity Procedure  
Anti-racism and Ethnocultural Equity Procedure  
Code of Conduct Policy and Procedure  
Equity Action Plan (2019/20-2021-22)  
Equity and Inclusion Policy  
Gender Equity Procedure  
Persons with Disabilities Procedure  
Recruitment and Selection Policy and Procedure  
Religious Accommodation Procedure  
Sexual Orientation Procedures  
Workplace Harassment Prevention Procedure  
Workplace Violence and Harassment Prevention Policy  
Workplace Violence Prevention Procedure