

The Employment Equity Guide

For Committees established under the
Faculty and Librarians/Archivists
Collective Agreements



Updated June 2014

Created co-operatively by the joint Employment Equity
Committee in accordance with the Faculty and Librarians
& Archivists Collective Agreements

This publication is intended to provide general information.
For updates and additional materials please visit:
www.uwo.ca/equity/diversity/employment/index.html

Employment Equity Resources

Please note that there are additional employment equity resources available online at:

www.uwo.ca/equity/diversity/employment/resources_tools.html

and at

www.uwo.ca/facultyrelations/faculty/hiring.html

These resources include, but are not limited to:

- Hiring foreign academics in Canada
- Appropriate questions to ask in an interview
- Sample position postings

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Western's Employment Equity Objectives

As you begin to prepare for your Committee's work, it is our hope that you take seriously Western's commitment to employment equity and diversity.

Employment equity and diversity play an important role in the future success of Western. Employment Equity programs benefit EVERYONE in the workplace — in addition to members of designated groups (women, visible minorities, Aboriginal persons and persons with disabilities).

Through its commitment to employment equity, Western is:

- providing the best student experience by understanding and responding to the needs of our increasingly diverse student body.
- offering diverse role models for students.
- attracting the best talent in a more diverse labour pool.
- improving our competitive advantage (for faculty, staff and student recruitment) through innovation and leadership.
- achieving greater creativity and improved problem-solving capacity.
- helping to increase retention rates, build morale and confidence and reduce absenteeism and miscommunication.
- seeking and supporting diversity in academic leadership.

In addition to benefiting from diversity, we must keep in mind that it is important to implement employment equity practices to ensure that Western remains compliant with both external legislation and the University's own internal policies and mandates.

- Western is committed to the principles of employment equity and strives to achieve and maintain a workforce that is representative of the available external labour market.
- The UWOPA collective agreements stipulate that "the criteria used to evaluate candidates for Appointment, Renewal, Promotion and Tenure/ Continuing Appointment shall not allow for systemic discrimination against members of designated groups".
- Western's Strategic Plan, *Achieving Excellence on the World Stage*, adopts the principle of diversity as one of Western's institutional principles and values stating "we are committed to welcoming the world to Western and will ensure that our enrolment, employment and advancement processes are open, unhindered and free of barriers". It further states that "at Western, we strive to attract and retain the best talent available while simultaneously increasing the diversity of our workplace".

We encourage you to review this guide as you prepare for your Committee's work.

For further information, please visit Equity & Human Rights Services' website: www.uwo.ca/equity/diversity/employment/index.html

DID YOU KNOW?

Western's Strategic Plan (2014) reaffirms the University's commitment to hiring and supporting the success of Indigenous scholars and staff, as well as improving the representation, learning experiences and success of Indigenous students at Western. In partnership with the Indigenous Postsecondary Education Council (IPEC), formerly known as the Aboriginal Education and Employment Council (AEEC), the University will develop an inclusive multi-year Indigenous Strategic Plan that will encompass key priorities. For more information, please visit the website of Indigenous Services: <http://indigenous.uwo.ca>



Instructions to the Committee

Instructions to the Committee Chair:

You have special responsibilities and accountability for ensuring that sound and equitable practices be followed during the process:

- ☑ Wherever possible, include representation from designated groups (women, visible minorities, Aboriginal persons, persons with disabilities) on each Committee.
- ☑ At the first meeting, review The Employment Equity Guide, relevant legislation, University policy and collective agreement provisions. Ensure that Committee members understand the responsibility of ensuring an equitable process.
- ☑ Set the proper tone so that the Employment Equity climate prevails throughout the proceedings. You may want to highlight points from this guide and invite the Committee members to hold you, as Chair, accountable to facilitate an equitable and respectful environment throughout the selection process.
- ☑ Ensure that each Committee member's opinion is welcomed, respected and considered.

Instructions to Committee Members:

Employment Equity involves ensuring that inappropriate barriers do not exist at any stage of the process. The University's mandate is to make its processes as equitable and inviting as possible to everyone. As a member of a Committee, this is your responsibility:

- ☑ Prior to the first meeting, review The Employment Equity Guide, relevant legislation, University policy and collective agreement provisions. Ensure that you understand the responsibility of ensuring an equitable process.
- ☑ Keep accurate and detailed records of the entire process.
- ☑ Avoid situations where there could be a perception of bias.
- ☑ If you have concerns that the Committee is not providing an equitable process, raise your concerns immediately with the Committee Chair, Faculty Relations and/or Equity & Human Rights Services.



DID YOU KNOW?

An effective and equitable process:

- establishes objective, job-related criteria for the evaluation of applications. Each criterion should be ranked or weighted in advance of screening applications.
- allows people opportunities to present their full qualifications for the job.
- evaluates people on the basis of their ability to meet those objective job requirements and organizational goals.

What Is Employment Equity?

Employment Equity was introduced by the Federal Government to ensure that employers engage in proactive employment practices to increase the representation of four “designated groups”: women, visible minorities, Aboriginal persons and persons with disabilities. Western University recognizes that Employment Equity is a value at the core of its mandate as a community leader and an institution of higher learning. As such, the University seeks to integrate fully the principles of Employment Equity with its human-resource policies and procedures to ensure that all present and potential employees receive equitable treatment in all matters related to employment.

Employment Equity involves hiring/promoting the most suitably qualified candidate while ensuring that the process and the qualifications required are fair and equitable for all persons. Employment Equity does not mean hiring or promoting members of the designated groups over better-qualified candidates; it means ensuring that employment systems do not adversely affect designated group members. This means ensuring that the application process, the required job qualifications and the interview and hiring processes are all fair and equitable so that the appropriate qualifications of each candidate are the only criteria upon which a hiring, performance evaluation or promotion decision is made.

Consistent with Human Rights legislation, Employment Equity recognizes the value and dignity of each individual

and ensures that each individual will have genuine, open and unhindered access to employment opportunities, free from any barriers, whether systemic or otherwise, based on their membership in a designated group. Under the Ontario Human Rights Code, discrimination in employment is prohibited on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status including same-sex partnerships, family status, disability, gender identity and gender expression. “Employment” includes full-time and part-time work, contract work and probationary periods. All aspects of employment are included, from the initial job advertisement to day-to-day operations and promotions.

IMPORTANT: In 2012, ‘gender identity’ and ‘gender expression’ were added as grounds of discrimination in the Ontario Human Rights Code. People who are discriminated against or harassed because of gender identity or expression are legally protected. This includes transsexual, transgender and intersex persons, trans, cross-dressers, and other people whose gender identity or expression is, or is seen to be, different from their birth-identified sex.

Ontario Human Rights Commission:
www.ohrc.on.ca

DID YOU KNOW?

Corporate liability may be found:

- where an employer’s actions either directly or indirectly infringe on a protected right, or authorize or condone the inappropriate behaviour.

- where an employee who is a “directing mind” of the corporation knows of harassment or discrimination occurring (eg. sexual harassment, inappropriate gender related behaviour or a poisoned work environment) and does not take appropriate steps to address the issue. Employees may be viewed as part of the corporation’s “directing mind” if they function, or are seen to function, as a representative of the organization itself (i.e. on a committee making employment related decisions).

What University Documents Relate to Employment Equity?



There are two main documents that relate to Employment Equity of which members of Committees should be aware:

Employment Equity Policy, Manual of Administrative Policies and Procedures (MAPP) 3.2:

- commits the University to promote the full participation and advancement of women, Aboriginal persons, visible minorities and persons with disabilities in the University's workforce.
- ensures that individuals in positions to make or influence decisions regarding the status or working conditions of current and prospective employees are aware of this policy and have received training in its meaning and application, that they implement its core values in all decisions and that they communicate and apply them to all members of staff and faculty.

For more information:

www.uwo.ca/univsec/pdf/policies_procedures/section3/mapp32.pdf

The Employment Equity article contained in each of the Faculty and Librarians/Archivists Collective Agreements:

- commits the University administration, the Faculty Association and all members of the respective bargaining units to the principles of Employment Equity.
- reflects the fact that the University administration and the Faculty Association have agreed to work towards increasing the proportion of under-represented groups within the academic staff groups at Western, to improve their employment status and to ensure their full participation in the University community.

For more information:

www.uwo.ca

www.uwo.ca/facultyrelations/index.html

Highlights from Employment Equity Articles

Recruitment procedures used to attract new academic staff shall include:

- advertisements placed in either or both the electronic and paper versions of *University Affairs* and the Canadian Association of University Teachers (CAUT) *Bulletin* or their successors, and in other relevant professional journals, national newspapers, listserves and websites.
- sending copies of the advertisement to a list of relevant contact associations representing designated groups. (This list will be developed and maintained by the University's Equity & Human Rights Services in consultation with Appointments Committees).
- advertisements shall state that the University is committed to employment equity and welcomes applications from all qualified women and men, including visible minorities, Aboriginal persons and persons with disabilities.
- letters from the appropriate Dean/Chief Librarian, Chair and/or Director, as applicable, to their equivalents in other Canadian universities inviting qualified women, visible minorities, Aboriginal persons and persons with disabilities to apply for advertised positions.
- other measures as authorized by the Dean/Chief Librarian, in consultation with the Chair (Supervisor) of the Department or Director of the School searching for candidates and Equity & Human Rights Services [Clause 4].
- A report prepared by each Appointments Committee must accompany its recommendation on the search process for full-time appointments. This report shall include:
 - the total number of applicants and the number with doctorates or other appropriate professional qualifications, the numbers of male and female applicants and, where known, the same information for applicants from the other designated groups.
 - a comparison of the composition of the applicant pool with available data reflective of applicant pools for similar positions elsewhere in Canada [Clause 5].
 - a ranked short-list which formally presents the

qualifications of each candidate and the reasons for the ranking, and which includes an explicit statement of the rationales for the exclusion of any qualified candidates who are known to be members of the designated groups. The Committee must review this report before recommending any formal offer of Appointment.

The Employment Equity Articles also specify that:

- all members serving on Appointments, Annual Performance Evaluation and Promotion and Tenure/ Continuing Appointment Committees shall have access to a copy of and familiarize themselves with the Employment Equity Guide, University policies and any other written information about the equity context and relevant Federal and Provincial legislation, including immigration statutes.
- criteria used to evaluate candidates for Appointment, renewal, Promotion and Tenure/Continuing Appointment shall not allow for systemic discrimination against members of designated groups [Clause 6].
- the Employment Equity Guide shall also be made available, in electronic form, on both the University and the Association websites.
- the Dean/Chief Librarian, or designate, shall ensure that Committees are aware of the relevant legislation, University policies, and collective agreement articles.
- the Dean/Chief Librarian, or designate, and the Committee Members shall share responsibility for ensuring that the relevant legislation and University policies are followed throughout the deliberation of the Committees.
- committees may call upon Equity & Human Rights Services for assistance [Clause 8].

For more information:

www.uwo.ca/equity/diversity/employment/policy.html

Appointments Committees

Appointments Committees are constructed under Collective Agreements to facilitate the hiring of faculty, librarians and archivists, and to facilitate the appointment of academic administrators, Chairs of Departments and Directors of Schools and Programs.

DID YOU KNOW?

All Committee members in attendance at meetings must be given equal and adequate opportunity to participate in each interview and in all decision-making. How Committee members themselves interact and treat each other will be a significant reflection of the Faculty or Department. All members should be free to voice their individual points of view and to interact with the candidate, all the while being treated with respect by the other members. It is the responsibility of the Chair of the Committee to ensure that this happens.

1. Initial Considerations

Prior to proceeding with any recruitment campaign:

- ☑ Make sure that all members of the Committee understand University Policies and Procedures, Collective Agreement requirements and Employment Equity considerations.
- ☑ Ensure diversity on the Committee. Whenever possible, ensure representation from designated groups (women, Aboriginal persons, visible minorities, persons with disabilities). In order to gain greater diversity, it may be necessary to look for Committee members from outside of the department.
- ☑ Assess the Faculty or Department:
 - Reflect on the current make-up of the Faculty or Department in terms of designated group membership in comparison to society as a whole, or the job pool from which you are recruiting.
- Consider and discuss whether the Faculty or Department is accessible to all designated groups, and if not, what can be done to make changes.
- Consider where the position may need to be advertised to reach designated group members that may not be reached through the usual postings.
- ☑ Define the position and selection criteria to ensure that they relate to the ability to perform the job:
 - Each criterion must be based on the bona fide position requirements and not on personal preferences.
 - Requirements must not create unnecessary barriers to applicants.
 - Selection criteria should be clear, yet flexible, in order to adapt to non-traditional areas of research or practice.
 - Each criterion should be ranked or weighted in advance of screening applications.
 - All criteria must reflect Western's commitment to diversity and employment equity.

2. Advertising the Position

- ✓ All advertisements for University positions must contain this statement regarding the University's commitment to Employment Equity:

Western University is committed to employment equity and welcomes applications from all qualified women and men, including visible minorities, Aboriginal persons and persons with disabilities.

- ✓ When drafting the advertisement, ensure that it contains a clear and specific description of the position and qualifications. Language must be inclusive, appropriate and unbiased. The stated qualifications must not create unnecessary barriers to potential applicants.

- ✓ The advertisement must be placed in *University Affairs* and the *CAUT Bulletin* and other relevant professional journals, national newspapers, listserves and websites.

- ✓ Committee members should discuss specific ways of attracting well-qualified designated group members. A list of relevant contact associations representing designated groups to which copies of the advertisement should be sent is available at **www.uwo.ca/equity/diversity/employment/resources_tools.html**. Other examples of outreach include:

- Contacting professional associations, advocacy centres and journals and newspapers which serve the needs and interests of designated group members.
- Establishing working relationships with similar departments at other institutions with substantial numbers of women or other designated groups. When a vacancy arises, write to the Dean/Chief Librarian and/or department Chair and ask them to recommend qualified designated group candidates.
- Seeking out graduate students near completion of their PhD program and making use of the post-doctoral fellow lists from granting agencies.
- Inviting contract faculty to apply.
- Encouraging others in your unit to use professional conferences and visits to other universities to identify potential candidates.

- ✓ As noted on page 9, the Employment Equity article of the faculty collective agreement requires (Clause 5) that the search process reports for full-time faculty include a comparison of the applicant pool with available data reflective of pools for similar positions elsewhere in Canada. This comparison must be

done prior to short listing of candidates. Should the comparison reveal a significant under-representation of a designated group, the Appointments Committee shall undertake further efforts to attract candidates from that designated group before short-listing.

- ✓ The posting must also contain the following statement to satisfy the Employment and Social Development Canada (ESDC) requirements related to applicants who reside outside of Canada:

All qualified candidates are encouraged to apply; however, Canadian citizens and permanent residents will be given priority.

For sample position advertisements please visit:

www.uwo.ca/equity/diversity/employment/resources_tools.html



3. Reviewing Applications

The review of applications for a position and compilation of a short list of candidates is a key process in employment equity efforts. Quite often, numerous applications must be reviewed in a short period of time, inviting the use of a decision-making process based on less-than-equitable considerations. To avoid this, the application should be evaluated against the previously determined position definition and selection criteria described on page 10. In addition:

- ✓ Be alert and open-minded when reviewing applications.
- ✓ Remain conscious of the real needs of the position.
- ✓ Reflect on the traditional target profile and whether it is appropriate.
- ✓ Remember that a degree from a university outside North America or Europe, or a publication in a journal from outside North America or Europe, or in a language other than English or French, cannot be assumed to be of lesser value.
- ✓ Avoid bias against scholarship or practice that is unconventional, outside the mainstream of the discipline, or focused on issues of gender, race or minority status. Acquire the help of experts if Committee members are unfamiliar with the candidate's field of research.
- ✓ Avoid an uncritical "check-mark" approach to narrowing the field as it may risk perpetuating existing biases of the system by favouring groups of applicants who are most likely to "fit" the traditional target profile.

✓ Committee members should keep in mind the following factors when reviewing applications:

- Non-traditional career paths. Women and persons with disabilities are more likely to have had career gaps, perhaps for family, pregnancy or parental leaves, or medical obligations. Immigrants may have taken longer to obtain their degrees because of the financial constraints of relocating or the challenge of adapting to a new country.
 - Alternative work experiences. There is high demand for highly educated people in non-academic positions. These skills are transferable and may be an asset to the department.
 - Experiences and qualifications outside the norm. Community service may be undervalued. Members of designated groups often have frequent demands made of them because they are under-represented in many departments (e.g. may be asked to serve on committees more frequently, etc.).
 - When evaluating letters of reference, be aware of stereotypical words and phrases that may be used and how those words may be differently applied to the candidate.
- ✓ If no members of designated groups make the short list, the Appointments Committee and the Dean/Chief Librarian should be asking why.
- ✓ Under clause 5 of the Collective Agreements' Employment Equity articles, a Committee is required to report the number of applicants in each designated group to the Dean/Chief Librarian as part of its hiring recommendation, along with data on representation in the applicant pool.

DID YOU KNOW?

There may be good reasons why a given candidate has not attended a prestigious university – including, perhaps, lack of financial resources, family obligations, or the biases inherent in that university's processes for accepting students. The explanation for the poor representation of women, for example, in tenurable faculty positions in past generations at this and other universities includes, along with systemic (often unconscious) discrimination within the academy, the reality and perception that an academic life was 'simply not a good prospect' for women. Self-selection, experience and environmentally-coerced choices often result in rather few women even aiming at such a career.

4. Interviewing Candidates

- ✓ Be familiar with Human Rights legislation and as well as the University's employment equity policies and collective agreement articles.
- ✓ All candidates must be given an equal opportunity to make their best presentations for the position.
- ✓ The interview should focus on whether or not the candidate is capable of meeting the bona fide requirements of the position. Efforts must be made to eliminate subtle biases (e.g. based on race, age, gender, ethnic origin, disability, sexual orientation, etc.) from the interview process and from all decision-making.

Interview Questions:

- ✓ Prepare in advance a series of set questions which are to be asked of all candidates where possible. Questions should be equitable and should relate directly to the requirements of the position to be filled.
- ✓ Each Committee member should independently record and rate the response of each candidate.
- ✓ In instances where areas of expertise vary among candidates, the same types of questions should be asked of each candidate.
- ✓ Candidates should be given sufficient opportunity to answer each question without interruption.

DID YOU KNOW?

Interview questions that **should not** be asked include, but are not limited to:

How old are you?
Are you married, single or divorced?
Do you have children? How many?
Do you plan to have children?
What does your spouse do?
Where were you born?

Remember that at all times the interview process is a formal one, even when events (such as dinners) occur off campus. Because of the desire to make the candidate comfortable, and in an effort to get to know that individual, the conversation may naturally move into areas such as the candidate's family or personal background. Committee members should feel free to follow the conversation where it may be led by the candidate, but they should be sure to keep the conversation balanced, avoiding too much focus



on aspects of the candidate's personal life. Failure to do this may leave an unsuccessful candidate feeling that those particular aspects of his or her life played a role in the Committee's decision and may lead to a complaint of discrimination.

For more information, please visit:
www.uwo.ca/equity/diversity/employment/resources_tools.html

Cultural, Gender and Disability Considerations

- ✓ Special attention must be paid to evaluation methods.
- ✓ Remember that words are used differently in various cultures. Avoid using colloquialisms and metaphors such as 'stumbling blocks' or 'jumping through hoops' as they may not hold meaning for people depending on their cultural background.
- ✓ Work to limit your judgment to the answers provided rather than being influenced by body language.
- ✓ Care should be taken to ensure that committee members are sensitive to different interactional, communication and leadership styles.
- ✓ Avoid stereotyping or assuming that everyone in a certain designated group behaves in the same way or that the characteristics of the group apply or ought to apply to the individual candidate.
- ✓ Keep in mind the fact that within a cultural group, there are many who may not share their group's values and norms, and may have more in common with members of other groups than their own.
- ✓ Employ a variety of evaluation formats in order to obtain a more thorough and accurate assessment of an individual's qualifications. For example, an individual who does not interview well, may perform well in a classroom and vice versa. Similarly, a person who interviews well may not be the best person for the job.

Interviewing a Person with a Disability / Duty to Accommodate

- ✓ The University's Duty to Accommodate Guideline applies: www.uwo.ca/hr/diversity/accommodate.html
- ✓ Requests for accommodation must be met unless it would cause *undue hardship* to do so. *Undue hardship* is a legally defined term and advice should be sought from the Office of Faculty Relations and/or Equity & Human Rights Services where it might arise.
- ✓ The disability must be accounted for in the provision of effective accommodation so that the person is comfortably capable of completing the interview and able to display fully his or her qualifications for the position.
- ✓ All interview and selection event locations should be fully accessible for persons with a disability.
- ✓ A candidate may be asked in advance if there is any accommodation required for a successful interview. (This is good practice, whether or not it is clear that the candidate has a disability).
- ✓ For more information contact Equity & Human Rights Services. You may also find the following websites helpful:
 - www.accessibility.uwo.ca
 - www.mcass.gov.on.ca/en/mcass/programs/accessibility/understanding_accessibility/index.aspx
 - www.ohrc.on.ca/en/code_grounds/disability

DID YOU KNOW?

Differences in accents and speech patterns may lead to direct or indirect discrimination against an excellent candidate. The committee also must be conscious of more subtle cultural-communication issues. In some cultures, for example, it is impolite to look a person in a position of authority directly in the eye.

In others, contradicting another person openly is unacceptable, especially if that person is in a position of authority. Some cultures look askance at self-promotion and members of that culture are more likely to credit others for their successes than to credit themselves. Care should be taken to ensure that Committee members are understanding of different interactional styles and that such behaviours are not interpreted inappropriately by some members of the Appointments Committee as a lack of self-confidence or an inability to meet the requirements of the position.

For more information visit:
www.uwo.ca/equity/diversity/employment/resources_tools.html

Subsequent interviews and/or follow-up informal activities:

Some departments will have the candidate meet informally with members of the department who are not members of the Committee itself. Although these sessions are meant to be more informal, they are nevertheless part of the formal interview process.

- ☒ The Committee must ensure that those persons meeting with candidates are aware of their responsibilities and obligations under human rights and equity legislation as the Committee will be accountable for any violations that take place during these sessions.
- ☒ All activities associated with the interview process must also be approached with equity considerations in mind. It is important to avoid making any assumptions about the individual's family status, visible minority status, etc.
- ☒ The Committee should ensure that both interview committees and hosts for social events reflect diversity wherever possible.

5. Recommending a Candidate for the Position

- ☒ The focus of any hiring process should be on bona fide qualifications for the position.
- ☒ In examining the candidates' qualifications it is important to guard against:
 - judging candidates based on one's own experience and knowledge.
 - looking for like-minded or like-appearing candidates who will "fit into" the department. The question of "fitting" must be assessed carefully, recognizing that differences and diversity can be valuable for a work unit.
 - thinking too narrowly. Someone may be a good candidate, but in a different way.
 - making assumptions about possible behaviour or characteristics without evidence.
 - unconscious or unintentional biases, stereotypes and assumptions that may determine the expectation of what a person could or should do. For example, a candidate's appearance may evoke assumptions that could interfere with the assessment of his or her competence and performance.

- ☒ The Committee must include a search report for full-time appointments (this form is available from the Office of Faculty Relations: www.uwo.ca/facultyrelations/administration/forms.html) setting out:

- the total number of applicants and the number with doctorates or other appropriate professional qualifications, the numbers of male and female applicants and, where known, the same information for applicants from the other designated groups. This section of the report must also provide a comparison of the composition of the applicant pool with available data reflective of applicant pools for similar positions elsewhere in Canada. Where the comparison reveals a significant under-representation of a designated group, the report should describe what further efforts were undertaken by the Appointments Committee to attract candidates from the designated group prior to short-listing. Data that can be used for the required comparison can be found at: www.uwo.ca/facultyrelations/faculty/hiring.html
 - a ranked short-list which formally presents the qualifications of each candidate and the reasons for the ranking. The report must also include an explicit statement of the rationales for the exclusion of any qualified candidates who are known to be members of the designated groups.
- ☒ Remember that Appointments Committees may be called upon, in a quasi-judicial forum (such as the Human Rights Tribunal of Ontario or grievance/arbitration procedures), to justify the selection process and to account for any recommendations made.
 - ☒ It is important that the selection process not just be fair, but be seen to be fair from all parties' perspectives.

DID YOU KNOW?

Fairness dictates that the person is selected on the basis of his or her own skills and abilities and not because of someone else's biases.

Promotion and Tenure/Continuing Appointment Committees and Annual Performance Evaluation Committees

For Promotion and Tenure Committees, Promotion and Continuing Appointment Committees, Annual Performance Evaluation Committees and persons engaging in the Annual Review process for Librarian/ Archivists, the considerations under Employment Equity are much the same as those for Appointments Committees.

Once again, Deans, the Chief Librarian, Chairs/ Directors, Library Administrators, Supervisors and Committee members as the case may be, share the responsibility for ensuring sound and equitable practices are followed during the process. It is the responsibility of these parties to set the proper tone so that the employment equity climate prevails throughout the proceedings.

The Collective Agreements contain the appropriate governing conditions upon which decisions on promotion and tenure/continuing appointment, and annual performance evaluation are based. It is important that committees and persons

undertaking these processes familiarize themselves with the requirements of the relevant Article, and ensure that any recommendation made by them will meet the test of fairness and equity.

Care must be taken to ensure criteria to be applied in the assessment are developed in each unit. Care must be taken to ensure evaluation criteria are not based on inappropriate considerations, such as any of the protected grounds as stated in the Ontario Human Rights Code. Committee members must also take care to ensure that appropriate culture, gender and disability considerations are applied in making determinations and that an individual's contributions are not devalued because they are not considered to be in mainstream subjects.

Each committee must ensure that it turned its collective mind to the appropriate area(s) and did not embark on an indefensible process by considering irrelevant factors or asking and answering questions irrelevant to the assessment.

DID YOU KNOW?

Judging the quality of a candidate's research resumé itself can be problematic. If a designated group member conducts research which does not fall into the "mainstream" in the discipline – perhaps focusing on subjects or approaches of interest to members of his or her group rather than the discipline's mainstream – the designated group member may find it more difficult to find a forum (be it a publisher or a conference) for his or her work. Publication totals may suffer. The same concern applies to the ability to obtain high-profile funding or research awards – non-mainstream work may not be rewarded as easily, as often, nor as richly as is mainstream work. If the market for the research conducted by the designated group member is smaller (a factor possibly attributable to the inequities in the system as a whole), the designated group member's "numbers" can suffer.

A second criterion is the quality of the journal, conference or award. Once again, non-mainstream work may not find as ready an audience with established, respected journals, conferences or award-granting bodies as mainstream work. Many such forums have established their reputations over the years in particular areas of study or with regard to specific approaches to research – research in emerging areas with non-traditional approaches may not be considered at all. The result is that the work of members of designated groups may be published in forums which (whether fairly or not) are considered by the committee to be of lesser quality. Even if the forum does not, by definition, refuse research on non-mainstream topics, its referees themselves may allow their (perhaps unspoken) prejudices to come into the decision-making process. Emerging topics may be considered to be of little interest to the readership; non-traditional approaches may be dismissed as inappropriate, unscientific or insufficiently rigorous.

1. Initial Considerations

- ✓ Committee members must familiarize themselves with information on equity issues as a condition of serving.
- ✓ Applications for promotion and tenure/continuing appointment and criteria for annual evaluation processes must be considered on the basis of bona fide requirements or considerations and on no other grounds.
- ✓ Committee members should attempt to turn their minds to issues that may affect the ability of members of the designated groups to meet traditional requirements for promotion, tenure/continuing appointment, or criteria for annual performance evaluation.
- ✓ Candidates who have taken an approved (full or partial) leave (e.g. parental, disability) should be assessed such that they are not penalized for having taken the leave. Typically the criteria for assessment remain, and their full body of work is considered, but the period of the leave is removed from the period under consideration.
- ✓ Candidates who have received approved medical accommodations should be assessed such that they are not penalized for having been accommodated. For example: a medical accommodation leading to a reduced teaching load over the period under APE assessment should mean a reduction in expectations for quantity (but not quality) of teaching.



2. Research / Academic Activity

- ✓ Consider research that does not fall into the “mainstream” of the discipline. Has such research affected the candidate’s ability to publish widely, or publish in prominent journals, present papers at conferences, or win research grants or awards?

3. Teaching / Professional Practice

- ✓ Consider that the tools with which teaching is judged often favour the already empowered groups.
- ✓ Consider that language proficiency and body language can influence student evaluations and may put designated group members at a disadvantage.
- ✓ Consider that teaching and professional practice that fall outside the mainstream may not be fully appreciated.

DID YOU KNOW?

Student evaluations are entirely subjective and allow the prejudices of the students themselves to influence outcomes. Students in a male-dominated discipline may under-value a female instructor; students in a mono-racial class may under-value an instructor who is a member of a visible minority group. Gender and culture may affect teaching style. Such factors may also play a role in the evaluations, especially if the approach taken by the instructor does not meet the expectations of the dominant group in the classroom. There is documented evidence that male undergraduate students are more likely to challenge the authority of a young professor, a female professor or a professor of a visible minority group and to disrupt the class. The result may be an overall decrease in the effectiveness of the instructor and poor student evaluations from all members of the class.

4. Service

- ☑ Consider both the formal and informal service contributions that members of designated groups are often called upon to make.
- ☑ Demands on members of designated groups both inside and outside the University must be recognized and taken into account by the Committee.

☑ A person's political or religious affiliation is not a proper consideration when assessing Service.

☑ Consider that membership in a disadvantaged group may result in either no opportunity or an excessive demand on the person to serve on certain committees, both of which can have negative consequences.

DID YOU KNOW?

In units where there are inequities in representation, there is often a greater demand for the services of members of under-represented groups, both formally and informally. Members of the designated groups who have reached the level of university faculty are often in demand both on campus and off, to serve on committees, sit on boards and conduct speaking engagements. This inordinate demand may unfairly take

away from the time they have to focus on research, publishing or professional practice and professional development and, when it comes time to apply for promotion and tenure/continuing appointment, or annual evaluation the adverse effect produced by these responsibilities could be held against the candidate.

It is important that the Committee member, Dean, Chief Librarian and Chair/Director/Head as applicable, guard carefully against members of designated groups being disadvantaged. This can happen by their doing more than a fair share of service work to the detriment of their other responsibilities, having a negative impact upon their evaluation for promotion and tenure/continuing appointment, or annual review.



Contact and Resource Information

The following contacts and resources may be useful for obtaining further information on the issues discussed in the document:

Equity & Human Rights Services

e-mail: equity@uwo.ca
phone: 519-661-3334
www.uwo.ca/equity

Faculty Relations

email: ofrweb@uwo.ca
phone: 519-661-3723
www.uwo.ca/facultyrelations/index.html

Faculty Association

e-mail: uwofa@uwo.ca
phone: 519-661-3016
www.uwofa.ca

Faculty Recruitment and Retention

phone: (519) 850-2915
www.uwo.ca/facultyrelations/recruitment_retention/index.html

Teaching Support Centre

email: tsc@uwo.ca
phone: (519) 661-2111 ext.84622
www.uwo.ca/tsc

Ontario Human Rights Commission

www.ohrc.on.ca

Employment and Social Development Canada

www.esdc.gc.ca/eng/home.shtml

Canadian Charter of Rights and Freedoms, Section 15, Equality Rights

www.laws.justice.gc.ca/en/Charter/index.html

Videos (available for loan from Equity & Human Rights Services):

The Chilly Climate for Women in Colleges and Universities (1991)
Backlash to Change: Moving Beyond Resistance (1996)
Breaking the Trust: Sexual Harassment on Campus (1986)
The Way Forward: Rethinking the Problem of Workplace Sexual Harassment (2002)
Voices of Diversity (Video produced for Western's Caucus on Women's Issues, 2008)

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