

Toronto District School Board

Policy P029

Title: **EMPLOYMENT EQUITY AND INCLUSIVE EMPLOYMENT**

Adopted: June 23, 2004

Effectuated: June 23, 2004

Revised: **June 19, 2024**

Reviewed: Spring 2006, March 2012, **June 19, 2024**

Authorization: Board of Trustees

1. RATIONALE

The Employment Equity and Inclusive Employment Policy (the “Policy”) aims to identify and remove systemic barriers in employment, including hiring, promotion, and retention. The Policy helps to achieve a diverse workforce and creates the necessary conditions for student achievement and well-being.

The Policy is aligned with the *Canadian Charter of Rights and Freedoms* (the “*Charter*”), TDSB’s Equity Policy (P037), Human Rights Policy (P031), Employee Conflict of Interest Policy (P057), and the Ministry of Education’s Policy/Program Memorandum 165 – Teacher Hiring Practices (“PPM165”).

The Policy is also consistent with the *Ontario Human Rights Code* (the “*Code*”), including provisions related to the establishment of Special Programs as defined below.

2. OBJECTIVE

- To affirm the Board’s commitment to establishing transparent and consistent employment practices while upholding human rights and based on the principles of equity, anti-racism, anti-oppression and fairness.
- To support a commitment to fair hiring, promotion and retention practices based on qualifications and experience while fostering a workforce that reflects, understands and responds to the diversity of the students that TDSB serves.

3. DEFINITIONS

Employment Equity Groups refers to a segment of historically and currently disadvantaged groups. The composition of Employment Equity Groups is

determined through analysis of data and informed by data collection efforts such as the TDSB staff and student censuses.

Employment Equity refers to a program designed to identify and remove systemic barriers in employment and which leads to equitable representation of Employment Equity Groups in the TDSB workforce.

Historically and Currently Disadvantaged Groups refers to persons or groups who have experienced, and/ or, are more likely to experience, and/ or, are experiencing disadvantage or discrimination based on one or more of these grounds: race, colour, Indigeneity (First Nations, Métis, and Inuit), creed, citizenship, ethnic origin, disability, age, ancestry, place of origin, sex (including pregnancy), gender identity, gender expression, sexual orientation, family status, marital status, and record of offences.

Lived Experience refers to the experiences of members of Employment Equity Groups that are relevant and beneficial for the needs of a diverse student body. TDSB values these experiences and encourages job applications from candidates with diverse backgrounds.

Special Program refers to a voluntary employment program that uses special measures, protected by the *Code*, to help create opportunities for persons who experience discrimination, economic hardship and disadvantage.

TDSB is the Toronto District School Board, which is also referred to as the “Board”.

4. RESPONSIBILITY

The Director of Education holds primary responsibility for the implementation of this Policy. Within the Director’s Office, the responsibility for the coordination and day-to-day management of the Policy is assigned to the Associate Director, Organizational Transformation and Accountability.

5. APPLICATION AND SCOPE

This Policy applies to all current and prospective employees of the Board. This Policy applies to all aspects of the employment process, including hiring, promotion, and retention.

6. POLICY

6.1. Guiding Principles

- 6.1.1. TDSB is committed to the principles of employment equity and upholding the human rights of job applicants and employees.
- 6.1.2. TDSB’s practices with respect to the hiring, promotion and retention of employees will aim to identify and address gaps in the

representation of Employment Equity Groups in the TDSB workforce across all departments and all levels of employment.

- 6.1.3. TDSB will aim to identify and remove barriers for Employment Equity Groups in all aspects of the employment process.
- 6.1.4. TDSB is committed to maintaining a safe, respectful, accessible, equitable, and discrimination-free work environment for all employees in accordance with the Human Rights Policy (P031).
- 6.1.5. TDSB employment practices will be consistent with the *Code, Charter, Accessibility for Ontarians with Disabilities Act, Anti-Racism Act*, PPM 165, and the TDSB Equity Policy (P037).
- 6.1.6. This Policy supports the Board's commitment to the Truth and Reconciliation Commission of Canada: Calls to Actions and the United Nations Declaration on the Rights of Indigenous Peoples as a framework for reconciliation.
- 6.1.7. In the event of a conflict between this Policy and a TDSB Collective Agreement, Principal/Vice Principal Terms & Conditions, or Schedule II Terms & Conditions, the TDSB Collective Agreement, Principal/Vice-Principal Terms & Conditions, and Schedule II Terms & Conditions (as applicable) will prevail unless in conflict with the *Code*, in which case the *Code* will prevail.

6.2. Employment Mobility

- 6.2.1. While TDSB recognizes the value and importance of applicants who live and work in TDSB school communities, TDSB will encourage job applications from all qualified applicants irrespective of where they were or are currently employed or reside.
- 6.2.2. TDSB recognizes the importance of opportunities for newly qualified applicants.

6.3. Fairness and Transparency

- 6.3.1. TDSB is committed to fair and transparent hiring and promotion processes.
- 6.3.2. TDSB is committed to maintaining a system-wide organizational culture that supports the well-being and success of its employees.

6.4. Diversity, Equity and Human Rights

- 6.4.1. TDSB will establish hiring, promotion and retention goals and targets to address gaps in the representation of Employment Equity Groups between the TDSB workforce (across all departments and all levels of employment) and the TDSB student body.
- 6.4.2. TDSB will establish *bona fide* job-related criteria for consideration of applicants' experience in particular roles at schools and departments.

- 6.4.3. TDSB may develop and apply Special Programs pursuant to the *Code* to further the objectives of this Policy.
- 6.4.4. TDSB will develop an Employment Equity and Inclusive Employment Plan to implement this Policy.
- 6.4.5. TDSB is committed to the retention of employees identified as an Employment Equity Group member.

6.5. Data Collection, Monitoring, Reporting and Evaluation

- 6.5.1. TDSB will collect and analyze quantitative and/or qualitative data to assist with the identification and removal of employment-related barriers experienced by Employment Equity Groups.
- 6.5.2. TDSB will conduct a system-wide staff census and student census, at minimum every five (5) years. TDSB will use the data collected to identify the composition of its workforce in relation to the student body.
- 6.5.3. TDSB will provide reports to the Board of Trustees, outlining achievements with respect to equitable and inclusive employment practices.
- 6.5.4. TDSB will collect, use and retain data in accordance with the *Municipal Freedom of Information and Protection of Privacy Act* and the Freedom of Information and Protection of Privacy Policy (P094).

6.6. Qualifications and Merit

- 6.6.1. TDSB will adhere to the qualification requirements necessary for the role, including those outlined in applicable legislation, including the *Education Act* and regulations, and Ministry of Education directives and policy/program memoranda.
- 6.6.2. TDSB will consider applicants' additional experiences, lived experiences, knowledge, skills, competencies, demonstrated commitment to creating a safe, respectful, inclusive, equitable, accessible, and high-quality learning and working environment, and qualifications relevant for the specific role, in its hiring and promotion decisions.

7. SPECIFIC DIRECTIVES

The Director of Education is authorized to issue operational procedures to implement this Policy.

8. EVALUATION

This Policy will be reviewed as required, but at a minimum every five (5) years.

9. APPENDICES

- N/A

10. REFERENCE DOCUMENTS

Legislation

- *Accessibility for Ontarians with Disabilities Act (AODA)*
- *Anti-Racism Act*
- *Canadian Charter of Rights and Freedoms*
- *Education Act*
- *Municipal Freedom of Information and Protection of Privacy Act*
- *Ontario Human Rights Code*

Policies

- Employee Conflict of Interest (P057)
- Equity (P037)
- Freedom of Information and Protection of Privacy (P094)
- Human Rights (P031)

Other Documents:

- PPM 165: School Board Teacher Hiring Practices
- TDSB Collective Agreements, Principal/Vice Principal Terms & Conditions, and Schedule II Terms & Conditions
- Truth and Reconciliation Commission of Canada: Calls to Actions
- United Nations Declaration on the Rights of Indigenous Peoples