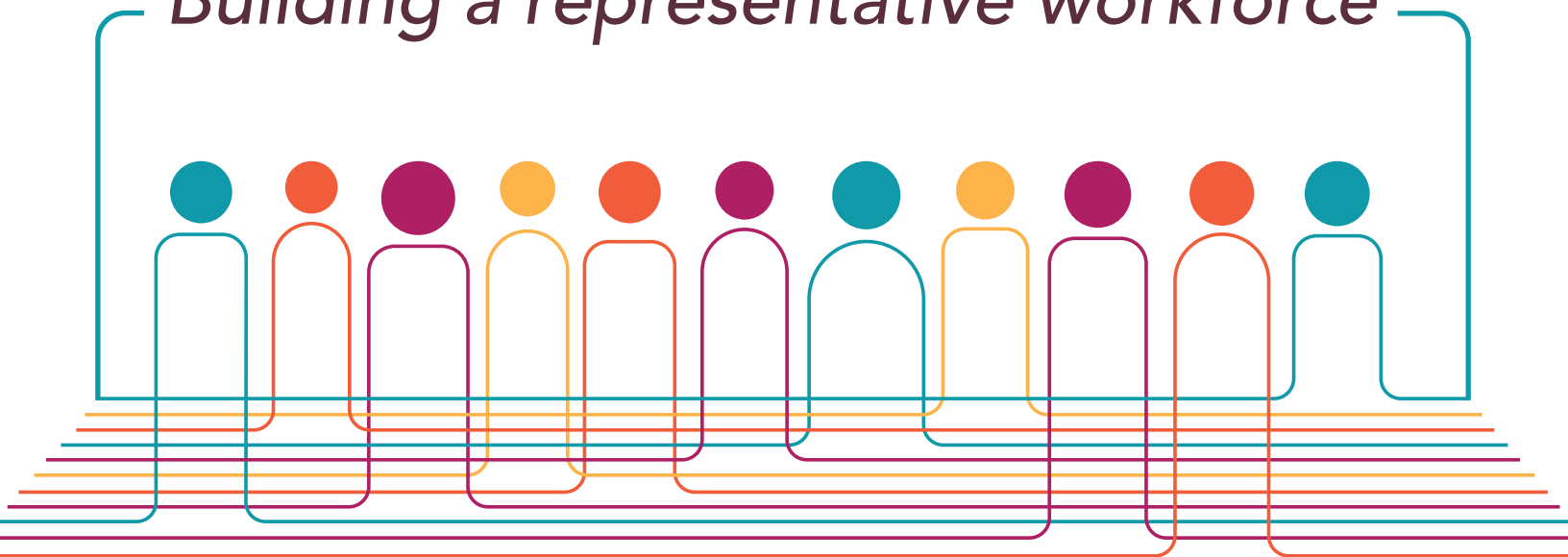


CUPE

EMPLOYMENT EQUITY

Building a representative workforce



CUPE Human Rights | August 2026

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TABLE OF CONTENTS

Introduction	1
What is discrimination?	2
What is employment equity?	5
Why do we need employment equity?	6
Where is employment equity in the law?.....	8
Federal	8
Provincial	9
Special Programs.....	10
Addressing common criticisms of employment equity.....	12
Concerns about discrimination	13
Seniority-based concerns	13
Qualifications-based concerns	13
What can your local and the employer do?	15
Local union actions.....	15
Employer actions.....	15
How to build an employment equity plan.....	17
Step 1: Identify barriers in your workplace	17
CHECKLIST: BARRIERS TO WATCH FOR IN A WORKPLACE SCAN	17
Step 2: Negotiate an employment equity clause in your collective agreement.....	19
Step 3: Develop and carry out an employment equity plan	23
CHECKLIST: STEPS FOR A JOINT EMPLOYMENT EQUITY COMMITTEE	24
Conclusion	25
Commonly used terms	26
Sample employment equity collective agreement language	28



Introduction

CUPE is proud to be a leader in advocating for more inclusive and representative workplaces. Our communities deserve public services that reflect the people who live and work in them.

Employment equity is an essential part of this work. Employment equity plans help remove barriers so that groups of people who face historical and ongoing discrimination can succeed in our workplaces.

This guide is for CUPE bargaining teams, local executives, equity committee members, and every CUPE member working to advance human rights. It includes information on discrimination and employment equity, sample collective agreement language to bargain, and checklists to keep your work on track.

Use this guide to educate yourself and other CUPE members, to identify barriers in your workplace, and to bargain for change. Work with your CUPE national representative and human rights representative to develop and negotiate the best language for your local's needs.

CUPE members have bargained for important wins and broken new ground on employment equity. Social services members have negotiated equity hiring language that allows the employer to hire a diverse group of employees while respecting the collective agreement.

In the library sector, where 85% of workers are women and 12% are racialized, some locals have negotiated employment equity forums and incorporated employment equity goals in their job evaluation committees.

These wins show us CUPE members are up to the challenge of creating equitable and representative workplaces. Every day, CUPE members are advancing employment equity in their workplaces and locals by negotiating language in their collective agreements and creating spaces to challenge discrimination and learn from each other.

For more information, contact CUPE's Human Rights Branch at humanrights@cupe.ca.



What is discrimination?

Before we talk about employment equity, it's important to be aware of the ways discrimination can appear in our workplaces and how it can affect members.

Here's a breakdown of some key terms.

Discrimination is treating a person or group of people negatively for reasons like their race, age, disability, sex, sexual orientation, gender, religion, ethnic origin, or legal status. These reasons are called grounds of discrimination. Often, these views are founded in belief systems such as colonialism, religion, and culture. The human rights legislation covering your workplace will have a list of prohibited grounds of discrimination. These are also known as protected characteristics.

Direct discrimination happens when individuals or organizations intentionally deny certain people benefits that are available to others. An example of this type of discrimination in the workplace is the Canadian military's historical exclusion of 2SLGBTQI+ people. This policy was designed to discriminate against people based on their sexual orientation and was a significant barrier for 2SLGBTQI+ people. It meant they couldn't be a part of the military, let alone be promoted.

Implicit bias refers to a tacit, indirect, or embedded preference or inclination, most often unconscious, that is developed through beliefs, values, culture, background, education, societal norms, stereotypes, or personal experiences. Such bias can prefer or distinguish individuals or groups because of their race, colour, descent, national or ethnic origin, class, language, religious beliefs, age, able-bodiedness, sexual orientation, gender identity and expression, sex characteristics, and other traits.¹

Intersecting discrimination is experienced by someone who belongs to more than one equity-deserving group. Workers experiencing intersecting forms of discrimination face even more barriers.

One important step toward understanding these forms of discrimination is having cultural safety training in the workplace. By increasing awareness and understanding of diverse perspectives and experiences, this kind of training helps create a safer, more supportive environment for all employees.

¹ This definition was developed for the *CUPE BC racial justice glossary*, authored by the CUPE BC Racialized Workers Committee.

Indirect and systemic discrimination

Employment equity addresses all forms of discrimination, but it aims to specifically address *systemic and indirect discrimination* by identifying and removing barriers that prevent equitable opportunities. To understand employment equity, it's important we first understand both forms of discrimination.

Indirect discrimination in our workplaces can be a policy or change in practice that seems neutral but discriminates against workers who are protected under human rights law. While the employer may present this as a neutral rule, the reality is that it's a barrier to those protected under human rights law. The intention behind the rule is not relevant; the impact is what matters.

An example of indirect discrimination is an employer insisting all employees work on a certain day of the week without accommodating employees who can't for religious reasons. Indirect discrimination can be difficult to identify. It comes across as unintentional and "just the way things are."

Another example is an employer deciding that uniforms can't be changed in any way. While the employer may present this as a neutral rule, the reality is that it's a barrier to anyone who wears a kippah, turban, or hijab for religious reasons.



Systemic discrimination is the result of biased attitudes and decisions making their way into organizational and institutional models, practices, and policies. Systemic discrimination exists in many forms, including systemic racism, sexism, ableism, transphobia, homophobia, and other forms of human rights-based discrimination. A common example in our day-to-day lives is when police officers do a routine check and single out Black or racialized people.

Systemic discrimination is often detected by looking at a series of incidents to find a pattern. For example, people do not usually admit that their behaviour stems from discriminatory beliefs. That's why it can be difficult to spot. Whether it's an individual act or an organizational strategy, there must be a harmful effect on a specific group of people to establish systemic discrimination.

In employment, systemic discrimination prevents some groups of people from having the same job opportunities as others. This leads to precarious work, inequity, and a divided workforce. This type of discrimination is usually identified by measuring under-representation or over-representation of equity-deserving groups in certain workplaces, job categories, or employment statuses.

An example of systemic discrimination in the workplace is the persistent gender segregation across many occupations. This pattern stems from entrenched gender stereotypes, sexist attitudes, and unconscious biases rooted in traditional gender roles, all of which continue to shape workplace practices today. Similarly, Black and racialized workers continue to be overrepresented in precarious forms of employment and lower-paid job categories. This is not coincidental—it is the result of long-standing systemic inequities and structural barriers in the labour market.

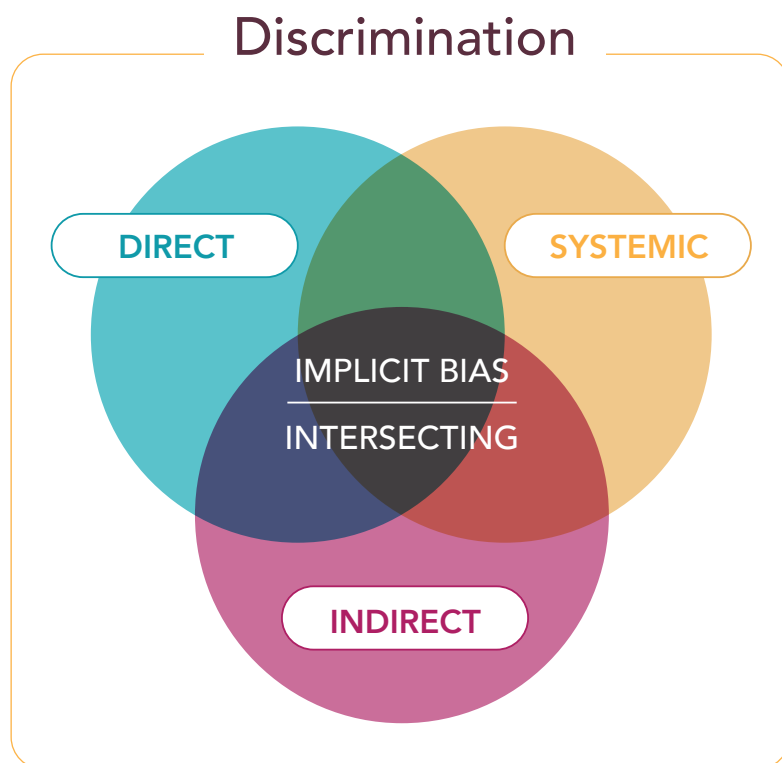
Systemic discrimination and implicit biases perpetuate historical and ongoing inequity by excluding groups like Indigenous workers, women, Black and racialized workers, persons with disabilities, and 2SLGBTQI+ workers from benefits and opportunities. These workers have a harder time finding decent and fair work matching their skills and qualifications. They tend to be concentrated in lower-paid, precarious, and more hazardous jobs.

Employers have a responsibility to create inclusive, discrimination-free workplaces. Employment equity goes further by requiring employers to have policies and concrete actions directly aimed at removing barriers. While employment equity addresses all forms of discrimination, it is specifically designed to address systemic discrimination, making it a valuable tool.

CUPE focuses on five groups who have historically been denied equity and still face discrimination and disadvantages in our workplaces today: Indigenous workers, women, Black and racialized workers, persons with disabilities, and 2SLGBTQI+ workers.

This guide refers to *equity-deserving* groups since CUPE recognizes their inherent right to equity. You may also have heard the term *equity seeking*. However, this term implies that people who have been historically marginalized have to strive for equity, placing the responsibility on them to correct systemic inequities.

You can find a list of commonly used terms at the end of this guide.





What is employment equity?

Employment equity finds and eliminates workplace barriers for workers from equity-deserving groups. These barriers are caused by both systemic and indirect discrimination that are not always easy to spot.

Employment equity programs look for barriers to equity in workplace policies and practices like recruitment, hiring, promotion, training opportunities, working conditions, and more.

These programs help build and maintain a workforce that reflects the community. With employment equity, members of equity-deserving groups see themselves reflected in the workplace and work in a welcoming and inclusive environment where they can advance in their careers.

Employment equity identifies groups that have been denied fair job opportunities in the past, known as designated groups. The next step is to remedy that injustice and build a work environment that encourages members of these groups to stay and advance.

The term equity, diversity, and inclusion (EDI) is becoming more common in the media and among academics and social justice activists. Many employers and unions are using this term instead of specifically mentioning an employment equity plan in their collective agreement. These concepts can work together but are seen differently from a legal perspective.

Employment equity has legal meaning in many jurisdictions. It refers to language and requirements found in legislation and specifies five equity-deserving groups. EDI initiatives can be broader and are not accountable under the legal requirements of an employment equity plan.

This guide features collective agreement language that refers to an employment equity plan, an EDI policy or a strategy. We recommend working with your national representative to negotiate employment equity language. This ensures the employer follows their legal obligations and still lets your local create EDI initiatives that broaden the scope of your employment equity plan.

EMPLOYMENT EQUITY AND PAY EQUITY

Employment equity is different from pay equity, but the two are related. Employment equity builds representative workplaces that reflect the diversity of the communities they serve. Employment equity plans set hiring targets, eliminate barriers, and create policies, all with the goal of creating discrimination-free workplaces.

Pay equity ensures workers receive equal pay for work of equal value by closing the pay gap between predominantly male jobs and predominantly female jobs. This gap exists because jobs that are mostly done by women are undervalued. This is the result of systemic discrimination.



Why do we need employment equity?

Employment equity advances principles at the heart of our movement, and that benefit us all: solidarity, fairness, and collective action. We must use union principles to deal with the past and present impacts of colonialism, capitalism, sexism, patriarchy, and white supremacy in our workplaces. These systems of oppression have created a world where people have unequal opportunities and are treated unfairly because of who they are.

CUPE members are well placed to use employment equity to build equitable workplaces. The public and parapublic sectors play a critical role in advancing equity because they are large employers of women and other equity-deserving groups.² Keeping services public matters. CUPE's research shows privatization drives down wages, erodes working conditions,³ and harms quality public services for Indigenous, Black and racialized workers and communities while also exposing these workers to racism.⁴

There are many reasons for employment equity. For example, although unions and feminist movements have won significant advancements, women still only earn 88 cents for every dollar earned by men doing the same job. Women are also more likely to work part-time, work in traditionally "female" professions, and shoulder an unequal amount of unpaid care work.⁵

Indigenous and immigrant women face even deeper economic injustice. In 2022, Indigenous women earned 20.1% less than Canadian-born men overall and 9.3% less than Canadian-born men when doing the same job. The same study found immigrant women arriving as adults earned 20.4% less than Canadian-born men doing the same job.⁶



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- 2 Levac, Leah and Cowper-Smith, Yuriko for CRIAW, "Women and Public Sector Precarity: Causes, Conditions and Consequences." *Canadian Research Institute for the Advancement of Women*, April 25, 2016, [http://www.criaw-icref.ca/images/userfiles/files/Women%20and%20Public%20Sector%20Precarity%20FINAL\(1\).pdf](http://www.criaw-icref.ca/images/userfiles/files/Women%20and%20Public%20Sector%20Precarity%20FINAL(1).pdf).
 - 3 Canadian Union of Public Employees, "The Colour of Privatization: A CUPE Report on the Impacts of Privatized and For-Profit Services on Indigenous, Black and Racialized Workers and Communities." *Canadian Union of Public Employees*, 2024, https://cupe.ca/sites/default/files/colour_of_privatization_report_en.pdf.
 - 4 Ibid.
 - 5 Moyser, Melissa, "Measuring and Analyzing the Gender Pay Gap: A Conceptual and Methodological Overview." *Statistics Canada*, August 30, 2019, <https://www150.statcan.gc.ca/n1/pub/45-20-0002/452000022019001-eng.htm>.
 - 6 Marie, and Mandana Mardare Amini. Intersectional Perspective on the Canadian Gender Wage Gap. *Statistics Canada*, 21 Sept. 2023, <https://www150.statcan.gc.ca/n1/pub/45-20-0002/452000022023002-eng.htm>

Black and racialized workers also experience economic injustice. A 2024 report found that racialized workers in Canada are less likely than non-racialized workers to belong to a union and face higher wage gaps depending on their sector of work. In addition, racialized women earn 59 cents for every dollar earned by non-racialized men, with Filipino and Black workers facing the largest wage gap among racialized workers.⁷ This is an example of how Black and Filipino women face intersecting forms of discrimination because of their race and gender.

Workplace discrimination persists. The 2SLGBTQI+ Action Plan Survey conducted by the Government of Canada found that 45% of trans women and 47% of trans men faced harassment in the workplace due to their gender identity.⁸



Harassment is another major concern, and oppression is a root cause of harassment.⁹ Racialized workers are more likely than white workers to report high levels of harassment, and the majority of workers targeted for harassment are women.¹⁰

Finally, employment equity can help tackle poverty by ensuring people from designated groups have access to stable and well-paying jobs with benefits. These are just some of the reasons to work for fairness and equity for all workers.

7 Ng, Winnie, Khan, Salmaan, and Stanford, Jim, "The Importance of Unions in Reducing Racial Inequality: New Data and Best Practices." *Centre for Future Work*, August 2024, <https://centreforfuturework.ca/wp-content/uploads/2024/08/Union-Advantage-for-Racialized-Workers.pdf>.

8 Government of Canada, "2SLGBTQI+ Action Plan Survey." *Government of Canada*, May 9, 2023, <https://www.canada.ca/en/women-gender-equality/free-to-be-me/federal-2slgbtqi-plus-action-plan/survey-findings/quick-stats.html>.

9 Canadian Union of Public Employees, "Workplace harassment and mental injuries: examining root causes." *Canadian Union of Public Employees*, November 2014, https://cupe.ca/sites/cupe/files/harassment_and_mental_injuries.pdf.

10 Ibid.



Where is employment equity in the law?

Employment discrimination is against the law in every Canadian jurisdiction. Federal and provincial governments have human rights laws that set a framework for employment equity work. But many provincial governments don't have specific employment equity legislation, so it's important to negotiate collective agreement language on employment equity. While some jurisdictions have detailed legislation, policies, or rules, we must work to ensure every province and territory has employment equity legislation that covers all workers.

Federal

The federal *Employment Equity Act*¹¹ recognizes women, visible minorities,¹² persons with disabilities and Aboriginal peoples¹³ as the four designated groups covered under the Act.

A 2023 review¹⁴ made comprehensive recommendations to update the language used in the legislation, including a CUPE proposal¹⁵ to include 2SLGBTQI+ workers and update the language from Aboriginal to Indigenous workers and visible minorities to Black and racialized workers.

The Act covers federally regulated private and public employers with 100 or more workers. CUPE has 27,000 members working for federally regulated employers.

These employers include:

- The federal government
- Crown corporations
- Workplaces in the transportation sector, including airlines, ports, interprovincial railroads, and buses that cross provincial borders
- Telecommunications
- The Royal Canadian Mounted Police

The Act also covers provincially regulated employers or contractors doing business with the federal government under the Federal Contractors Program. These contractors must have 100 or more workers and be bidding on contracts worth more than \$1 million, including taxes. Contractors must sign an agreement to implement employment equity.

11 *Employment Equity Act*, S.C. 1995, c. 44.

12 The Act uses the term "visible minorities." When not referring to the Act, CUPE uses the term "Black and racialized."

13 The Act uses the term "Aboriginal." When not referring to the Act, CUPE uses the term "Indigenous."

14 Blackett, Adelle, "A transformative framework to achieve and sustain employment equity – Report of the Employment Equity Act Review Task Force." *Employment and Social Development Canada*, December 2023, <https://www.canada.ca/en/employment-social-development/corporate/portfolio/labour/programs/employment-equity/reports/act-review-task-force.html>.

15 Canadian Union of Public Employees, "Employment Equity Task Force report accepts CUPE's recommendations." *Canadian Union of Public Employees*, December 15, 2023, <https://cupe.ca/employment-equity-task-force-report-accepts-cupes-recommendations-cupe>.

Many Canadian universities are covered by the Federal Contractors Program and must have employment equity policies. CUPE represents 70,000 workers at universities and colleges across the country.

The federal Act makes employers responsible for implementing employment equity and sets out specific requirements. For example, employers must have an employment equity plan that removes barriers to employment for designated groups, with the goal of a representative workforce.

Under the Act, employers must take action on employment equity unless it would create an undue hardship, like a safety concern or significant financial costs. The Act also clarifies that employment equity plans do not force employers to hire an unqualified person or create new positions in their workforce.

CUPE locals in federally regulated workplaces must monitor whether the employer is, at a minimum, doing what's required by law on employment equity.

Provincial

Only British Columbia and Quebec have legislation requiring employers to take action on employment equity. In 1994, the B.C. NDP government amended the *Public Service Act* to include employment equity.¹⁶ Quebec's law only applies to public and parapublic sector employers.¹⁷

Ontario is the only other province that had an employment equity law. An NDP government passed the law in 1993. A Progressive Conservative government repealed it two years later.

Manitoba's *Public Service Act* has principles about a representative public service but does not require an employment equity plan.

Most provinces have employment equity policies, even if there is no legislation. Manitoba has an employment equity policy.

16 Canlii, "Public Service Act" RSBC 1996, c 385, part 2 s5(3)(h) and part 3 s8(4)(a)., retrieved on February 26, 2026, <https://canlii.ca/t/563q3>

17 A-2.01 Act respecting equal access to employment in public bodies. Updated March 2025. <https://www.legisquebec.gouv.qc.ca/fr/document/lc/A-2.01?langCont=en>

New Brunswick, Nova Scotia, and Prince Edward Island have employment equity policies that are administered in partnership with provincial human rights commissions. New Brunswick's Equal Employment Opportunity program supports government departments hiring someone from a designated group by paying up to 50% of the salary, to a maximum of \$20,000.¹⁸

The Saskatchewan Human Rights Commission offers a guide on employment equity plans.¹⁹ Saskatchewan's commission can direct employers to implement an employment equity plan and is the only commission with this legal power. Other commissions can use what's known as a "special programs clause" to help develop employment equity programs where there is no provincial law. The next section discusses special programs.

Special Programs

Some human rights laws include a "special program" or "special measures" clause. This clause lets employers give disadvantaged individuals and groups of people preferential treatment if it removes or reduces barriers.²⁰ This is called an exemption.

For example, P.E.I.'s *Human Rights Act* states: "The Commission may approve programs of government, private organizations or persons designed to promote the welfare of any class of individuals, and any approved program shall be deemed not to be a violation of the prohibitions of this Act."²¹

Special programs can advance reconciliation. In the early 2000s, CUPE developed a Representative Workforce Strategy and signed over a dozen partnership agreements with employers in Saskatchewan to increase the representation of Indigenous workers in the health care sector.



18 Government of New Brunswick, Finance and Treasury Board, "Equal Employment Opportunity Program, Government of New Brunswick." Government of New Brunswick, <https://www2.gnb.ca/content/gnb/en/corporate/promo/choose-gnb/equal-employment-opportunity.html>.

19 Saskatchewan Human Rights Commission. "Employment Equity." *Saskatchewan Human Rights Commission*, 2026. <https://saskhrc.ca/employment-equity/>.

20 At the federal level, the disadvantages faced by a group must also have a connection to one of the prohibited grounds of discrimination in the *Canadian Human Rights Act*. See Canadian Human Rights Commission's report, "Levelling the field: Developing a special program or special measure under the Canadian Human Rights Act or the Employment Equity Act." *Canadian Human Rights Commission*. January 6, 2022. <https://www.chrc-ccdp.gc.ca/resources/publications/levelling-the-field-developing-a-special-program-under-the-canadian-human>.

21 Canlii, "Human Rights Act" RSPEI 1988, c H-12, s 20., retrieved on February 26, 2026. <https://canlii.ca/t/52tgj>.

Special programs can advance reconciliation. In 2020, Canada Post introduced the Indigenous and Northern Reconciliation Strategy. Developed in collaboration with Indigenous communities and unions, the strategy embeds Indigenous knowledge and practices into hiring and workplace culture.²²

Some human rights commissions have an application form for employers requesting a special program exemption. The form from B.C.'s Office of the Human Rights Commissioner asks employers to list organizations that the special program affects, including workplaces where there are unionized workers. It also asks the employer to explain how these parties were consulted. CUPE locals should ensure they are consulted when their employer applies and should ask their national representative for support.

Locals should generally not provide their employer with a letter of endorsement, even if their local supports the reasons for the employer's exemption request. This preserves your local's right to file a grievance if the employer misuses the exemption. Employers don't need union approval to get an exemption.

Locals can also advocate for community benefits agreements. These agreements help ensure benefits from public infrastructure projects flow to affected local Indigenous, Black, and racialized communities.²³ With the leadership of Indigenous communities and other affected communities, these agreements can advance economic justice, one of the Calls to Action of the Truth and Reconciliation Commission.

Find out about the employment equity obligations in your province. Check if your local could use your provincial human rights commission and existing legislation to push your employer to implement employment equity.

22 Canada Post, "Canada Post Introduces Indigenous and Northern Reconciliation Strategy", *Canada Post*. November 17, 2020, <https://www.canadapost-postescanada.ca/cpc/en/our-company/news-and-media/corporate-news/news-release/2020-11-17-canada-post-introduces-indigenous-and-northern-reconciliation-strategy>.

23 British Columbia was the first jurisdiction in Canada to adopt legislation implementing the *UN Declaration on the Rights of Indigenous Peoples*. In 2018, the province signed a Community Benefits Agreement with the Allied Infrastructure and Related Construction Council, a group of 19 unions, that has led to increased inclusion of Indigenous workers in projects.



Addressing common criticisms of employment equity

CUPE members advocating for employment equity may get questions or pushback from members or their employer. These reactions are based on a misunderstanding of what equity and equality mean.

The misunderstanding makes people think that equality is treating everyone the same, regardless of their individual circumstances. But substantive equality, as well as equity, take into account people's differences and experiences of inequality at work and in their daily lives.

Treating everyone the same can reinforce inequality. For example, failing to provide accommodations for a person's physical disability—such as hearing aids or an access ramp—can deny them access to opportunities, ultimately undermining their right to equality. Accommodations and similar measures are meant to modify workplace practices or policies to account for individual differences, rather than treating everyone the same.

Substantive equality means recognizing and addressing historic and ongoing systemic disadvantages to ensure equitable outcomes. This may require different approaches or support. **Formal equality** refers to treating everyone the same, regardless of their differences or circumstances. Unfortunately, this approach ignores the effects of historical and systemic discrimination. Equal treatment doesn't always lead to equal outcomes. That is why at CUPE, we prioritize substantive equality.

This section debunks three common criticisms of employment equity: concerns about discrimination, seniority, and qualifications. It is important to address these concerns. When people do not have the facts, it can undermine solidarity. Unaddressed concerns can divide members. This creates a harmful work environment, especially for equity-deserving members.

Conversations about employment equity are an opportunity to organize members, build solidarity, and strengthen our power as workers. When some members face injustice, it hurts us all. Everyone benefits from a more diverse workplace that's welcoming and accepting. This strengthens the workplace as well as our union and the communities our members serve.

Concerns about discrimination

Some people criticize employment equity as discrimination. They argue that employment equity plans are unfair because they favour certain groups over others. But these requirements are part of a fair and just process that corrects past and ongoing wrongs.

It's unfair that people or groups have unequal opportunities at work because of their race, gender, sexuality, or disability. Employment equity identifies and corrects this discrimination and tries to level the playing field for everyone.

Seniority-based concerns

Some argue that employment equity threatens the principle of seniority by giving more weight to a job applicant's identities than to the seniority of other applicants. The goal of employment equity plans is to increase diversity and fairness in the workplace, not undermine seniority.

Employment equity programs support the principle of seniority. Seniority-based hiring requires that the successful candidate has the most seniority of all qualified applicants. However, this sometimes fails to consider other important factors such as lived experience and anti-oppression analysis. Employment equity programs build on this by ensuring that lived experience in an equity-deserving group is part of the equation when assessing the pool of qualified candidates. The person who gets the job is still the most senior candidate who is qualified for the position.

Employment equity and seniority principles share a common goal – to ensure that employment opportunities are unbiased and eliminate favouritism or discrimination.

Qualifications-based concerns

Some argue that employment equity programs mean unqualified people will be hired. These arguments rely on the assumption that a Black or racialized worker, an Indigenous worker, a woman, a 2SLGBTQI+ worker, or a worker with a disability is more likely to be unqualified for a certain position. That assumption is discriminatory.

Far too often, members of equity-deserving groups are overlooked for jobs even if they are the most qualified. This is exactly the problem that employment equity programs can fix.

Employment equity programs recognize that discrimination in the past still affects people today, allowing some groups to keep benefiting from unfair advantages.

For example, a study focusing on employers in Toronto, Montreal, and Vancouver found that job applicants with English-sounding names were more likely to be called back than those with Indian or Chinese names, even when qualifications were identical. The study suggests this gap comes from unconscious or “implicit” bias tied to assumptions about language, competencies and social skills.²⁴

A similar study in Montreal by the Quebec Human Rights Commission found that job seekers with Québécois-sounding names were more likely to be invited to interviews than equally qualified candidates with African, Arab, or Latin American names. The results suggest that hiring barriers faced by racialized groups are not only about skills or credential recognition but also stem from employers’ discriminatory—often unconscious—preferences.²⁵

24 Dechief, Diane and Oreopoulos, Philip, “Why Do Some Employers Prefer to Interview Matthew, but Not Samir? New Evidence from Toronto, Montreal, and Vancouver.” *SSRN Electronic Journal*, February 2012, <https://doi.org/10.2139/ssrn.2018047>.

25 La Commission des droits de la personne et des droits de la jeunesse. “The Commission des droits de la personne et des droits de la jeunesse measures discriminatory hiring practices: It’s easier when your name is Bélanger, not Traoré.” *Commission des droits de la personne et des droits de la jeunesse*, August 2012, <https://www.cdpcj.qc.ca/en/news/the-commission-des-droits-de-l-67>.



What can your local and the employer do? _____

Local union actions

- Negotiate and enforce employment equity language in the collective agreement.
- Push for a joint employment equity committee with the employer.
- Include equity-deserving members in committees and decision-making like bargaining, health and safety, and other joint employer-union groups.
- Bargain and enforce no discrimination collective agreement clauses, including anti-racism and no harassment language.
- File a systemic discrimination grievance if your employer discriminates in hiring and promotion. If you don't have anti-discrimination language in your collective agreement, ask your national representative how you can file a grievance or complaint.
- Require ongoing human rights and employment equity training for local officers and stewards.
- Ensure the employer obeys human rights and employment equity laws.
- Ensure the employer meets the requirements of any employment equity program in place and monitor progress.
- Advocate for new or stronger employment equity legislation.

Employer actions

Policies and education

- Conduct an employment system review, which is an in-depth analysis of the organization's employment systems, policies, and practices - formal and informal - as well as the way these are implemented. An employment system review helps capture the attitudes, behaviours, and culture of the workplace.
- Create an employment equity plan.
- Educate employees about employment equity so that misconceptions can be addressed.
- Provide sensitivity and anti-oppression cultural training for workers to help make the workplace more welcoming and inclusive.
- Implement anti-harassment and anti-racism programs and policies.
- Establish a monitoring and evaluation system to assess the effectiveness of the employment equity plan. This can be part of the role of the joint employment equity committee.

Hiring and job creation

- Fund training and apprenticeship positions.
- Introduce mentoring programs and bridging positions to help equity-deserving members get the qualifications and experience they need to advance.
- Hire a member of an equity-deserving group when qualifications and seniority are relatively equal in a job competition.
- Target outreach to equity-deserving communities. Post job ads in community media and, when possible, translate into multiple languages.
- Review the academic qualifications required for a job. “Bona fide occupational requirements” must not create unnecessary barriers for potential applicants.

Workplace changes

- Implement work-life balance policies like child care and elder care leave, flexible work hours, and flexible arrangements like job sharing and remote work.
- Introduce accommodation measures like cultural and religious leave.
- Provide paid leave for survivors of domestic violence and people seeking gender-affirming care.
- Provide gender-inclusive washrooms, facilities, and uniforms.
- Recognize there is more than one way of doing things. Be open to change.



How to build an employment equity plan

STEP 1: Identify barriers in your workplace

Barriers in policies and practices exclude or harm people in equity-deserving groups. If you spot barriers like the ones in the checklist that follows, your local needs to negotiate employment equity language, examine the workplace carefully, and work to end inequities.

You can use the bargaining process to request information from the employer using disclosure obligations.

CHECKLIST: BARRIERS TO WATCH FOR IN A WORKPLACE SCAN

Recruitment practices do not attract diverse candidates

- ☐ The employer does not advertise the position widely and relies on word-of-mouth and/or personal relationships and connections. This can limit recruitment to people who are connected to current employees and may exclude equity-deserving groups. This is also an example of a systemic barrier.
- ☐ The job description imposes a requirement for Canadian work experience. This is a barrier for newcomers to Canada.
- ☐ Job qualifications require academic credentials that may not be necessary. This can exclude equity-deserving groups who are underrepresented in post-secondary institutions.

Hiring processes are biased

- ☐ The interview panel or committee reviewing applications is not diverse and not trained in equity and anti-oppression. This makes it more likely that unconscious biases will affect the process.
- ☐ The employer hires friends and relatives of people who already work there. This could be a sign to review the fairness of the employer's hiring practices.
- ☐ Interview questions are discriminatory, for example, asking women candidates if they plan to have children.

Equity-deserving members are in lower-paying jobs

- ☐ Jobs done mostly by women and other equity-deserving workers are paid less than comparable jobs held mostly by workers from non-equity-deserving groups.
- ☐ Equity-deserving workers are concentrated in the same job categories, also known as being pigeonholed. For example, most of the Black staff are cleaners, or they are assumed to take on all the equity roles.

Advancement pathways are unclear

- ☐ Equity-deserving workers are overrepresented in positions with little or no chance of advancement.
- ☐ When promotions are awarded, it is unclear what criteria was used and why.
- ☐ Managers make promotions based on their own preferences without a clear application or interview process.
- ☐ Pathways for workers' professional development are chronically under-resourced.
- ☐ Some unwritten norms and expectations are not communicated to workers yet affect their ability to advance or change roles.

Access to training and professional development is unequal

- ☐ Training is only offered in certain positions, and those positions tend to be male-dominated or "professional."
- ☐ Training is only offered outside work hours, and employees are expected to volunteer their time.
- ☐ Workers are not reimbursed for the cost of training and professional development they take.

Working conditions for equity-deserving members are not addressed properly

- ☐ Allegations of racism, harassment, and discrimination are not taken seriously.
- ☐ Incidents of racism, bullying, and harassment are not treated as workplace health and safety issues.
- ☐ There are patterns of employees leaving the workplace, especially equity-deserving workers.
- ☐ There are no gender-neutral washrooms.
- ☐ Workers do not have access to gender-affirming care leave.
- ☐ Workplace buildings are inaccessible to persons with disabilities.
- ☐ Social events only take place at bars and in the evenings, excluding workers who do not consume alcohol or have family obligations.
- ☐ There are no cultural and religious leave options. Indigenous workers must use their vacation leave to attend cultural ceremonies and events.

STEP 2:

Negotiate an employment equity clause in your collective agreement

Once you have identified workplace barriers, you are ready to negotiate collective agreement language about employment equity.

The best employment equity plans are developed collaboratively in a joint committee, with the active participation of union members. These plans include the voices of members who have lived experience with systemic discrimination and empower them to create meaningful change. Your local should ensure that any plan follows the collective agreement.

However, the employer does not need union consent to develop and carry out an employment equity plan. While your local should always assert the right to be consulted on employment equity initiatives, it's the employer's duty to carry out the plan. Your local should not specifically endorse any plan that has not been developed collaboratively. This protects your local's ability to grieve violations of the collective agreement.

What to include in an employment equity clause:

- ☐ Policy statement or statement of commitment to employment equity (including the purpose and objectives of the program).
- ☐ Provision for a joint union/management employment equity committee, including committee mandate.

This section has examples of minimum standards for this language. Note that some of the terminology does not reflect CUPE's current practice when describing equity-deserving groups. There are also references to EDI. It is preferable to use the term *employment equity plan* because this term has legal meaning in many jurisdictions. We encourage you to discuss the current terminology with your national servicing representative when negotiating language.

Policy statement/Statement of commitment

The Policy statement or Statement of commitment clause states that the union and the employer will design and put in place an employment equity program. It may also set out the program's principles.

The collective agreement between CUPE 500 and the City of Winnipeg (2021-2025) includes the following Letter of Understanding text:

The City and the Union agree to cooperate in creating a diverse workforce that is inclusive of all employees.

Purpose

The purpose or objective clause outlines the goals of the employment equity program. It describes the inequity that the employment equity plan aims to correct. It might also cover the importance of non-discrimination, the goal of increasing representation in the workforce, or the objective of removing barriers for equity-deserving groups.

The collective agreement between CUPE 500 and the City of Winnipeg (2021–2025) includes the following Letter of Understanding:

The objectives of the EDI policy and strategy include the following:

- a) to ensure that current and future employment systems are non-discriminatory;
- b) to redress disparities in the City's present workforce distribution, thus pursuing a workforce composition which reflects workforce availability of equity group members in the City of Winnipeg; including the active recruitment and hiring of equity group members; and
- c) to prepare the organization for the increasing role equity group members will play in the workforce.

Joint Employment Equity Committee

An employment equity clause should establish a joint union/management employment equity committee. The committee makeup depends on the workplace. If multiple unions are involved, they can work together to bargain similar language, setting up a committee.

The collective agreement between CUPE 1949 and Saskatchewan Legal Aid Commission, Saskatchewan (2022-2025) includes the following clause:

A Joint Employment Equity Committee comprised of two representatives of the Commission and two representatives of the Union shall be struck. The salary and expenses of the two Union representatives for meetings of the Joint Employment Equity Committee shall be paid by the Commission. The Joint Committee shall meet and develop an Employment Equity Program. The Committee will obtain approval of the program by the respective parties and will then jointly seek the approval of the Saskatchewan Human Rights Commission.

Mandate of the joint committee

The collective agreement must have a clear mandate for the committee. This includes terms of reference or guiding principles that describe the committee's purpose, makeup, scope, term, and frequency of meetings. The terms of reference should include a clear plan for taking, preparing, and sharing meeting minutes.

The 1997 terms of reference of the Joint Employment Equity Committee between CUPE 500 and the City of Winnipeg states that:

The Committee is mandated to:

1. Analyze the representation and distribution of employees covered by the CUPE bargaining unit to identify areas of under representation.
2. Examine current employment systems to identify possible systemic discrimination.
3. Make recommendations where required to the respective parties on all elements normally associated with an Equity and Diversity Initiative, including:
 - a) the elimination of systemic and employment barriers;
 - b) the establishment of objective and non-discriminatory employment systems;
 - c) the setting of goals and timetables for the program;
 - d) the development of special measures to redress past and present employment barriers; and
 - e) the development of policies that support achievement of goals.
4. Monitor and evaluate the progress of the program.
5. Co-ordinate educational sessions on equity and diversity directed at all employees.

Submit a report on the program annually to senior administration and the executive of CUPE Local 500.

It is critical that a joint employment equity committee have equal representation from the employer and the union. Like joint health and safety committees, your local will choose the worker representatives.

The collective agreement between CUPE 926 and Wilfrid Laurier University (2024–2027) includes the following clause:

Article 28.01

The Union will have the right to appoint one (1) representative to the University's Employment Equity Advisory Committee. The parties agree to work together, through the Committee to:

- (a) Advise the President and the Union concerning the realization of the commitment to non-discrimination and equity in employment of members of the equity-deserving groups;
- (b) Identify any artificial or systemic barriers in recruitment, employment, and promotion policies and procedures that discriminate against members of the equity-deserving groups;
- (c) Identify and recommend measures to increase the representation of members of the equity-deserving groups where such are found to be under-represented;
- (d) Receive and review reports on matters pertaining to equity issues at the University and the reports of the Employment Equity & Accessibility Officer;
- (e) Review on an on-going basis, employment equity plans at other universities in Canada; and
- (f) Provide copies of all Committee reports and recommendations to the Union.

Whenever possible, your local should appoint committee members who are women, workers with disabilities, Black and racialized workers, Indigenous workers, and 2SLGBTQI+ workers.

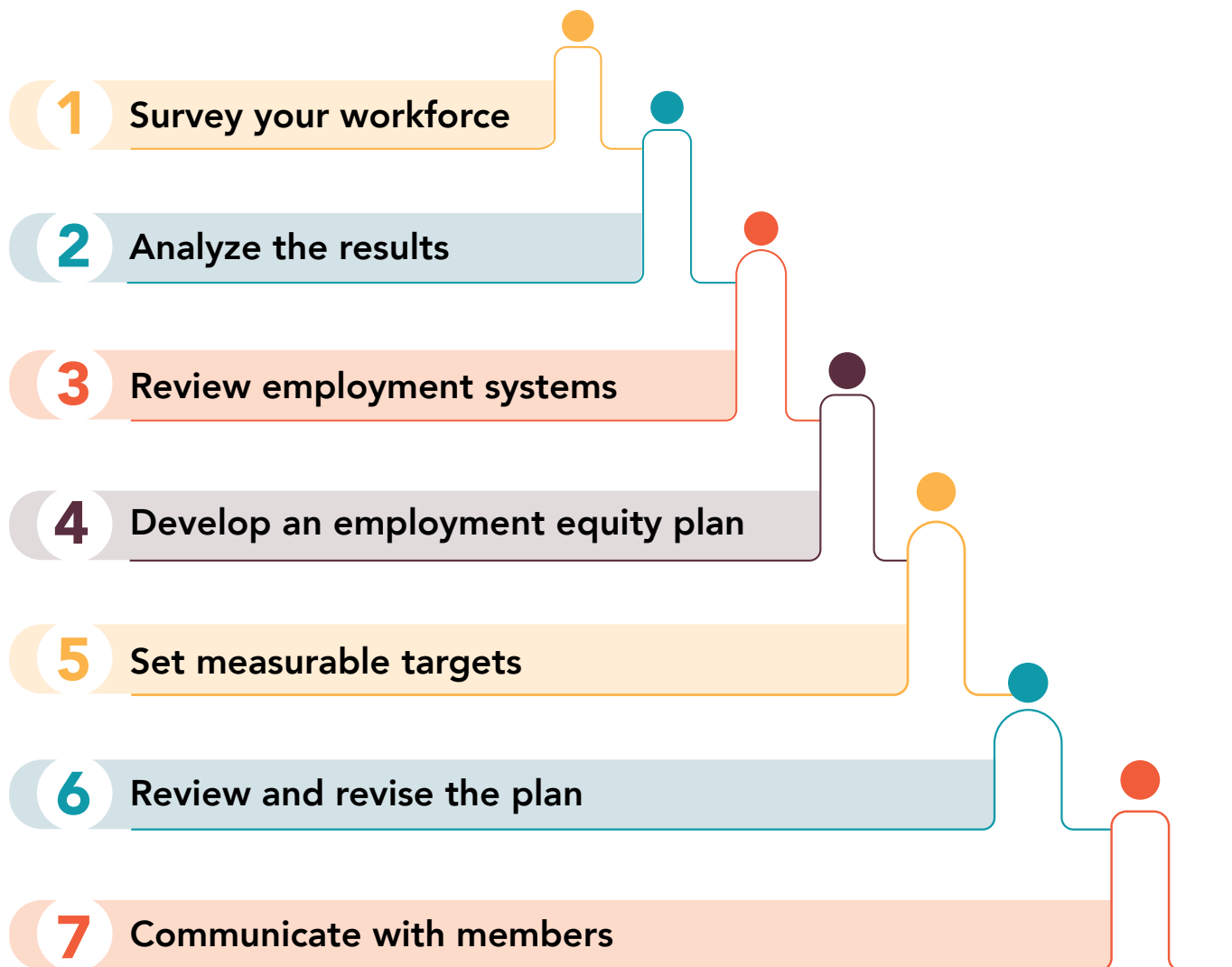
At the end of this guide, you'll find more examples of employment equity collective agreement language that CUPE locals have negotiated.

STEP 3:

Develop and carry out an employment equity plan

Once your local has negotiated employment equity language, the joint committee can get to work. An important first step is analyzing the workforce to see if CUPE's five designated groups are underrepresented. This can be done through internal surveys that gather demographic data in your workplace, as well as a review of government census data and other statistics.

The joint committee should identify any unfair practices or employment barriers – both formal and informal. This is part of an employment systems review. The employment equity plan should aim to remove these barriers. The employer must clearly communicate the plan to all members and develop ways to gather feedback and revise the plan.



CHECKLIST: STEPS FOR A JOINT EMPLOYMENT EQUITY COMMITTEE

1 Survey your workforce

- ☐ Collect information on how the designated groups are represented in each occupational group.

2 Analyze the results

- ☐ Review the survey results to see if the workplace reflects the community.

3 Review employment systems

- ☐ Look at systems, policies, and practices to identify employment barriers and discrimination against members of designated groups. The review should cover:
 - recruitment
 - selection
 - job classification (including wages, benefits, part-time and casual designation)
 - promotion
 - training
 - working conditions, including workplace culture

4 Develop an employment equity plan

- ☐ Develop a plan with concrete actions that addresses the needs of CUPE's five designated groups. These are known as positive measures.
- ☐ Identify designated groups (women, Black and racialized workers, Indigenous workers, workers with disabilities, and 2SLGBTQI+ workers).
- ☐ Take concrete steps to treat designated groups equitably, including:
 - mentoring and bridging programs
 - flexible hours of work that help include designated groups
 - policies and practices that increase accessibility and provide adaptive devices for persons with disabilities
 - occupational requirements that are bona fide (necessary for the job)

5 Set measurable targets

- ☐ Set concrete goals for each designated group. These goals should make the workforce better represent the community, including in leadership positions.
- ☐ Set a timeframe to reach goals. List short and long-term goals.

6 Review and revise the plan

- ☐ Build in ways to get feedback and regularly review and update the plan. Under federal employment equity law, plans must be reviewed every five years.

7 Communicate with members

- ☐ Communicate with members regularly. Start before you bargain for employment equity language.
- ☐ Use consultations, education and training, and conversations with members to share plan details and build an inclusive and welcoming environment. Talk about why the plan is needed, what it covers, and how it will roll out.



Conclusion

Employment equity is a powerful tool to dismantle systemic discrimination in the workplace. These systems of discrimination come from centuries-old patterns of domination and exclusion. Sexism, ableism, colonialism, racism, homophobia, and transphobia are still realities in our workplaces and the labour market.

Employment equity takes a deliberate, long-term, system-wide approach to ending systemic discrimination. Using this guide, CUPE locals can break down barriers and ensure equity-deserving workers have fair access to jobs in welcoming and supportive workplaces.

Together, we can use employment equity to build equitable workplaces free from discrimination, where equity-deserving workers are encouraged to stay and have access to training and career development, and where persons with disabilities are accommodated.

Everyone benefits when our workplaces reflect our communities. Employment equity ensures fairness and human rights in employment, and it builds CUPE's diversity and strength.

As CUPE members, we have the power to bargain for employment equity and advocate for inclusive workplaces. Let's get to work.



Commonly used terms

Bias: A belief that prejudices some people or groups over others. Biases can be conscious or unconscious. A conscious bias is one that a person is aware they hold. An unconscious bias is internalized over time, and the person is not aware that they hold it.

Implicit bias: A preference or inclination, sometimes unconscious, that is developed through beliefs, values, culture, background, education, societal norms, stereotypes, or personal experiences. This bias can prefer or distinguish individuals or groups because of their race, colour, descent, national or ethnic origin, class, religious beliefs, age, able-bodiedness, sexual orientation, gender identity and expression, sex characteristics, and other such traits.

Bona fide occupational requirement: A job qualification, rule, or other factor that is necessary to do a particular job. The Saskatchewan Human Rights Commission uses this example: a taxi driver must have good eyesight to do what the job requires, which is to hold a driver's license and be able to drive a car that transports passengers.

Designated group: A group of people or a community chosen for employment equity initiatives because they face systemic barriers to employment and advancement.

Employment equity: A process that an employer can use to identify and eliminate discrimination in recruitment, hiring, working conditions, promotion, and training. The goal of employment equity is to ensure a diverse workplace that represents the community and is free of barriers.

Equity, diversity, and inclusion (EDI): A broad employer policy or strategy that covers all aspects of diversity. EDI focuses on making the work environment welcoming and inclusive, while employment equity focuses on representation in the workforce and removing systemic barriers. Employment equity legislation provides a targeted approach to increasing representation in the workforce that includes regular reporting by the employer. EDI policies are not bound to the same degree of accountability. Both can co-exist in a workplace, but locals should negotiate an employment equity plan as the foundation for an EDI policy.

Equity-deserving: Equity-deserving, equity-denied, or equity-seeking are all terms to describe groups of people who face barriers and discrimination because of longstanding social and economic barriers, known as historical disadvantages. CUPE uses equity-deserving because we recognize their inherent right to equity. The term *equity seeking* implies that people who have been historically marginalized have to strive for equity, placing the responsibility on them to correct systemic inequities.

Equity in the workplace: The principle that all workers must be treated fairly and have equal opportunities to advance. Employment equity plans take concrete action to address unfair treatment and limited access to advancement that affect some groups of workers more than others.

Historically disadvantaged: A term describing groups that have faced social and economic barriers throughout history in some societies. These barriers are based on characteristics such as gender, ethnicity, or nationality. For example, men as a whole have accumulated more power and wealth than women throughout history. In Canada, white people as a whole have accumulated more power and wealth than Indigenous, Black, and racialized people throughout history.

Joint employment equity committee: A group set up by the employer and the union to oversee the rollout of an employment equity plan.

Reverse discrimination: The incorrect belief that supporting the advancement of historically disadvantaged groups is unlawful discrimination against groups that hold power and privilege in society. This belief can be found in anti-gender, anti-feminist, and white nationalist movements, among others. For example, anti-feminists argue that supporting the advancement of women in society discriminates against men.

Systemic discrimination: Discrimination that is embedded in the policies and practices of our institutions and systems. Systemic discrimination includes systemic racism, sexism, ableism, transphobia, homophobia, and other forms of human rights-based discrimination. This form of discrimination happens when laws, rules, policies, or practices in our workplace, union, and communities negatively impact participation or advancement, or deny equality for certain groups of people. Sometimes it's unconscious or unintentional, and it may go unnoticed by anyone except its target.



Sample employment equity collective agreement language

Note that some of the terminology does not reflect CUPE's current practice when describing equity-deserving groups. There are also references to EDI. It is preferable to use the term used in the legislation applicable to your workplace. We encourage you to discuss the current terminology with your national servicing representative when negotiating language.

CUPE 7 and City of Regina, Saskatchewan, 2022–2024

ARTICLE 23 — WORKFORCE DIVERSITY

23.1. The parties are committed to Employment Equity and the joint development, education, promotion, implementation, monitoring, evaluation and updating of the Employment Equity plan as negotiated between the parties, and approved by the Saskatchewan Human Rights Commission.

CUPE 3851 and Nelson House, Ottawa, Ontario, 2024-2027

Article 4.04 — Employment Equity

a) Employment Equity Mission Statement

Nelson House recognizes:

That societal oppression is systemic and is maintained and manifested within relationships between individuals and groups; this prevents certain marginalized groups from fully participating within society.

The links between woman abuse and other forms of oppression experienced by women and children; and how multiple oppression further impacts the way women are treated by our health, legal, law enforcement, regulatory and social welfare systems.

Furthermore, Nelson House acknowledges that as a result of societal oppression, diverse groups of women have been prevented from participating and/or do not feel welcome to participate in many women's organizations.

In accordance with values of social justice and accountability to the community, Nelson House is committed to providing services which reflect and support the demographics of its catchment area.

Nelson House staff must be representative of community diversity; and have the sensitivity necessary in order to work effectively with diverse groups.

b) Promotion of Employment Equity

Nelson House shall promote employment equity through the following actions:

- hiring women from traditionally excluded groups;
- recruiting women from traditionally excluded groups as volunteers (including Board members);
- providing training to Nelson House employees which will sensitize and educate employees in regards to identifying and confronting their own bias and the bias of others;
- ensuring the location (the shelter and outside meeting space where possible) is physically accessible and has a welcoming decor;
- the dissemination of material that reflect the diversity of the catchment area (e.g. diverse languages, issues);
- active networking and information sharing with local organizations whose services are aimed towards traditionally excluded groups;
- implementation of anti-harassment policies, with the intent of protecting Nelson House members from abusive treatment;
- promotion of the commitment of Nelson House to diversity within the catchment area;
- the parties agree to work together to identify and remove systemic barriers that stand in the way of employment equity.

Traditionally excluded/oppressed groups include but may not be limited to: racialized women, persons with disabilities, Indigenous people, immigrants and refugees, LGBTQ2IA, women who have been in conflict with the law, seniors, Francophones, and people with low-income.

CUPE 998 and Manitoba Hydro, Manitoba, 2025–2027

Article 6 – Employment Equity

- C6.1:** The parties agree to work co-operatively to identify and remove systemic barriers to stable long-term employment in order to facilitate equitable participation of qualified women, persons of Aboriginal ancestry, persons with disabilities, and members of visible minority groups in Manitoba Hydro's workforce.
- C6.2:** The posting of all positions as provided in Article E1 is contingent upon this Employment Equity language remaining in effect.
- C6.3:** The parties will discuss, with the aim of reaching mutually acceptable solutions, such employment equity issues that may arise.

- C6.4:** The Union will suspend the posting and selection procedure of the collective agreement in favour of the following arrangement:
- a) Union and Management will establish a joint advisory committee of equal representation which will develop placement criteria for this program.
 - b) The Corporation will identify to the committee, vacant positions which it proposes be filled through this program.
 - c) The Corporation will provide the committee with information on the Corporation's ongoing efforts to facilitate employment equity and will exchange information concerning recruitment practices, selection standards, working conditions and training.
 - d) The Corporation, in consultation with the Union, will, through this committee:
 - i. Establish the number of vacancies to be utilized for employment equity.
 - ii. Establish specific time frames where the appointment to the position is of a temporary nature.
 - iii. Develop a procedure to rotate employment equity positions to ensure that a job is not permanently or indefinitely removed from the Union's job pool.
 - iv. Receive input from the Union concerning members of the Union who might qualify for inclusion in the program.
 - e) Individuals may be hired who can perform only a portion of the duties of a classification. The parties agree to establish a rate of pay which will reflect the work the applicant is capable of performing. Any further salary adjustments will require bargaining unit concurrence.

Pre-Placement Training Programs

- C6.5:** The general purpose of pre-placement training programs is to provide on-the-job training and orientation to prepare employment equity designated group candidates for entry-level positions and training programs. The training period will be dependent upon the nature, extent and rate of growth of the trainee's job-related skills. There will be no guarantee of employment beyond the pre-placement training. Dependent upon requirements, trainees may be hired for regular employment in accordance with established hiring practices for the various classifications.
- C6.6:** Participants in a program will be a supplement to Manitoba Hydro's normal work force requirements.
- C6.7:** With the exception of the initial period of job readiness training (to be determined at the inception of the program), participants will normally work the hours and schedule established for the location and the work group to which they are assigned.
- C6.8:** All terms and conditions of the collective agreement will apply to the participants with the following exceptions:

- a) Time accumulated during pre-placement training will not count toward completion of probationary periods or union seniority except that:
 - i. If a participant successfully completes a program and, within 12 months after completion is employed in a related job or accepted into a related regular training program, the participant will receive credit for the time spent in the program for the purpose of completing the probationary period and union seniority accrual.
- b) If a participant successfully completes a program and, within 12 months of completion is employed in a related job or accepted into a related regular training program, the participant may receive credit for time spent in the program for the purpose of future progression. The amount of credit will be determined by the circumstances of the specific program.
- c) Participants will be paid an appropriate hourly rate of pay during the entire pre-placement training. The rate will be determined by the circumstances of the specific program.
- d) Participants will not be subject to displacement or bumping under the terms of Article I 2 of the Collective Agreement during the pre-placement training.

On-The-Job Training Programs

- C6.9:** The parties agree to work cooperatively in removing systemic barriers to employment for all employment equity groups through on-the-job training programs.
- C6.10:** Bargaining unit concurrence will be required for any new programs being initiated.
- C6.11:** Each program will provide for up to 6 hourly term employees with each requirement to be for a period of up to 1 year effective upon the date of hire.
- C6.12:** Individuals employed under these programs will be subject to the terms and conditions of the Collective Agreement between CUPE Local 998 & Manitoba Hydro with the following exceptions:
1. As the programs are dependent upon the funding received, individuals employed under these programs will not be subject to displacement or bumping under the provisions of Article I 2 of the Collective Agreement for a period of 1 year from the date of hire. Individuals employed under these programs shall not accrue union seniority with respect to bumping and/or displacing other Manitoba Hydro employees during the 1 year term.
 2. Any union seniority accrued during employment with Manitoba Hydro for employees in these programs shall be recognized for job selection purposes, however, prior to any appointment to temporary positions without posting during the term, concurrence must be received from the Union.
 3. If employees in these programs have not secured alternate employment during their 1 year term, their employment will be terminated following expiration of their 1 year term.

4. Following the expiration of the program and provided that employees in these programs have not secured permanent employment, they shall be given first consideration for any vacancies for which they are qualified, ahead of external applicants. This consideration shall extend for 12 months beyond the expiry of the program.
 5. The Union will be notified prior to any individuals commencing employment under these programs and any placements following their initial term.
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CUPE 1871 and Saskatchewan Human Rights Commission, SK, 2017–2022

Article 31 — Employment Equity Program

31.01: Both parties agree to develop and implement a comprehensive employment equity program designed to eliminate systemic discrimination and reduce the underrepresentation of designated groups. This plan shall conform with the requirements set out under Section 47 of *The Saskatchewan Human Rights Code*. A joint Union/management committee shall be struck to oversee the implementation of the Employment Equity Program and to monitor the progress of the Employment Equity Program, as per Article 8.02 a). The work of the Committee shall be subject to the following conditions and to Article 8.03 a):

- a) The Committee shall meet at least four (4) times a year, with the first meeting taking place no later than ninety (90) days after the signing of this Agreement.
 - b) Committee members shall attend Committee meetings and carry out Committee work during work hours without loss of pay.
 - c) Any elements of the plan which interfere or alter any of the Articles set out in this Collective Agreement, shall first be submitted to the Employer and the Union membership for ratification before incorporating into the plan, subject to the Commission authorizing any changes to the existing approved plan.
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CUPE 79 and the Toronto Community Housing Corporation, 2020-2024

Article 37 — Employment Equity/Diversity

37.01 The Union recognizes TCHC's Workplace Diversity Policy which supports creating a workforce which is reflective of the City of Toronto's diversity. To better reflect the communities we serve, the parties agree to work in partnership in order to eliminate barriers to recruitment, hiring, promotion and retention and ensuring balanced representation of all groups at all levels of the organization.

The parties will meet no later than one hundred and twenty (120) days following ratification to discuss and engage in the development and implementation of a workforce equity and inclusion plan for TCHC with the shared goal of creating working conditions that are free of barriers, to remedy conditions of disadvantage in employment, and promote the principle that employment equity requires special measures and accommodations where necessary for Indigenous Peoples, Black People, Racialized People, Women, LGBTQ2S+ and Persons with Disabilities.

The parties further agree to discuss youth and persons protected under the Human Rights Code who are seeking equitable treatment in the workplace. Priority items for discussion and development shall include, but not be limited to:

- a) TCHC-wide promotion and retention system;
- b) Increasing the range of opportunities for permanent jobs as it pertains to identified groups;
- c) Ensuring access to employment opportunities for all employees of the TCHC accompanied with achievements and a methodology for measuring and monitoring outcomes and progress;
- d) Ensuring access to workplace accommodations;
- e) Improving training and development opportunities including access for all employees with a particular focus given to the identified groups;
- f) Promotion as opposed to alternate rate;
- g) Recognizing equivalents to academic credentials, and/or workplace experience;
- h) Career Planning and advancement;
- i) Career related leaves and educational opportunities.

CUPE 3903 Unit 3 and York University, Ontario, 2023–2026

5.04 EMPLOYMENT EQUITY COMMITTEE

5.04.1 Employment Equity Committee

- a) The Union and the Employer agree to continue to maintain an Employment Equity Committee, which will consist of three representatives of each party, including a senior designate of the Office of the Vice-President Equity, People and Culture and the CUPE 3903 Staff Representative Equity. The Committee may invite additional participants. A representative of each party shall be designated as joint Chair and the two persons so designated shall alternate in the Chair. Either Chair may call meetings on at least two weeks' notice to the other members of the Committee. Where possible, Equity Groups identified in Article 5.03.3 may be included among the representatives.

- b) The Employment Equity Committee's mandate will include setting goals and timetables for the elimination of discriminatory practices and systemic barriers to equal opportunity. Issues to be addressed will include recruitment of employees, selection procedures, job postings, Employer required and provided training, salaries and benefits, and working conditions (including accommodation for persons with disabilities).
- c) Further to its mandate as set out at Article 5.03.1 (b) above, the Employment Equity Committee in consultation with the parties, will review and make recommendations in respect of the Employment Equity Plan for approval by the Parties. The Employment Equity Plan will address the removal of employment barriers in order to achieve the ultimate goal of fair representation of Equity Groups as defined at 5.03.3(a).
- d) By March 1 each year the Employment Equity Committee shall report to the Labour Management Committee on its activities and provide any recommendations for the consideration of the Labour Management Committee.
- e) Pursuant to its mandate, the Employment Equity Committee will have access to the non-confidential findings of Internal Self-identification Representation Data defined in Article 5.03.3(e) below. The Internal Self-Identification Data will be correlated with employment-related information, including number of positions held, position type, and salaries for purposes of reporting to the Employment Equity Committee.
- f) Pursuant to its mandate, the Employment Equity Committee may have regard to other sources of external data to review representation thresholds, including the General Workforce Population Equity Group Data in Article 5.03.3(d).
- g) Pursuant to its mandate given representation thresholds achieved within the bargaining unit, the Employment Equity Committee may consider whether to recommend to the parties and recommend, as part of its annual review of the Employment Equity Plan, that the parties aim for a higher goal than currently prevails.
- h) Intentionally Deleted Applicable only to Unit 2.
- i) All data handled by the Employment Equity Committee will be in accordance with relevant privacy statutes.
- j) Where issues of interpretation, data or process arise, the parties will review these at the Employment Equity Committee.

CUPE 3338 and Simon Fraser University (Clerical), British Columbia, 2022–2025

7.07 — Employment Equity

The University and the Union are committed to Employment Equity and furthering the progress of the University's Employment Equity program.

The Employment Equity program will not abrogate collective agreement provisions between the University and the Union.

The Union shall have a representative on the University's Employment Equity Advisory Committee.

CUPE 1281 and the Guelph Resource Centre for Gender Empowerment and Diversity (Guelph University), Ontario, 2015–2019

Article 15 — Hiring, Promotions and Staff Changes

15.01 Employment Equity

15.01.1 The Employer and the Union agree on the following and believe:

- a) that we live in a society rooted in oppression,
- b) that structural injustice and unconscious prejudice influence our experiences and the decisions that we make,
- c) that there is no such thing as a “level playing field” with regards to people's experience and job qualifications and methods of evaluating the above,
- d) that any progressively-oriented organization has a need for experience, knowledge, and guidance from oppressed people, especially in the case in which oppressed people are currently underrepresented within the culture of such an organization,
- e) that policies such as employment equity policies exist to address and compensate for the above dynamics and to help the Employer identify the best candidate for a job based on qualifications and considerations which are not always easily represented in a traditional resume or job application.

Therefore, GRCGED encourages members from oppressed communities, such as aboriginal people, immigrants, members of non-dominant ethnic, linguistic, religious and/or cultural groups, people of colour, people with disabilities, people living in poverty, queer people, refugees, single and sole-support parents, transgender, transsexual and gender-queer people and working class people to apply and to identify as an employment equity candidate in their cover letter.

All job postings shall consider the ability to uphold the GRCGED vision and basis of unity as a required qualification as well as the ability to work within an anti-oppressive environment. All candidates who identify under employment equity and who meet the required qualifications for the job shall be shortlisted for an interview.

The GRCGED shall recognize non-formal experience and education as being equally valuable to formal education and work. The GRCGED shall also consider the candidate's ability to address oppression within the GRCGED.

Where two or more candidates are equally or equivalently qualified for a job, priority will be given to a candidate who qualifies under employment equity.

Where no employment equity candidates are considered qualified for the job but two or more candidates are equally or equivalently qualified, priority will be given to the candidate who the hiring committee believes can best uphold the GRCGED vision and basis of unity, work within an anti-oppressive environment, and work with oppressed communities, especially those currently underrepresented at the GRCGED.

15.01.2 The GRCGED shall therefore abide by the Employment Equity Policy outlined in 15.01.1 and shall include it in all job postings.

CUPE 5259 and Community Living Lanark Association, Ontario, 2024–2026

Article 4 — Discrimination, Harassment and Employment Equity

4.01 Community Living Association (Lanark County) is committed to providing a respectful working environment in which all individuals are treated with respect and dignity. All employees have the right to freedom from harassment in any CLA workplace. The harassment of any employee constitutes serious misconduct and will be subject to disciplinary measures.

The Employer and the Union agree that there shall be no discrimination or harassment, interference, restriction, or coercion exercised or practiced with respect to any employee and/or potential employee in the matter of hiring, wage rates, training, upgrading, promotion, transfer, layoff, recall, discipline, discharge or otherwise on the basis of enumerated in the Ontario Human Rights code, as amended from time to time, specifically by reason of age, race, ancestry, creed, colour, national origin, political or religious affiliation, sex or marital status, sexual orientation, family status and number of dependents, mental or physical disability or membership in the Union.

4.02 There shall be no retaliation against anyone who makes a complaint in good faith or cooperates in the investigation of a complaint of harassment. Anyone who files a complaint in bad faith or for vexatious purposes will be subject to disciplinary action.

CUPE 15 and City of Vancouver Parks Board, British Columbia, 2023–2024

Schedule “G”

Employment Equity

- A. The Employer and the Union agree to indicate their support of Employment Equity by agreeing to the following:
- (1) The Employer will provide, subject to budgetary restrictions, training on diversity, equity, inclusion and reconciliation to departments on an as-requested basis.
 - (2) The Union agrees to support Employment Equity programs, including financial support.
 - (3) The Union agrees to support employees learning on diversity, equity, inclusion and reconciliation, including reinforcing key messages when possible.
 - (4) The Employer and the Union agree with such on-going concepts as outreach into Indigenous, immigrant and other communities that may be underrepresented in the workforce.
 - (5) The Employer and the Union agree, as part of a rehabilitative program in conjunction with CUPE Local 1004, to discuss retraining options, alternate employment opportunities, waiving of seniority and posting requirements, and crossing jurisdictional boundaries for employees who are unable to perform their jobs as a result of becoming “persons with disabilities”.

B. Employment Equity Committee

The Employer, CUPE Local 15 and CUPE Local 1004 agree to participate in a committee to review matters related to Employment Equity including, but not limited to, the review of specific job classes which are under-represented by women, gender diverse people, Indigenous and racialized people, and persons with disabilities. Where there is mutual agreement, such under-represented positions may be posted externally and internally at the same time.

CUPE 926 and Wilfrid Laurier University, Ontario, 2024–2027

Article 28 — Employment Equity

Article 28.01

The University and Union agree to remain committed to providing equitable employment opportunity to all individuals and a workplace environment that is free of discrimination as stated in Article 4.03 and to provide equity in employment for those who identify as Indigenous, women, racialized, having disabilities, and persons in a sexual and/or gender minority; herein after referred to as the “equity-deserving groups.”

The University agrees to continue to staff the position of Employment Equity & Accessibility Officer, reporting to the President or designate, to assist the University in fulfilling its commitment as stated in this Article.

The Union will have the right to appoint one (1) representative to the University's Employment Equity Advisory Committee. The Parties agree to work together, through the Committee to:

- a) Advise the President and the Union concerning the realization of the commitment to non-discrimination and equity in employment of members of the equity-deserving groups;
- b) Identify any artificial or systemic barriers in recruitment, employment, and promotion policies and procedures that discriminate against members of the equity-deserving groups;
- c) Identify and recommend measures to increase the representation of members of the equity-deserving groups where such are found to be under-represented;
- d) Receive and review reports on matters pertaining to equity issues at the University and the reports of the Employment Equity and Accessibility Officer;
- e) Review on an on-going basis, employment equity plans at other universities in Canada;
- f) Provide copies of all Committee reports and recommendations to the Union.

The Union appointees will be provided with the following:

- a) Time off with no loss of compensation and benefits to attend all meetings of the Committee, subcommittees, or working groups formed by the Committee; if additional time is warranted and recommended by the Employment Equity & Accessibility Officer, it will be granted subject to the approval of the Chief Human Resources and Equity Officer.
- b) Support of the Employment Equity & Accessibility Officer in the discharge of their responsibility.

Annually the University will provide the Union with the employment equity report.

CUPE 3876 and Annapolis Valley Regional Centre for Education, Nova Scotia, 2024–2026

Letter of Understanding

Re: Employment Equity

The participating Education Entities and the participating Locals of the Nova Scotia School Board Council of Unions recognize the diverse communities served by the participating

Education Entities. The composition of the workforce should reflect the diversity of these communities. To that end, the parties agree as follows:

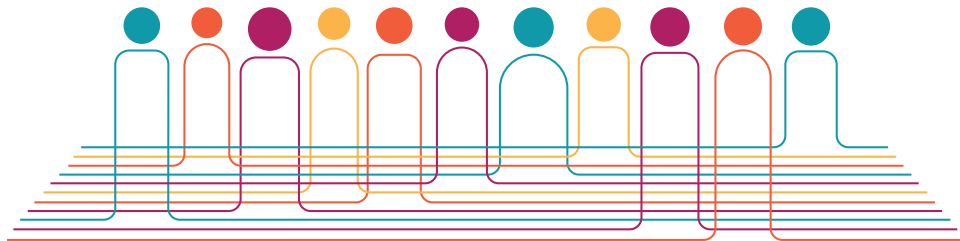
- a) The Education Entities will develop an Employment Equity Program which ensures that employment barriers and systematic discriminatory practices are identified, and strategies developed and implemented to achieve a fair and reasonable representation of diverse applicants. The Education Entities will consult with its CUPE representatives in the development of this Employment Equity Program.
- b) Diverse applicants, for the purpose of this Letter of Understanding, is defined to include African Nova Scotians or persons of African descent, members of other racially visible groups, Mi'kmaq/indigenous peoples, persons with disabilities, women in non-traditional roles, and persons belonging to sexual orientation, gender expression and/or gender identity minority groups.

The Parties agree:

- 1) Timelines and goals will be developed for the implementation of the Program.
- 2) An education and training program will be developed for implementation of the Program and to foster advancement of all interested employees.

The typical stages in the implementation of an Employment Equity Program will include:

- 1) Agreement of the Employer and Bargaining Unit to conduct a self-identification survey.
- 2) The Employer will be responsible for the maintenance of the self-identification data.
- 3) Reporting of the statistical results of the self-identification survey.
- 4) Analysis of the results of the self-identification survey to compare the number of identified people in the bargaining unit with the identified peoples within the boundaries of the applicable RCE or CSAP.
- 5) Development of goals and timelines to eliminate the discrepancies in representation of identified peoples between the bargaining unit and the general population.
- 6) Joint education and training for all employees with respect to the implementation of the Employment Equity Program.
- 7) Training and development to foster advancement of all interested employees within the bargaining unit.
- 8) Recruitment of identified peoples.
- 9) Skills, qualifications, experience as selection criteria for vacant positions.
- 10) An annual review of the progress towards development of representative population within the bargaining unit.



CUPE