

Table of Contents

1.0	Introduction	3
1.1	Overview	3
1.2	Compliance	3
1.3	Objective	3
1.4	Scope	3
1.5	Definitions	3
2.0	Key Responsibilities	6
2.1	The Director of Human Resources	6
2.2	APA Managers and Supervisors	7
2.3	All APA Employees	7
3.0	Policy Requirements	8
3.1	Hiring Practices, Staffing and Selection	8
3.2	Monitoring and Metrics.....	8

1.0 Introduction

1.1 Overview

1.1.1 In support of initiatives to build a diverse public service, the Atlantic Pilotage Authority (APA) is committed to developing an inclusive, barrier-free work environment in which all persons have equal access to opportunities within our organization as a federal Crown Corporation. This includes, but is not limited to, ensuring all recruitment, selection, and appointments are based on merit, all terms and conditions of employment, including training, career development and performance management, are equitable, and overall ensuring that all employees feel included and valued.

1.1.2 Under the guiding principles of Treasury Board, the Public Service Commission Diversity, and Employment and Social Development Canada programs, the APA will support our commitment to ensuring a diverse, inclusive and equitable workplace through employee education, communication initiatives and annual monitoring and measuring of the effectiveness of this policy.

1.2 Compliance

1.2.1 This policy will be consistent with Canadian Federal legal principles with respect to the Canadian Charter of Rights and Freedoms, Canadian Human Rights Act, Employment Equity Act, the Canadian Labour Code, Employment and Social Development Canada labour programs, the Canadian Multiculturalism Act, and as an authority under the guidance of the Treasury Board, the APA will share employer responsibilities to the extent of their authority under the Financial Administration Act and the Public Service Employment Act.

1.2.2 The Workplace Equity Division of the Canada Labour Program within Employment and Social Development Canada has deemed the APA as exempt from the Employment Equity due to having less than 100 permanent full-time or permanent part-time employees. This being said, the APA will uphold the spirit of Employment Equity Program as outlined in this policy.

1.3 Objective

1.3.1 The objective is to ensure the equitable and full participation of all persons in the APA whether as candidates for employment opportunities or as APA employees, specifically aimed to develop and maintain an inclusive, barrier-free work environment, regardless of position.

1.4 Scope

1.4.1 This policy will apply to:

- Accommodation, equity, and inclusion within the workplace for all APA employees, regardless of position;
- Accommodation, equity, and inclusion during recruitment, selection and appointment processes which the APA has authority to appoint;
- Accommodation, equity, and inclusion for the terms and conditions of the employment agreement and further during the lifecycle of employment, including career development, training, transfer and termination/retirement.

1.5 Definitions

Term	Definition
Accommodation/accommodate	Refers to the design and adaptation of the work environment to the needs of as many types of persons as possible and, according to the Supreme Court of Canada, refers to what is required in the circumstances of each case to avoid discrimination. Several examples of accommodation are listed in the guidelines attached to this policy.
Adaptive technology	Consists of work-related devices or equipment that allow employees with disabilities to participate as fully as possible in the workplace and include items such as magnification software and hardware, voice recognition software and augmentative communication devices.
Attendant services	Refers to the provision of services to persons with disabilities who require assistance with the duties of their position, as well as assistance with activities of everyday living during the employees' hours of work.
Barriers (obstacles)	Are physical barriers as well as formal or informal policies and practices that restrict or exclude persons in the designated groups from employment opportunities in the federal Public Service.
Bona fide occupational requirements	According to the Supreme Court of Canada, are those requirements that: the employer has adopted for a purpose or goal that is rationally connected to the functions of the position, the employer has adopted in good faith, in the belief that they are necessary to fulfil the purpose or goal and are reasonably necessary to accomplish the purpose or goal in the sense that the employer cannot accommodate persons with the characteristics of a particular group without incurring undue hardship.
Candidates	Includes applicants from outside the federal Public Service, as well as existing employees who are participating in a staffing process.
Duty to accommodate	Canadian law prohibits discrimination based on any of the eleven grounds identified in section 2 of the <i>Canadian Human Rights Act</i> (CHRA) and employers have a duty to accommodate employees to avoid such discrimination. Employers must accommodate employees who fall into the groups protected by the CHRA up to the point of undue hardship, taking into account health, safety and cost.
Employees	Includes full-time, part-time, casual, seasonal, term and indeterminate employees.
Equitable working environment	Encourages the establishment of working conditions that are free of barriers, corrects the conditions of disadvantage in employment and promotes the principle that employment equity requires special measures and the accommodation of differences for the four designated groups in Canada. The Employment Equity Act identifies and defines the designated groups as: <ul style="list-style-type: none"> • Women • Aboriginal peoples – people who are Indian, Inuit or Métis • Persons with disabilities – people with a long-term or recurring physical, mental, sensory, psychiatric or learning impairment who consider themselves to be disadvantaged in employment by reason of that impairment or who believe that an employer or potential employer is likely to consider them to be disadvantaged in employment by reason of that impairment. • Individuals with functional limitations due to their impairment that have been accommodated in their current job or workplace; and members of visible minorities – people, other than Aboriginal peoples, who are non-Caucasian in race or non-white in color.

Term	Definition
Employment and employment-related opportunities	Includes appointments, promotions, deployments, secondments, assignments, training and career development opportunities.
Inclusion	Means creating a working culture where differences are respected and valued and everyone has the opportunity to develop within an equitable environment.
Persons with disabilities	As defined by the Employment Equity Act, are persons who have a long-term or recurring physical, mental, sensory, psychiatric or learning impairment and who: <ul style="list-style-type: none"> • Consider themselves disadvantaged in employment by reason of that impairment or • Believe that an employer or potential employer likely would consider them disadvantaged in employment because of that impairment. These would include persons whose functional limitations owing to their impairment have been accommodated in their current job or workplace. For the purpose of this policy, persons with disabilities do not have to fall strictly within this definition.
Staffing and selection processes	Include open, closed or without competition staffing actions that result in a permanent or temporary appointment or deployment. Staffing and selection processes encompass all related activities such as establishing qualifications, advertising, assessment, giving notice that an appointment or deployment has been made, recourse and disclosure, as well as any related communications with candidates.
Work-related initiatives/events	Includes meetings, training programs, conferences, retreats, seminars, social events and information sessions, whether conducted inside or outside the workplace.

1.5.1 This policy will quote applicable terms as established and defined by the Treasury Board and the Public Service Commission Diversity, and Employment and Social Development Canada ¹

¹ Definitions per the collaboration of Treasury Board Secretariat, Public Service Commission of Canada and Employment and Social Development Canada <https://www.canada.ca/en/treasury-board-secretariat/topics/values-ethics/diversity-equity.html>

2.0 Key Responsibilities

2.1 The Director of Human Resources

2.1.1 The Director of HR is responsible to:

- Inform all APA managers or supervisors of this policy and provide interpretation and guidance with respect to the requirements for employment equity, diversity, inclusion and duty to accommodate.
- Provide all APA employees with educational materials including a copy of this policy.
- Consult with and support all APA managers, supervisors and working groups to remove general barriers and ensure consistent application for general accommodation measures that are in place.
- Be responsible for all maintaining and reporting on this policy, including the documentation of amendments, revisions and changes.
- Respect individuals' right to privacy and confidentiality when consulting with APA managers and supervisors while establishing a program as required for accommodation.
- Inform all APA employees of this policy and provide interpretation and guidance.
- Report annually to APA management on the KPI's and undertake a comprehensive review of this policy within five years of its coming into effect.
- In conjunction with direct manager or supervisor, consult employees with disabilities or need for accommodation by:
 - Consulting with the employee to identify the nature of the accommodation;
 - If necessary, consulting appropriate medical and rehabilitation advisors and others, with the employee's consent, to determine the accommodation appropriate to that person and
 - Accommodating the employee with learning disabilities, with respect to:
 - any design, changes or upgrades to physical structures, new or existing systems or equipment so that the workplace is accessible to employees with disabilities, and
 - the planning and design of work-related events and conferences so that all events and opportunities are accessible to employees with disabilities.
 - In conjunction with direct manager or supervisor, provide training to employees with disabilities on the use of any new or upgraded equipment or systems;
 - Ensure that employees with disabilities are provided with information in a timely fashion and a usable format;
 - Consult and collaborate with bargaining agents where accommodation affects other employees or where the employee being accommodated requests that the bargaining agents or other employee representatives be consulted;
 - Provide and pay for technical aids, equipment and services for employees with disabilities as well as repairs to such aids and equipment;
 - Allow employees with disabilities to retain technical aids, equipment and support materials should they move to another position within the federal Public Service and accommodation is still required.

2.2 APA Managers and Supervisors

- Implement this policy within their working group;
- Maintain an inclusive, barrier-free work environment that is accessible;
- Assist direct report employees with understanding this policy and the procedure for obtaining accommodation;
- Ensure that all direct reports within their working group abide by this policy;
- Consult with human resource manager to source and make available the necessary resources for implementing and maintaining this policy;
- Actively assess all systems to identify any barriers to employees with disabilities, and work with APA management team to remove those barriers;
- Accommodate individual employees with disabilities up to the point of undue hardship when barriers cannot be removed;
- Consult with the human resource manager on individualized accommodation programs.

2.3 All APA Employees

- It is the responsibility of each employee of the Authority, regardless of position, to apply this policy and its guiding principles on an ongoing basis. Each employee is therefore accountable for upholding the integrity of this policy by treating all fellow employees, regardless of position, with the utmost dignity and respect, in a fair and inclusive manner to ensure a barrier-free safe workplace for all;
- APA employees must also take an active role in communicating their own needs for accommodation. This also includes:
 - informing their direct manager or supervisor of their employment-related needs;
 - collaborating with their direct manager or supervisor or the human resource manager in finding the most appropriate means to accommodate their employment-related needs; and
 - notifying their direct manager, supervisor or the human resources manager in the case that accommodation tools such as technical aids or equipment are no longer needed, and return the equipment.

3.0 Policy Requirements

3.1 Hiring Practices, Staffing and Selection

3.1.1 The APA management and/or supervisors involved in any aspect of the full-cycle staffing process will and/or its delegates will²:

- Ensure that criteria standards used for selection assessment are pre-established and applied equitably against all applications. The criteria must not discriminate on any prohibited ground of discrimination, including disability, unless the requirement is a bona fide occupational requirement;
- Ensure that all employment opportunities are advertised in an accessible format, including both official languages and in accessible forums such as APA website, free-to-user online career sites which can be accessed from public computers;
- Ensure that assessment methods or tools used in the staffing process, including tests and interviews, accurately assess the qualifications required, do not constitute barriers and assess candidates fairly;
- Inform all candidates at the time of application that accommodation during the staffing process can be made to the point of undue hardship;
- Inform all candidates, in a timely fashion, of the type or nature of tests or other evaluation methods that will be used in the selection process to allow the candidates to make an informed request for appropriate accommodation and if necessary, consult appropriate health care professionals and others, with the candidate's consent, to determine the accommodation appropriate to that person;
- Respect candidates' right to privacy and confidentiality; and
- Accommodate individual candidates with disabilities up to the point of undue hardship;
- Inform the candidates in a selection process that they must inform the APA human resource manager of any accommodation required in a timely fashion so that appropriate accommodation can be arranged.

3.2 Monitoring and Metrics

² Policy requirements are adapted to the use of the APA from Diversity and Employment Equity program
<https://www.canada.ca/en/treasury-board-secretariat/topics/values-ethics/diversity-equity.html>

- 3.2.1 The APA will annually review and evaluate the implementation, application and effectiveness of this policy. The APA will actively consult this policy and evaluate its application and effectiveness throughout the year with all full-cycle staffing and selection initiatives.
- 3.2.2 The Director of Human Resources will be responsible for providing a report on policy evaluation annually to the APA management team and for the senior executive to present to the Board of Directors. The Director of Human Resources will advise of any significant issues arising from the implementation or application of this policy with haste to APA management as required.
- 3.2.3 Per the guiding principles of the Treasury Board, the Public Service Commission Diversity and Employment and Social Development Canada programs, this policy is to be continuously monitor and measure this policy annually as outlined in Table 1.
- 3.2.4 Important note: The APA has been granted an exemption from Employment Equity Program due to having less than 100 permanent full-time or permanent part-time employees. Due to the size of the organization, statistical percentage quotas or targets to measure the success of employment equity and diversity internal programs would not be fair or a realistic representation to be applied within the APA populations.

	Employment Equity	Diversity &Inclusion
Targets	<ul style="list-style-type: none"> 1) Ensure equal opportunity in all staffing and selection campaigns. 2) Ensure a barrier-free work environment and provide equal opportunity at all levels of the organization 	<ul style="list-style-type: none"> 1) Identifying and removing barriers to employment, career development of persons with disabilities unless doing so would result in undue hardship 2) Continuously improve on the diversity and inclusive metric through a) active participation in Multiculturalism Champions Network (MCN) and b) internally measured in the annual APA employee survey.
Guiding Principle	<ul style="list-style-type: none"> 1) Utilize established staffing principles as outlined in this policy and equitable evaluation metrics to ensure screening of candidates is fair and consistently applied. 2) Ensure working conditions that are free of barriers, corrects the conditions of disadvantage in employment and promotes the principle that employment equity requires special measures and the accommodation of differences. Advertise and communicate all internal employment opportunities within the organizational to all APA employees. Utilize performance assessments as an opportunity to communicate career development and training opportunities. 	<ul style="list-style-type: none"> 1)Ensure the design of all employment systems, workplace standards, processes and APA facilitates are accessible to persons with disabilities. 2) a) Communicate and distribute educational initiatives to all employees as provided by the Multicultural Champions Network b) There will be no statistically significant changes or differences year-over-year in the diversity and inclusion indicator questions.

Metric	<ol style="list-style-type: none"> 1) Consistently documenting candidate application data against the pre-established qualifying requirements 2) <ol style="list-style-type: none"> a) Documenting internal communication of employment opportunities and the employment groups in which it was communicated to. b) Ensure performance assessments are conducted in an acceptable timeframe from the previous assessments expiry date. 	<ol style="list-style-type: none"> 1) Accommodation evaluation will be based on the circumstances of each case and must respect an individual's right to privacy and confidentiality. 2) <ol style="list-style-type: none"> a) Document participation in all national MCN meetings and actively distribute MCN communication campaigns to all employees, noting the distribution date and receiving audience. b) Each of the questions marked as diversity and inclusion metrics are measured annually and do not fall below (statistically significant downward shift) the baseline metric of the previous year. Additionally, the current year response should not fall below an "Agree" level. If the metric is not met an Action Plan is to be developed, outlining initiatives for the next operational year which will support diversity and inclusion.
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3.2.5 Diversity and Inclusion Survey Metrics: Utilizing our annual employee survey, we measure diversity and inclusion through the following question(s):

- I have opportunities to provide input into decision that affect my work.
- I am treated with respect and in a professional manner.

3.2.6 Commencing with the 2017 employee survey, the following questions will be added to this metric to evaluate inclusion:

- My organization has a working environment in which different views and perspectives are valued.
- My organization has a working environment that is free from harassment and discrimination.
- Leaders within the organization make decisions concerning employees and their employment which are fair.

3.2.7 Policy Date April 14th, 2017 Revoked and Replaced on February 25th, 2018.

Table 1: KPI's