

3.1 Affirmative Action Policy

Policy Statement

The Government of Nova Scotia is committed to providing a workplace that is free of discrimination and promotes equality of opportunity for all persons accessing employment positions within the Government of Nova Scotia.

Definitions

ABORIGINAL PEOPLES

Persons who identify themselves as status Indian, non-status Indian, Inuit, or Métis.

RACIALLY VISIBLE PERSONS

Persons other than Aboriginal peoples who identify themselves as being non-caucasian in race or non-white in colour.

DESIGNATED GROUPS

Aboriginal peoples, racially visible persons, persons with disabilities, and women.

PERSONS WITH DISABILITIES

Persons who, for the purposes of employment, identify themselves or believe that an employer or potential employer is likely to consider them to be disadvantaged due to a long-term or recurring physical, mental, sensory, psychiatric, or learning impairment.

Policy Objectives

This policy is designed to:

- promote equality in the workplace
- assist with the identification and removal of systemic barriers to employment and the advancement of members of the designated groups
- achieve a workforce where the designated groups are equitably represented and distributed.

Application

This policy applies to all civil servants whose terms and conditions of employment are set out in accordance with the *Civil Service Act* and regulations and bargaining unit staff who are employed by the Government of Nova Scotia as identified in the collective agreements between the Nova Scotia Public Service Commission and the Nova Scotia Government Employees Union insofar as the provisions do not conflict with existing collective agreements.

Policy Directives

WORKFORCE SURVEY

A workforce survey form will be provided to new employees upon appointment. The Public Service Commission will maintain the survey results as confidential information.

WORKFORCE PROFILE

The information obtained through the workforce survey will be used to develop a workforce profile of the designated groups.

EMPLOYMENT SYSTEMS REVIEW

Each department, agency, board, and commission will conduct an employment systems review to identify and remove barriers to employment, retention, and advancement for members of the designated groups.

AFFIRMATIVE ACTION PLAN

Each department, agency, board, and commission will develop a three-year affirmative action plan, using information provided in the workforce profile and the results of the employment systems review, that will identify goals and implementation measures designed to improve the representation of the designated groups. These plans will be developed each year for the upcoming three-year period. The plan will be developed in accordance with guidelines established by the Public Service Commission and will include quantitative and qualitative goals and a reasonable timetable for achieving these goals.

AFFIRMATIVE ACTION PROGRESS REPORT

Each department, agency, board, and commission will submit an annual progress report to the Public Service Commissioner regarding the affirmative action plan. This report will be developed in accordance with guidelines established by the Public Service Commission.

COMMUNICATION AND EDUCATION

Each department, agency, board, and commission will provide timely communication and education to departmental employees, as required, to support the goals of affirmative action.

Policy Guidelines

Guidelines will be developed, as required, to assist departments, agencies, boards, and commissions with implementation and administration of the Affirmative Action Policy.

Accountability

PUBLIC SERVICE COMMISSION

Minister responsible for the Public Service Commission

The Minister for the Public Service Commission is accountable to:

- keep the Executive Council advised of Affirmative Action Policy and programs
- table affirmative action progress for the previous fiscal year annually in the Legislature.

Public Service Commissioner

The Public Service Commission is accountable, through the Public Service Commissioner, to:

- enter employee information provided in the workforce survey into the Human Resources Management System
- provide corporate agency reports to departments
- maintain and analyse corporate data on the representation of the designated groups in the civil service
- provide guidance to departments concerning the implementation and administration of the affirmative action policy
- develop and update, as required, hiring policies, procedures, and practices to ensure fair and equitable access to employment and promotion for members of the designated groups
- prepare an annual corporate report on the progress of affirmative action
- consult with the Affirmative Action Joint Committee as deemed appropriate by the Public Service Commissioner on matters pertaining to affirmative action.

The joint committee will include representatives of the Public Service Commission and employees of the bargaining units to whom this policy applies.

- appoint a Corporate Review Committee consisting of representatives of the Public Service Commission and employees of the bargaining units to whom this policy applies with a mandate to review departmental action plans, monitor results, and make recommendations for changes and additions to the appropriate departmental Deputy Ministers
- monitor the Affirmative Action Policy and make any changes to the policy as deemed necessary by the Public Service Commission.

DEPARTMENTS, AGENCIES, BOARDS, AND COMMISSIONS

Deputy Ministers

The Deputy Minister of each department, agency, board, and commission is accountable to:

- establish an environment that is supportive of affirmative action
- maintain and analyse affirmative action data on the representation of the designated groups within their organization
- analyse employment systems to identify and remove barriers to employment, retention, and advancement for members of the designated groups
- develop, annually, a three-year action plan in accordance with the guidelines established by the Public Service Commission
- submit a three-year action plan, annually, to the Public Service Commissioner
- ensure that the action plan is implemented and monitor the results of this plan
- annually submit an affirmative action progress report on the affirmative action plan to the Public Service Commissioner.

CORPORATE SERVICES UNITS, HUMAN RESOURCES DIVISIONS

The Directors of Human Resources in the Corporate Services Units, Human Resources Divisions, are required to:

- ensure that all employees are provided with a workforce survey questionnaire
- ensure that employees complete the workforce survey
- return the completed workforce survey questionnaire in a sealed envelope to the Public Service Commission
- ensure that employee information relating to gender is recorded accurately on the Human Resources Management System.

Employees

Employees are required to:

- return the completed workforce survey questionnaire to their Human Resources Division
- support department efforts to improve the representation of designated groups in the workplace.

Monitoring

Departments, agencies, boards, and commissions are responsible for complying with the terms of this policy. The Public Service Commission may periodically conduct audits of departmental affirmative action practices to ascertain compliance with this policy.

References

Canadian Charter of Rights and Freedoms

Nova Scotia *Human Rights Act*

Nova Scotia *Civil Service Act* and regulations

Agreement between the Nova Scotia Department of Human Resources and the Human Rights Commission Re: Affirmative Action Plan, August 20, 1997

Collective agreements between the Department of Human Resources and the Nova Scotia Government Employees Union

Government of Nova Scotia Fair Hiring Policy

Government of Nova Scotia Interpreter Services Policy for Deaf and Hard-of hearing Nova Scotians

Enquiries

General Enquiries, Public Service Commission (902) 424-7660

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Most recent review:

