APPENDIX A

POLICY SECTION: **HUMAN RESOURCES**

SUB-SECTION: **MISCELLANEOUS**

POLICY NAME: **FAIR PRACTICE IN HIRING AND PROMOTION**

POLICY NO: **H.M. 40**

Date Approved: September 26, 2013- Board	**Date of Review:** **April 2021 / May 2023**	**Dates of Amendment:** **May 17, 2018**

Cross Reference:
Ontario Human Rights Code, 24 (1) (a)
Ontario Regulation 298 – Operation of Schools - General
PPM 165 Teacher Hiring Practices
Accessibility for Ontarians with Disabilities Act, 2005
PPM 119 Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools
Municipal Conflict of Interest Act
TCDSB By-law # 175
Catholic Equity and Inclusive Education Policy H.M. 24
Employment Equity Policy H.M. 11

Appendices:

Appendix A: Fair Practice in Hiring and Promotion: Operational Procedures - Recruitment, Selection and Conflict of Interest

Purpose:

This Policy affirms the Toronto Catholic District School Board's (TCDSB) commitment to preparing students of all cultural backgrounds and social identities, for success. The Board, consistent with its denominational rights, is committed to recruiting and retaining a qualified, diverse workforce that reflects the communities it serves, in a fair, consistent, and transparent manner.

POLICY SECTION: **HUMAN RESOURCES**

SUB-SECTION: **MISCELLANEOUS**

POLICY NAME: **FAIR PRACTICE IN HIRING AND PROMOTION**

POLICY NO: **H.M. 40**

Scope and Responsibility:

The policy extends to the hiring process for all positions for employment and promotions at the Toronto Catholic District School Board. The Director of Education and the Executive Superintendent of Human Resources and Employee Relations are responsible for this policy.

Alignment with MYSP:

Living Our Catholic Values
Inspiring and Motivating Employees
Enhancing Public Confidence
Fostering Student Achievement and Well Being

Policy:

The Toronto Catholic District School Board is committed to recruiting and retaining a qualified, diverse workforce and promoting the most qualified individuals in a manner that reflects the communities it serves, supportive of both its Multi Year Strategic and Equity Action Plans. All recruitment, retention and promotion activities will be subject to the Board's denominational rights and conducted in accordance with legislation such the Accessibility for Ontarians with Disabilities Act, the Ontario Human Rights Code, and relevant collective agreements where applicable. Hiring and promotion practices at the TCDSB will be fair, transparent, and free from bias, discrimination, conflicts of interest, nepotism and cronyism.

Regulations:

A. Recruitment

1. The recruitment and selection criteria at the TCDSB will be based on qualifications that reflect the requirements of the position, demonstrated

experience, suitability for the role as well as a commitment to creating an inclusive, equitable, accessible, and safe learning and Catholic work environment for students and staff. The ability to execute school, Board and Ministry priorities as well as an applicant's related, lived experiences and background, will also inform the qualifications and selection criteria.

2. The Board will promote diversity, inclusion, equity, and human rights in pursuit of a qualified and diverse workforce that reflects the communities it serves. It will proactively engage in anti-discriminatory hiring and promotion practices as well as identify and eliminate barriers to employment for candidates from under-represented communities.

3. Operationally, the Board will adopt Human Resources best practices and programs including encouraging qualified applicants from under-represented communities, such as the Black community and other communities of colour, to self-identify in order to proactively recruit and hire a diverse workforce. This will include active recruitment of qualified and certified Catholic teachers and other occupational groups from qualified candidates who are visible minorities, Indigenous, women and persons with disabilities as well as other groups protected under the Ontario Human Rights Code where applicable.

4. The Board will engage in a hiring and promotion process that is fair, transparent, and free from preferential treatment based on personal relationships. Any applicant for employment or promotion at the TCDSB will not be advantaged because of a relationship with an immediate family member or relative employed at the TCDSB.

5. The TCDSB will collect employee demographic data by way of a workforce census to provide a foundation to assess whether there is diversity in the

candidates who are applying for positions, and to identify if there are any barriers to hiring a diverse, qualified workforce.

6. Prior to employment in positions involving the instruction of students at the TCDSB, each applicant must provide a favourable pastoral letter of reference confirming the applicant's commitment to the Catholic faith. For all other positions within the school board, an applicant will be required to commit to supporting the Board's vision, mission and values with respect to Catholic education.

B. Selection

7. Applicants, at the time of the submission of their application, will have the opportunity to request accommodations for the purposes of recruitment and selection in accordance with the Accessibility for Ontarians with Disabilities Act and the Human Rights Code. Accommodations, as required, will be provided for the selection process.

8. Any TCDSB Trustee, employee, or consultant engaged in the hiring process, shall discharge their recruitment and selection responsibilities in a manner free from bias and perceived or actual conflicts of interest. All members of the selection panel must complete a conflict of interest disclosure to avoid nepotism or cronyism.

9. Whenever possible, the Board will promote demographically diverse interview panels that draw on the different experiences, skill sets, and educational and professional backgrounds of employees at the TCDSB. Interview panels will consist of at least two members.

10. The assessment process will utilize multiple sources of data including from structured interviews and reference checks. Evaluation criteria and assessment tools will be developed to minimize and eliminate selection bias.

11. Unsuccessful internal candidates will be afforded the opportunity for constructive interview feedback upon request no later than three weeks after being notified of the selection results.

12. A TCDSB Trustee, or employee in a position of leadership, will not directly or indirectly influence the hiring or promotion process through unsolicited promotion and recommendations of candidates including forwarding resumes or the names of applicants to the Recruitment division.

13. All TCDSB personnel shall be required to be separate school supporters if eligible by law to be separate school supporters.

C. Teacher Hiring

14. The Board will facilitate employment mobility by providing equal opportunities for all members of the Ontario College of Teachers to apply for any available position from daily occasional, long-term occasional and permanent, for which they hold the required qualifications, subject to the appropriate collective agreement.

15. Teachers must successfully complete the New Teacher Induction Program (NTIP) and the Additional Qualification course Religious Education-Part 1 before becoming eligible to gain permanent status.

16. Placement of teachers through the transfer process shall be fair, transparent and respectful of collective agreements and/or terms and conditions of employment contracts.

17. The Board, subject to its management rights, will disclose information to bargaining units pertaining to their members as appropriate in a manner that is consistent with the applicable collective agreement.

18. An annual employment system review will be conducted to review all teacher hires during a school year to identify any barriers for potential candidates, and to ensure that a qualified and diverse teacher workforce has been employed.

Definitions:

Bias

In this context, bias is defined as prejudice, unrelated to the requirements of the position in question, in favour or against a person or a group compared to another, that is done in a manner considered to be unfair.

Conflict of Interest

A conflict of interest is defined as an apparent or actual conflict where a trustee's or an employee's financial or personal interests appear to conflict or actually conflict with their duty to impartially and objectively discharge their responsibilities to the Board. In the context of this policy, influencing the outcome of a hiring and or promotion decision of a person with whom one has a personal relationship is a conflict of interest.

Cronyism

The act of showing partiality to friends or close colleagues, especially in the application, hiring, placement and promotion stages of employment, without regard to qualifications or ability. In the context of this policy, cronyism can occur when an individual within the organization influences the decision to hire or promote a friend or colleague.

Employment System Review (ESR)

An examination of employment data to determine whether approaches to hiring and promotion create barriers for potential candidates, in particular those from communities of colour and other under-represented communities or otherwise unfairly impact their chances to succeed. The goal of the ESR is to identify and make recommendations to address the gaps and barriers, including workplace culture and attitudinal barriers, to a diverse and inclusive workforce and work environment.

Nepotism

The act of showing favouritism or providing preferential treatment to a family member or close relatives, especially in the application, hiring and placement stages of employment. In the context of this policy, nepotism can occur when an individual within the organization influences the decision to hire or promote a close family member or supervises that subordinate family member.

Relationship

In the context of this policy, this is defined as any relationship of an employee, trustee or representative of the Board to persons of his or her immediate family whether related by blood, adoption, marriage, or common-law relationship, and any relationship of an intimate and/or financial nature during the preceding five years,

any student-supervisor relationship, or any other past or present relationship that may give rise to a reasonable apprehension of bias.

Evaluation and Metrics:

1. The Human Resources department will conduct an Employment System Review annually to identify and take constructive action, including the creation of proactive recruitment and talent acquisition programs, to address the gaps and barriers, including workplace culture and attitudinal barriers, to a diverse and inclusive workforce and work environment.