

Fair Practice in Hiring and Promotion Policy

APPENDIX A

OPERATIONAL PROCEDURES: RECRUITMENT, SELECTION AND CONFLICT OF INTEREST

1. PURPOSE

The purpose of this procedure is to identify the recruitment and selection process for employing all staff, including teachers, at the Toronto Catholic District School Board (TCDSB).

2. SCOPE

This procedure applies to all applicants to any position within the TCDSB, including teaching positions as well as recruitment and selection processes conducted by Executive Search firms on the Board's behalf.

A. RECRUITMENT PROCEDURES

1. A potential candidate for a position will not be involved in the recruitment process for that job. This includes acting as the contact person for potential candidates, drafting advertisements or conducting reference checks.
2. Any applicant wishing to work for the TCDSB must submit an application of employment through the established channels. In general, this means through the "Apply to Education" website or in response to a job posting advertised either internally throughout the system or externally in various media.
3. Executive Search firms retained by the Board to conduct recruitment and selection processes on the Board's behalf, for any position within the TCDSB, are subject to this Policy and Operational Procedures.
4. Executive Search firms retained by the Board are required to pay particular attention to aspects of the recruitment and selection process including advertising to attract a diverse pool of candidates, accommodations for the purposes of recruitment, representation on interview panels, diversity of the applicant pool selected for interviews, bias-free assessment processes and conflicts of interests.
5. Applicants from under-represented communities such as the Black community and other communities of colour, Indigenous peoples, women, persons with disabilities as well as other persons protected under the Ontario Human Rights Code, will be encouraged to self-identify at the time of the submission of their applications where applicable.

6. Requests for accommodations for the purpose of recruitment must be made in writing at the time that an application is submitted as per the posting. Supporting documentation, such as a functional limitations assessment produced by an appropriate medical and or professional practitioner, will be requested as appropriate by the Recruitment division of the Human Resources department.
7. All job postings must be authorized by the Executive Superintendent, Human Resources and Employee Relations or his/her delegate.
8. Complete and accurate records of selection decision-making processes will be maintained.
9. Personal information and supporting documents submitted with applications will be used in accordance with the Municipal Freedom of Information and Protection of Privacy Act.
10. No persons shall influence the hiring process through unsolicited promotion and/or unauthorized recommendations of candidates.
11. Any person participating in the hiring process must do so in a manner free from bias and conflicts of interest. Any person with a perceived or real conflict of interest must inform the Sr. Manager of Recruitment (or delegate) and remove themselves from the hiring process.
12. Recruitment and selection procedures shall be established for teaching positions in accordance with Human Resources and recruitment industry best practices, collective agreement(s) where applicable, the Accessibility for Ontarians with disabilities Act, the Ontario Human Rights Code, Employment Standards Act and Board policies.
13. The filling of long-term occasional and permanent teaching positions shall be consistent with collective agreement and legislative requirements.

B. SELECTION PROCEDURES

1. Selection will be based on merit, which is determined through an objective assessment of an applicant's qualifications, demonstrated experience and personal suitability for the role including a commitment to creating an inclusive, equitable, accessible and safe work environment, relevant to the requirements for the position. Additional job-related factors that support the creation of the best possible program for students and the ability to hire a diverse staff and teacher workforce that is reflective of the communities TCDSB serves will also be taken into account.

2. Postings or job advertisements will be developed by the Recruitment division in consultation with the relevant administrators and hiring managers.
3. Position profiles or job descriptions will be developed by the Compensation and Benefits division of the Human Resources department in consultation with the Recruitment division and the relevant administrators and hiring managers.
4. Selection criteria and assessment tools will be reviewed and approved by the Sr. Manager of Recruitment or assigned Recruitment staff before recruitment action is taken in order to ensure that they adequately reflect the requirements of the position, attract the widest and most diverse pool of applicants while ensuring consistency with the Board's policies.
5. Applicants will be screened for interviews by the Recruitment division based on the criteria outlined in the posting, in consultation with the hiring manager or administrator. No applicant will be interviewed unless approved and deemed qualified by the Recruitment division.
6. All interviews must be conducted by a panel with a minimum of two members. Where possible, the same interview team must interview all candidates for a given position and the same initial templated-questions must be asked of all candidates. Selection decisions will be based on the panel's overall assessment results as well as reference checks and other appropriate sources of data as appropriate, as determined by the Recruitment division.
7. 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.
8. Where possible, a percentage of qualified applicants selected for interviews, as determined by the Recruitment division in consultation with the hiring manager or administrator, must be from the Black community and other under-represented communities including visible minorities, Indigenous peoples and persons with disabilities and women as well as other persons protected under the Ontario Human Rights Code where applicable.
9. Applicants will be asked similar core questions in the interview based on the requirements for the position. Supplementary or follow-up questions may be asked to clarify issues or to obtain further information deemed by the selection committee to be relevant to identifying the best applicant.

10. No persons related by blood or marriage or where the appearance of a conflict of interest exists may be placed in a position of interviewing one-another. Individuals who find themselves in this situation must declare a conflict and remove themselves from the interview and or selection process. In addition, no person shall be in a position that requires them to interview, assess or hire a relative (by blood or marriage) for any position including one within the scope of their responsibility where the position in question involves a direct reporting relationship (between the individual and the candidate/relative).
11. All teaching staff shall be practising Catholics unless otherwise approved by the TCDSB or specifically exempted by legislation.
12. Before being considered for employment, each applicant for a teaching position is to be recommended by a priest with pastoral responsibility through a favourable report in a form and content prescribed by the Board on the applicant's commitment to the Catholic faith.

C. ASSIGNMENT & OFFERS OF EMPLOYMENT

1. All offers of employment shall be subject to the applicant providing the Board with:
 - i. a satisfactory criminal reference check with vulnerable sector screening;
 - ii. a negative tuberculosis test and
 - iii. a satisfactory reference check conducted by the Recruitment division.
2. To avoid conflicts of interests, supervisors must avoid having under their immediate supervision (i.e., within the same department or school), members of their immediate family or other relatives.

D. POST SELECTION FEEDBACK TO APPLICANTS

1. Applicants who were interviewed will be advised in writing of the outcome of their application by the Human Resources department.
2. The Sr. Manager of Recruitment will coordinate the request for an interview debrief from an internal unsuccessful candidate made no later than 3 weeks after the date that the interview results were communicated to the applicant.
3. An interview debrief will not be provided in writing, however, unsuccessful candidates can take notes as required.

E. EVALUATION AND METRICS

1. The Human Resources department will conduct an annual employment system review to identify and eliminate barriers to recruiting, promoting and retaining a diverse and inclusive workforce.
2. The Human Resources department will develop proactive recruitment and talent acquisition programs to address the barriers and gaps in employment and promotion.
3. The Human Resources department will rely on workforce data to develop proactive and inclusive programs to address barriers to a diverse and inclusive workforce.

F. CONFLICT OF INTEREST

Preamble

The TCDSB intends to facilitate the ability of its staff to maintain the highest business and ethical standards, and to facilitate the protection of the integrity of employees in the course of their hiring responsibilities to the Board. All conflicts will be recognized and either avoided or resolved expeditiously through appropriate disclosure and management. The fundamental principle underlying this approach is that employees must not permit relationships with others or external business activities to conflict, or appear to conflict, with the interests of the TCDSB.

1. In the context of this policy, the following circumstances may give rise to conflicts of interest:
 - i. participating in, or influencing the outcome of the appointment, hiring, promotion, supervision, or evaluation of a person with whom the employee has, or has had, a relationship;
 - ii. acceptance by an employee of a gift from any of the following persons or entities if a reasonable person might conclude that the gift could influence the employee when performing hiring duties with the Board:
 - a. a person, group, or entity that has dealings with the Board;
 - b. a person, group, or entity to whom the employee provides services in the course of his or her duties to the Board;
 - c. a person, group, or entity that seeks to do business with the Board.

An employee who is offered a gift in the circumstances described in ii) above will immediately notify the Sr. Manager of Recruitment in writing.

2. All employees involved in the hiring of teachers have an obligation to disclose to the Sr. Manager of Recruitment (who represents of the Executive Superintendent of Human Resources and Employee Relations and the Director of Education) any conflict of

interest. The employee must disclose in writing as soon as she/he could reasonably be aware that a conflict of interest exists. The existence of a conflict of interest does not necessarily preclude involvement in the issue which has given rise to the conflict, otherwise known as the “Matter”.

3. The employee must declare, in writing, the nature and extent of the conflict of interest no later than any meeting or process in which the employee participates and at which the Matter is to be considered. The employee must refrain from taking part in any discussion or decision-making in relation to the Matter and withdraw from any meeting or process when the Matter is being discussed until a decision has been reached regarding the manner in which the conflict of interest will be addressed.
4. A conflict of interest involving an employee may also be reported to the Sr. Manager of Recruitment by any other person. A report to the Sr. Manager of Recruitment about the existence of a potential, apparent or actual conflict of interest shall be made in writing.
5. The following procedures will be used to manage conflicts of interest:
 - i. If the Sr. Manager of Recruitment to whom the disclosure is made also has a conflict of interest, the disclosure should be made in writing to the person at the next highest level of authority (i.e. the Sr. Coordinator of Academic Services).
 - ii. The Sr. Manager of Recruitment will investigate to determine if a conflict of interest exists. Where appropriate, the Sr. Manager of Recruitment may consult with the employee and/or others.
 - iii. If the Sr. Manager of Recruitment determines there is a conflict of interest, the Matter should be resolved as per #6 below, and shall document, in writing, any remedies that have been applied.
6. The following options are available for resolving conflicts of interest:
 - i. If the Matter pertains to #1 (i), and where the employee may be knowledgeable and have information central to the discussion, the employee with a conflict or appearance of conflict may be permitted by the Sr. Manager of Recruitment (or the Sr. Coordinator of Academic Services), to be involved in the Matter without participating in the final decision or be entirely excluded from the process.
 - ii. If an employee fails to disclose a conflict as per #2 above, a range of remedies can be applied, up to and including the termination of employment.
7. Adherence to these procedures, in letter and in spirit, is crucial to the relationships of trust that exist between the Board, its employees, and the public. Contraventions of the policy and operational procedures, whether arising from dishonesty or inattention, undermine these relationships and may lead to disciplinary action. For employees, disciplinary sanctions for breach of this policy may take a range of forms appropriate to the nature of the contravention and could include dismissal from employment.