

Employment equity toolkit

An OCUFA Employment Equity Working Group resource

May 2022

OCUFA

Ontario Confederation of University Faculty Associations
Union des associations des professeurs des universités de l'Ontario

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The Ontario Confederation of University Faculty Associations has been the provincial voice of university faculty since 1964. OCUFA represents over 17,000 professors, academic librarians, and other academic professionals in 30 member associations across Ontario.

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Employment equity primer

What is equity?

Equity is the structural act of ensuring everyone is afforded the same opportunities by considering and addressing the unique barriers that impede that goal for everyone. It is also one of the most important ways in which we can recognize and acknowledge our shared humanity across differences. Not everyone has the same starting point in life because of systemic beliefs and processes that exclude people from different access points based on their identity and class. Equality, on the other hand, provides the same opportunities regardless of differences.

Equity is the material foundation for creativity and innovation because equity thinking opens whole systems to transformation. Equality simply allows more into the already existing system. If systems are not just, allowing more in will not correct the foundational conditions of injustice and exclusion. It will just shift the line of exclusion. Substantively equitable workplaces and communities will not happen if we do not self-consciously commit to them and explicitly change the way we do things.

To illustrate these two concepts: Tax breaks to all, regardless of need, reflects the idea of equality whereas tax breaks that exclude the wealthiest members of society reflects equity.

Why equity?

Committing to equity is not only the right thing to do ethically, it is also a reliable tool for achieving innovation, whether that be in the context of new ideas, new experiences, or new applications of older knowledge.

Without genuine efforts to expand the circle of inclusion, we narrow the scope of opportunity to only well-trodden paths and we exclude much of the promise that comes with welcoming diversity.

Equity makes as much sense materially (let's call this the business case) as it does ethically. Member associations have a unique opportunity to demonstrate genuine leadership here, not only in the way they conduct themselves, but in the way they model equity for others across the university and perhaps even in the broader context of civil society.

Why does education about equity matter?

Since equitable workplaces and associations benefit all members, then educating all members is fundamental to transforming institutional culture.

Finding ways to demonstrate the material benefits of equity work to everyone is a key strategy for building consensus around the importance of equity work as a foundational principle for all member association work, whether that be negotiations, hiring, addressing workload issues, tenure, and promotion, or even the relations between associations and their administrations.

It is crucial that equity education starts with helping everyone to see that equity strengthens all of our working lives and our collective well-being. **Equity education for members is the first tool in this kit but it is also one that we will never stop using.**

For many of us, the challenges of genuine systemic transformation cannot be effectively met by box-ticking, numbers, and quotas. It takes a broad approach to equity education to help others to see why, in some cases, equity hires (for example) may indeed be necessary and helpful, but they cannot alone do the work of changing cultures. That will require different tools.

By creating spaces for conversations among members and sharing both the diversity of lived experiences as well as research and data about equity, member associations can provide the kind of leadership that will begin to move beyond equity as an abstract principle and towards understanding the real and specific ways in which members experience inequities on an ongoing basis.

It is also important to note that education is not a preliminary step that needs to be taken prior to, or in place of action. Education and learning about equity is an ongoing process that needs to happen alongside clear and intentional actions that address inequities in tangible ways.

In other words, we never stop needing to educate ourselves and each other about equity and inclusion, and we cannot wait to be fully “educated” in order to act. **Equity is a goal and it is also a process; we learn by engaging in the work and constantly striving to do better.**

We cannot know the challenges and nuances of addressing inequities until we take active steps; likewise, we will not be able to build powerful campaigns, find the right targets, and set the best strategies without having sustained and ongoing conversations with each other and without educating and encouraging our membership to do the same.

The process of creating equitable workplaces and associations compels us to reflect upon and explore existing structures and practices in our institutions and workplaces—to do the hard work of making barriers visible. And while this must happen in the broader workplace, it also has to happen in our own associations.

The lessons of those who research power teach us that systemic inequality is typically invisible even to those of us who are committed to eradicating it. Equity education is about all of us making the effort to see not only the obvious but also—and perhaps more importantly—the erased, ignored, or invisible experiences of members of equity-deserving groups. This applies to everyone, including those who are

privileged or equity-deserving.

Transforming the work of associations alone will not be enough to create equitable workplaces that are sustainable in the long term. We need to take a both/and approach—to transform our associations *and* to simultaneously push for more equity in the broader contexts in which we work and live. Collaborating with the administration, with a critical eye, can sometimes be a productive avenue to affect institutional change.

An example of this collaborative approach to equity transformation was taken by OCAD U where a Presidential Taskforce engaged all members of the institutional community in documenting the problems related to the under-representation of Racialized and Indigenous faculty and staff. The Taskforce documented specific examples of how discrimination and racism were embedded in institutional systems and developed an action plan with measurable steps that could be taken to address this specific equity-related problem. The final report from the Taskforce can be found [here](#) and is a valuable resource because it provides an example of what can be accomplished when different communities within an institution come together to address equity issues.

We want to hear from you about the gains you have made within your institutions, either through negotiations or alternative avenues!

So what might equity actually look like?

A more meaningfully engaged and sustainable approach to equity requires the implementation and evaluation of specific measures or policies that recognize, address, and remediate the exclusion of underrepresented groups. For academic staff, this includes the creation and implementation of policies that enable historically underrepresented academic staff to have equal access to employment, professional growth opportunities, and institutional resources. Below, we explore some of the complexities around the key issue of numbers, recruitment, and retention. These are three areas that will necessarily be shaped by the particularities of local contexts.

Numbers:

Equity work is complex, often requiring us to hold in place two seemingly opposing ideas, such as the idea that numbers both do and do not matter. In reality, they do matter and, at the same time, they cannot be the end of the conversation about equity. The numbers or representation approach to equity includes asking questions such as:

- ▶ Do we have a woman on this committee?
- ▶ Do we have an Indigenous person or a person of colour (and yes it is unfortunately often an either/or) on this committee?
- ▶ Are contract faculty represented on this committee? Are they being compensated for their time?

This approach relies on the idea that inequity can mostly be visually identified, hence the idea of “visible minorities.”

Not all inequities can be seen and we must be mindful of this, both in the ways in which we discuss equity and in the processes we put in place to address inequity.

Yet, numbers do matter. We need our committees to be as diverse as our communities, but when they are treated as an end in themselves or as the best way to address inequity, they also risk tokenism. Tokenism is a surface-level, symbolic approach to equity where simply by virtue of having a few diverse people in a group, it is assumed that a workplace or organization is equitable.

While representation is vitally important for creating equitable workplaces, a tokenistic approach to representation will not drive the kind of systemic transformation that will be either genuinely inclusive or open to difference. It will not be an engine for either creativity or innovation.

It is also important to remember that when a member of an equity-deserving group is represented on a committee, it does not mean they must speak to all or only equity discussions. They are equally qualified to speak to all matters of the committee.

Recruitment:

Recruitment is one of the places people first go when thinking about correcting for inequity and it is reasonable and important to do this—with all the cautionary caveats in the “Numbers” section in place.

Equity in recruitment involves considerably more than simply the aspiration to be equitable. It requires **processes to be in place** that structurally fortify our stated commitments to ensuring equity, diversity, and inclusion.

Processes will include equity analyses determining gaps and these will be needed long before a hiring committee meets to determine what a job posting should include.

There will also need to be processes in place that will ensure that equity training is foundational for all members of hiring committees regardless of whether local contexts allow for equity representatives on committees. **It is not enough to outsource equity to a single person who acts as an equity representative**, albeit having such a position as a resource can be very helpful.

The burden of education that falls on a single equity representative can be too great if the committee as a whole is not prepared for complex analyses around equity. An approach is needed that does not foreclose the kinds of more complex conversations that are often required to address systemic inequality.

By developing processes and policies that ensure that everyone has a sense of the fundamentals of equity work prior to the initiation of the recruitment process, those aspirational goals of creating more equitable workplaces will have scaffolding.

Each institution will need to assess the needs in their local contexts but always with a view to ensuring equity processes are proactive and not reactive.

In recruitment, equity infuses every level of the process from determining need, to drafting advertisements, to ensuring the equity training of committee members. Even the time, frequency, length, and mode of interviews need to be infused with the recognition that equity considerations will shape the outcome.

For example, do you have a process in place to ensure that long-serving contract faculty are considered for the position? Has the committee thought through the realities of publication recruitments for contract faculty who have been teaching without the chance to publish for a period of time?

Also, interviews and associated meetings for candidates need to be intentionally scheduled in such a way that allows for the effective participation of candidates who are differently-abled. These material considerations matter to equity and, yet, they are often part of the invisible world of norms that have historically shaped the exclusion of diversity. Rendering the invisible visible is more than half the work of equity. What are other ways you have infused equity considerations into recruitment efforts?

Retention:

Equity work must be ongoing, both as a goal and a process. Without deeper reflections on the kinds of supports needed to maintain equity, retention of diverse faculty, staff, and even students will be a critical issue.

Member associations can play a key role in determining systemic equity supports and in advocating for them, both as part of bargaining as well as part of regular labour management meetings.

These are the regular tools of a lot of equity work, the kinds of tools that support systemic change, which tends to happen slowly. The development of policies directed towards ongoing support will be foundational to retention but will need to be shaped by the demands of specific contexts.

What will matter beyond the acknowledgement of need will be a commitment to the ongoing process of assessment and re-evaluation, which will come from hearing from the specific people whose experiences are shaped by the policies. Retention requires consistent attention.

Where do you start?

As noted previously, equity is embedded in everything we do as faculty and academic librarian associations. As a result, there are **multiple points of entry** into the work. Where you begin with your equity efforts will depend a lot on your association's capacity and size, institutional and association policies, and how much of a shared understanding of equity exists among association executive members, committee members, and members-at-large.

It is also important to take into account the **local context** of your association. One place to start is to examine how equity work can be integrated into all of the different activities and processes undertaken by your association.

For instance:

- ▶ Thinking about equity in relation to the core work of the association, such as hiring, tenure and promotion, collective bargaining, grievance work, and labour management meetings.
- ▶ Thinking about who is recruited into association positions and how the structure of your own association makes that more or less possible for people with diverse identities.

One way to start is to consider which groups on your campus already experience high service burdens and how this may limit their capacity to participate with the association even if they wanted to. Ask these members what can be done to help address this barrier.

Maybe a barrier is the timing of association meetings or how the work is paced. Are there opportunities to learn from the larger membership about changes that could be made so engagement with the association is more possible?

Consider opportunities to work collaboratively with others inside and outside the institution, including the university administration, other associations and campus groups at your institution, the university equity office (if there is one), and labour councils and community groups outside of the university. It bears repeating that systemic change will require more than the transformation of academic staff associations alone. Our associations exist in complex relations with others.

Another possible entry into the work is to begin by taking account of the local equity landscape of your association and the institution, because the equity work you do should be connected to the specifics of what is happening "on-the-ground" within the institution as well as the broader community.

If your association is relatively new to incorporating an explicit focus on equity issues, it is valuable to **intentionally schedule time** to have important discussions about the meaning of equity and the important role that associations play in addressing inequities within and beyond our associations.

You do not need to have all the answers in order to start the conversation and begin taking action.

Again, **equity is a goal and it is also a process; we learn by engaging in the work and constantly striving to do better.**

We understand it can be difficult to add additional work to already overworked association volunteers and staff, especially for associations that are small in size. Rather than creating new meetings, consider including “**equity conversations**” as a regular or semi-regular agenda item at association meetings that are already scheduled (executive, grievance, collective bargaining). Intentional and planned conversations about equity are vital for developing a shared understanding of the value of equity work and ensuring that equity becomes integrated into the work of the association, rather than being a tokenistic add-on.

Consider:

- ▶ Designating a set of amount of time to this item and place the item at (or near) the start of the agenda to indicate that it is a priority and to make sure that it doesn't get dropped from the agenda due to lack of time.
- ▶ Inviting a speaker from an equity-deserving group to share their expertise on this area. You do not have to be the expert to engage in these conversations, but it is vital to make space to learn from those with the lived experiences and expertise.
- ▶ If it makes sense for the size and capacity of your association, you may also want to consider creating an **equity committee** that regularly reports back to the executive.

As part of the process of increasing dialogue about equity issues, your association may **consider formal training and education sessions** for members who are active in association work, as well as the larger membership.

In terms of training and education for those already engaged in association work—such as elected members of the executive, negotiating team members, or grievance officers—consider how training and education may be built into previously scheduled meeting times in order to reduce the burden of adding another meeting to already busy schedules.

Be open to reconceptualizing how training and education can be offered.

Sometimes a half or full-day workshop is the best arrangement, but there could also be opportunities to incorporate shorter 10-15 minute learning sessions into already scheduled meetings.

Consider:

- ▶ Making training available to the larger membership may contribute to other efforts, such as mobilization strategies and organizing for bargaining.
- ▶ Training and education can be an opportunity to connect and network with the membership and to engage new people in the important work of the association. Your association may find that equity training and education opportunities appeal to different groups of the membership than are usually drawn to association work.
- ▶ Can the training and education be set up in such a way where there are additional benefits for

participation. Is there a certificate that can be offered?

- ▶ Is there a way to connect an equity training session to other key areas of faculty and academic librarian jobs, such as teaching or research? Perhaps a workshop on “creating a course syllabus using equity principles” or “designing research studies with equity in mind” might assist the membership in seeing the benefits of learning about equity in relation to all of the work academic staff undertake.
- ▶ For contract faculty who are not compensated for service or research as part of their work, can there be stipend for participation in different equity trainings, workshops, and association work to make it more accessible?
- ▶ Who could the association partner with on-campus in this kind of work? Teaching and learning centres have developed expertise in continuing education and can potentially partner on certificates and training. Students' unions are highly engaged in issues of equity and precarity.

As you build in regular conversations about equity, you will also begin to **learn about the central equity concerns of your association's membership.**

Developing this understanding of your local equity landscape means that you can begin to identify priority areas where you can act. It is important to recognize that **education and action should be happening simultaneously.**

If your association is entirely new to equity work, you may need to start with conversations to establish foundational principles to guide your equity work but remember that **it is important to not get “stuck” in the education phase and to explore, as soon as possible, where you can start to take actions.**

When looking to identify priority areas for equity work, it is useful to consider two questions simultaneously:

1. Are there recurring themes or patterns in the examples of inequities provided by those who have been directly impacted?
2. Are there equity concerns that are brought up infrequently but require additional attention precisely because they are generally ignored or invisible?

Thinking about both of these questions at the same time is important because the very nature of systemic inequity is to hide disadvantage and oppression, making these negative outcomes seem normal or “natural.”

In terms of identifying possible solutions to address existing inequities, **a fundamental principle of equity work is to be guided by the suggestions of those who are most directly impacted by the inequitable circumstances.**

It is essential that when your association takes action to address an equity concern, the approach is informed by those who have experienced the specific inequity.

These individuals (and groups) have the most knowledge about the circumstances at hand and can provide essential information about what possible solutions will work and which could cause additional harm; they will also be the individuals who are most directly affected by the changes.

Conversely, it is not the responsibility of equity-deserving members to educate other members. There is a vast body of research and training that can be undertaken by members of non-equity-seeking groups who wish to take on this work as a starting point.

Finally, **examine how equity work can be integrated into all of the different activities undertaken by your association**, including within the association and beyond.

Think about equity in relation to the core work of the association, such as hiring, tenure and promotion, collective bargaining and grievance work, and labour management meetings.

As well, consider who is recruited into association positions and how the structure of your association makes that more or less possible for people with diverse identities.

Consider:

- ▶ How are already existing differences in workload related to service burdens?
- ▶ How might meeting times exclude people with caregiving responsibilities?
- ▶ How can you integrate equity into work beyond your association, including when working with the university administration and connecting with other associations and campus groups at your institution?
- ▶ How does your work intersect with the university equity office (if there is one)?
- ▶ What possible links may there be to labour councils and community groups outside of the university?

How to use the checklists that accompany this primer

We recognize that it is not possible for every association to pursue all of the different possibilities we have outlined above. Instead, **this primer is intended to provide a wide variety of examples of how to imagine and incorporate an equity lens into the work you are already doing, depending on the size and capacity of your association.**

The checklists that accompany this primer are meant to be an additional tool to help associations take action to achieve the employment equity goals you have set out.

However, as we noted in the “Numbers” section above, simply checking boxes without understanding why the action is important, and if it will actually make a difference in your specific context, is a tokenistic approach to equity that ultimately undermines the creation of truly equitable workplaces.

Instead, we recommend that these checklists be used in combination with the spirit of the key principles outlined in this primer, which emphasize the value of integrating ongoing equity education and conversations into all aspects of association work, including listening to and learning from those who are most directly impacted by inequitable circumstances.

Two checklists have been developed that focus on developing bargaining proposals and negotiation and labour management committees with the intention that additional checklists will be created as need arises. For additional information that focuses specifically on hiring, tenure, and promotion, we also recommend consulting *Equity in the Appointment and Career Progression of Academic Staff* (March 2021).

Employment equity checklists

Current collective agreement checklist

Preparation

Make sure you have reviewed the **OCUFA Employment equity primer** (2022) and reach out to OCUFA's bargaining support staff at bargaining@ocufa.on.ca. Review your collective agreement for inclusion of the following items in the checklist. If the item is included, check the box. If the item is missing or needs improvement leave the box unchecked.

- A proactive statement of commitment to equity
- A list of equity-seeking groups
- The need (and methods) to take special care to not eliminate equity candidates early in the hiring process
- Comprehensive non-discrimination language, with provision for a range of accommodations
- The identification and elimination of unfavourable policies and practices currently in operation
- An equity representative on all personnel committees
- Equity training for all persons on those committees created with agreement of both parties
- The sharing of information subsequent to hiring (the review process)
- Comprehensive and mandatory orientation on procedural fairness in career decisions created by both parties
- Language requiring the employer to exercise its management rights in a fair, equitable, and reasonable manner—consistent with the collective agreement
- An equity hiring provision, e.g. “Where two or more applicants are substantially equally qualified as the best candidate and one of these applicants is a member of a designated group, then the applicant who is a member of a designated group shall be recommended for appointment”
- Provisions to achieve equity and fairness for Indigenous peoples including hiring, promotion, and recognition of scholarly activity
- Elimination of student opinion surveys for substantive use in career decisions (given their documented potential for discrimination)
- Fair and equitable career timelines (e.g., time on parental/compassionate leave(s) taken into account)
- Provision that peer reviews of teaching may only be conducted at the request of members and that

the results are confidential to the member except if the member wishes to include them in their teaching dossier and/or relevant personnel file

- Language concerning harassment and bullying
- Job security provisions (tenure, continuing appointments, conversion, seniority, right of first refusal)
- Workload provisions that recognize service demands on members from equity-seeking groups
- Academic freedom provisions
- Collegial governance provisions (e.g., ensuring the association has meaningful input on university policies that affect terms and conditions of employment)
- Requirement to post all positions, including senior administrative positions
- A fair and equitable salary structure
- Family-friendly provisions allowing leaves for study, sickness, family responsibility (maternity and parental), and other reasons
- Retainment provisions (e.g., exit and pre-exit interview procedures)
- A range of fringe benefits and related provisions that address the concerns of different equity-seeking groups in the association's membership (e.g. daycare)
- Retirement provisions that encourage timely retirements, including attention to maintaining the full-time tenured/continuing complement
- Language providing for accessibility for members with disabilities
- Language providing for member involvement in provision of accommodations for students

Developing bargaining proposals and negotiations checklist

Preparation

Make sure you have reviewed the **OCUFA Employment equity primer** (2022) and reach out to OCUFA's bargaining support staff at bargaining@ocufa.on.ca. Review your processes and planning for the development of bargaining proposals and negotiations for the inclusion of the following items in the checklist. If the item has been completed or addressed, check the box. If the item is incomplete or needs improvement leave the box unchecked.

Pre-bargaining

- Complete the current **Current collective agreement checklist** [above]
- Review OCUFA and CAUT's bargaining advisories and bargaining manual.
- Process for creation of bargaining team includes equity considerations as well as job classifications and requisite skills
- Process for creation of support committees includes equity considerations as well as job classifications and requisite skills
- Preparation of bargaining team includes equity training/education
- Research includes all aspects of equity considerations, monetary and non-monetary, following equity review of current collective agreement as per the **Current collective agreement checklist** (in addition, research to include equity lens with respect to bargaining notes from last round; grievances; letters of understanding; joint committee with employer; employer policies; equity and other demographic profiles of membership; appointment letters; legislative and public policy changes; comparator analysis; review of collective agreement; review of CAUT and OCUFA resources—model clauses, bargaining advisories, collective agreement database, benefits surveys, salary data, librarians survey)
- Preparations for bargaining by the executive includes alliance building with equity-seeking groups

Consultation, mandate and proposal development stages

- Consultation of membership includes equity considerations for communications, bargaining survey(s), and meetings with membership groups
- Equity considerations, including equity-specific bargaining priorities, are a component of the development and membership approval of the mandate (bargaining objectives in principle)
- Equity considerations are a component of the development of the proposals to take to the negotiating table
- Bargaining survey(s) include questions for members to voluntarily disclose identity-based information, such as gender, race, sexuality, disability, or other identities.

Negotiations stage

- Chief Negotiator to prioritize equity mainstreaming
- Communicate priority of mainstreaming equity to employer
- Identify additional member to track equity progress along with all other tracking
- Communicate progress on equity mainstreaming to executive and membership at all stages of negotiations

Labour-management committee checklist

Preparation

Make sure you have reviewed the **OCUFA Employment equity primer (2022)** and reach out to OCUFA's bargaining support staff at bargaining@ocufa.on.ca. Then review and identify equity-related collective agreement administration items that union has a responsibility to monitor and enforce throughout the year and review meeting agendas for inclusion of the following checklist items at appropriate times throughout the year. If the item has been addressed, check the box. If the item is unaddressed or needs improvement leave the box unchecked.

Overall

- Hiring process
- The identification and elimination of unfavourable policies and practices currently in operation
- An equity representative on all personnel committees
- Equity training for all persons on those committees created with agreement of the parties
- The sharing of information after hiring (the review process)
- Comprehensive and mandatory orientation on procedural fairness in career decisions created by the parties
- Harassment and bullying
- Academic freedom and collegial governance provisions
- Requirement to post all positions, including senior administrative positions
- Implementation of family-friendly provisions—allowing leaves for study, sickness, family responsibility (maternity and parental), and other reasons
- Accessibility for members with disabilities
- Ensuring member involvement in provision of accommodations for students

Structure

- Process for selection of labour-management committee representatives from the executive includes equity considerations as well as job classifications and requisite skills
- Preparation of executive includes equity training/education
- Research for discussions with administration includes all aspects of equity considerations depending on the agenda(s) for meeting(s)

Pre-meeting

- When appropriate, consult with stewards and/or membership with respect to matters being discussed at labour-management meetings
- Equity considerations are a component of the development of each agenda for labour-management meetings
- Diversity needs to be built into considerations related to communication. Include a variety of approaches. Not just departmental meetings, but consultations with equity-seeking groups, persons who have been on hiring committees, and other groups to aid in goal of identifying and addressing the specific needs of equity-seeking groups with the objective of substantive equity in the administration of the collective agreement. Create examples and case studies to spark discussion with groups and individuals.

Meeting

- Association lead to prioritize equity mainstreaming for labour-management discussions
- Communicate priority of mainstreaming equity to administration
- Take notes, including on progress on association objectives

Post-meeting

- Develop communications process with executive, stewards and members concerning labour-management discussions; i.e., formalize information sharing following labour-management meetings