

Fair Hiring Policy

Original Implementation Date: February 1, 2021 Approved by: Jacques Dubé, CAO

Date of Last Revision: Approved by:

Effective Date of Last Revision: Approved by:

1 – Policy Name

Fair Hiring Policy

2 – Purpose

Halifax Regional Municipality is committed to a fair hiring process that meets the requirements of the *Nova Scotia Human Rights Act* (NSHRA) to be non-discriminatory and to provide accommodation throughout all assessment and selection activities. The purpose of this hiring policy is to apply the principles of fair hiring to all elements of the recruitment process, ensuring consistent, equitable hiring practices that support a skilled, diverse workforce capable of providing excellent public service.

3 – Objectives

The objectives of this Policy are:

- To ensure that Halifax Regional Municipality's fair hiring practices are clearly defined.
- To develop a workforce that reflects the communities the Municipality serves and aligns with the Employment Equity Policy.
- To promote transparency, consistency, and accountability in the hiring process.
- To ensure that the required resources and talent are in place to deliver excellent public service now and in the future.

4 – Scope

This Policy applies to all hiring decisions made at Halifax Regional Municipality (full-time, part-time, temporary, summer students, co-op, casual, and work placements). Where specific provisions of this Policy conflict with specific articles in any of the Municipality's collective agreements, the collective agreement provisions will apply.

5 – Definitions

In the context of this document:

Bias means prejudice in favour or against a person or a group, compared with another, that usually could be considered unfair. It is characterized by being free of critical thinking. Implicit bias can be defined as the ingrained habits of thought that, when left unchecked, lead to errors in how we perceive, remember, reason, and make decisions.

Designated Competition means that only individuals who self-identify as being from an Employment Equity group will be considered.

Diversity means the combination of differences and similarities among people. It is more than race, ability, sexual orientation, language, gender or any other descriptive category. Diversity means understanding and being inclusive of different views, ideas, experiences, skills and knowledge.

Duty to Accommodate (DTA) means the legal obligation that requires Halifax Regional Municipality to make every reasonable effort, short of undue hardship, to accommodate applicants and employees who fall under any of the protected grounds identified in the *Nova Scotia Human Rights Act*.

Equitable means that everyone is treated fairly and justly. Equitable action is based on the acknowledgement that people experience different levels of access, opportunity, and representation. Equitable actions are actions that promote inclusivity through removing barriers and challenging discriminatory behaviours and practices.

Family means a spouse/partner and also includes, in respect of either or both the employee and their spouse/partner:

- A. a parent and the parent's spouse;
- B. a sibling, step-sibling or half-sibling and the spouse/partner of any of them;
- C. a child, including an adoptive child, and the spouse/partner of any of them;
- D. a child of an aunt or an uncle and their spouse/partner;
- E. a grandchild and their spouse/partner;
- F. grandparent and their spouse/partner;
- G. an uncle or aunt and their spouse/partner;
- H. a nephew or niece and their spouse/partner;
- I. a current or former foster parent or foster child;
- J. a current or former ward or guardian; and
- K. any other person who is residing in the household of the employee.

Inclusion means the process through which the organization embraces diversity, including valuing and supporting employees. It involves developing the capabilities of all employees and eliminating barriers to allow for meaningful contribution and participation of all members of the Municipality's communities.

Preferred Competition means that individuals who self-identify as being from an Employment Equity group(s) will be considered first.

Recruitment Plan means the plan for filling a vacancy that is determined by a hiring manager in consultation with the business unit's Human Resources Generalist and/or Business Partner. The recruitment plan should be established prior to the posting of a vacancy and includes the projected timeline and required elements of the competition (e.g. assessment, pre-employment checks).

Transparent means a clearly defined recruitment process that documents how applicants are screened and evaluated against specific criteria and indicates the rationale behind decisions to employ or not employ.

6 – Roles and Responsibilities

Chief Administrative Officer (CAO)

The CAO is responsible for:

- Setting the hiring policy and holding business unit leaders accountable to the policy.
- Making the final hiring decision for all M4 positions;
- Delegating responsibility for hiring decisions to Executive Directors and Senior Managers.
- Delegating responsibility for the hiring process to Human Resources.

Executive Directors

Executive Directors are responsible for:

- Developing and implementing their business unit's Diversity and Inclusion Action Plan.
- Delegating hiring decisions to Managers and Supervisors and ensuring that diversity and Employment Equity are considered.
- Reinforcing the principles and practices of fair hiring, as outlined in this Policy, in their respective business units.
- Recommending hiring decisions for M4 positions to the CAO for approval.

Hiring Managers/Supervisors

Hiring Managers/Supervisors are responsible for:

- Collaborating with Human Resources in the development of a recruitment plan.
- Committing to taking steps to increase diversity and working to ensure inclusion within their business unit.
- Making fair and objective hiring decisions and offers of employment.
- Giving consideration to employees in the organization who require an accommodation (Duty to Accommodate) prior to filling a vacancy. Consideration must be given to employees both within and outside of the business unit.
- Attending Diversity and Inclusion/Anti-Bias training and training provided by Human Resources on recruitment and staffing.

Human Resources

Human Resources is responsible for:

- Developing a recruitment plan with the Hiring Manager/Supervisor that considers diversity and inclusion and includes fair and appropriate screening criteria, assessment tools, pre-employment checks, reference checks and diverse interview panels.
- Guiding the Hiring Manager through the hiring process.
- Handling all requests for accommodation in the interview and assessment process and coaching the Hiring Manager(s) to handle such requests.
- Providing training and skills-development for hiring Managers/Supervisors.
- Facilitating strategic outreach to diverse and skilled talent to promote access and awareness of employment opportunities at the Municipality.
- Partnering with community groups to increase diversity in the Municipality's workforce to better reflect the communities it serves.
- Continuing to review and enhance recruitment processes to ensure the effective and timely delivery of recruitment services.
- Identifying opportunities for Duty to Accommodate (DTA) candidates and supporting the process.
- Overseeing the tracking and centralized retention of documentation to support hiring decisions.

7 – Policy Regulations

Fair Hiring

All recruitment and selection activities must be conducted in a fair, transparent and objective manner.

A fair hiring process includes:

- The opportunity for applicants to participate in a voluntary self-identification process that aligns with the Municipality's *Employment Equity Policy*. Information gathered through this process may be considered in the screening and selection process.
- A well-defined program for ensuring Employment Equity (including the option to conduct a designated or preferred competition as outlined later in this section).
- Diverse interview panels which include participation from a member(s) of one or more underrepresented group(s).
- Transparent and clearly-defined criteria for all screening, assessment, and evaluation activities. These criteria must be determined for every element of the competition prior to reviewing applicants.
- Clear and bona fide job qualifications for every posted position.
- Anonymous candidate scoring of testing and assignments.
- Consensus scoring during each interview process where the input of every panel member is considered and valued equally. The consensus scoring process should begin

with a discussion of the quality and content of each answer and culminate in a numerical score that is acceptable to all panel members.

- Sufficient notice given to candidates to allow for a reasonable amount of time to prepare for interviews and assessments.
- Advance notice given to candidates regarding the type and number of references required should they be successful in the recruitment process (3 for all positions, 4 for leadership roles). Consent will be given by the candidate before reference checks are conducted.
- Notification to applicants regarding their right to request accommodation during the recruitment process.
- The ability for applicants to access online tools and resources that increase their ability to be effective in the application, testing and interview processes.
- Access to an interview debrief for unsuccessful internal candidates.

M4 Positions

Prior to an offer being made to a candidate for an M4 position, the Executive Director will submit a business case to the CAO outlining why the person is being recommended for hire.

Preferred Competitions

A hiring manager may choose to post a non-union job competition as preferred for Employment Equity Group(s). A preferred competition indicates that candidates who self-identify will move forward in screening, assessments, and interviews provided they meet all the minimum criteria and/or achieve a minimum pass mark at every phase of the process. In the event that there is a large pool of qualified preferred candidates, the hiring manager may choose to interview the highest scoring preferred candidates. At the conclusion of the process, a candidate who self-identifies and has achieved a passing mark will be selected for hire. If there are no successful candidates who self-identify as being from an Employment Equity Group(s), a candidate who has not identified may be selected.

Unionized positions may be eligible to be posted as preferred. HR Generalists and Labour Relations Specialists will support Hiring Managers in complying with the applicable requirements.

Designated Competitions

A hiring manager may choose to designate a non-union job competition for Employment Equity Group(s). A designated competition indicates that only individuals who self-identify as being from an Employment Equity group will be considered during that specific competition. Candidates who self-identify must meet all qualifications and successfully pass all phases of the competition (e.g. assessment, testing, interview) to be considered for hire. At the conclusion of the process, a candidate who self-identifies and has achieved a passing mark will be selected for hire. If the candidates who self-identified are not successful, the competition will be reposted and the recruitment process restarted.

Unionized positions may be eligible to be posted as designated. HR Generalists and Labour Relations Specialists will support Hiring Managers in complying with the applicable requirements.

Privacy and Confidentiality

Recruitment and selection activities must adhere to relevant freedom of information and protection of privacy provisions under the *Municipal Government Act*. All of those involved in the hiring and interviewing process must maintain confidentiality throughout the process for all applicants and candidates. All interview panel members must sign a conflict of interest and handling of confidential and sensitive materials form.

Hiring of Relatives/Nepotism

To eliminate an actual or perceived conflict of interest, employees may not participate in, or in any way attempt to influence, the hiring of a member of their family or someone with whom they have a close personal relationship. Any allegation of an employee hiring family or other individuals with whom an employee has a real or perceived conflict of interest will be in accordance with the procedure for reporting breaches outlined in the *Code of Conduct for Municipal Employees* policy.

Family members of Halifax Regional Municipality employees are eligible to compete for positions at the Municipality provided that:

- The hiring process is in accordance with the Municipality's hiring practices;
- The candidate has all the requisite qualifications;
- It does not create a direct managerial/subordinate relationship with the family member;
- The Halifax Regional Municipality employees do not directly or indirectly influence the selection and hiring process in which a family member is a candidate;
- Managers and supervisors exclude themselves from any hiring process when a member of their family is a candidate.

Pre-employment Security Checks

Candidates successful in the recruitment process may be required to complete an employment security screening check depending on the requirements of the position. A record under the Criminal Code and/or other offence record(s) does not automatically mean the candidate will be ineligible for the position. Details of an individual's screening check(s) will be considered in specific relation to the duties and responsibilities of the position being filled. In reviewing a record, the following will be considered:

- A. The seriousness of the charge.
- B. The nature of the charge (Is the criminal offence related to the execution of the role they are applying for).
- C. Length of time since the offence occurred.
- D. Whether it is a pattern or a single incident.

Upon reviewing the results of this assessment, the Hiring Manager and Human Resources will determine whether to proceed with an offer of employment. When the competition is closed the results of all backgrounds checks will be confidentially sealed and stored in the competition file.

Accommodations

Halifax Regional Municipality will provide accommodations during the recruitment process based on any human rights protected ground, short of undue hardship. Applicants have the right to request such an accommodation. Applicants invited to participate in an assessment process (such as an interview or testing) will be offered the opportunity to discuss their accommodation needs with the Hiring Manager or HR Generalist. Human Resources staff will assist with any accommodation requests.

8 – Repeal

N/A

9 – Effective Date

February 1, 2021

10 – Related Policies and Practices

- Code of Conduct for Municipal Employees
- Diversity and Inclusion Framework
- Employment Equity Policy
- Halifax Regional Municipality Privacy Policy

External Legislation

- *Nova Scotia Human Rights Act*

11 – Policy Review

Review every 2 years.

12 – Contact

Human Resources Business Partners, HR Generalists

13 – Attachments

Associated Forms

Handling of Confidential and Sensitive Material

<http://intranet.halifax.ca/BusinessUnits/HumanResources/Documents/ConfidentialandSensitiveInformationForm.pdf>

Conflict of Interest and Confidentiality Statement

<http://intranet.halifax.ca/BusinessUnits/HumanResources/Documents/ConfidentialityandConflictofInterestFormPanelMembers.pdf>