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***Working Together - Report On Consultation
Findings Of The Affirmative Action Policy
Review Task Group
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WORKING TOGETHER - REPORT ON
CONSULTATION FINDINGS OF THE
AFFIRMATIVE ACTION POLICY REVIEW TASK

Sector: Human Resources

12-6-3

Training/Development Programs

WORKING TOGETHER

GOVERNMENT OF THE NORTHWEST TERRITORIES

REPORT ON CONSULTATION FINDINGS OF THE AFFIRMATIVE ACTION POLICY REVIEW TASK GROUP



Financial Management Board Secretariat

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INTRODUCTION

The consultation phase of the Affirmative Action Policy Review is now completed and the results of the review are the subject of this report. The information was collected from all regions in the Northwest Territories and it includes input from over 1700 stakeholder groups, members of the public, students and employees.

The purpose of this report is to present a summary of your comments and concerns. The information is categorized by theme headings and each heading contains your comments and suggested options. The four major headings include Policy, implementation, Administration and Accountability. This information is presented for your review to ensure that your concerns have been reflected in this report and to request an identification of which option(s) you prefer be put forward to the Government.

After we receive your feedback a report will be submitted to the Government. The final report will contain a history of affirmative action in this government, findings from our review of other organizations, numerical data, results of this review, and recommended options for the future.

We wish to thank all those who participated in the Affirmative Action Policy Review and made this document possible. Many people took the opportunity to share their collective experiences, knowledge and comments in an effort to recommend areas where the policy can be improved.

Your views are important to this process and we ask that you submit your comments by mail, fax or electronic mail no later than January 30, 1996.

If you have any questions or require clarification, please feel free to contact:

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BACKGROUND

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A review of the Government of the Northwest Territories' (GNWT) Affirmative Action Policy began in the fall of 1994. The review was mandated in 1989, when the Affirmative Action Policy was expanded to include indigenous non-aboriginal persons, persons with disabilities, and resident females applying on management or non-traditional occupations. A staff task group reporting to a Deputy Ministers' Steering Committee was formed to oversee the review. The Affirmative Action Policy Review Task Group is comprised of a cross-section of designated group members from a number of departments, boards, agencies and both unions.

REVIEW PROCESS

The task group developed a policy review format that used a variety of methods to collect information. The review included:

- consultations with stakeholders
- literature research
- review of other organizations
- document review and file search
- collecting workforce and labour market data

These methods were chosen to provide not only an overview of the results, but also to capture the quality of the policy implementation. The Task Group believed it was important to look beyond statistical data and examine the actual lived experiences of those that have been affected by the policy.

Consultation was carried out in two parts: internal and external. Included in the stakeholder groups were employees, students, aboriginal persons, women, and persons with disabilities. Consultation with stakeholders took place throughout the Northwest Territories. The process is outlined in appendix A.

The task group viewed consultation as being critical in providing specific information illustrating areas for improvement, successes, and recommendations for the future of the policy and/or its implementation.

ISSUES & OPTIONS HIGHLIGHTS

Various methods were used to consult with stakeholders. Although each approach was different and interests of the stakeholders varied, many similar concerns were voiced. The main issues in this paper were identified and raised by all individuals and groups, including aboriginal people and groups, other ethnic groups, long term northerners, people with disabilities, men, women, management and employees.

Issues and Options[1]

- Education
- Attitudes
- Hiring
- Students
- Accountability
- Implementation
- Designated Status
- Disabilities
- Career Progression
- other Related Issues

This section deals with each of the above issues. Each issue contains highlights of comments received from participants of the consultation process; followed by their expressed options. The range of options are being presented in this report to seek further feedback and to provide an opportunity for you to indicate your preference for a particular option or set of options.

Subject headings were created to ensure full and careful consideration of the issues and options. The subject headings and related specific issues are:

POLICY

- Designated Status
- Disabilities

ADMINISTRATION:

- Attitudes
- Hiring
- Students
- Career Progression

IMPLEMENTATION:

- Education
- Implementation

ACCOUNTABILITY

- Accountability

OTHER

- Fiscal
- Workplace Well Iness
- Language
- Socio-Economic
- Political Mandates

[1] A glossary of words and terminology is included in Appendix B.

The policy issue that concerned a majority of the stakeholders was the question of who should receive priority (designated status) under the policy.

ISSUE -Designated Status

Four Main questions were raised in regards to designated status:

- Who should receive designated status?
- Should long term northerners receive designated status?
- Should long term northerners receive the same status as aboriginal people?
- If long term northerners are included in the policy, what criteria will be used to define long term ?

The spectrum of feedback ranged from "give designated status only to aboriginal people" to "scrap the policy". A majority of respondents indicated a need to keep the three designated groups and include people born and raised in the NWT in future policy.

Comments

- All aboriginal people should be given designated status under the policy.
- Why are visible minorities not given designated status as in the rest of Canada?
- The policy has resulted in people suddenly finding aboriginal roots, that were previously not there.

- Southern aboriginal people are taking jobs away from indigenous aboriginal people.
- All people born and raised in the NWT should have the same priority status, with no regard given to ethnicity. Being born and raised here, I feel that I am as Northern as people come. The only difference between myself and a PI is my skin colour. People born and raised in the NWT are very committed to the future of the north and are being discriminated against by this policy.
- An inclusive Hire North Policy should replace the exclusive Affirmative Action Policy.
- The definition of a long term northerner is ludicrous, I've lived here 22 years and am still not counted as a long term northerner. It is age discriminatory, the older you are the longer it takes to get status.
- There is no statistical evidence of long term northerners having been discriminated against, therefore they should not be included in the policy.
- Why should females with only one year residency in the north get any residency status on northern jobs?

Options

Options presented by stakeholders ranged from "scrap the policy and replace it with a policy on diversity" to "give designated status only to aboriginal people". For the most part, people indicated a desire to continue to provide employment equity [2] benefits to those covered under the current policy.

Delete long term northerners as designated groups.

Keep the designated status groups as is.

Give designated status to aboriginal people only.

Add visible minorities to the list of groups given affirmative action designation.

Give affirmative action status to all people born and raised in the Northwest Territories.

Include long term northerners who have lived here more than 10 years as designated group members.

Implement a Diversity Policy that values and fosters diversity of all people.

Implement a parallel Hire North Policy with guidelines that would ensure northerners fair and equitable opportunities for GNWT jobs, while at the same time honouring the principles of an Affirmative Action Policy that provides designated status to aboriginal people, persons with disabilities, and females applying on management or non-traditional jobs.

Scrap the current policy and treat all people equitably through the adoption of an Employment Equity Policy.

Replace the policy with a Hire North Policy.

Expand the government's definition of management.

Give females priority on management feeder positions.

Use the NWT Elections Act to define residency.

ISSUE - Disabilities

Another policy concern centred around issues facing people "with disabilities. Overall, people were most concerned with the poor accessibility of some GNWT workplaces. There was also a concern that, unlike other government organizations, the GNWT has no policy governing how and when workplace accommodations, such as scanners for people with eyesight problems, will be made available for employees with disabilities.

[2] See (Glossary Appendix B Employment Equity

Comments

Many government buildings are not accessible by wheelchair.

People with disabilities are fearful that if they declare their disability it will work against them, instead of for them.

Society still stigmatizes mental disabilities, therefore people are reluctant to declare their disability. People declaring a disability should not have to prove themselves with a medical certificate; this does not happen to people declaring themselves aboriginal.

Accommodation for disabilities in the GNWT is done on an ad hoc basis, with no dedicated funding.

The GNWT definition of disability is too narrow.

Employees with disabilities need a government advocate.

The government should have an occupational health nurse on duty, to accommodate not only people with disabilities, but those returning from workplace injuries and long term disability.

Options

Revise the GNWT definition of disabilities to be more in line with that of the Council for the Disabled.

Adopt an accommodation policy.

initiate a fund dedicated to accommodating special workplace needs for employees with disabilities.

Establish an advocacy office.

Establish an occupational health office.

Do an Employment Systems Review to identify existing systemic barriers for people with disabilities.

Commit to making accessibility of GNWT places of employment a fiscal priority.

ADMINISTRATIVE

Many issues brought forward, were issues that need to be addressed by more than just changes to existing policy. Many of these issues concerned the current administrative processes and their impact on the policy.

ISSUE - Attitudes

A majority of stakeholders listed attitudes such as racism, sexism, stereotyping and discrimination as the most divisive to the success of the policy. It was recognized by many that until the GNWT changes some of its administrative practices there will be little hope of positive attitudinal changes occurring.

Issues ranged from "aboriginal people sharing personal stories of GNWT workplace racism" to "non-aboriginal people reporting incidents of workplace racism occurring against non-aboriginal employees". Many employees, aboriginal and non-aboriginal alike, reported their belief that current administration of the policy has helped breed workplace discrimination and racism.

Comments

The policy will never be successful as long as racism, sexism, discrimination and stereotyping continues to exist.

The policy, itself, has promoted racism.

Since inception of the expanded policy in 1989, many GNWT workplaces have become more discriminatory.

Attitudes of the GNWT *old boys'* club have the greatest negative impact on the

career progression of female and aboriginal employees.

Women in management have to constantly prove themselves. Their skill and knowledge is challenged based on their gender. Women are not treated with respect or given equal opportunity to move up the ladder.

Aboriginal employees work under the daily stress of being labelled an affirmative action employee. There is a perception among many that aboriginal people are hired because of their ethnicity not their qualifications.

Managers openly express their dissatisfaction at not always being able to hire the person they deem most qualified for a position.

Not all managers support the current policy.

The policy is a barrier, while it may let you in the door, it does so in a climate of resentment.

Negative attitudes and stereotyping continue to be a barrier for aboriginal people. Aboriginal employees are sometimes faced with harassment with no recourse but to resign.

People with disabilities fear the repercussions of declaring a disability.

The focus must be on northerners overall, not race or gender.

Resent being called a "southerner", the north is my home.

Racism is openly demonstrated in the hiring practices of some regions.

Many people do not understand the purpose of the policy.

There is resentment due to one ethnic group telling another what to do.

Provide more cross cultural awareness training and/or diversity training.

Implement a policy that includes zero tolerance of discrimination and racism.

Implement gender and ethnic balanced appeal boards.

Implement hiring guidelines that give males priority hiring status on female dominant positions.

Draft a policy that gives all designated groups the same hiring status.

Include a commitment to the principles of the policy in each job offer and job description.

Change the policy to one that values diversity.

Give any revised or new policy a fresh start by negating the current name of affirmative action, and calling it an equal employment or equity policy.

Do an Employment Systems Review to identify existing barriers.

Legislate Affirmative Action in the NWT.

Options

Stakeholders provided options ranging from legislate affirmative action to replace the current policy with one that values diversity[3]. Internally there was clear indication of the need for a thorough Employment Systems Review[4] to identify barriers that are still present. All stakeholders agreed that there is a need for more training and communication regarding equity[5] issues both to employees and the public alike.

Provide employment equity training and information sessions to the public and GNWT management and staff.

Establish an Advocacy Office.

Implement mandatory employment equity training for all GNWT managers

[3] See Glossary, Appendix B - "Diversity".

[4] See Glossary, Appendix B - Employment Systems Review.

[5] See Glossary, Appendix B - Employment Equity.

ISSUE - Hiring

The way in which the GNWT staffing guidelines are implemented was an issue of major concern expressed by most stakeholders. Two main issues were:

- The process used to screen applications.
- Priority status is not equal for all designated groups.

A variety of opinions were offered ranging from “the belief that aboriginal people should receive priority over all other designated groups” to “the belief that no one designated group is any more disadvantaged than the other, therefore priority status should be equal”. The belief most often spoken was that non-aboriginal people born and raised in the NWT should be given the same priority as aboriginal people born in the NWT.

A majority of non-aboriginal respondents reported that the process used to screen applications for employment is unfair and does not honour the intent of the policy. Many aboriginal respondents voiced this concern as well.

Comments

- Employment applications are being sorted according to hiring status, and in many cases only PI or aboriginal applications are looked at. This is not the intent of the policy. Competitions now go to the extreme and interview only aboriginal people.
- Indigenous non-aboriginal people are being discouraged from applying on work with the GNWT because they are not aboriginal.
- There have been instances of managers

telling them not to bother applying because they will not be considered if they are not aboriginal. This is a gross misapplication of the policy.

- Non-aboriginal candidates are sometimes told that they scored highest on an interview and were in fact the best person for the job, but the department can not hire them because of the policy.
 - In this time of shrinking resources and added responsibilities the GNWT needs to hire the most skilled workers possible. Guidelines should be modified so the person with the highest rating is hired.
 - Candidates with designated status do not have to be the most qualified and suitable to be hired for a position. If a candidate with designated status and one without status are interviewed for a position, the candidate with designated status will be awarded the position if they meet the pre-set minimal score. If two candidates without any designated status are interviewed, the one with the highest score would be awarded the position. This practice contravenes the intention of the policy and causes discord in the workplace and is discriminatory.
 - If aboriginal candidates have to be the highest scoring in an interview this will set up further barriers.
 - Current practices of not always hiring the most qualified person for positions will result in a mediocre service to the public.
 - Our hiring guidelines must make allowance for special measures.
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- Our hiring guidelines must give credit for life experience, transferrable skills, community knowledge and existing competencies.
- Incorporation of competency based employment systems would help rid the system of existing barriers.
- Current practice of using equivalences is setting further barriers.
- Hiring practices should be less structured and be more culturally relevant.
- Many times in a community, it is known who is filling a vacant position before the position is advertised.
- In the past, there has been interference in staffing decisions by politicians and senior bureaucrats.
- Qualifications required for vacant positions are arbitrarily decided.
- The government must not lower standards if it wants to maintain service levels.
- Aboriginal people want to be hired based on their qualifications not because they are aboriginal.

Options

Respondents provided options ranging from "continue current practices" to "establish a Public Service Commission". A majority of respondents preferred the option of drafting a policy that provides the same priority for all designated groups, but allows for special measures in specific occupational areas that are under represented by a particular group.

Draft a policy that provides the same priority status for all designated group members.

Draft a policy that provides higher priority status for aboriginal people than the other designated groups.

Draft a policy that provides the same priority status for all designated group members, while at the same time allowing for temporary remedial measures to address serious under representation of a designated group in specific occupations. Remedial measures would provide the tool to temporarily close competitions to an under-represented group.

Continue current practice, however if a candidate hired is not the most qualified for the job implement a training plan and pro-rate pay.

Follow the example of other jurisdictions by hiring the most qualified candidate, but if there are two equal candidates the affirmative action designated candidate would receive the job.

Implement the above option with the addition of a clause that acknowledges traditional knowledge, transferrable life skills, community knowledge and core competencies as criteria to "determine qualifications.

Establish a Public Service Commission.

Establish an ombudsman position.

ISSUE - Students

Issues surrounding the way students are hired for summer employment with the GNWT were voiced at all external meetings and forums. Internally there was also a concern voiced that it is difficult for students to gain experience for full time employment.

Feedback from students ranged from “without current practices aboriginal students would have no means of gaining meaningful work experience” to “current practices are discriminatory to non-aboriginal students who do not get the same level of post-secondary funding as aboriginal students”.

Most stakeholders reported a belief that all students born and raised in the NWT should be given the same priority on summer employment.

Comments

- Hiring practices are unfair to non-aboriginal students born and raised in the NWT.
 - In some regions, managers were instructed not to hire non-aboriginal students for the summer.
 - In some regions, non-aboriginal students were laid off and replaced by aboriginal students, some of whom were from different regions.
 - Without first priority over summer jobs many aboriginal students would not receive the experience needed to access fulltime employment.
 - Students who went from kindergarten through high school are now faced with being treated differently, as a P1 or P2.
- Non-aboriginal students get less government funding for post-secondary schooling, while at the same time receiving lower hiring priority for summer jobs.
 - Many post secondary students have unrealistic expectations of entrance levels of their chosen profession.
 - It is difficult for post-secondary students to get work experience, because there are very few officer level entrance positions.
 - High achieving aboriginal students are being “lost” to aboriginal organizations.

Options

Options ranged from “create a Youth Directorate” to “negotiate a student pay grid with the union”. Most stakeholders expressed a preference for any option that would treat all students born and raised in the NWT equally.

- Include a clause in the policy giving all students born and raised in the NWT first priority on casual jobs between April 15th and August 30th of each year.
- Negotiate a student pay grid with the union, with the possible impact of creating more student summer jobs.
- Include a clause in the policy giving all students, born and raised in the NWT, equal priority with other designated groups between April 15 and August 30th of each year.
- Bring back the Summer Student Hire Program which would address student issues.

- GNWT human resource planning could include the implementation of junior officer level jobs dedicated as entry level positions for post-secondary graduates.
- Create a Youth Directorate.

ISSUE - Career Progression

This was a major issue with all stakeholders, and in particular with current employees. Aboriginal stakeholders expressed concern that while the policy has made it easier to enter the GNWT there are still barriers facing aboriginal employees in progressing in this government. Non-aboriginal employees also expressed their concern that current practices virtually freeze them out of applying on competitions, even on competitions that would not result in an increase in pay or status.

Comments

- Getting into the government was the easy part, as an aboriginal employee it is next to impossible to progress up the career ladder. Some of the lower level positions are well represented with aboriginal employees, but there are no mechanisms for these people to progress in their careers.

Lack of internal competitions has made it near impossible for many designated and non-designated employees to progress in this organization.

The "best" jobs are filled by secondment, transfer assignment and direct appointments. It is not who you are but who you know that gets you a promotion in this government.

There is no appeal process for excluded positions (many of which are management positions), this makes it easier for managers and staffing officers to circumvent policy guidelines.

The appeal process for staffing decisions is biased. It should be revamped and all appeal boards should be gender and ethnic balanced.

Obviously, affirmative action doesn't work, especially when you go through the list of promotions, transfers etc. of GNWT employees. All the clerical, janitorial and lower entry level positions are filled by aboriginal people, and higher paying positions by Southerners.

Current policies make it impossible for managers to effectively manage their human resources, even making lateral moves of employees is theoretically impossible.

Employees with no designation and no opportunity to progress in the organization, get disillusioned and either leave or are just "there for the money".

The policy restricts staff movement to designated groups only. There is no possibility of internal advancement or job enrichment if you do not have affirmative action status.

Quit looking externally to fill every position, many can be filled from within the organization.

Options

A number of options were presented by stakeholders. Many aboriginal and non-aboriginal respondents suggested the return of internal competition processes. There were also many suggestions for implementing more kinds of training and development programs for aboriginal people.

Implement an internal competition process.

Implement a limited internal competition process.

Draft a policy that decentralizes responsibility and authority for all human resource planning to the departments, boards and agencies.

Apply the principles, objectives and Guidelines of the policy to secondments and transfer assignments.

include a provision for access to career counseling to GNWT employees using the existing Regional Career Centres and departmental human resource staff.

Initiate more training and development programs.

Implement more kinds of training and development programs, such as mentoring, bridging, and cross-training.

Implement a development program for designated group employees that provides for cross department and regional short term developmental assignments for potential future officers and managers.

Place the responsibility for staff development and training in the same central agency responsible for overseeing affirmative action policy.

IMPLEMENTATION

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Heard consistently throughout consultation: "it is not the policy that has failed to work but the ways in which the GNWT has implemented the policy".

Stakeholders also expressed concern about education levels of aboriginal people and the implications this has for future policy. A question asked was "How can an effective policy be implemented given current fiscal realities?"

ISSUE - Education

Issues surrounding education ranged from the historical issue of poor education levels to organizational training and development issues. These were major concerns of respondents.

Comments

- The GNWT must focus its' time, energy and monies towards education, training and development of designated affirmative action peoples. The playing field will never be level, unless major efforts are devoted towards education, including stay in school initiatives.
- Our educational facilities are not meeting the needs of the GNWT.
- Education standards vary across the NWT, putting some groups at a greater disadvantage.
- Our educational facilities are graduating students with lower standards than the South; this is devastating to them when they find their expectations do not match their skill level.
- Lack of formal education is still a major barrier to aboriginal people.
- Current policy is not dealing with the root cause of the problem: lack of formal education for many designated group members.
- If the intention of the GNWT is to have a workforce representative of the people it represents, then training must be provided for designated groups.
- Current policy undermines stay in school initiatives; why stay in school when you can get a job as a correctional officer with a grade 10 education and make \$40,000 a year?
- More funding needs to be identified for specific affirmative action training programs.
- Aboriginal people get educated but they still don't get hired because they lack experience.
- Staff are sometimes reluctant to train others, because it means they are training themselves out of a job.
- More on the job and other kinds of training must be delivered in the communities.
- Barriers are not race or gender, but a lack of formal education.

Options

Options ranged from "scrap the policy and redirect money to education programs" to "establish more kinds of 'on the job' training". Most people agreed that this issue should not be used as a reason to scrap the policy, but that the GNWT must address internal training and development issues.

Establish more on the job training programs.

Establish on the job training programs for all types and levels of jobs.

Establish more kinds of on the job training programs such as apprenticeships, internships, bridging programs.

Provide for more community based training and development.

Increase the GNWT efforts towards Stay In School initiatives.

Ensure that GNWT employment systems, policies and practices encourage Stay in School initiatives.

Equalize post secondary education funding for all students born and raised in the Northwest Territories.

Fund post secondary schooling based on means testing not ethnicity.

As management positions become vacant, establish them as trainee positions for designated group members.

Implement training programs that include a life skills and/or self-esteem component.

Enter into more training partnerships

with aboriginal and non-government organizations.

Implement a policy that includes training and development of the designated groups as a key objective.

Scrap the policy and re-direct the funding into education for designated group members.

Place responsibility for staff development and training in the same central agency that has responsibility for overall human resource planning.

ISSUE - Implementation

This issue was of major concern to all stakeholders. Feedback ranged from "inconsistent and poor implementation practices" to "no flexibility allowed for regions to implement the policy as required in their administrative regions".

There was general agreement that in order for future policy to be effective implementation practices would need to be a major area of concentration.

Comments

The policy has not been implemented consistently in all regions.

Managers tailor the job description and job ad to fit a specific person. Standards are sometimes lowered to accommodate a specific candidate. The unfortunate result is that often the actual job requirements are not changed and the employee is ultimately set up for failure. In other instances, requirements are raised to ensure the manager will get the employee(s) he deems most qualified.

The policy has only been used as a hiring policy in many instances, ignoring things like ridding the system of other employment barriers, training and development, and looking at changing the workplace to facilitate the northern culture.

We have imposed eurocentric values and attitudes and this may not be the solution, but the problem.

The GNWT is inflexible and does not accommodate a balance between work and family.

We need to implement support programs such as mentoring, bridging, and career counseling.

In too many GNWT workplaces two-tier discipline practices are in effect. Managers fear that if the progressive discipline route is used for aboriginal employees, the decision will be overturned because of perceived political ramifications.

Aboriginal employees are more readily reprimanded than their non-aboriginal co-workers.

Central human resource functions are housed in one department and two secretariats, this is counter effective to cohesive human resource planning.

Human resource planning is not evident.

It is not the policy that has failed, but the way in which it has been implemented.

Options

A variety of options to improve implementation were presented.

Write the policy in plain and concise language.

Establish an advocacy position or directorate.

Establish an Ombudsman office.

Include in the policy clear accountabilities for consistent policy implementation.

Implement an appeal process for excluded positions.

Adhere to a strict policy guideline of self-identification of status, thus alleviating problems with staffing boards assuming they know the status of candidates.

Make consistent and fair implementation of the policy a criteria for management performance pay anti/or promotions.

Include monitoring mechanisms and realistic success indicators.

Allow each region flexibility in setting priorities tailored to the needs of the region within the context of a broader government policy.

ACCOUNTABILITY

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Many people responded that one of the reasons the current policy has had a less than positive image is a lack of accountability for the success or failure of the policy. Some of the issues centred around the wording of the policy, others centred around administrative procedures. There was consensus, however, that the GNWT must improve in this area.

ISSUE - Accountability

People expressed concern not only that there appeared to be a lack of accountability but of a lack of visible commitment and support of the policy by politicians and senior management.

Comments

There appears to be little accountability for implementation of the policy.

Politicians and senior management do not show commitment and support of the policy. They do not walk the talk, take a look at their administrative staff and you will see a notable lack of designated group members.

Individual departments are not held accountable for outcomes of the policy.

Responsibility for developing policy, gathering statistics, monitoring implementation and providing advice is too segmented.

The current policy does not allow departments any control or responsibility over managing their human resources.

Since the dissolution of the Equal Employment Directorate no one seems to be acting as advocates of the policy.

Managers have found creative ways to circumvent the policy, they have little real commitment and are not held responsible. Secondments, direct appointments, and transfer assignments have been misused in order to bypass the policy.

The policy is excellent; what it needs to be successful is action plans by region and department.

Options

A variety of options were provided, with agreement by all that there must be a monitoring process.

Create a central agency that has overall responsibility for implementing the policy.

Take a decentralized approach that makes Ministers and Deputy Ministers responsible and accountable for implementing the policy.

Establish a small directorate or division in an existing central agency that will be responsible for overall policy development, advice and assistance, communicating best practices, providing equity training and establishing an appeals process.

Establish a watchdog agency.

Establish realistic goals, success indicators, and monitoring mechanisms.

Put accountability and implementation at the regional/community level.

Establish a Community Advisory Board.

Develop a framework for monitoring and evaluation that provides a system of accountability.

All job descriptions and contracts at middle and senior management levels could contain a commitment to the principles of equity.

Implement the policy in partnership with the unions as signatories of the policy.

Negotiate clauses supportive of remedial and support measures in upcoming collective agreements.

The GNWT is not viewed as a healthy, pleasant place to work. We are losing many of our best and brightest designated group members to non governmental organizations.

The Government really doesn't want to hear the aboriginal people speaking out.

The government does not really care about what employees think.

Options

A variety of options were presented. Many employees voiced their belief that fair and consistent implementation of any future policy would be a major contributor towards healing the wounds.

Reinstate a GNWT Orientation Program.

Ensure that a future policy is implemented fairly and consistently.

Provide employment equity and diversity training to all staff.

Implement an EAP that includes an employee wellness component.

Ensure that all new employees are aware of and committed to the policy.

Include in the policy a clause that encourages and accommodates employment practices that accommodate the balance between family and work. It could include such things as flex time, job sharing, telecommuting, phased in retirement.

ISSUE - Language

The issue surrounding how the GNWT's commit-

ment to aboriginal languages fits with the policy was expressed by some stakeholders. This issue was raised more often in Nunavut than in the rest of the NWT.

Comments

If the working language of our government is English, doesn't that contravene the governments commitment to aboriginal languages?

If I speak an aboriginal language why am I not given credit for that ability during screening and selection processes?

All people working in the Eastern Arctic should have to speak Inuktitut.

My children are Inuit but have been raised and educated in English, I am afraid they are going to be discriminated against because they do not speak their language.

Currently, people who are unilingual in an aboriginal language are discriminated against in the hiring process.

Options

Options put forward were:

Allow for special measures requesting an aboriginal language when the need to better serve the client.

Provide English as a Second Language to people who are unilingual in an aboriginal language and want to access employment with the GNWT.

Tie a requirement to speak an aboriginal language to the policy.

ISSUE - Socio-Economic

Many stakeholders indicated their concern that the GNWT would not take existing social and economic factors into account when setting policy goals and implementation plans.

There was also a concern voiced by many aboriginal stakeholders that the GNWT offered many economic benefits to southern new hires while not providing basics such as housing for local hires in communities.

Comments

The Northwest Territories is plagued with existing socio-economic problems which are large contributors to the under-representation of priority groups in the GNWT workplace.

Are the policy goals realistic, given the pressing social problems of Fetal Alcohol Syndrome, substance abuse, poverty, lack of adequate and affordable day care facilities?

Our society has increasing numbers of single parent families, and for many people the responsibility for elder care, however GNWT policies and practices are not supportive of the people trying to balance these responsibilities with work.

Options

Options ranged from "set realistic policy goals" to "discontinue providing housing and other benefits to people hired from the South." There was general agreement that no matter what policy is implemented that the GNWT needs to build in commitment to balancing work and family.

Ensure that any future or revised policy has realistic goals, remembering that some social issues are beyond the scope of what the policy can remedy.

Actively promote flex time, work sharing, and telecommuting as options for employees trying to balance work and family.

Enter into partnership and cooperative day care ventures to support GNWT employees.

Provide local hires with housing in communities where a housing shortage exists.

Build a commitment to family into existing programs, such as Community Wellness and Service Awards Programs.

ISSUE - Political Mandates

Aboriginal groups expressed a concern that the policy must work with existing and future aboriginal land and treaty agreements, not against them.

Comments

Any future affirmative action policy must take regional government into account.

Why are you doing this review, when Article 23 of the Nunavut Lands Agreement clearly mandates affirmative action with numerical targets for Inuit peoples?

The policy needs to be in line with new systems of government and division of the NWT.

Options

A variety of policy and implementation options for dealing with this issue were provided.

Include in the policy a clause that acknowledges that in any areas where there are discrepancies between it and the Nunuvut Lands Agreement the Agreement will supersede in Nunavut.

include a clause sunseting the policy on December 31, 1998; allowing both Nunavut and the Western Division to tailor new policies to meet the need of their government.

Revise the current policy to contain a separate Nunavut component.

Take a stakeholder approach to policy development and implementation.

Implement a Community Advisory Board.

SUMMARY

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Some of the issues presented, such as education, are global issues. The mandate of this review is not to try and solve the global issues, but to report their impact on the success of the GNWT Affirmative Action Policy. Many of the issues presented, however, are organizational and can be dealt with through changes in policy, implementation, administration and accountability.

There were some people who felt the principles of the policy could be met through other means than an affirmative action policy. The majority, however, agreed that the intention of the policy was honourable, and the need evident; with the belief that the unclear language of the policy and its inconsistent and sometimes inadequate implementation have largely contributed to a general dissatisfaction with the existing policy. Having said this, stakeholders strongly indicated their recommendation is not to scrap the policy but to revise it, with particular emphasis on implementation aspects. The following quotes, from both aboriginal and non-aboriginal persons, do an excellent job of summing up the overall beliefs expressed by stakeholders.

"The policy needs to be kept and strengthened, while at the same time emphasizing the worth, value, contribution and opportunities for all people, as human beings. It is meant to create opportunities (real ones) not keep people out. There is a difference. We need to acknowledge the reverse prejudice felt by some and keep building."

"I have always made things happen for myself and do not rest on my laurels or those of the affirmative action policy. However, I fully support the intent of the policy in spite of critics. This program is valuable. I have worked and lived many years before implementation of the policy and can tell you it was truly horrific for a lot of aboriginal people to get work with the Public Service."

"Mend it, Don't end it!"



APPENDICES

Appendix A-Background Information

Appendix B-Glossary

Appendix A

BACKGROUND

A **review** of the Government of the Northwest Territories' (GNWT) Affirmative Action Policy began in the fall of 1994. The review was mandated in 1989, when the Affirmative Action Policy was expanded to include indigenous non-aboriginal persons, persons with disabilities, and resident females applying on management or non-traditional occupations. A staff task group reporting to a Deputy Ministers' Steering Committee was formed to oversee the review. The Affirmative Action Policy Review Task Group is comprised of a cross-section of designated group members from a number of departments, boards, agencies and both unions.

REVIEW OBJECTIVES

- ◆ To determine to what extent the objectives of the policy have been achieved.
- ◆ To determine whether the objectives of the policy are still relevant and appropriate.
- ◆ To determine if there are better ways to achieve the objectives of the policy.
- ◆ To determine whether the identified designated groups are still appropriate and valid.
- ◆ To determine whether systemic and attitudinal barriers still exist. •
- ◆ To identify strategies and resources required to address the issues.

REVIEW PRINCIPLES

- ◆ The review will include comprehensive consultation with internal and external stakeholders; both quantitative and qualitative measures will be used to review the effectiveness of the policy.
- ◆ The review will be carried out in an open, impartial, and fair manner.
- ◆ Review methodologies will be designed to provide confidentiality for individual **consultees**.

REVIEW PROCESS

The task group developed a policy review format that utilized a variety of methodologies to provide comprehensive information. The review included:

- ◆ processes to consult with all stakeholders
- ◆ jurisdictional and literature research
- ◆ document review and file search
- ◆ compilation of workforce and **labour** market data

These methodologies were chosen to provide not only a numerical picture, but also capture the quality of the policy implementation. The Task Group believed it was important to delve beyond statistical data and examine the actual lived experiences of those that have been affected by the policy.

Consultation was carried out in two parts: internal and external. included in the stakeholder groups were employees, students, aboriginal persons, women, and persons with disabilities. Consultation with stakeholders took place throughout the Northwest Territories.

The task group viewed consultation as being critical in providing information about barriers, successes, perceptions, and recommendations for the future of the policy and/or its implementation.

External

Consultation with stakeholders outside of the GNWT began in June and ended in late September. Public forums and focus sessions with stakeholder groups were the key consultation methods. Written submissions from the general public and stakeholder groups were also accepted. Approximately 500 people were consulted externally, including stakeholder groups such as the Metis Nation, Council for the Disabled, **Kivalliq Inuit Association** and **NWT Status of Women**.

Stakeholders external to the GNWT were provided with a number of options for consultation. 134 stakeholder groups were extended invitations to participate in the process by taking part in any one, or all of the following:

- ◆ provide written submissions
- ◆ consult personally with the task group
- ◆ participate in public forums
- ◆ participate in focus sessions

Follow up letters and information packages were sent to the 134 stakeholders. Additionally, the coordinator for the external consultation component made personal and phone contact issuing an invitation to many of these stakeholders to participate in the

consultation process.

Throughout the summer and early fall public and student forums were held in:

- ◆ Fort Smith
- ◆ Inuvik
- ◆ Norman Wells
- ◆ Cambridge Bay
- ◆ Rankin Inlet
- ◆ Iqaluit
- ◆ Yellowknife
- ◆ Hay River
- ◆ Enterprise
- ◆ Rae-Edzo
- ◆ Fort Simpson

At these forums, surveys were also available to participants who preferred not to make comments publicly. During this same period, meetings and focus sessions were held with stakeholder groups. Of the 134 stakeholder groups invited to participate in the process, the following chose to participate in individual, joint, or focus group sessions with the task group:

- ◆ Rankin Inlet Chamber of Commerce
- ◆ Nunavut Tunngavik Incorporated
- ◆ **Kivilluq Inuit** Association
- ◆ Sahtu Investments Corporation
- ◆ Nunavut Implementation Training Committee
- ◆ Nunavut Secretariat
- ◆ Town of Fort Smith
- ◆ Salt River First Nations
- ◆ Fort Smith Metis Nation Local
- ◆ Enterprise Settlement Council
- ◆ Mayor of Yellowknife
- ◆ Metis Nation
- ◆ Fort Smith Chapter Council for Disabled Persons
- ◆ NWT Council for Disabled Persons
- ◆ Canadian Mental Health Association

Written submissions were received from the following groups:

- ◆ Hay River Students' Group
 - ◆ Status of Women Council
 - ◆ Language Commissioner of the NWT
 - ◆ NWT Council for the Disabled
 - ◆ Canadian Mental Health Association
 - ◆ Roman Catholic Diocese of Mackenzie
 - ◆ Nunavut Tunngavik Incorporated
 - ◆ Nunavut Implementation Training Committee
 - ◆ Hamlet of Tuktoyuktuk
-

An additional 35 personal submissions were received.

As well, the Dene Nation forwarded a motion made at their 25th Dene National Assembly outlining their concerns and recommendations. The Metis Nation also forwarded a copy of the resolution made at their 23rd Annual General Assembly. The resolution identified their position on the policy and its review, in addition to recommendations for future implementation of a policy.

Internal

Consultation with **GNWT** employees began in May and finished in September 1995. Employee consultation was done via a number of methods including survey, personal interview and focus sessions. In total, over 1,200 employees (**20%** of GNWT staff total) at all levels of the government were consulted.

5000 surveys were distributed to employees via their pay **envelope**¹ and e-mail. Survey questions were drafted for the purposes of collecting information on perceptions of how the policy has impacted the lives of employees; identifying existing barriers; and determining employee recommendations for the future of the policy. Many respondents submitted additional pages of commentary. A **15%** survey return rate was experienced.

Respondents were comprised of:

- ◆ **57%** female
- ◆ **43%** male
- ◆ **55%** had no affirmative action priority status
- ◆ **25%** aboriginal
- ◆ **20%** long term northerners

Aboriginal responses were comprised of:

- ◆ **27%** Dene
- ◆ **33%** Inuit
- ◆ **40%** Metis

Employees were not asked to identify which administrative region they work in. It was possible, however, to identify from the envelopes that we received responses from each region.

¹ Workplace bulletins **also** provided a contact name and number where employees could obtain surveys, in case they neglected to save the survey in their pay envelope.

²**Responses** from aboriginal peoples from Southern Canada were classified under the category of no priority status, unless they indicated having lived in the Northwest Territories more than half of their life, consistent with the **existing** policy.

Employees were also given the opportunity to take part in a personal interview or provide a written submission. Personal interviews were unstructured, with respondents directing the agenda. Many respondents chose the personal interview as a way to relate personal experiences, both positive and negative, and to provide "snapshots" of systemic barriers and discrimination prior to the policy.

A total of 46 formal interviews were held. This was supplemented by a dozen informal interviews. Employees at all levels of the organization and in each administrative region were interviewed.

Management focus groups were consulted on the impact of the policy on human resource management; initiatives and strategies used by departments or individual work units to facilitate the policy; success stories; and recommendations for the future of the policy and/or its' implementation.

Employee focus groups provided their perspective on the impact of the policy in the GNWT work environment; initiatives or strategies used to facilitate the policy or its implementation; success stories; and recommendations for the future of the policy and/or its' implementation. Focus sessions were attended by approximately 150 participants representative of a broad range of occupations from:

- ◆ Stanton Yellowknife Hospital Management
- ◆ Financial Management Board Secretariat (**FMBS**) Employees
- ◆ FMBS Management
- ◆ Public Works and Services Aboriginal Employees Support Group
- ◆ Personnel Secretariat Staffing Officers
- ◆ Yellowknife Correctional Institute Management
- ◆ Justice Management
- ◆ Fort Smith Justice and Social Services Management
- ◆ Energy, Mines & Petroleum
- ◆ Economic Development & Tourism
- ◆ Renewable Resources - The focus session was supplemented by a **submission** from the Traditional Knowledge Coordinator. Renewable Resources is the lead department in the governments Traditional Knowledge initiatives.
- ◆ Health & Social Services - This department forwarded a written submission, based in part on dialogue with employees.

Management and employee focus sessions and meetings were also held in each administrative region. A total of 169 employees and management from many departments participated regionally.

Data Collection

Data collection included the gathering of numerical, written, and verbal information. Key sources of numerical data for the review, were Government Human Resource Information System (**GHRIS**), Candidate Inventory Computer System (**CICS**) and the Canadian

'Census. Data from GHRIS provides a snapshot of the GNWT **workforce**.

This information was compared to overall NWT **workforce** data taken from the last Census. 1991 and 1994 were the base years chosen to provide the necessary numerical data. In 1989, the Government of the Northwest Territories changed its information system from PINGO to **GHRIS**. Historical **workforce** data dating earlier than 1989 was not preserved. 1991 was chosen as a base year because it was the first year following the inception of GHRIS that some of the affirmative action designated group statistics were recorded.

The most recent census information was gathered in 1990, necessitating manual calculations to adjust the census statistics to the 1991 base year.

Other data was gathered through consultation, jurisdictional and literature review, and a document review. Consultation with stakeholders provided information about real life experiences, perceptions, and recommendations. Information about the policies, programs, and practices of other jurisdictions and organizations was used to illustrate best practices and **commonalities** of the public and private sector.

Requests for information were sent to over 40 public and private sector organizations. Twenty-eight responses were received, including responses from all 10 Canadian provinces and the Yukon Territory.

The document review included a review of government publications and a file search, used to provide the historical context.

APPENDIX B

Attitudinal or Systemic Barrier

means any attitude, system, policy, practice or procedure differentiating between persons that denies eligible target groups equality in employment and career development.

Affirmative Action Plan

means human resource planning that focuses on increasing opportunities and removing barriers within the workplace to achieve a representative work force.

Bridging Program/Position

means a measure to prepare designated group members with the knowledge, skills, abilities and competencies to be successful in attaining advancement in an organization, e.g. management bridging program.

Career Action Plans

means the process by which employees set their own career goals and identify training and development strategies to achieve those goals. Supervisors encourage and assist employees to develop career goals.

Designated Group

means the groups identified in the Affirmative Action Policy. They include the following:

- indigenous aboriginal persons,
- indigenous non-aboriginal persons
- resident women in management or non-traditional occupations, and,
- resident disabled persons.

Discrimination

means to make a distinction in **favour** of or against one person or group of persons as compared with others.

Diversity Training

means development of the competency to understand and respect the customs, values, and norms of other individuals and cultures. This includes viewing diversity as beneficial to **GNWT**, taking full advantage of different and unique personal and problem-solving styles.

Employee Assistance Program (EAP)

means a program to help employees deal with a wide range of factors affecting them at work.

Employment Equity

means equality of access to employment opportunities and freedom from discrimination in the workplace. The usual indicator of employment equity is a work force that is representative of the population it serves.

Employment System Review(ESR)

is an organizational diagnostic tool which helps an organization to identify employment barriers faced by members of designated groups and to develop a strategy to remove the barriers. The Review focuses on changing organizational systems and practices and on creating an organizational climate which attracts and retains designated groups at all levels in the organization.

Government Human Resource Information System (GHRIS)

see PINGO.

Candidate Inventory Computer System (CICS)

means a system within the GHRIS that allows hiring departments and the Personnel Secretariat to monitor the competition process.

Exit Interview

means a tool used to determine why an employee is leaving, and what was liked or disliked about a job and the organization. Interviews are carried out in a systematic and confidential manner. A summary and analysis of the interview enable management to spot developing patterns of problem areas. Effective use of exit interviews can help managers identify organizational problems that might otherwise go undetected.

Human Resource Plan

means the result of the analysis of human resource needs and the development of strategies to reach them. The purpose of human resource plans are to help managers set and achieve strategic and operations goals.

Indigenous Aboriginal Person

means any Dene, Metis or Inuit person who was born in the NWT (defined by its present boundaries). An indigenous aboriginal person is also a Canadian aboriginal person who has lived more than half of their life in the NWT, or who is the descendant of an aboriginal person born in the NWT.

Indigenous Non-Aboriginal Person

means a non-aboriginal person born in the NWT or who has lived more than half of their lives in the NWT.

NWT Labour Force

means persons 15 years and older who are either employed or unemployed in the NWT, as defined by Statistics Canada.

Managerial Occupation

means those occupations responsible for planning, organizing, directing and controlling the use of human resources, material or money.

Mentoring

means an informal relationship between a senior employee and a junior employee (protegee). Mentors provide career advice and support. They serve as role models to their protegees. The informal communication between new employees and their mentors serves to clarify expectations, provide performance incentives and career direction.

Merit

means deserving of appointment or promotion because of qualifications, competence and personal suitability.

Nepotism

means favoritism shown to a relative when staffing positions and for promotion. Nepotism may be indirect, involving the hiring or promotion of a relative of a colleague in the organization over other applicants.

Non-Traditional Occupation

means occupations that are male dominated. This means 70% or more of the incumbents are male and there are ten or more occupied positions in the classification group or sub-group.

Persons with Disabilities

means resident persons who are at a disadvantage because of a medically certified learning, mental, emotional or physical disability. It handicaps the person from taking advantage of employment, training and career advancement opportunities. A person without disability would not encounter these difficulties.

Physical disabilities can be visible or non-visible. They can include any degree of paralysis, amputation, lack of physical coordination, blindness, or visual impairment, deafness or hearing impairment, muteness or speech impairment, or physical reliance on a guide dog, a wheelchair or other appliances or devices.

Learning, mental or psychiatric disabilities can include learning or comprehension incapacities that are significant and persistent but permit the disabled individual to carry out duties and perform tasks in a reliable manner under a reasonable amount of supervision.

PINGO

means the GNWT personnel information system used prior to the implementation of the computerized government human resource system (**GHR**S) in May, 1988.

Protegee

see Mentoring

Resident

means a person who has lived in the NWT for at least one year before their application for employment with the GNWT and who now resides in the NW.

Mentoring

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Protegee

see Mentoring

Resident

means a person who has lived in the NWT for at least one year before their application for employment with the **GNWT** and who now resides in the **NWT**.

SCONE

means the Legislative Assembly's Special Committee on the Northern Economy. In 1988, this committee was tasked with setting up a long term economic strategy. A variety of consultants were engaged to prepare studies that would be background information for the final SCONE Report that was tabled in the Assembly in November, 1989.

Sexual Harassment

means any conduct, gesture or contact of a sexual nature that (a) is likely to cause offense or humiliation; or (b) that might, on reasonable grounds, be perceived by an employee as placing a condition of a sexual nature on employment or any opportunity for training or promotion.

Stakeholder

Those parties with a vested interest in the issue at hand, for example Aboriginal Groups, Women's Groups and Community Groups.

Systemic or Attitudinal Barrier

means any attitude, system, policy, practice or procedure differentiating between persons that denies eligible target groups equality in employment and career development.

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AFFIRMATIVE ACTION POLICY REVIEW TIMELINES

