



An introduction to employment equity

Each organization is unique and faces its own set of circumstances, opportunities and challenges. Sharing a common language and understanding around employment equity is important towards operating and growing workplaces in ways that are fair and equitable. This introductory infosheet will help you understand the basics of employment equity, including:

- What is employment equity?
- Why is employment equity important?
- What does employment equity involve?
- What are other terms for employment equity?
- What is the history of employment equity in Canada?

What is employment equity?

Employment equity is about the actions an employer takes to correct conditions in a workplace that may exclude and discriminate against some workers and job applicants.

The purpose is so that these excluded individuals and groups can fully participate in equal work opportunities, and so that workplaces are fair, equitable and welcoming for everyone.



Why is employment equity important?

It's tied to human dignity

Providing employment opportunities for workers who have been regularly excluded from the benefits of employment is an important part of fostering respect, fairness and inclusion in our communities. Throughout modern history, marginalized workers have faced barriers to employment and within the workplace for reasons having nothing to do with their skills and potential.

It makes good business sense

By hiring diverse employees, employers can be more innovative and increase their organization's appeal to wider audiences. Also, when all employees feel a sense of belonging in the workplace, this leads to greater productivity and commitment. We explore these benefits more in our [Economic benefits of employment equity infosheet](#).

It's important from a legal perspective

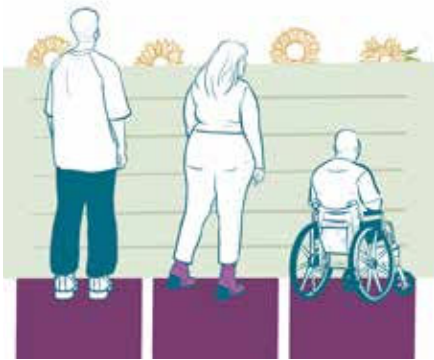
Employment is one of the areas of life that is protected by B.C.'s *Human Rights Code*. As an employer, you are responsible for upholding your workers' human rights and maintaining a workplace that is free from discriminatory systems and practices.

What does employment equity involve?

There are a lot of complex concepts all bundled up into employment equity, so let's unpack what they mean.

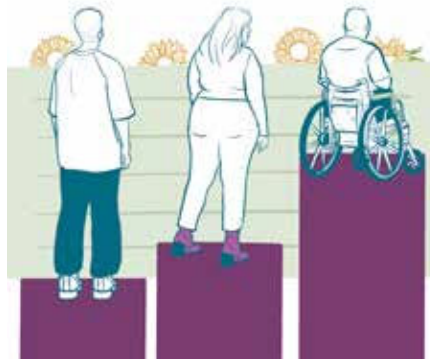
Equality and equity

Equality as sameness



Sometimes efforts to create equality are based on an idea that fairness is best achieved by treating everyone the same. This is sometimes referred to as “formal equality.”¹

Equity as fairness



Equity, sometimes referred to as “substantive equality,” doesn’t mean treating everyone exactly the same. Sometimes we need to treat people differently to accommodate for our different experiences, abilities and circumstances. When we take these differences into account, we focus on the equality of outcomes.

Removing systemic barriers to equality



Sometimes, various written and unwritten rules like laws and policies create barriers to equal outcomes. To solve this, we can look at treating people differently as in the case of substantive equality, or, better yet, we can look at identifying and removing systemic obstacles.

Discrimination

Discrimination is the unjustifiable, harmful treatment of people based, at least in part, on aspects of their identity such as race, age, gender or disability.

It can present in overlapping ways based on multiple aspects of identity, in which case it is said to be intersectional.

This treatment can be the result of:

Interpersonal discrimination

A person's conscious or unconscious actions or inactions towards others

Systemic discrimination

Obstacles and outcomes caused by policies, laws, and practices that reinforce disadvantages for certain groups of people

Are you familiar with unconscious bias?

All of us have unconscious biases that operate outside of our awareness. Unconscious biases are also called implicit or hidden biases. We can direct these biases towards ourselves or others in ways that benefit or harm. Recognizing and addressing unconscious bias requires holding ourselves and each other accountable not only for our intentions, but also for the impacts of our actions and beliefs.

For example, a supervisor is choosing to promote either Mike or Noor to a position for which they are equally qualified. While the supervisor believes that men and women are equal, they aren't aware that they have also internalized the stereotype that men are more capable of taking on leadership positions. This unconscious bias leads them to select the male candidate.



Below, we explore examples of how discrimination can occur on interpersonal, organizational, and societal levels.

Interpersonal

On this level, discrimination happens as a result of interactions between individuals and can look like:

- Harassment, bullying or other unfair treatment targeting a person's race, sex, sexual orientation, gender, ability, ethnicity, religion or other aspects of identity
- Subtle mistreatment followed by others minimizing the harm when it is raised³
- Pressure to act in ways that others might expect based on gender or race-based stereotypes⁴

A staff member may repeatedly make race-based comments and jokes around their Asian co-worker. This may affect group dynamics and influence the behaviour of other staff towards the Asian worker.

Or, an employer decides not to hire a worker with a disability because they assume they will not succeed in the job.

Organizational

This type of discrimination stems from organizational policies, practices and processes that can cause harm such as:

- Work schedules that are inflexible and unable to adapt to life circumstances such as caregiving responsibilities, health needs and spiritual practices⁵
- Workspace designs that do not account for the accessibility and health needs of employees⁶
- Staff who do not feel safe from retaliation in case they want to bring attention to instances of harassment or discrimination⁷
- Hiring and promotion decisions being made in ways that disadvantage certain people and benefit others⁸

For example, people with disabilities requiring a wheelchair can't get jobs at a certain workplace because the office is located on an upper floor only accessible by stairs.

Or, a workplace accommodates leave for only one kind of religious holiday without realizing some workers would want to observe different holidays because of their religious beliefs.

Societal

On this level, unequal access to education, training opportunities and other social supports can impact the ability of groups and individuals to seek and access employment. This can result in:

- Those with more financial resources and higher social status having more access to mentorship and networking opportunities⁹
- Immigrants not being valued for their work experience and credentials from foreign institutions¹⁰
- Political budget decisions creating unequal access to stable housing, healthcare, social services, childcare and transportation

In places like B.C. where there continues to be a shortage in publicly funded and accessible childcare, women's equality in workplaces is disproportionately impacted. Because of the persistent stereotype that women should be primarily responsible for domestic work and caregiving, they are more likely than men to experience work interruptions due to a family's childcare needs.¹¹

Thinking less about intent and more about impact



It isn't enough for employers to ensure that workplaces are free from intentional discriminatory policies and practices. They also need to consider whether there are policies and practices that may exclude or harm certain groups of people even when they are not designed to do so.

This is because a person or organization can discriminate without meaning to—even if they didn't intend to cause harm, their actions may be discriminatory. Even if a program or policy is designed to prevent harm, it still may have a discriminatory effect. Discrimination is about impact, not intent.

For example, the owner of a restaurant requires all serving staff to wear a uniform that includes a specific hat. Making this a requirement would create a barrier to employment for people who wear religious head coverings.

What are other terms for employment equity?

Currently there are several ways employment equity is talked about in Canada and around the world, and the exact focus may vary depending on the approach.

Some examples of how organizations may refer to this work include:

- Diversity and Inclusion (D&I)
- Equity, Diversity and Inclusion (EDI)
- Justice, Equity, Diversity and Inclusion (JEDI)
- Inclusion, Diversity, Equity and Accessibility (IDEA)
- Equity, Diversity, Inclusion, and Decolonization (EDID)
- Substantive equality

The most common terms are diversity, equity and inclusion. Understanding these concepts and the connections between them can help us make sure our good intentions translate into positive impact.

Concept	What is it in a workplace?	How can we achieve it?
Diversity	When employees with various backgrounds, identities, experiences and abilities are present ¹²	Consider setting diversity targets and review practices and policies with the goal of hiring and retaining a diverse workforce at all levels
Inclusion	An intentional and ongoing process to create welcoming and accessible workplaces where everyone can thrive ¹³	Consider how policies, practices and leadership styles can be used to promote mutual respect, encourage meaningful participation and make room for different ways of thinking and doing things
Equity	Access to employment opportunities and fair pay for everyone, seeing diversity represented across an organization and being part of safe and inclusive work cultures ¹⁴	Consider engaging your workforce to identify and address sources of systemic discrimination and exclusion, including policies, programs and cultures

Other terms you might encounter when working towards employment equity include:

Accessibility

Changes needed to remove barriers that prevent the full participation of people with disabilities. These barriers exist in built environments, policies and practices, technologies and attitudes.

Justice

Changes needed on a societal level to correct power imbalances and to build economic, political and social systems that are fair and meet everyone's needs.

Decolonization

Changes needed to unlearn colonial ways of thinking and being that shape our organizational policies, practices and priorities, and to undo the oppression of Indigenous people.

What is the history of employment equity in Canada?

“Employment equity” is a term that dates back to 1984 in Canada,¹⁵ yet the issues long predate that. Understanding employment equity in the context of Canada’s history can help you better understand how historic practices and policies have created inequalities that continue to impact people today.

Canada’s early economic development depended on many laws and practices that were designed to control people and resources, and resulted in harmful treatment such as:

- Indigenous people being displaced from their lands¹⁶
- People of African descent being enslaved¹⁷
- Chinese people being exploited to build railways¹⁸
- Japanese people being interned during World War II while their property was seized and sold¹⁹

All of this history—and more—has created differences in wealth and power that continue to shape people’s lives today. Below we take a look at some past and present examples of discrimination.

Gender

During the Second World War, women were encouraged to enter the paid workforce in response to labour shortages. Once the war was over and unemployment became a concern, the federal Department of Labour implemented policies that pressured women to return to their former roles at home or accept major pay cuts.²⁰

Indigeneity

Legislation such as the 1868 Fisheries Act and the 1876 Indian Act restricted Indigenous people’s ability to fish, hunt, farm and trap, as well as to sell their goods. The restrictions as part of the Indian Act were in place until 1995,²¹ and the inequalities created by the Fisheries Act are still in place.²²

Disability

In Canadian immigration law, legislators have labeled people with disabilities as inadmissible into the country based on assumptions that they are unemployable.²³ While some changes have been made to address racism, sexism and homophobia in immigration policies, policymakers have not yet made similar efforts to address discrimination against people with disabilities (this form of discrimination is also known as ableism).

Race and ethnicity

It used to be legal for employers to exclude people from employment opportunities based on race and ethnicity. This included creating barriers and excluding racialized people and people of certain ethnic backgrounds from working in various sectors (such as law, pharmacy, education and the civil service), accessing education and owning or operating businesses.²⁴

For example, B.C. passed a law in 1919 aiming to “protect” white women by making it illegal for Asian men to hire them. The government did not repeal this law until 1968.²⁵

An emerging trend: The expansion of precarious employment

Due to the pressures of global capitalism to maximize profits and technological innovation, the way we work is changing. More people rely on work that is unsafe, low-wage, unstable, and circumvents laws that protect workers in more permanent and stable jobs. This can include temporary agency workers, undocumented workers, independent contractors and people working in the gig economy. Women, youth, older adults, racialized people and new immigrants are more likely to experience precarious employment.²⁶

Where do we go from here?

Thank you for taking the time to read about the definitions, concepts and contexts that help us to understand how to build employment equity across workplaces in British Columbia.

- ▶ Explore additional BCOHRC infosheets about employment equity at bchumanrights.ca/employment-equity-toolkit
- ▶ For more information on employee's rights and employer responsibilities in provincially regulated industries, see:
 - [*Human Rights Code, R.S.B.C. 1996, c. 210, s. 13*](#)
 - [*Rights and responsibilities under B.C.'s Human Rights Code*](#)
- ▶ For more information on employee's rights and employer responsibilities in federally regulated industries, see:
 - [*Human Rights Act, R.S.C., 1985, c. H-6, s. 7*](#)
 - [*Employment Equity Act, S.C. 1995, c. 44*](#)
 - [*The Canadian Human Rights Commission*](#)

Notes

- ¹ Humphries, Maria, and Shayne Grice. "[Equal Employment Opportunity and the Management of Diversity.](#)" *Journal of Organizational Change Management* 8, no. 5 (1995): 17–32, 18.
- ² Intersectionality is a concept first developed by Kimberlé Crenshaw in the United States. From this perspective, inequities are the outcome of different and combined characteristics and experiences. See [Intersectionality 101](#) by Olena Hankivsky for more about this concept.
- ³ Bond, Meg A., and Michelle C. Haynes. "[Workplace Diversity: A Social-Ecological Framework and Policy Implications: Workplace Diversity.](#)" *Social Issues and Policy Review* 8, no. 1 (January 2014): 167–201, 176.
- ⁴ Bond, 175.
- ⁵ Canadian Heritage. "Systemic Barriers to the Full Socio-Economic Participation of Persons with Disabilities and the Benefits Realized When Such Persons Are Included in the Workplace," December 2020, 15; Youngjoo Cha, "Overwork and the Persistence of Gender Segregation in Occupations," *Gender & Society* 27, no. 2 (April 1, 2013): 158–84.
- ⁶ Canadian Heritage, 20.
- ⁷ Bond, 188–189.
- ⁸ Cuellar, Norma Graciela. "[Unconscious Bias: What Is Yours?](#)" *Journal of Transcultural Nursing* 28, no. 4 (July 1, 2017): 333.
- ⁹ Adia Harvey Wingfield and Koji Chavez, "[Getting In, Getting Hired, Getting Sideways Looks: Organizational Hierarchy and Perceptions of Racial Discrimination.](#)" *American Sociological Review* 85, no. 1 (February 1, 2020): 31–57.
- ¹⁰ Oreopoulos, Philip. "[Why Do Skilled Immigrants Struggle in the Labor Market? A Field Experiment with Thirteen Thousand Resumes.](#)" *American Economic Journal: Economic Policy* 3, no. 4 (November 2011): 148–71.
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- ¹⁹ Robinson, Greg. "[Internment of Japanese Canadians.](#)" In *The Canadian Encyclopedia*, February 2017.
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- ²¹ Trovato, Frank, Anne-Marie Pedersen, John A. Price, and Cody Lang. "[Economic Conditions of Indigenous Peoples in Canada.](#)" In *The Canadian Encyclopedia*, May 6, 2022.
- ²² Claxton, Nicholas XEMFOLTW. "[Reviewing the Fisheries Act: An Indigenous Perspective.](#)" Yellowhead Institute, March 25, 2019.
- ²³ Hanes, Roy. "None Is Still Too Many: An Historical Exploration of Canadian Immigration Legislation As It Pertains to People with Disabilities." *Developmental Disabilities Bulletin* 37, no. 1 (2009): 36.
- ²⁴ Palmer, Howard, and Leo Driedger. "[Prejudice and Discrimination in Canada.](#)" In *The Canadian Encyclopedia*, February 10, 2011.
- ²⁵ Wallace, 2018.
- ²⁶ May, Bryan. "[Precarious Work: Understanding the Changing Nature of Work in Canada.](#)" *Report of the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities*, June 2019, 72.

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