

Article 29**EMPLOYMENT EQUITY****PREAMBLE**

- 29.01 Without in any way diminishing the University's general commitment to non-discrimination and equity in employment as contained in Article 2, particularly with respect to the following target groups: women, aboriginal peoples, persons with disabilities, and visible minorities, the Parties agree to maintain measures to promote equity as defined in the federal Employment Equity Act (1995).
- 29.02 This Article applies only to ASM appointments of one (1) year or longer and excludes Special Visiting Appointments (Clause 23.35) and Spousal Appointments (Clause 23.36).
- 29.03 When making appointments, this Article should be read in conjunction with Article 7 or Article 13 as appropriate.
- 29.04 For the purposes of this Article, an ASM or an applicant for an ASM position is only considered to be a member of a target group if he or she has self-identified as such either by returning a self-identification form at the time of the application or through an opportunity to self-identify provided to all ASMs by the University Employment Equity Officer.

UNIVERSITY EMPLOYMENT EQUITY OFFICER

- 29.05 The University shall employ a University Employment Equity Officer. Should this position become vacant, at least two (2) ASMs, appointed by the Association, shall serve on the Search Committee established to replace this officer.
- 29.06 The University Employment Equity Officer shall promote equity in the hiring and the employment status of the target groups.
- 29.07 The duties of the University Employment Equity Officer shall include but not be limited to:
- (a) assisting the Joint Equity Committee in developing criteria for identifying such inequities as may exist with respect to the hiring and the employment status of members of target groups;
 - (b) promoting awareness of the University's commitment to non-discrimination and to the promotion of equity in the employment status of ASMs from target groups;
 - (c) serving as a resource person to ASMs, academic administrators and the Joint Equity Committee;
 - (d) providing annual reports to the Provost & Vice-President (Academic) and the Association on:
 - (i) the total number of applicants and the number of self-identified applicants by target-group for each vacant ASM position for which a search has been conducted;
 - (ii) the composition by target-group of the ASMs in each Academic Unit, by rank and status of appointment;
 - (iii) the percentage of target-groups by discipline in graduate degree programmes in Canada if available;
 - (iv) the number of graduates as stated in Clause 29.16;
 - (v) other matters deemed necessary to monitor the effectiveness of this Article.

JOINT ASSOCIATION/UNIVERSITY EMPLOYMENT EQUITY COMMITTEE

- 29.08 There shall be a Joint Association/University Employment Equity Committee (Joint Equity Committee) which shall assist the University Employment Equity Officer to develop and monitor an employment equity programme for the University's academic community.

- 29.09 The Joint Equity Committee shall consist of three (3) voting members appointed by the Association, at least one (1) of whom shall be a woman and one (1) of whom shall be from the other target groups; and three (3) voting members appointed by the Provost & Vice-President (Academic), at least two (2) of whom shall be members of target groups. The University Employment Equity Officer shall be a non-voting member of the Committee. One (1) of the voting members of the Committee shall be elected by the Committee to serve as Chairperson. There shall be at least one (1) member appointed by the Association at every meeting of the Committee.
- 29.10 The Joint Equity Committee shall assist Academic Units in the development of hiring goals and other measures to reduce unwarranted imbalances among target groups. The Joint Equity Committee shall circulate annually, to Department Heads, Deans, Directors, the Associate Vice-President (Grenfell Campus) Academic, the University Librarian, the Associate Vice-President (MI) Academic and Student Affairs, and the Association a document outlining the goals and methods of the Joint Equity Committee.
- 29.11 Upon a request from the Joint Equity Committee to meet with an Academic Unit, the Administrative Head shall schedule such a meeting to be held within fifteen (15) days.
- 29.12 Once decisions setting the goals have been made, the Committee shall annually review progress made in hiring target-group members and prepare a report which shall be submitted jointly to the University and the Association.
- 29.13 Reporting to the Provost & Vice-President (Academic) and to the Association, the Joint Equity Committee shall:
- (a) make recommendations concerning the realization of the University's commitment to non-discrimination and equity in the hiring and the employment status of target-group members; and
 - (b) provide assistance to the University Employment Equity Officer in implementing strategies; and
 - (c) assist the University Employment Equity Officer on other relevant matters.
- 29.14 The Joint Equity Committee is authorized to review procedures, actions, and outcomes related to recruitment and appointment of ASMs to ensure that due emphasis is given to increasing, as appropriate, the proportion of target groups.
- 29.15 On request, the University Employment Equity Officer shall provide the Joint Equity Committee with statistical data, subject to their availability, concerning the realization of the University's commitment to equity in the hiring and the employment status of target-group members.

EQUITY IN THE APPOINTMENT OF TARGET GROUPS

- 29.16 Under-representation of a target group exists when the proportion of ASMs in an Academic Unit from a given target group is less than the proportion of persons from that group in the total pool of persons who:
- (a) have graduated in Canada within the previous three (3) years from the degree programme normally required for an appointment at this University in their discipline;
- or
- (b) are Canadian citizens or permanent residents of Canada.
- 29.17 The University shall make a positive attempt in good faith to recruit target groups through the procedures specified in Articles 7 and 13, and in particular shall include in advertisements the following statement: "Memorial University is committed to employment equity and encourages applications from qualified women and men, visible minorities, aboriginal people, and persons with disabilities".

MAKING APPOINTMENTS

- 29.18 Any Search Committee established in accordance with Articles 7 or 13 shall include at least one (1) person from a target group. If no ASM from a target group is available in the Academic Unit, the Administrative Head may appoint an ASM from a cognate area to comply with this provision.
- 29.19 An ASM who is a member of a target group shall not be appointed as a representative of target groups to more than one (1) Search Committee outside his or her Academic Unit in any Academic Year. Notwithstanding Clause 29.18, if circumstances prevent the appointment of a member of a target group, the Search Committee shall conduct business without such representation.
- 29.20 On the establishment of a Search Committee, the Department Head, Dean, Director, Associate Vice-President (Grenfell Campus) Academic, University Librarian, Associate Vice-President (MI) Academic and Student Affairs shall provide a copy of the document from the Joint Equity Committee referenced in Clause 29.10 to all members of the Search Committee. The Joint Equity Committee, or delegates from the Committee, which shall include at least one (1) member of the Committee appointed by the Association, shall meet with any Search Committee that requests a meeting.
- 29.21 At the time the advertisement is sent for publication the Administrative Head shall send to the University Employment Equity Officer a list of the Search Committee members and a copy of the advertisement. The University Employment Equity Officer shall provide the information to the Joint Equity Committee.
- 29.22 The Administrative Head shall send to every applicant for an advertised ASM position of one (1) year or longer, a copy of this Article and a standard form by which the applicant is invited to identify himself or herself to the University Employment Equity Officer as a member of a target group.
- 29.23 Self-identification information showing which applicants are in target groups shall then be forwarded by the University Employment Equity Officer to the Administrative Head.
- 29.24 Once the Search Committee has compiled a preliminary short-list of candidates for use in determining who is to be interviewed, the Chair of the Search Committee shall notify the Administrative Head that such a list has been prepared. The Administrative Head shall then provide the Search Committee with the target group information received from the University Employment Equity Officer. The Search Committee shall consider this information and finalize the preliminary short-list.
- 29.25 (a) If no candidate has self-identified as being a member of a target group, the Administrative Head shall notify the Search Committee of this fact. The University Employment Equity Officer shall make this information available to the Joint Equity Committee. The Search Committee shall then finalize the shortlist and proceed to interview candidates with no further involvement from the University Employment Equity Officer or the Joint Equity Committee.
- (b) If at least one candidate has self-identified as being a member of a target group, the Administrative Head shall send the preliminary shortlist with the curricula vitae of all shortlisted candidates and all self-identified candidates to the University Employment Equity Officer. The University Employment Equity Officer shall make this information available to the Joint Equity Committee.
- 29.26 In the case of searches where at least one candidate has self-identified as being a member of a target group, the Joint Equity Committee shall forward its advice, if any, to the Administrative Head within five (5) days of receiving the preliminary short-list. The Administrative Head shall in turn forward this advice to the Search Committee which shall consider it when finalizing the shortlist. If the Joint Equity Committee does not provide advice within five (5) days, the Search Committee shall proceed to finalize the shortlist.
- 29.27 In the event that not all Joint Equity Committee members are available for a meeting, two (2) members, at least one (1) of whom shall be a member appointed by the Association, shall be selected by rota to formulate its advice on the appointment process.
- 29.28 For ASM positions of one (1) year or longer in Academic Units where target groups are under-represented, the Search Committee shall, in presenting the list of candidates recommended for appointment specified in Clauses 7.21(k) or 13.24 (g), give preference in rank order to under-represented target group candidates in all

cases where the qualifications of under-represented target group and non-target group candidates on the short-list are substantially equal and meet the criteria established for the appointment in question. If there are members of an under-represented target group on the list, the Administrative Head shall not lower their place in the order of preference of candidates recommended by the Search Committee in seeking to make the appointment unless, in his or her judgment, one or both of the following conditions apply:

- (a) the qualifications of the candidates in question are not substantially equal;
- (b) one or more of the candidates in question do not meet the criteria established for the appointment in question.

29.29 After an appointment has been made, the Provost & Vice-President (Academic) shall transmit to the University Employment Equity Officer:

- (a) a copy of the advertisement;
- (b) the name of the person appointed.

The University Employment Equity Officer shall transmit this information to the Joint Equity Committee.