

Immigrant-Friendly Workplace Policies

1. INTRODUCTION

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Introduction

New Canadians continue to face systemic barriers in Canadian workplaces. Some of the most common challenges include: a lack of Canadian work experience; the inability most workplaces to recognize foreign credentials, qualifications and work experiences; language barriers; differences in workplace cultures; lack of workplace diversity programs and trainings; and discrimination in the workplace.

One of the consequences of such barriers are employment income disparities for immigrants. The following chart demonstrates this outcome.

IMMIGRANT EARNINGS AS % OF CANADIAN BORN (1980-2000)

YEARS IN CANADA	MALES			FEMALES		
	1980	1990	2000	1980	1990	2000
1 year	71.6%	63.4%	63.1%	64.7%	70%	60.5%
2 years	86.9%	73.3%	71.4%	79.3%	79.8%	68.4%
3 years	93.45%	77%	75.5%	84.45%	84.4%	71.7%
4 years	88.8%	77.1%	77.3%	87.8%	82%	74.3%
5 years	92.7%	78.55%	77.1%	91.7%	83.8%	77.4%
6 years	93.5%	81.55%	76.5%	94.9%	83.3%	77.8%
7 years	95.1%	84.5%	76.6%	94.9%	83.3%	76.8%
8 years	89.9%	97.5%	75.2%	96.3%	94.6%	80.2%
9 years	97.3%	97.2%	78.3%	103.1%	93.7%	82.2%
10 years	100.4%	90.1%	79.8%	103.1%	93.3%	87.3%

In order to break down barriers, changes to our institutions must be made that that facilitate racial justice and inclusion in every aspect of decision making. Therefore, it is important to include new immigrants in developing immigrant-friendly workplace policies.

Immigrant-friendly workplaces can reach out to new Canadians by expanding recruitment methods through culturally sensitive screening practices, recognizing foreign qualifications, supplying immigrant job seekers with information and training through community organizations, and providing help with workplace socialization through bridging and mentoring programs.

Tips on welcoming New Canadians to the workplace:

- provide information and training
- provide professional language and communication skills training programs
- provide a helpful induction program into your organization or establishment
- provide a buddy or mentor who has been briefed to answer all the little questions about work or Canada
- allow newcomers time to organize housing and other settlement needs
- arrange English language support for the employee or their family
- Support and encourage the achievement of their professional goals and objectives
- Create a welcoming environment by promoting cultural awareness and providing diversity and related trainings to all employees and staff
- tell newcomers about the New Canadians Centre of Peterborough

2. IMMIGRANT-FRIENDLY POLICY APPROACHES

2.1

Anti-Racism Policies

Anti-racism policies pro-actively address the causes and the symptoms of systemic racism in the workplace, and articulate an organization's commitment to principles of anti-racism. Some of the fundamental tenants of anti-racism policy are that racism is learned and can be unlearned, racism is systemic and it is everyone's responsibility to challenge racism. In antiracism policies, racism is acknowledged as having a structural function, as opposed to harassment and discrimination policies which tend to acknowledge racism only as incident-based. Moreover, harassment and discrimination policies responsabilize the victim to identify the incident as racist and to challenge it. Antiracism policies can help to deal with such incidents, but a go a step further by addressing the structure of the organization. Anti-racism policies recognize that racism is comprised of three different components, namely antiracism training (level of individuals), antiracism organizational change (structural level) and antiracism focus (level of ideas). The components are interrelated and serve to reinforce one another. All three of these components are required to make effective organizations change.

Antiracism policy can put the onus on the organization to address racism, but it cannot make individuals commit to antiracism. Rather, the initiative must already be supported within the organization. Antiracism policy can act as an educational tool. However, it will not ensure that people of colour and Indigenous peoples join the organization. People will be provided with the guidelines and procedures required for addressing racism in the organi-

zation through the development of antiracism policy. Finally, antiracism policy can help an organization to recognize and address racism in the broader community.

Before attempting to develop an antiracism policy, it is important to garner support and commitment from members of the organization or agency. Therefore, antiracism training and antiracism policy need to go hand in hand so that systemic racism is addressed both individually and collectively.

In order to develop antiracist structural changes in the organization, a process must be identified. This process can be quite straightforward, beginning with identifying key issues in the organization (e.g. locating the barriers that people face in accessing services at the organization) and defining terms of reference to be compiled in a glossary that will serve to educate people around key terms relating to racism. Afterwards, an action plan can be developed that incorporated an ongoing review process. Finally, an anti-racism statement can be written and integrated in the mandate or mission statement of the organization. For more information on the process of anti-racist structural change, please refer to “The Process of Anti-Racist Structural Change” in the appendix.

In order to develop an antiracism focus in the organization, it is useful to include an antiracism statement in the mandate or mission statement. This will publicize your commitment to antiracism and will help to focus the direction of the work that the organization engages in. It is also important to build partnerships and networks with other organizations that address racism. Such partnerships can also aid in accessing communities that may not be participating in your organization.

An example of an anti-racism policy statement is the CUPE Policy Statement on Workplace Racism.

2.2

Challenging racism in the workplace CUPE Policy Statement on workplace racism

To fight racism in our workplaces, we need to understand and fight systemic racism. Systemic racism is not a remote, or abstract concept. Its impact is real and devastating on workers of colour and Aboriginal workers – more so now than ever as downsizing, restructuring and privatization sweep across CUPE workplaces. If we take a look at our workplaces, we can see that in spite of the inroads we’ve made on equity issues, we still don’t have equality. Instead, in our workplaces and elsewhere, systemic racism continues.

- The fact is, CUPE members of colour and Aboriginal members tend to be concentrated in lower paying occupations with poorer working conditions, whereas white workers tend to be in workplaces with higher paying jobs and better working conditions. If we had true equality, our workplaces would not be segregated.

- Workers of colour and Aboriginal workers are not well represented overall in unionized workplaces, which have higher wages and benefits. In some cases, they are shut out by discriminatory hiring practices.
- In Canada and in the industrialized countries of the world, workers of colour and Aboriginal workers are concentrated in non-union, low-wage jobs with poor or no benefits or job security, or in sectors which are extremely precarious economically.
- The public sector has been the major source of decent jobs for all workers. As public sector jobs disappear through privatization and restructuring, it's last hired, first fired.
- Workers of colour and Aboriginal workers are particularly vulnerable because they are among the most recent entrants into CUPE workplaces. They are also among the groups who depend the most on the public services that are being cut back.
- The populations of cities, especially those of large cities, are changing and becoming much more diverse. The face of the workforce, however, is not keeping pace with these changes.

Taking on racism

We can't afford to be sidetracked by debates about whether people or institutions intend to be racist or not. We need to deal with what's really happening to CUPE members of colour and Aboriginal members in the workplace. This means taking an activist approach to ending racism in our workplaces now. We need to go beyond employment equity committees and plans, and filing grievances. We need to organize and mobilize all of our members to act to force employers to make our workplaces fair.

To challenge racism in the workplace our union must:

Identify and support locals who are on the front line fighting racism

Let's identify strategic targets in every province – that is, locals that are willing to take on the issue of workplace racism – and give them the support they need to make real breakthroughs. These local campaigns will also serve as examples of what we should be doing on a broader scale. For instance, if a particular community has a large Aboriginal population, but a mostly non-Aboriginal CUPE workforce, we should be on the front line taking on the issue. The union can help locals develop concrete strategies to counter employer resistance, gain membership support, and build community support to ensure the workforce reflects the diversity of the community it serves.

Get the hard data on who works in CUPE workplaces

Very few statistics or hard information exists about what's actually taking place in CUPE workplaces and jobs with respect to workers of colour and Aboriginal workers – how many there are, what job classifications they're in, their wages, how many have been downsized or privatized out of jobs or now work in part-time, temporary or casual jobs. We need to do our research and use it to press home our case for making our workplaces more representative.

Reach out to all our members and to all our communities

Our anti-racism fight can only be effective if we reach out to members of colour and Aboriginal members to find out what they are experiencing in the workplace. We must include them in developing anti-racism strategies for the union. We must also go beyond our workplaces and work with community organizations representing people of colour and Aboriginal peo-

ple particularly when workers from these groups are not represented in the workplace.

Take on systemic racism through legal and legislative action

We must use the legal mechanisms already available to us to challenge racism in the workplace. A recent example is the B.C. Health Services Division of CUPE's complaint to the B.C. Human Rights Commission. The complaint is part of the union's strategy to end employment discrimination against some workers of Asian origin at a long-term care facility in Victoria – workers who are paid less than counterparts in the same job classifications doing the same work.

We must also continue to work with the rest of the labour movement and community groups to build legislative support for employment equity laws and to strengthen human rights laws.

Make organizing workers of colour and Aboriginal workers a priority

As part of our continued campaign to organize unorganized workers, CUPE must make it a priority to reach out to workers of colour and Aboriginal workers in our traditional sectors. Involving the Rainbow Committee and provincial committees against racism and discrimination, we should address the organizing requirements and integrate an anti-racism component into our organizing plans to reach out to these groups of workers. This includes training and using rank-and-file members of colour and Aboriginal members in organizing drives as member organizers.

Develop anti-racism education for members, leaders and staff

We must continue to develop courses to help all members understand the systemic and class based nature of racism. In particular, the union should focus on countering the myths that sustain racism and divert attention away from the real cause of the problems we are facing (for example, that immigration is a threat to our members' job security and the cause of the economic problems we now face). We must show our members that at the root of racism is an unfettered, globalized, free market system that profits by exploiting all workers – and super-exploiting some.

We must continue to integrate an anti-racism component into all of our campaigns and our education programs – into our training programs for shop stewards, and all our leadership development courses, for example. We must take every opportunity to build solidarity and sensitize members about the nature, prevalence and destructive effects of racism in the workplace.

The union must also develop anti-racism training and materials for leadership and staff. This anti-racism training should include how to respond quickly and effectively to complaints about workplace racism. It should emphasize handling problems using an activist approach, rather than a strictly legal approach. We want employers to feel immediate pressure to remedy situations of racism, instead of doing nothing until complaints run their course through a grievance or complaint procedure.

Put anti-racism on the bargaining agenda

We need to encourage locals to go beyond negotiating commitments to formal (and often

complicated) employment equity plans as a way of breaking down the barriers for workers of colour and Aboriginal workers. Locals must negotiate clear and specific collective agreement language to ensure a more representative workforce. Such measures could include training clauses to provide real opportunities for promotions and transfers and eliminate job ghettos, more equitable hiring and promotion clauses, and faster, more effective systems for dealing with racism complaints.

Many of our existing collective agreements contain clauses we can use to fight racism – and we should be using them! For example, our anti-discrimination clauses could be used as one way of fighting back against layoffs or contracting out when they have a particularly negative impact on workers of colour and Aboriginal workers.

Make our union more representative and supportive

Making our union more representative of our entire membership is about making our whole union stronger. At this convention, we will be debating the creation of two diversity seats on the National Executive Board. Already, seats have been created on the Ontario, Alberta and B.C. division executive boards.

Representation on decision-making bodies is critical to our ability to provide a collective voice for all CUPE members, build strong solidarity and deal with the systemic racism in our own structures. But our efforts at better representation should not be limited to leadership bodies.

CUPE must provide the tools to empower all members of colour and Aboriginal members to participate in their union and fight racism. This will involve:

- Strengthening the work of the Rainbow Committee by developing a strong and active network of anti-racism activists all across the country.
- Providing special training and leadership programs for our anti-racism activists.
- Putting in place an effective communications system amongst members of colour and Aboriginal members to help overcome the isolation many experience.

Our members need to know that they can turn to their union as the front line of defence against discrimination in the workplace. CUPE's anti-racism office must become known as a centre for specialized assistance for members who experience racism.

Build links with other groups fighting for equality

In the interest of strengthening solidarity, CUPE's anti-racism activists must continue to forge links with other groups that experience discrimination, such as women, lesbians and gay men, people with disabilities and youth. The upcoming international Women's March 2000, for example, will be an excellent opportunity to build solidarity with women and to highlight the double oppression faced by women of colour and Aboriginal women.

Fight racism as a worldwide problem

We must continue to build and maintain solidarity with workers in developing countries

to fight the corporations and international financial institutions that exploit workers. In particular, we must fight the federal government's current plan to give the World Trade Organization the power to dictate Canada's social and economic policies, undermine our public services, and increase the exploitation of workers around the world. In providing education and tools to our members about the dangers in this latest round of trade talks, we must expose the racist policies of the WTO, the World Bank and the International Monetary Fund, and their role in perpetuating racist employment practices on a global scale.

All workers will win

CUPE has always been proud of its solidarity – and rightly so. We are the largest, and one of the most diverse unions in Canada. We know from experience that the right wing spares no effort in trying to divide us, trying to pit different groups of workers against each other.

But our union will not stand by and let that happen. We are a union of many faces – but one strong union. Our entire union will fight racism in the workplace, and ALL workers will win.

2.3

Diversity Policies

While antiracism policies are about fundamental structural shifts that apply to all levels of the organization and the ways in which it operates, diversity policies tend to focus on the level of the board or decision-making body of the organization. Essentially, it is one component of an overall anti-racist approach to policy and organizational development.

Here is an example from the Maytree Foundation publication of what your Board Diversity Policy should contain.

2.4

Articulate Board Diversity Policy

Diversity in Governance: A Toolkit for Inclusion for Nonprofit Boards
The Maytree Foundation

Diversity Policies should contain:

- A values statement about the organization's commitment to issues of diversity and equity
- A brief statement of the added value that implementing this policy will bring to the work of the organization, for example, better reflecting the demographics of the community it serves; design programs and services that better serve the needs of diverse groups

- A set of milestones that the board would like to achieve and
- An accountability framework for achieving these

A diversity policy needs a concrete statement of objectives, a resource allocation to ensure implementation, and an implementation strategy that outlines, in priority, the steps to be taken to reach the goal. Steps to develop the implementation strategy can include:

- A review of the existing membership strategy for board recruitment to identify systemic barriers to gender equity and participation of ethno-racial communities
- Identifying previously disadvantaged groups and inviting individuals from those groups to discuss new criteria for gender equity and participation of ethno-racial communities in the governance structures

Accountability is about determining who holds responsibility for board structure and what system will be established to monitor and evaluate the policy. Ideas for accountability include:

- Membership committee of the board leads and monitors the policy
- Require all board members to ensure that other board and board committee members are treated with respect
- Develop an annual action plan to guide implementation of the policy and sets out objectives, actions required, accountability, responsibility, timelines and evaluation of activities
- Periodically assess the policy to ensure it is up-to-date.

An example of an organization that included these steps is the Canadian Council for International Cooperation (CCIC).

2.5

Canadian Council for International Cooperation (CCIC) – Board Diversity Policy Adopted by CCIC Board of Directors, March 12-13, 1999.

Value Statement

CCIC is a coalition of Canadian voluntary organizations committed to achieving global development in a peaceful and healthy environment with social justice, human dignity and participation for all. CCIC and all of its member organizations are committed to development principles which ensure diversity and equity through CCIC's Code of Ethics and diversity policies.

As an NGO working in the international co-operation sector, CCIC is particularly aware of issues such as inequity and discrimination. Inequity is demonstrated not only in differences in the distribution of wealth and in indicators of social well being but also in access to power and decision-making. Power and control of decisionmaking have been located within the dominant culture, which in Canadian society are able-bodied white males. In addition, it is clear that the upper and middle-class have more access to opportunities than the poor. Within CCIC, minorities have been underrepresented in CCIC structures and face historical barriers to inclusion.

Goal

CCIC is committed to working towards more diversity within its governance structures. CCIC aims to maintain gender balance on the Board and to promote the participation of minorities who are underrepresented on the Board. In this way, the Board will be more reflective of the membership and Canadian society. CCIC will work towards the removal or reduction of systemic barriers that have prevented the participation of minorities.

As CCIC strives for excellence as an organization, it will promote diversity to fully utilize differences in backgrounds and perspectives in its governance structures. Minorities are defined as identifiable groups not represented by the dominant culture.

Objectives

Bring a wider range of backgrounds, perspectives and information to the Board table by:

1. Expanding linkages and domestic partners within the specific mission of CCIC
2. Expanding opportunities for visible minorities
3. Increasing diversity of CCIC's membership that will result in increased diversity on the Board
4. Increasing opportunities for youth, multicultural, First Nations, persons with disabilities and other visible minorities to be represented on the Board
5. Removing barriers to participation and finding ways to encourage participation.

Strategy

- Promote equity and diversity within CCIC member organizations
- Review existing strategies for Board recruitment to identify systemic barriers to participation of minorities
- Identify priorities in underrepresented groups
- Invite youth, multicultural, First Nations, persons with disabilities and other minorities to help the organization design and recommend new criteria to bring about participation of these groups in governance structures
- Actively promote membership in CCIC to organizations who represent these groups
- Revise election process as necessary (nomination, recruitment)
- Learn from the experience and incorporate lessons learned into other activities/areas of the organization

2.6

Another example of an inclusive policy is Pillar Nonprofit Network's Inclusion and Diversity Policy.

Policy Area: Human Resources

Subject: Inclusion & Diversity

Date Approved: October 8, 2004

Date Revised: May 10, 2007

Preamble:

Pillar Nonprofit Network is committed to the inclusion of all people. We celebrate the diversity of the world and are committed to including all manners of race, colour, national origin, ancestry, gender, sexual orientation, religion, age, or people of disability.

Definitions:

Inclusion: The extent to which all members of the organization and community are included in important decision-making processes and social interactions.

Diversity: The combination of ways within each of us in terms of ethnicity or national origin, gender, abilities, age, physical characteristics, values, culture, sexual orientation and socio-economic status.

Racism: Those aspects of society (attitudes, social structures and actions) that overtly and covertly attribute value and normality to historically dominant groups and that devalue, stereotype, and label racialized communities as “other,” different, less than, or render them invisible.

Policy:

1. It is Pillar Nonprofit Network’s intent to provide a work environment free from all verbal, physical and visual forms of harassment.
2. All employees are expected to be sensitive to and respectful of their co-workers and others with whom they come into contact while representing Pillar Nonprofit Network.
3. Pillar Nonprofit Network prohibits all forms of harassment, whether due to race, colour, national origin, ancestry, gender, sexual orientation, religion, age, disability, political ideology, or any other reason.
4. Pillar Nonprofit Network values the diversity and uniqueness of its employees and is sensitive to individuals who practice other faiths or beliefs. We recognize that the holidays in accordance with the Employment Standards Act are more consistent with Christian beliefs. Therefore, an employee may request time off, with pay, where possible, to celebrate holidays associated with their personal faith and beliefs.
5. Reasonable exception to the dress code will be made as appropriate to accommodate medical conditions, disabilities, religious and cultural traditions.
6. Whenever possible Pillar Nonprofit Network shall endeavor to include all people with disability. Due to certain space constraints within the Pillar Nonprofit Network office we may need to make use of the London Public Library space for accommodation purposes.
7. We recognize institutional and systemic barriers, racism and interlocking systems of social oppression. Pillar Nonprofit Network will work to increase equity by addressing these issues.
8. Pillar Nonprofit Network will ensure its programs, policies and principles reflect and support the rich diversity of the community we serve.
9. Valuing diversity is recognizing and respecting human differences and similarities.
10. Pillar Nonprofit Network is committed to being a leader in supporting and valuing the diversity of the people, organizations and communities we service.
11. Pillar Nonprofit Network is committed to employment diversity with respect to all aspects of employment. All decisions regarding recruitment, hiring, promotion, compensation, employee development decisions such as training, and all other terms and conditions of employment, will be made without regard to race, religious beliefs, colour, gender, physical disability, developmental delay, age, ancestry, place of origin, sexual orientation, marital status, source of income or family status.
12. Everyone at Pillar Nonprofit Network has a role to play in supporting our commitment to diversity and an equitable workplace.

Local Examples

A local example of an inclusive guiding principle is the YWCA Peterborough's guiding principle statement.

The YWCA believes that everyone has the right to live and work in an environment free of demeaning comments and actions based on ableism, ageism, heterosexism, racism or sexism. We believe that the abuse of power is at the root of all oppression and that oppression is an attack on our individual and collective humanity. The YWCA is committed to an active anti-oppression process of identifying and eliminating oppression by changing systems, organizational structures, policies, practices, attitudes, individual behaviours and encouraging equitable use of power. Anti-racism is an essential focus of anti-oppression work.

A local example of an equitable workforce statement is Sir Sandford Fleming College's Diverse Workforce Statement.

Fleming is committed to supporting a diverse and inclusive college community. We welcome applications from any qualified persons who wish to contribute to excellence in student learning, including Aboriginal persons, immigrants, members of sexual minority groups, persons with disabilities, racial/visible minorities and women. Fleming's Diversity Office supports diversity training for employees and collaborates closely with Aboriginal Services and community partners to ensure a positive learning and working environment for students and staff.

3. PLANNING FOR IMPLEMENTATION

Planning For Implementation

Community service organizations can challenge the institutional barriers that immigrants face. The organizational leaders who could take on the task of implementing immigrant-friendly workplace policies include Executive Directors, Program Managers, Boards of Directors and others who are responsible for reviewing and updating policies. The guidelines, principles of engagement, mandates and mission statements of community service organizations articulate their vision. Policies exist to inform people on how to enact the mandate or mission. Procedures flow from policies and provide people with instructions about what to. Developing and reviewing policies helps community service organizations to actualize their mandate and mission, and can help groups in meeting their commitment to addressing the barriers that newcomers face.

To support implementing immigrant-friendly workplace policies, board members and Executive Directors must make policy review a priority, and allocate funds and staff time to develop practices and procedures that ensure that knowledge about newcomer integration are foundational in the work of the community service organization.

3.1

Six main steps to implementing immigrant-friendly workplace policies:

- 1. Set a schedule for reviewing policies
- 2. Create a work plan
- 3. Set up a Policy Review Committee
- 4. Review the organization’s policies
- 5. Make recommendations
- 6. Identify a champion

1. Set a schedule for reviewing policies

All community service organizations should regularly include policy review in its work plan, where policies are examined every two or three years. The schedule should include all policies and must articulate when each policy will be reviewed. Build your schedule based on the size of your organization and the number of policies that need to be reviewed.

Developing a plan for policy review can involve a simple and straightforward template. A sample schedule, developed by Springtime Resources (2008), is provided below.

Date	Area	Policies for Review
Year 1	71.6%	63.4%
Year 2	86.9%	73.3%
Year 3	93.45%	77%

2. Create a work plan

Once the policy review schedule is developed, a work plan for the policy review process needs to be created. A sample of a basic work plan, from Springtide Resources (2008), is provided below.

What Needs To Happen	Who is Responsible	Tasks	Timeline
Develop a budget	Executive Director	Forecast expenses, etc.	February 1
Recruit Committee Members	Board of Directors - Personnel Committee	Write a letter to invite community members, recruit service users and staff	Letter - Feb. 1 Post - 2 weeks Interviews - 2 weeks
Committee Logistics	Staff liaison, committee members	Set location of meetings and schedules Choose a chair for the committee Ensure committee has the resources to begin	First meeting - March 14
Recommendations Report	Chair of the committee and staff liaison	Write report and submit to the Executive Director	May 14
Follow up on Recommendations	Executive Director, Managers, Board	Provide a report back to committee members and stakeholders that outlines the timelines for changes, etc.	June 25

3. Set up a policy review committee

Firstly, the size of the policy review committee needs to be considered based on representation, budget and set timelines. Committee members will have access to confidential materials, so they must all agree to confidentiality and sign a letter of agreement. It is important to invite members from the organization to join the committee, as well as community members if your organization needs to recruit externally to ensure a diversity of perspectives. It is important to include representation from people who do not traditionally have decision making power in society, as well as representation from those people who will be impacted by the policy. The organization has a responsibility to ensure that all members are supported in their participation which may include providing funding, allocating staff time and resources, and alleviating barriers around issues such as transportation and child care. Once the policy review process is complete, ask committee members to provide feedback on their experiences so that additional barriers can be alleviated the next time around.

4. Review the organizations policies

Once the schedule, work plan and committee are developed, it is time to begin reviewing policies. Some key questions to keep in mind when reviewing policies include:

How accessible is the policy?

How are people affected by the policy?

What changes can be made to make the policy more inclusive?

5. Make recommendations

Make comprehensive and exhaustive recommendations to management and decision-making bodies regarding the proposed policy changes and improvements.

6. Identify a champion

Select persons who will be regarded as “champions,” who will promote and advocate for implementing immigrant-friendly policies, and who will chair committees and working groups.

When reviewing policies, there are many issues that must be considered and discussed. Tina Lopes and Barb Thomas provide an excellent overview of points to consider during policy revision.

3.2

An Equity Lens for Reviewing Policies, Programs, and Materials

From *Dancing on Live Embers: Challenging Racism in Organizations*, pg. 243

Tina Lopes & Barb Thomas

1. Does the document name anticipate existing inequities?

For example, does it recognize that statutory holidays are Christian based and ensure that people with other observances have similar entitlements?

2. What assumptions are being made about who and what matters?

For example, does the complaint procedure recognize the risks facing the complainant and the benefits to the organization of the information the complainant is bringing forward?

3. Does the policy/document anticipate and address the differential impact of a practice on different groups of people? For example, if “casual workers” are mostly women, racialized and Aboriginal workers, policies that exclude casual workers from entitlements will have a differential impact on these workers. A policy that anticipates differential impact would include casual workers.

4. Does the policy/document anticipate and address differential power/influence within the organization? For example, a supervision policy would appraise the manager’s ability to provide diverse employees with ongoing support and necessary resources to do their respective jobs, as well as the manager’s responsibility to monitor an individual’s performance.

5. Does the policy or document aim explicitly to increase equity?

For example, hiring policies and practices would acknowledge that the organization needs to draw on the widest breadth of knowledge/expertise. This would be reflected in bona fide job requirements that build in equity competencies and job descriptions that utilize and assess for those.

6. Does it acknowledge the benefits of equity to the organization?

For example, it's not just a legal obligation to have a non-discrimination/accommodation policy. The policy/ document recognizes that an equitable workplace and a diverse workforce are prerequisites for effective, relevant service delivery. The organization further benefits from the resulting recognition by funders and communities.

Before implementing immigrant-friendly workplace policies, it is also important to develop tools for assessing the impacts of policy changes. Assessments need to be ongoing and integrated into the overall approach to developing immigrant-friendly workplace policies in order to ensure advancement and meaningful change within the workplace.

A common approach to measuring the effectiveness of anti-racist or immigrant-friendly workplace policies are Racial Equity Impact assessments. A Racial Equity Impact Assessment (REIA) is a systematic examination of how proposed policy action or decision will likely affect different racial, ethnic and Aboriginal groups. REIAs are used to minimize unanticipated adverse consequences in a variety of contexts, including the analysis of proposed policies, institutional practices, programs, plans and budgetary decisions. The REIA can be a vital tool for preventing institutional racism and for identifying new options to remedy long-standing inequities.

3.3

Racial Equity Impact assessments - (Applied Research Centre - ARC, Oakland, USA)

- Identify key stakeholders
- Engage stakeholders
- Identify and document racial inequities
- Examine the causes
- Clarify purpose of policy proposal
- Consider the adverse effects
- Consider equitable impacts
- Examine and present alternatives
- Ensure viability and sustainability
- Identify success indicators and monitor progress

The best indicator of the effectiveness of immigrant-friendly policies is the reduction of inequality and discrimination in the workplace, including an increase in acceptable behaviors towards newcomers or individuals who hold different opinions. Measurements need to have

the following features: 1) recognizable and unambiguous; 2) achievable; 3) describable; 4) agreed upon; and 5) relevant to the times and setting. These measurements are to be approached as a whole, and not singularly.

Both quantitative and qualitative methods in measuring indicators of the effectiveness of immigrant-friendly policies should be used. Quantitative measures often include tool such as checklists. Qualitative measures include approaches such as consultations, focus groups and surveys or tables with open-ended question formats.

3.4 Quantitative Tools

The following is a quantitative tool for assessing culturally competent policies developed by the Vancouver Ethnocultural Advisory Committee of the Ministry for Children and Families

Program Policies and Procedures

Department/Program Name: _____

CRITERIA STATEMENT	RATING	COMMENT
<ul style="list-style-type: none"> • Policies and procedures are developed through consultation with and input from staff, board, and others who reflect the cultural makeup of the target client population. • Inquire as to how policies and procedures are developed. • Interview people from several groups (staff, board, etc.) to get corroborating information. • If available, review agendas and minutes from meetings. 	1 2 3 4 5	
<ul style="list-style-type: none"> • Policies promote a range of culturally appropriate service delivery models. • Review policies for reference to culturally sensitive delivery methods such as outreach programs and the use of other • languages. 	1 2 3 4 5	

<ul style="list-style-type: none"> • The organization has policies that incorporate goals of eliminating barriers of accessibility to services and which have been implemented. • Review policies that address language, mobility, hours of operation and other areas that could be potential barriers to services. 	1 2 3 4 5	
<ul style="list-style-type: none"> • The organization has policies on multiculturalism, racism, harassment and discrimination that extend to clients and which have been implemented. • Review policies to determine what has been developed. • Discuss with staff if policies have been implemented. 	1 2 3 4 5	
<ul style="list-style-type: none"> • Policies that should be shared with clients are available in different languages. (Alternatively, the organization could have a translator, interpreter or multi-lingual staff to assist non-English speaking clients.) • Determine how information such as a complaints policy or program eligibility is shared with non-English speaking clients. • Look for pamphlets in different languages or multi-lingual staff. 	1 2 3 4 5	
<ul style="list-style-type: none"> • Policies are translated into procedures, which are reviewed for consistency with policy. • Compare policies and procedures for consistency. 	1 2 3 4 5	

<ul style="list-style-type: none"> • Policies and procedures are communicated to staff and/or discussed in training sessions. • Discuss communication process with staff and management. • Review training modules/manuals. 	1	2	3	4	5	
<ul style="list-style-type: none"> • Staff are aware of and understand policies and procedures. (Or know where to find them.) • Discuss with staff if they are aware of and clear on policies and procedures or if there are any ambiguities. 	1	2	3	4	5	

3.5

Qualitative Tools

The following chart is an example of a qualitative assessment tool. This table has been adapted from Grace Edward-Galabuzi’s presentation on Making Racial Justice Real (2010).

Dimensions	Focus	Questions
Ideological	Historical disadvantages, Values, Attitudes, Climate	How has the workplace historically regarded racialized newcomers?
Structural	Entitlements/rights, recourse and remedies	Are there effective legal measures for dealing with systemic racism in the workplace? What are they? Do all employees know about them?
Participatory	Programs, services	To what extent do newcomer communities exercise control over the policies and programs that affect them?
Developmental	Opportunities and resources	To what extent is the potential of the group being realized?

Assessing Organizational Culture

Tools can also be developed which assess the organizational culture, such as the following model prepared by Hieu Van Ngo of the Cultural Diversity Institute, Calgary, Alberta.

Procedure

All board members, staff and volunteers will complete this questionnaire by indicating YES, NO, or In PROGRESS. For each of the following statements, choose the answer that best describes your agency at the current time. In the space provided, write down positive progress as well as additional steps your agency might take to move towards cultural competency.

1. The agency acknowledges and respects the right of an individual to his or her cultural customs, beliefs and practices.
2. The agency affirms that an individual's culture is an integral part of the physical, emotional, intellectual, spiritual and overall well being of that individual.
3. The agency is responsive to issues of cultural diversity, and designs programs and services that reflect its client populations.
4. The agency considers cultural factors such as language, race, ethnicity, customs, family structure and community dynamics in developing its management and service delivery strategies.
5. The agency respects the diversity and rights of the individuals it serves.
6. The agency respects the diversity and rights of those providing their services.
7. The agency incorporates the principles of equality, freedom from discrimination, and access to participation outlined in the Canadian Charter of Human Rights and Freedoms, Canadian Multiculturalism Act and Alberta Human Rights, Citizenship and Multiculturalism Act into its management and service delivery strategies.

Additional Comments:

A number of additional assessment tools are listed in the appendices, including individual assessment tools that can be used to measure the impact of policies by surveying employees before and after they have completed cross-cultural communication and diversity training. This is important since the best indicator of the effectiveness of immigrant-friendly policies is the reduction of inequality and discrimination in the workplace, including an increase in acceptable behaviors towards newcomers or individuals who hold different opinions.

4. IMMIGRANT-FRIENDLY WORKPLACE POLICIES

The section will provide an outline of mandatory human resources policies and procedures, including suggested tips for making each of these policies and procedures immigrant-friendly.

4.1

Mandatory Human Resources Policies and Procedures:

- Employee Information and Privacy
- Education and Performance Appraisals
- Health and Safety/Workplace Violence
- Holidays
- Hours of Work
- Leaves – including sick leave, leave of absence, bereavement and compassionate leave
- Overtime Compensation
- Recruitment and Selection
- Termination
- Vacation

4.2

Employee Information and Privacy

From: Office of the Privacy Commission of Canada
http://www.priv.gc.ca/fs-fi/02_05_d_17_e.cfm

An employer's need for information should be balanced with an employee's right to privacy. For almost all personal information — including pay and benefit records, formal and informal personnel files, video or audio tapes, and records of web-browsing, electronic mail, and keystrokes — the following basic rules help to establish and maintain that balance:

- The employer should say what personal information it collects from employees, why it collects it, and what it does with it.
- Collection, use, or disclosure of personal information should normally be done only with an employee's knowledge and consent.
- The employer should only collect personal information that's necessary for its stated purpose, and collect it by fair and lawful means.
- The employer should normally use or disclose personal information only for the purposes that it collected it for, and keep it only as long as it's needed for those purposes, unless it has the employee's consent to do something else with it, or is legally required to use or disclose it for other purposes.
- Employees' personal information needs to be accurate, complete, and up-to-date.
- Employees should be able to access their personal information, and be able to challenge the accuracy and completeness of it.
- At a minimum, employers should tell their employees what personal information will be collected, used, and disclosed. They should inform employees of their policies on

Web, e-mail, and telephone use, for example. If employees are subject to random or continuous surveillance, they need to be told so. Employers should also ensure that information they collect for one purpose isn't used for an unrelated purpose without the employee's consent. Even if they're not required to do so by law, employers should give employees access to the personal information held about them, so that they can verify, and if necessary challenge, its accuracy and completeness.

Immigrant-friendly Tips

- Do not ask for information regarding an employee's citizenship status unless it is a bona fide occupational requirement
- Do not ask invasive questions about cultural background, place of origin etc., unless it is a bona fide occupational requirement
- Do not ask for information regarding "Canadian experience" unless it is a bona fide occupational requirement

4.3

Evaluation and Performance Appraisals

From HR Council for the nonprofit Sector
http://hrcouncil.ca/hr-toolkit/policies-sample-policies.cfm#_secA43

Employee performance management is an integral part of overall organization management. It should relate employee work performance and achievements to the operational and strategic performance of the organization. While historically the focus of performance management was on past performance, often used for the sole purpose of compensation decisions, today best practice performance management focuses on on-going employee performance improvement and professional development.

Elements of employee performance management

There are a number of elements of performance management that organizations should focus on when establishing an employee performance management policy and process. These elements include:

Alignment of employee performance objectives to organizational goals

- While job descriptions establish the activities that need to get done in order to deliver the services of the organization, performance objectives define the qualitative and quantitative standards for each of the key activities. Employees at all levels in the organization should be able to clearly understand how their job activities and the level of their performance directly contribute to the success of the organization

Supervisor - employee collaboration

- Employee performance management provides an opportunity to build trust and foster constructive and productive working relationships, particularly between employees and their supervisors. A performance management process that encourages collaboration in setting performance objectives and evaluation results is more effective in motivating employees than a top-down process.

Cycles of performance management

- Most organizations establish an annual performance management cycle, however, it may be more appropriate for the organization as a whole, or specific functions within the organization to have shorter (perhaps project based) performance management cycles. Regardless of the length of the performance management cycle, it should encompass the following steps:
- Performance planning - Typically a collaborative process between supervisors and employees, reviewing the job activities and establishing performance standards and expected results; the performance plan should be documented, including any training or development plans required by the employee to meet job performance objectives.
- Performance feedback - Informal feedback should be on-going; there should be periodic formal feedback prior to the final performance appraisal (particularly in long performance cycles, such as annual).
- Performance management - In addition to providing feedback, supervisors should be providing coaching and other resources to assist employees who are not achieving performance standards. Employees who are unable to meet performance standards over the long term (after training and coaching) may be placed on probation, offered a more appropriate role for their competencies, or terminated (refer to Discipline and Termination). Any change of position must be fairly negotiated with the employee to avoid any claim of constructive dismissal.
- Performance appraisal - A formal performance appraisal should be conducted at the end of the performance management cycle. The performance appraisal should be conducted in a one-on-one meeting with opportunity for discussion regarding performance achievement. The performance appraisal should be documented and kept in the employee file.

Immigrant-friendly Tips

- Evaluation and performance appraisals must focus on the tasks, duties and responsibilities of the employee in a manner which is free from discrimination and personal biases
- Provide employees with opportunities for orientation and trainings before evaluation and appraisal
- Do not wait until the time of the evaluation and performance appraisal to raise concerns that should have been pointed out immediately
- Include an appraisal on supervision. A supervision policy would appraise the manager's ability to provide diverse employees with ongoing support and necessary resources to do their respective jobs, as well as the manager's responsibility to monitor an individual's performance

Health and Safety/Workplace Violence

From: Canadian Centre for Occupational Health and Safety
<http://www.ccohs.ca/oshanswers/hsprograms/basic.html>

What is an occupational health and safety (OH&S) program?

A health and safety program is a definite plan of action designed to prevent accidents and occupational diseases. Some form of a program is required under occupational health and safety legislation in most Canadian jurisdictions. A health and safety program must include the elements required by the health and safety legislation as a minimum.

Because organizations differ, a program developed for one organization cannot necessarily be expected to meet the needs of another. This document summarizes the general elements of a health and safety program. This should help smaller organizations to develop programs to deal with their specific needs. Because many small and medium-sized enterprises (SMEs) lack the resources of larger organizations, it is even more vital that SMEs involve all employees in health and safety activities. The more comprehensive the program is, the more employee involvement can be expected.

What are the program elements?

While organizations will have different needs and scope for specific elements required in their health and safety program, the following basic items should be considered in each case:

- Individual responsibility
- Joint occupational health and safety committee
- Health and safety rules
- Correct work procedures
- Employee orientation
- Training
- Workplace inspections
- Reporting and investigating accidents
- Emergency procedures
- Medical and first aid
- Health and safety promotion
- Workplace specific items

From: Canadian Centre for Occupational Health and Safety
<http://www.ccohs.ca/oshanswers/psychosocial/violence.html>

What is workplace violence?

Most people think of violence as a physical assault. However, workplace violence is a much broader problem. It is any act in which a person is abused, threatened, intimidated or assaulted in his or her employment. Workplace violence includes:

- threatening behaviour - such as shaking fists, destroying property or throwing objects. verbal or written threats - any expression of an intent to inflict harm.
- harassment - any behaviour that demeans, embarrasses, humiliates, annoys, alarms or

verbally abuses a person and that is known or would be expected to be unwelcome. This includes words, gestures, intimidation, bullying, or other inappropriate activities.

- verbal abuse - swearing, insults or condescending language.
- physical attacks - hitting, shoving, pushing or kicking.

Rumours, swearing, verbal abuse, pranks, arguments, property damage, vandalism, sabotage, pushing, theft, physical assaults, psychological trauma, anger-related incidents, rape, arson and murder are all examples of workplace violence.

Workplace violence is not limited to incidents that occur within a traditional workplace. Work-related violence can occur at off-site business-related functions (conferences, trade shows), at social events related to work, in clients' homes or away from work but resulting from work (a threatening telephone call to your home from a client).

What can I do to prevent violence in my workplace?

The most important component of any workplace violence prevention program is management commitment. Management commitment is best communicated in a written policy.

The policy should:

- be developed by management and employee representatives.
- apply to management, employees, clients, independent contractors and anyone who has a relationship with your company.
- define what you mean by workplace violence in precise, concrete language.
- provide clear examples of unacceptable behaviour and working conditions.
- state in clear terms your organization's view toward workplace violence and its commitment to the prevention of workplace violence.
- precisely state the consequences of making threats or committing violent acts.
- outline the process by which preventive measures will be developed..
- encourage reporting of all incidents of violence.
- outline the confidential process by which employees can report incidents and to whom.
- assure no reprisals will be made against reporting employees.
- outline the procedures for investigating and resolving complaints.
- describe how information about potential risks of violence will be communicated to employees.
- make a commitment to provide support services to victims of violence.
- offer a confidential Employee Assistance Program (EAP) to allow employees with personal problems to seek help.
- make a commitment to fulfill the violence prevention training needs of different levels of personnel within the organization.
- make a commitment to monitor and regularly review the policy.
- state applicable regulatory requirements.

A written policy will inform employees about

- what behaviour (e.g., violence, intimidation, bullying, harassment, etc.) that management considers inappropriate and unacceptable in the workplace,
- what to do when incidents covered by the policy occur, and
- contacts for reporting any incidents.

It will also encourage employees to report such incidents and will show that management is committed to dealing with incidents involving violence, harassment and other unacceptable behaviour. Some employers caring to exceed “minimum” requirements in legislation include “personal harassment” in their anti-harassment policies. Personal harassment does fall under the definition of harassment - unwelcome behaviour that demeans, embarrasses, or humiliates a person; however, it is not covered by human rights legislation dealing with harassment related to race, ethnic origin, religion, sex, etc.

From Canadian Centre for Occupational Health and Safety
<http://www.ccohs.ca/oshanswers/psychosocial/bullying.html>

What is workplace bullying?

Bullying is usually seen as acts or verbal comments that could ‘mentally’ hurt or isolate a person in the workplace. Sometimes, bullying can involve negative physical contact as well. Bullying usually involves repeated incidents or a pattern of behaviour that is intended to intimidate, offend, degrade or humiliate a particular person or group of people. It has also been described as the assertion of power through aggression.

What are some advantages of having a written policy about workplace violence, harassment and other unacceptable behaviour?

What are examples of bullying?

While bullying is a form of aggression, the actions can be both obvious and subtle. It is important to note that the following is not a checklist, nor does it mention all forms of bullying. This list is included as a way of showing some of the ways bullying may happen in a workplace. Also remember that bullying is usually considered to be a pattern of behaviour where one or more incidents will help show that bullying is taking place.

Examples include:

- spreading malicious rumours, gossip, or innuendo that is not true
- excluding or isolating someone socially
- intimidating a person
- undermining or deliberately impeding a person’s work
- physically abusing or threatening abuse
- removing areas of responsibilities without cause
- constantly changing work guidelines
- establishing impossible deadlines that will set up the individual to fail
- withholding necessary information or purposefully giving the wrong information
- making jokes that are ‘obviously offensive’ by spoken word or e-mail
- intruding on a person’s privacy by pestering, spying or stalking
- assigning unreasonable duties or workload which are unfavourable to one person (in a way that creates unnecessary pressure)

- underwork - creating a feeling of uselessness
- yelling or using profanity
- criticising a person persistently or constantly
- belittling a person's opinions
- unwarranted (or undeserved) punishment
- blocking applications for training, leave or promotion
- tampering with a person's personal belongings or work equipment.

What are some general tips for the workplace?

DO

- **ENCOURAGE** everyone at the workplace to act towards others in a respectful and professional manner.
- **HAVE** a workplace policy in place that includes a reporting system.
- **EDUCATE** everyone that bullying is a serious matter.
- **TRY TO WORK OUT** solutions before the situation gets serious or “out of control”.
- **EDUCATE** everyone about what is considered bullying, and whom they can go to for help.
- **TREAT** all complaints seriously, and deal with complaints promptly and confidentially.
- **TRAIN** supervisors and managers in how to deal with complaints and potential situations.
- Encourage them to address situations promptly whether or not a formal complaint has been filed.
- **HAVE** an impartial third party help with the resolution, if necessary.

DO NOT

- **DO NOT IGNORE** any potential problems.
- **DO NOT DELAY** resolution. Act as soon as possible.

Immigrant-Friendly Tips:

- Include specific reference to anti-immigrant sentiments, Islamophobia, xenophobia, and racism in harassment, discrimination, workplace violence and bullying policies
- Include specific reference to discrimination based on religion and faith in harassment, discrimination, workplace violence and bullying policies
- Promote cultural awareness through cross-cultural communication, diversity, anti-racism and anti-oppression trainings
- Does the complaint procedure recognize the risks facing the complainant and the benefits to the organization of the information the complainant is bringing forward?
- In order to create a healthy and safe workplace that is free from harassment and discrimination, include policies and procedures around prayer times and multi-faith prayer spaces
- Include a guide on accommodating cultural practices and dress codes such as the hijab
- Provide “job-relevant” professional language and communication skills training programs
- Support and encourage immigrant/international talent to achieve their professional goals and objectives.

Holidays

From HR Council for the nonprofit Sector
http://hrcouncil.ca/hr-toolkit/policies-sample-policies.cfm#_secA43

Statutory or public holidays are days the government (federal and/or provincial) has designated as paid days off. Much of the content of your policy will be based directly on the law.

In addition to identifying statutory holidays, most legislation also governs:

- How holidays which fall on a regular day off are to be handled
- The rate of pay that must be paid to those who work the holiday
- How to calculate holiday pay for part-time employees

It is important to note that in most jurisdictions part-time employees are entitled to holiday pay whether or not the holiday falls on their usual work day. Your policy should identify the holidays that are provided by law and any other holidays that your organization gives such as Remembrance Day or Easter Monday (if these days are not legislated in your jurisdiction). In all provinces and territories statutory holidays include two holidays based in the Christian faith: Christmas and Good Friday. As Canada has become more diverse, most jurisdictions, through their human rights legislation have made employers responsible for accommodating the religious holidays of other faiths within appropriate guidelines.

For example, in Ontario, an employer has a duty to accommodate an employee who practices another faith with two days of religious holidays - the same number of Christian-based holidays as provide for in the employment standards. These days are in addition to the statutory holidays legislated by the province. If an organization gives its employees Easter Monday as a holiday, making three Christian-based holidays, then the duty to accommodate an employee of another faith would be three days. In this example, the onus is on the employee to request the religious accommodation.

The human rights legislation and the duty to accommodate religious holidays in the workplace are continuously evolving. Review the human rights legislation for your jurisdiction to ensure that your organization is complying with the current laws.

Immigrant-friendly Tips:

- Include a provision in collective agreement that gives: religious day with pay other than statutory holidays; personal days with pay; floating days which can be taken at any time and leave of absence with pay which can be taken at any time during the year can be used for religious holidays other than statutory holidays.
- A contract language that provides for religious days off with pay of the worker's respective religion should be preferred over a language that specifies the religious holiday. This will ensure that when the agreements and policies are implemented, there is equality among workers of different religious communities.

Hours of work

From Canadian Centre for Occupational Health and Safety
<http://www.ccohs.ca/oshanswers/psychosocial/flexible.html>

What is meant by ‘flexible work’?

Simply put, flexible work arrangements are alternate arrangements or schedules from the traditional working day and week. Employees may choose a different work schedule to meet personal or family needs. Alternatively, employers may initiate various schedules to meet their customer needs.

Why should a business consider offering flexible work arrangements?

Many benefits have been reported by various studies. Common findings include:

- Increased ability to attract, retain and motivate high-performing and experienced employees.
- Reduced absenteeism.
- Helps employees manage their responsibilities outside of work.
- Increased job satisfaction, energy, creativity, and ability to handle stress.

What should be considered when designing a flexible work policy?

No matter which program or how many options are available, the duties, expectations, and deadlines should be clearly outlined by the supervisor and agreed upon by both the supervisor and the employee. Supportive organizational culture, clear communication, teamwork and reciprocal support between management and employees will help ensure the success of these initiatives.

Other issues that should be considered include:

- Initial start-up costs and additional administrative duties/time.
- How to schedule meetings and training courses so most employees can attend.
- Workload management.
- Meeting customer demands.
- Impact the employee’s absence will have on the group or the organization.
- Impact on terms and conditions of employment (e.g., leave benefits may be prorated).

What are examples of flexible work arrangements?

Whether formally written into company policy or an informal agreement between the employee and employer, common arrangements include:

Flex time

Flex time is an arrangement where employees work a full day but they can vary their working hours. These arrangements are usually established with specific guidelines so that a “core” working day exists. Flex time is usually arranged in advance with the employee and employer or supervisor and a set range of start and finish times are established. The total hours of work are not usually affected by this arrangement.

For example, the employee may choose to start between 7:30 and 9:30 AM, and finish between 3:30 and 5:30 PM. This arrangement establishes that core hours are between 9:30 AM and 3:30 PM when all employees will be at work. Lunch periods are usually mandatory and for a set length (30 to 90 minutes). Employees should maintain their start/finish times so that a routine is established and co-workers can become accustomed to each others' schedules.

Reduced hours/Part-time

Employees may choose to work fewer than the standard 37.5 or 40 hours work week. These arrangements may be on a temporary or permanent basis depending on individual circumstances. It may also be considered in some cases for employees with health problems or disabilities. Work hours may be negotiated, or they may be chosen to coincide with peak workload hours depending on the type of business. However, employee benefits and qualification for government programs (such as employment insurance or pension plans) may be affected, and should be examined thoroughly before commencing.

Compressed work week

Compressed work week occurs when an employee works for longer periods of time per day or shift in exchange for a day off. Employees may start earlier or finish later than the normal work day. Compressed work weeks are often initiated by the employee, but sometimes the employer may initiate the option to improve operational efficiency, to maximize production (reduced daily start up costs) or to establish longer business hours which can enhance customer service.

Common arrangements for a 40 hours work week are working 10 hours per day, 4 days a week; working an extra hour a day with 1 day off every 2 weeks; or working an extra half hour a day and having one day every 3 or 4 weeks off.

Telework/Telecommuting

Telework or telecommuting occurs when people do at least some of their regular work from home instead of going into the office. Details such as hours of work, and how communications between the teleworker, co-workers and customers need to be outlined. For more information, please see the OSH Answers document on Telework/Telecommuting.

Job sharing

Job sharing occurs when two or more people share one or more positions or set of duties. It should be clear before starting how these arrangements affect pay, benefits, and holidays. It is very important that those in a job sharing arrangement work effectively as a team, and communicate well. Job sharing may be an option when few part-time positions are available within the company.

Banking of Hours/ Annualized hours

This arrangement allows employees to choose, within negotiated boundaries, their days and hours of work to the maximum for a set period of time. This period of time may be weekly, monthly or yearly. Such arrangements are often a combination of flex time and compressed work week and can help reduce the amount of overtime hours required. These arrangements

may be suited to fields where there is variation in demands such as peak hours or seasonal peaks.

Gradual Retirement

Gradual retirement allows employees to reduce their working hours or reduce their workload over a period of time rather than switching from full time employment to retirement abruptly. This phased period can be used to train the replacement employee, help others adjust to restructuring within the company, or to adjust for the redistribution of tasks among the remaining employees.

Immigrant-friendly Tips:

A flex hours policy that allows staff to take additional time off is immigrant friendly as immigrants may rather work longer hours while they are here, and have a longer vacation in order to be able to travel to their country of origin and re-connect with family and friends

4.7

Leaves – including sick leave, leave of absence

From Canadian Centre for Occupational Health and Safety
<http://www.ccohs.ca/oshanswers/psychosocial/flexible.html>

Leaves and sabbaticals are authorized periods of time away from work without loss of employment rights. Paid or unpaid leaves are usually granted for family, health care, education or leisure reasons. Sabbaticals are usually paid (or partially funded) and occur on a regular basis in addition to vacation time. In some cases, self-funded leaves are also possible where a portion of the employee's salary is withheld and returned to the employee 'as pay' during the time away from work.

Immigrant-friendly Tips:

Allow for a leave of absence with pay which can be taken at any time during the year that can be used for religious holidays other than statutory holidays.

4.8

Overtime Compensation

From HR Council for the nonprofit Sector
http://hrcouncil.ca/hr-toolkit/policies-sample-policies.cfm#_secA43

The law in each province and territory sets a standard work week, which establishes the point at which employees are to be paid at an overtime rate. The laws vary in their definition of the standard work week, and the overtime rate. Prior to establishing an overtime policy, review the employment standards requirements for your province.

Issues to be addressed by your overtime policy include:

- Who is eligible? In most jurisdictions, employers are not required by law to pay managers for overtime. However, your organization may choose to do so. It is important

to note that simply calling an employee a manager does not make them a manager in the eyes of the law. Check the employment standards for your jurisdiction to find out how a manager is defined - it usually includes spending a substantial amount of the workday overseeing the work of other employees.

- What conditions apply? Can employees work extra hours if they feel it is necessary or is prior approval by the executive director required?
- How will employees be compensated? Once an employee works overtime as defined in the employment standards for your jurisdiction, how the employee is compensated is clear. It is usually either time off in lieu or payment; both of these at the rate specified in the legislation. The employee usually makes the choice of time off or payment. In organization with a short work week (shorter than the standard work week as defined by employment standards) employees may work overtime, that is more hours than your organization workweek, but compensating these overtime hours may not be covered by employment standards. Your policy on overtime should cover this grey area if it exists. Will employees be compensated at a rate of one hour for each hour worked, or time and one half for each hour worked? Will employees be given the choice of how they want to be compensated - of time off in lieu or payment?

Your organization's overtime policy must comply with legislation; provide your organization with the flexibility to get work done in special circumstances; and, fit within your budgetary constraints.

Immigrant-friendly Tips:

Ask employees if they prefer time off in lieu or payment; both of these at the rate specified in the legislation. The employee usually makes the choice of time off or payment.

4.9

Recruitment and Selection

From HR Council for the nonprofit Sector
http://hrcouncil.ca/hr-toolkit/policies-sample-policies.cfm#_secA43

Policies on recruitment and selection outline how recruitment will be done and provide guidelines for the selection process.

Recruitment is the process of gathering a group of qualified applicants. It includes tasks like writing a job description and job postings, and going through the steps of posting it internally (e.g. bulletin boards, intranet, e-mail notification), externally (e.g. newspaper ads, temp agencies, internet), or both.

Selection is the process designed to determine the most qualified candidate from the group of applicants. It includes tasks like reviewing resumes, interviewing, work related testing, reference checks and the final employment offer.

From the words in a job posting to the questions asked during an interview, it is necessary to be objective and to focus on the requirements of the job in order to avoid discriminatory

practices. Consult applicable human rights legislation to ensure your recruitment and selection process complies with it.

Immigrant-friendly Tips:

- Expand recruitment methods
- Implement culturally sensitive screening practices
- Hiring committee completed cross-cultural communication and diversity training
- Position postings and job descriptions are written clearly, simply and accessibly. Write position postings in multiple languages
- System of evaluation that recognizes foreign credentials. Consult the New Canadians Centre for help in obtaining recognition for international qualifications
- Identify language skills required for position
- If language skills are not a requirement for the position, include a translator on the hiring committee
- Provide information and pre-employment training to immigrant/international job seekers through community organizations.
- Offer bridging and mentoring programs
- Provide assistance for immigrants/international job seekers to acquire credential papers/documents.
- Have bona fide job requirements that build in equity competencies and job descriptions that utilize and assess for those

4.10

Termination

From HR Council for the nonprofit Sector
http://hrcouncil.ca/hr-toolkit/policies-sample-policies.cfm#_secA43

Employers have a basic right to terminate an employee, but along with that right, come responsibilities. Employers must comply with the Employment/Labour Standards and human rights legislation for their jurisdiction and beyond that, employers must treat employees fairly and in good faith as defined by common law or civil law (Québec).

All jurisdictions have minimum standards for periods of notice required for termination without cause, and requirements for compensation in lieu of notice. A poorly handled termination can lead to legal action; therefore it is wise to consult a lawyer before terminating an employee for whatever the reasons.

Important terms

Termination with cause puts the onus on the employer to show that an act by an employee could seriously impact the organization.

Termination without cause usually requires advance notice and/or compensation be given to the employee. In the voluntary and non-profit sector, termination without cause is often the result of restructuring the organization or changes in funding.

Wrongful dismissal is a legal claim about the cause or notice given to the employee when they are terminated. Constructive dismissal is when there is a significant change in the employment relationship, for example, the employer significantly reduces an employee's salary or makes a significant change to an employee's work location, hours of work, authority or position (without the employee being separated from the organization). You want to avoid both of these.

Immigrant-friendly Tips:

- Do not terminate an employee in a manner which violates the Ontario Human Rights Code. All employees have the right to equal treatment with respect to employment, including termination
- Do not terminate employees for failing to meet the position requirements if they have not been oriented, trained, and/or have not been provided with information regarding their rights as an employee. Oftentimes, incidences such as absenteeism, late arrivals etc are the result of unsafe working environments and are not related to the ability of the employee to fill out their duties

4.11

Vacation

From HR Council for the nonprofit Sector
http://hrcouncil.ca/hr-toolkit/policies-sample-policies.cfm#_secA43

Vacation is annual paid time off for employees. All jurisdictions have minimum standards for paid vacation and your policy needs to be consistent with the applicable law. Your policy may exceed the minimum standards allowed in the law.

Vacation policies tend to cover:

- Employee's eligibility for vacation with pay
- Length of vacation (typically longer with more years of service)
- How vacation time can be taken (all at once, one week at a time, etc)
- Vacation pay (how much, and when employees receive it)
- Scheduling vacations
- Accrued vacation time (whether employees must take it within the year, or if carryover is permitted)

Accrued vacation time can easily get out of hand, requiring large payouts. Therefore some organization limit the number of days of vacation an employee can carry over to the next fiscal year. Instead employees are encouraged to take their vacation in the year in which it is earned. In an organization with a diverse staff, accrued vacation needs to be given careful consideration. From an organizational point of view it may seem reasonable to limit the amount of vacation time accrued, but what if your employees want to visit family during their vacation and that means international travel. The option of accruing enough time to make expensive travel feasible may be the vacation policy that is best for your employees.

Immigrant-friendly Tips:

Allow for flexible work hours so that employees can take additional time off in the form of vacations in order to travel to their country of origin and re-connect with family and friends

5. ADDITIONAL WORKPLACE POLICIES

- Anti-Discrimination
- Employment Equity
- Workplace Diversity
- Contract Workers and Employment Status

5.1

Anti-Discrimination

From: Best Workplace Policies and Practices: Accommodating the Workplace Needs of Muslim Women Wearing Hijab

Anti-discrimination and anti-harassment policies provide the foundation for a workplace to be free of discrimination and harassment. Having implementation procedures ensures that the policy becomes integrated within the structures and environment of the workplace. These policies and procedures can be the motivation for developing further provisions to meet the needs of a diverse workforce.

Immigrant-friendly Tips:

- Provision in collective agreement that makes mandatory the training of employees on human rights, anti-discrimination and anti-harassment policies, and the posting of policies in the workplace.
- Practice of companies to develop audio visual orientation materials which they use to educate new staff regarding company policies. This includes anti-discrimination and anti-harassment policies and behavior.

5.2

Employment Equity

Employment Equity is a program designed to remove barriers to equality in employment by identifying and eliminating discriminatory policies and practices, remedying the effects of past discrimination, and ensuring appropriate representation of the designated groups. It's not just a legal obligation to have a non-discrimination/accommodation policy. The policy/document recognizes that an equitable workplace and a diverse workforce are prerequisites for effective, relevant service delivery. The organization further benefits from the resulting recognition by funders and communities.

Immigrant-friendly Tips:

- Include a statement encouraging new Canadians and racialized immigrants to apply to positions in postings
- Recognize foreign credentials, qualifications and experiences
- Do not tokenize racialized immigrants; include them in the workplace in meaningful ways and provide support systems

5.3

Workplace Diversity

From HR Council for the nonprofit Sector
http://hrcouncil.ca/hr-toolkit/policies-sample-policies.cfm#_secA43

Workplace diversity policies make a commitment to anti-discriminatory practices, and foster equal opportunity through the removal of systemic barriers. They can also reinforce compliance with human rights legislation. Include workplace diversity a statement outlining the organization's values.

Immigrant-Friendly Tips:

- Include provisions such as accommodation of meal requirements in the policy
- Do not include provisions such as dress codes that infringe on the rights of racialized immigrants to their dress and regalia in the collective agreement

5.4

Contract workers and employment status

From HR Council for the nonprofit Sector
http://hrcouncil.ca/hr-toolkit/policies-sample-policies.cfm#_secA43

Nonprofit organizations often use contract workers to augment their human resources for project requirements and to obtain specialized services as needed. Contract workers can help to meet work needs of the organization without increasing staff numbers and incurring employment expenses such as Employment Insurance, Canada Pension Plan, vacation pay, and other employee benefits. However there are significant legal ramifications to hiring contract workers as self-employed service providers when in reality they are employees.

Organizations should establish a clear policy on the use of contract workers, identifying when to hire a contract worker as an employee and when to hire a contract worker as a self-employed service provider. In general, a good guide is hire a contract worker as a contract employee when the organization requires regular full- or part-time work to be done over a significant period of time; and hire a contract worker as a self-employed service provider when the organization needs advice, specialized services or irregular short-term work done.

Immigrant-friendly Tips:

- Consider whether the policy/document anticipates and addresses the differential impact of a practice on different groups of people? For example, if “casual workers” or contract workers are mostly women, racialized and Aboriginal workers, policies that exclude casual workers from entitlements will have a differential impact on these workers. A policy that anticipates differential impact would include casual workers.

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Additional Resources & Tools

An Integrated Anti-Oppression Framework for Reviewing and Implementing Policies: A Toolkit for Community Service Organizations

https://docs.google.com/viewer?a=v&pid=gmail&attid=0.1&thid=12c57cf56eb3e0e3&mt=application/pdf&url=https://mail.google.com/mail/?ui%3D2%26ik%3D3712c14d88%26view%3Datt%26th%3D12c57cf56eb3e0e3%26attid%3D0.1%26disp%3Dsafe%26realattid%3Df_gglmm07k1%26zw&sig=AHIEtbSU7l75OPV0iP1Z1WVxv7GgeHbR_g

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An Inventory of Assessment Tools for Skilled Immigrants – Mosaic Employment Programs http://www.tted.gov.bc.ca/IQP/Pilots/CompletedProjects/Documents/exp019_mosaic.pdf

BC Human Resources Management Association (BC HRMA) & Diversity Clues & EGC Associates. Hiring and Retaining Skilled Immigrants: A Cultural Competence Toolkit. Available at: <http://www.bchrma.org/pdf/itiguide.pdf>

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<http://www.ccohs.ca/>

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Conduct an Internal and External Environmental Scan – Immigrate to Manitoba, Canada http://www2.immigratemanitoba.com/browse/regionalcommunities/plan_guide/community-int_ext.html

Cross Cultural Interviewing Tools from hireimmigrants.ca
<http://www.upwardlyglobal.org/interviewing/>

Diversity and Inclusivity Organizational Self Assessment Tool
http://www.smartgivers.org/uploads/diversity_assessment_tool.pdf

Films against racism in the workplace
<http://workforall.nfb.ca/>

HR Policies & Employment Legislation

<http://hrcouncil.ca/hr-toolkit/policies-sample-policies.cfm>

Immigrant Settlement and Integration Services

<http://www.isisns.ca/>

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Maytree Foundation (2007). Diversity in Governance: A Toolkit for Inclusion on Not-for-Profit Boards. Available at: http://maytree.com/PDF_Files/diversity_toolkit_nonprofit.pdf

Newcomer Youth Settlement Guide for Service Providers – OCASI Project

http://atwork.settlement.org/downloads/atwork/OCASI_SYNC_Youth_Guide_English.pdf

Ontario Council of Agencies Serving Immigrants

<http://www.ocasi.org/index.php?qid=1019&catid=188>

Organizational Standards Initiative: Strengthening Capacity and Accountability

<http://orgstandards.wordpress.com/>

Promoting Newcomer Integration and Social Inclusion through Community Participation and Engagement – OCASI Project

http://atwork.settlement.org/downloads/atwork/Facilitator_Guide_Encourage_Newcomer_Voluntarism.pdf

Recruiting: Finding Talent Video from hireimmigrants.ca

http://www.hireimmigrants.ca/tools/4/2/?flv_file=173

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http://atwork.settlement.org/downloads/atwork/Accommodating_Hijab_Guide.pdf