

Policy Manual – Human Resources

H.T.01 - Fair Practice in Hiring & Promotion Policy

The mission of Catholic Education in Hamilton-Wentworth, in union with our Bishop, is to enable all learners to realize the fullness of humanity of which Our Lord Jesus Christ is the model.

POLICY STATEMENT

The Hamilton-Wentworth Catholic District School Board (HWCDSD) is committed to hiring and promoting the best qualified individuals in support of the Board's mission to enable all learners to realize the fullness of humanity of which our Lord Jesus Christ is the model. The Board's hiring practices are aligned with the Board's Multi-Year Strategic Plan and the Equity Action Plan and are subject to denominational rights as a Catholic school board in the province of Ontario. Further, hiring practices are conducted in accordance with the Ontario Human Rights Code, the Accessibility for Ontarians with Disability Act, the Municipal Freedom of Information and Protection of Privacy Act, the Employment Standards Act, the Ministry of Education of Ontario Policy Program Memorandum (PPM) 165: School Board Teacher Hiring Practices and the provisions of all appropriate collective agreements with the following principles:

The following principles guide the hiring practices of the HWCDSD:

- The HWCDSD recognizes that schools and administrative communities exist to foster and exemplify Catholic virtues centered on the person of Jesus Christ and the teaching of the Catholic Church;
- The HWCDSD believes that every person has a right to employment without discrimination;
- The HWCDSD considers Catholic as a key premise in recruiting, hiring and promoting teachers or any other employee whose position includes dealing with students in situations involving instruction, counselling and guidance, or imparting curriculum. Consistent with its constitutional/denominational rights the Board will exercise preference in recruiting, hiring and promoting practicing Roman Catholics;
- It is understood that teaching and other positions involving regular interaction with students within the HWCDSD, require participation in the religious life of the Catholic school community and their parish community. This would include participation in liturgical celebrations for students and staff; liaison with pastors and families for sacramental preparation programs and providing and participating in adult faith opportunities;
- Recruitment and hiring practices and processes in place in the HWCDSD will be open and transparent, free from nepotism and will ensure no partiality or preferential treatment as a result of personal relationships. These practices and processes shall be routinely monitored and evaluated through the office of the Superintendent of Human Resources;
- The HWCDSD hiring and promotion practices will not discriminate on the basis that the qualified applicant is related to a current or former employee. Within the context of the denominational rights of Catholic school boards, every effort will be made to identify and remove discriminatory biases and systemic barriers that may limit an individual's candidacy for hiring or promotion. An individual may be hired, notwithstanding the applicant's relationship to current or former employees, provided the following are considered prior to selecting a candidate:

- a. That the employee shall not be in a direct supervisory reporting relationship to an immediate family member or relative;
 - b. That staff who are related do not partake in interviews or any part of the hiring process.
 - c. That staff who are involved in the hiring procedures and who have more than a professional relationship with the candidate shall disclose such information in writing to the Superintendent of Human Resources as soon as the staff member becomes aware that a conflict of interest exists.
- Criteria, qualifications and merit considerations for employment opportunities will be established in a fair, equitable and transparent manner. Recruitment for positions will be done as widely as is appropriate to ensure that all qualified applicants have an opportunity to apply including allowing those who have relocated from another Board to apply and be interviewed.
 - The HWCDSB will provide accommodations, as required, to ensure barrier free employment in accordance with the Ontario Human Rights Code and Accessibility for Ontarian's with Disability Act. Applicants may request appropriate accommodation at any stage of the hiring process;
 - The HWCDSB will consider applicants' additional qualifications, including lived experiences, skillsets, backgrounds, and varied work experience that may be considered an asset to the position for which they are applying;
 - The HWCDSB shall promote the hiring of staff from diverse, and currently and historically under-represented groups. This includes intentionally identifying and removing barriers for these groups of people to promote an inclusive environment reflective of the diversity of the student population.
 - Hiring and promotion will be based on demonstrated ability, skill, knowledge and the expertise required to perform the duties of the position and, in the case of employees assigned to positions involving interaction with students, the spiritual commitment to promote the Catholic education system and its Gospel values. This also includes consideration of an applicant's additional experience, skills, background, lived and work experience;
 - The Board recognizes that the needs and priorities of the system, including local needs, must be the primary criteria for decisions with respect to hiring and promotion.

Purpose

This policy affirms the commitment of the Hamilton-Wentworth Catholic District School Board to provide a fair, equitable and transparent hiring processes to all qualified employees and applicants for employment in accordance with the Human Rights Code Section 24(1)(a), the historical right under the Constitution Act, 1982, the Education Act, the Accessibility for Ontarian's with Disability Act, the Municipal Freedom of Information and Protection of Privacy Act, the Employment Standards Act, the Ministry of Education of Ontario Policy Program Memorandum (PPM) 165 and School Board Teacher Hiring Practices and the provisions of all appropriate collective agreements.

Responsibility

The policy extends to the hiring process for all applicants to any position of employment at the Hamilton-Wentworth Catholic District School Board, as well as for employees seeking promotion. The Superintendent of Human Resources shall be responsible for implementing, monitoring and evaluating this policy and administrative procedures. The Director of Education and Superintendent of Human Resources will report regularly to the Board on the implementation of this policy.

Definitions

a) Conflict of Interest

Conflict of Interest means a potential, apparent, or actual conflict where an employee's financial or other personal interest, whether direct or indirect, conflicts or appears to conflict with the employee's responsibility to the Board, or with the employee's participation in any recommendation or decision pertaining to hiring or promotion of a candidate within the Board.

Employee means full-time or part-time employee of the HWCDSB involved in hiring or promotion.

Relationship means any relationship of the employee to persons of his or her immediate family whether related by blood, adoption, marriage, or common-law relationship, and any relationship of an intimate and/or financial nature, any student-supervisor relationship, or any other past or present relationship that may give rise to a reasonable apprehension of bias.

Supervisor means the person to whom an employee reports.

b) Specific Conflicts

Without restricting the generality of this policy, the following circumstances may give rise to conflicts of interest:

- i. participating in, or influencing the outcome of the appointment, hiring, promotion, supervision, or evaluation of a person with whom the employee has, or has had, a relationship;
- ii. acceptance by an employee of a gift from any persons or entities if a reasonable person might conclude that the gift could influence the employee when performing hiring duties with the board.

c) Bias

In this context, bias is defined as prejudice, unrelated to the requirements of the position in question, in favour or against a person or a group compared to another.

d) Nepotism

The act of showing favouritism or providing preferential treatment to a family member or close relative, especially in the application, hiring and placement stages of employment. In the context of this policy, nepotism can occur when an individual within the organization influences the decision to hire or promote a close family member, or supervises a subordinate family member.

Regulations

The Ontario Human Rights Code

The Education Act of Ontario

Employment Standards Act

Municipal Freedom of Information and Protection of Privacy Act

Accessibility for Ontarians with Disability Act

Policy Program Memorandum #165 – School Board Teacher Hiring Practices

Collective Bargaining Agreements

Related Policies

HT04 – Teachers Initial Requirement for New Personnel and Certification

HT05 – Selection of Principals and Vice-Principals

Related Board Committees

Committee of the Whole

Board

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