



Equal Opportunity, Anti-Racism and Anti-Discrimination

POLICY

The Hamilton Police Service is committed to fostering a strong culture of Human Rights and inclusiveness in policing within the City of Hamilton. It is the policy of this Service to actively work to eliminate racism and discrimination. This Service recognizes the barriers faced by identifiable groups including: but not limited to: Aboriginal peoples, members of racialized communities, women, persons with disabilities, Lesbians, Gays, Bisexual, Transgendered and Intersex persons, other cultural, linguistic and religious groups, as well as all similar and related factors. This Service acknowledges that Racism, racial-profiling and other biases exist in policing.

The Police Service will actively work to create and support an environment which values the right of all persons to live and work in an environment free of bias, discrimination and harassment, and the Service strives to ensure it recognizes, reflects and values diversity.

The Service affirms its support for and adherence to the principles of equality and fairness embodied in the Canadian Charter of Rights and Freedoms, the Ontario Human Rights Code, the Police Services Act and the Adequacy and Effectiveness Regulation, the principles of community service and community policing, inherent in the Police Services Act, and the principle of police accountability to the communities we serve.

PROCEDURE

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A.1 General

1. The Police Service will establish and maintain procedures on equal opportunity including recruitment, selection, career development and promotion that are consistent and comply with

the principles of the Ontario Human Rights Code, the *Meiorin decision (def.)*, the Police Services Act, and the Adequacy and Effectiveness Regulation.

(Reference: Policy and Procedure 3.18 Skills Development and Learning Plan, HPS Career Development Program)

2. The Police Service will utilize a Performance Management System in the development of performance expectations for Members and in the ongoing assessment of their work performance that supports and furthers organizational goals and objectives as set out in Policy and Procedure 3.02 Performance Management.
3. Accommodation processes and practices will be consistent and comply with the principles of the Ontario Human Rights Code, the Police Services Act, and the Adequacy and Effectiveness Regulation.
(Reference: Policy and Procedure 3.03 Work Accommodation)
4. The Police Service's procedures on responding to and preventing discrimination and harassment in the workplace will be consistent and comply with the principles of the Ontario Human Rights Code, the Police Services Act, and the Adequacy and Effectiveness Regulation.
(Reference: Policy and Procedure 1.11 Harassment and Discrimination in the Workplace)
5. All allegations of Member misconduct reported to any Member of this Service, which include any suggestion of racially motivated or discriminatory behaviour, shall be investigated with the concluding report to be filed with the Professional Standards Branch.
(Reference: Policy and Procedure 1.22 Public Complaints and Internal Complaints)
6. Members shall receive training on race relations, diversity and human rights as outlined in Policy and Procedure 3.18 Skills Development and Learning Plan, Appendix "A", Component Training Plans, "Equal Opportunity, Discrimination and Workplace Harassment Training Plan" and in accordance with the Adequacy and Effectiveness Regulation.

A.2 Members

1. Shall provide the fullest possible service and extend treatment under the law in a fair and equitable manner to every community and individual, without discrimination on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, gender identity, sex, sexual orientation, age, marital status, same-sex partnership status, pregnancy, family status, handicap or record of offences.
(Reference: Police Services Act)
2. Shall ensure they are familiar with racism and discrimination in all their forms (overt, covert and systemic) and ensure that it is not manifested in their behaviour or any systems they manage.
3. Shall ensure that stereotyping does not occur in the workplace. Stereotyping should not be communicated through actions, behaviours, use of language in verbal or written material produced/delivered, or pictorial displays. Members shall ensure that all internal or external communications do not either overtly or subtly reinforce stereotypes.

4. No Member shall display sexist, racist or other offensive or derogatory material in the workplace.
5. Shall conduct themselves, at all times, in a manner that promotes public confidence in the professionalism, integrity and impartiality of the Service.

A.3 Human Resources Manager

A.3.1 General

1. Shall take the necessary steps to eliminate barriers to equal opportunity, including systemic barriers, and prevent new ones from being established.
2. Shall ensure all practices comply with the recruitment and selection procedures as specified by the Human Resources Section and HPS Collective Agreements.
3. Shall ensure that all persons from all segments of the community and/or HPS Members, have equal access to the recruitment, selection and promotional processes including:
 - a. access to the job advertisement;
 - b. adequate time for a response; and
 - c. accessible process to submit application.
4. Shall be responsible for developing and maintaining a Performance Management System for all Members as outlined in Policy and Procedure 3.02 Performance Management.
5. Shall be responsible for ensuring accommodation processes and practices are consistent and comply with the principles of the Ontario Human Rights Code, the Police Services Act, and the Adequacy and Effectiveness Regulation.
(Reference: Policy and Procedure 3.03 Work Accommodation)
6. Shall work with the Training Branch to ensure Members, including Supervisors, understand their responsibility to ensure that stereotyping does not occur in the workplace.
7. Shall ensure Members responsible for the recruitment, selection and promotional processes have the necessary knowledge, skills and abilities to perform their duties.

A.3.2 Job Qualifications of Positions

1. Shall ensure that the essential job qualifications of positions are identified prior to hiring or promoting, including:
 - a. identifying the essential duties of a position; and
 - b. identifying the essential qualifications and competencies that candidates should have on the first day of the job.
2. Shall ensure that all job qualifications be essential and bona fide, that is:
 - a. be for a purpose rationally connected to the performance of the job; and

- b. be adopted in an honest and good faith belief that they are necessary to the fulfillment of that work-related purpose.

A.3.3 Recruitment Processes

1. Shall ensure that recruitment practices actively seek a wide variety of talented and capable potential applicants, and that a special program (as defined under Section 14 of the Ontario Human Rights Code) be developed in conjunction with the Community Relations Coordinator in consultation with the community to actively recruit candidates from areas that are traditionally under-represented on the basis of gender, race, disability, sexual orientation, religion, or language.
2. In order to monitor and evaluate recruitment of applicants from areas that are traditionally under-represented in accordance with paragraph 1., above, shall conduct self identification surveys every five years.
3. Shall, in consultation with the Chief of Police, define when to recruit internally and externally.
4. When recruiting externally, shall identify a strategy for advertising available positions to all segments of the community and allow an adequate response time for responding to advertisements.
5. When recruiting internally, shall ensure *Notices of Sworn Career Opportunity Development (def.)* and *Notices of Civilian Career Opportunity Development (def.)* are posted in accordance with the HPS Career Development Program, Policy and Procedure 3.18 Skills Development and Learning Plan, applicable Human Resources Section Policies and the Collective Agreements, and allow an adequate response time to postings.
6. Shall establish the essential competencies, determine the knowledge, skills and abilities and set out the training required by Members responsible for the recruitment, selection and promotional processes.

A.3.4 Selection and Promotional Processes

1. Shall ensure Service procedures and processes on selection and promotion require the screening of all applicants based on essential qualifications required on the first day of the job.
2. Shall identify procedures and processes for determining if applicants require any accommodation, in order to allow them to participate equally in the process to demonstrate their ability to perform the essential job qualifications.
3. Shall ensure when assessing qualifications, that education and experience acquired outside of Canada is given appropriate consideration.
4. Shall ensure standardized rating schemes are developed that are consistent with the Ontario Human Rights Code and the Meiorin decision, and consist of criteria that are reasonable, genuine and directly related to the requirements of the job.

5. Shall ensure that all participants, including candidates, are aware of the selection and promotional processes.
6. Shall ensure that the selection criteria are communicated to all Members in advance of the promotional process, to enable Members to develop or acquire required competencies.
(**Reference:** *Policy and Procedure 3.18 Skills Development and Learning Plan*)

B. Professional Development Division

B.1 Training Branch

1. Shall work in conjunction with the Community Relations Coordinator to ensure that a holistic anti-racism and anti-discrimination training strategy is developed and delivered to all Members. The training may be developed and delivered in conjunction with representative community members.
2. Shall ensure an Equal Opportunity, Discrimination and Workplace Harassment Training Plan is developed, reviewed and revised annually as outlined in Policy and Procedure 3.18 Skills Development and Learning Plan. A copy of the Training Plan shall be forwarded to the Deputy Chief, Field Support.

B.2 Professional Standards Branch

1. Shall monitor all complaints which include any suggestion of racially motivated or discriminatory behaviour.
2. May discuss complaints alleging racism or other discrimination with the Community Relations Coordinator, as required.

C. Community Relations Coordinator

1. Shall work in conjunction with the Training Branch to ensure that an anti-racism and anti-discrimination training strategy is developed.
2. Shall work in conjunction with the Human Resources Manager to ensure that recruitment practices actively seek a wide variety of talented and capable potential applicants, and that a special program (as defined under Section 14 of the Ontario Human Rights Code) be developed in consultation with the community to actively recruit candidates from areas that are traditionally under-represented on the basis of gender, race, disability, sexual orientation, religion, or language.
(**Reference:** *Policy and Procedure 2.13 Community Relations Branch*)
3. Shall review any public complaint forwarded by the Professional Standards Branch (PSB) which makes an allegation of racism or other discrimination, and discuss the occurrence with PSB, as required.

D. Deputy Chief – Field Support

1. Shall ensure the Police Service establishes and maintains accommodation processes and practices that are consistent and comply with the principles of the Ontario Human Rights Code and the Police Services Act, Section 47.
(Reference: Policy and Procedure 3.03 Work Accommodation and Human Resources Section Recruitment and Job Posting Procedures)

2. Shall receive and approve the Equal Opportunity, Discrimination and Workplace Harassment Training Plan submitted by the Commander of the Professional Development Division. Shall forward the approved Training Plan to the Training Branch by January 30th of each year.
(Reference: Policy and Procedure 3.18 Skills Development and Learning Plan)

DEFINITIONS

Meiroin Decision

A Supreme Court of Canada case that created a unified test to determine if a violation of human rights legislation can be justified as a bona fide occupational requirement.
(British Columbia (Public Service Employee Relations Commission) v. British Columbia Government Service Employees' Union [1999] 3 S.C.R. 3, 1999 SCC 48).

Notice of Sworn Career Opportunity Development

An email notice sent by the Human Resources Section to notify Members of a sworn career development opportunity position in accordance with Career Development Program and the Collective Agreement. The notice includes application instructions and outlines the essential qualifications, other requirements and the process for selection.

Notice of Civilian Career Opportunity Development

An email notice sent by the Human Resources Section to notify Members of a civilian career development opportunity position in accordance with the Collective Agreement. The notice includes application instructions and outlines the required competencies, any special needs, tests and assessments, summary job description and general duties.

REFERENCES

- Adequacy and Effectiveness Regulation
- British Columbia (Public Service Employee Relations Commission) v. British Columbia Government and Service Employees' Union (Meiorin Grievance) [1999] 3 S.C.R. 3, 1999 SCC 48
- Canadian Charter of Rights and Freedoms
- HPS Career Development Program
- HPS Collective Agreements
- HPS Human Resources Section Recruitment and Job Posting Policies
- Ontario Human Rights Code
- Police Services Act
- Policy and Procedure 1.11 Harassment and Discrimination in the Workplace
- Policy and Procedure 1.22 Public Complaints and Internal Complaints
- Policy and Procedure 2.13 Community Relations Branch
- Policy and Procedure 3.02 Performance Management
- Policy and Procedure 3.03 Work Accommodation

Policy and Procedure 3.18 Skills Development and Learning Plan



Glenn De Caire
Chief of Police

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