

## Special Program Justification Form

### Indigenous Restricted/Priority Hire - Job Advertisement Request

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**Employee Type:**     Faculty             Staff

**Hire Type:**             Restricted         Priority

**\*Please note this form is a template only. Hiring managers still need to consider the questions and provide their own thoughts where appropriate.**

Please note that to proceed with a **restricted/priority job advertisement**, the following information must be completed. Please submit the completed form, along with your job description to [lis@uwaterloo.ca](mailto:lis@uwaterloo.ca). Legal and Immigration Services will review your file and provide an analysis of your request. This form, the job description, and the analysis completed by Legal and Immigration Services must be shared with your HR Partner for all staff hires. All documentation must be uploaded to the recruitment software platform.

For faculty positions, please include your authorization to advertise and mission critical forms. Ensure that the mission critical or revised job description explains the need for a candidate from the underrepresented group.

Please see below for a process map for **restricted/priority hire** requests.

Date:

Position Title:

Faculty Rank (if applicable):

Faculty/Academic Support Unit:

Department:

**Indigenous Peoples of North America will benefit from the restricted/priority job advertisement.**

Equitable hiring strategies, whether “priority” or “restricted”, may be used at any time, in accordance with the University’s equitable hiring priorities, subject to certain risks and considerations. While consistent with the Ontario *Human Rights Code* and the *Employment Equity Act*, these strategies may attract allegations of discrimination. If the University is unable to produce a rationale for its asserted special program, the University might not be able to demonstrate that a priority/restricted hire was justified. This could increase the level of legal risk to the University and result in the

University receiving an Ontario Human Rights Tribunal application alleging that the University is in violation of the [Ontario Human Rights Code \(“Code”\)](#). To support an equitable hiring strategy, prepare a document that includes the University’s rationale for the strategy, which would include, at least, the following information. Please attach a separate page if required.

1. Review and attach objective data and evidence (i.e. [Federal Contractors Program](#), [Institutional Analysis and Planning and Statistics Canada](#)). Summarize the data and evidence and comment on the degree of underrepresentation. *Note: This section is complete for the purposes of this form.*

Based on recent surveys, approximately 1% of the University’s workforce reported that they identified as Indigenous. However, recent census data shows that approximately 2% of the adult population in the Kitchener-Cambridge-Waterloo (“KCW”) area identifies as Indigenous, with approximately 3% of the Ontario population, and 5% of the Canadian population identifying as Indigenous. Accordingly, Indigenous employees are underrepresented within the University’s employee population.

Moreover, recent data also shows that Indigenous persons have a much higher unemployment rate than non-Indigenous persons. Labour force data reported from April 2023 shows an 8.3% unemployment rate for Ontario Indigenous persons, compared to a rate of only 5.1% for non-Indigenous persons.

2. Describe past efforts, if any, to address the underrepresentation which the priority or restricted hire is intended to address. This is intended to provide additional information on this request. This can include formal or informal efforts to address underrepresentation.

3. Outline your equity hiring strategy for the position and address how the position supports efforts to address identified underrepresentation and equity goals. Hiring managers and panel members are encouraged to complete the [Recruitment and Selection module](#) (Please note this is currently faculty focused but is applicable to staff as well). Equity goals can be department level equity goals, or University equity goals.

The University of Waterloo is actively working toward systemic equity and recognizes that creating opportunities for restricted and/or priority hires for equity deserving applicants is one step toward meeting that goal.

Incorporating equity tools and wise practices into our recruitment practices is a critical step in the process. Each step of the recruitment process is guided by University policies and best practices to ensure all groups and individuals are included, treated fairly and have equitable opportunity. These practices include comparing applicants against the posted qualifications, asking consistent and relevant interview questions, being aware of personal biases, etc., and working collaboratively to interrupt unfair practices.

The attached [Equitable Recruitment and Selection Practices Guide](#) will provide me with the best practices to ensure an equitable recruitment process.

This restricted hire will assist the University in addressing the underrepresentation in its workforce which is described in question 1 above, as well as the overall higher unemployment rates faced by Indigenous persons, as compared to non-Indigenous persons.

For staff hires, we will use the following paragraph in our job advertisement:

- As part of our due diligence process, you will have to provide verification of citizenship/membership. Verifications will be done by the Indigenous Relations Office according to the process outlined here: <https://uwaterloo.ca/indigenous/indigenous-verification>
- Please note that our recruitment system has limitations. Hiring managers will only see the last updated version of the application (cover letter and resume) as older versions will be overridden. Therefore, if you are applying to more than one job simultaneously, your self-identification will be available to all hiring managers.

\*\*Please add any additional strategy for your hiring and retention/support

4. Please describe the verification process for Priority/Restricted Indigenous hires (selected candidates):

The hiring manager will connect with the Office of Indigenous Relations (OIR) at the start of the recruitment process to determine the level of involvement required for each hire (i.e., interview committee, sharing of top candidate once selected to obtain verification of citizenship/membership). Please see contact information below.

For both priority and restricted hires, Human Resources will request verification information as part of the due diligence process, to be verified by OIR, prior to any offer of employment. For restricted hires, citizenship/membership must be verified through OIR; for priority hires, citizenship/membership must be verified if the candidate self-identifies.

Standardized selection criteria for evaluating applicants to this restricted/priority job advertisement **will** be developed and followed by the Selection Committee. The attached [Equitable Recruitment and Selection Practices](#) document will be followed, and the Hiring Manager and panel members will seek advice from Human Resources.

5. The restricted/priority job advertisement will be posted.
- a) Staff Only Hires – for a minimum of 7 days, or until the position is filled.
    - Yes
    - No
    - N/A
  - b) Faculty Only Hires – for a minimum of 30 days
    - Yes
    - No
    - N/A

If you are not posting this position, please explain:

6. As **Hiring Manager**, I acknowledge receipt of advice from [Legal and Immigration Services](#) (LIS) and have attached a copy of the advice to this Justification form.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Please provide a full description of how you incorporated the advice and guidance from LIS:

The undersigned attests that all requirements for the special program for a restricted job advertisement have been met. **To be signed after receipt of an analysis from LIS.**

Department Head/Chair: \_\_\_\_\_ Date: \_\_\_\_\_

Dean/Associate Provost: \_\_\_\_\_ Date: \_\_\_\_\_

V.P. Academic & Provost: \_\_\_\_\_ Date: \_\_\_\_\_

### **Glossary of Terms**

**Priority Hire:** An open competition in which the University (1) expressly encourages applications from underrepresented groups and (2) affords greater weight to candidates from qualified candidates within the underrepresented group.

**Restricted Hire:** A limited competition in which the University expressly limits eligibility to apply for a position to candidates who belong to underrepresented groups.

**Indigenous:** For the purposes of this document, Indigenous refers to First Nations, Metis, Inuit or Native American.

**Human Resources will be providing the hiring manager with support for this priority/restricted hire. Please feel free to reach out to your Talent Acquisition Specialist regarding the equitable recruitment process.**

For specific advice and guidance on how to fill out this document, please connect with John Lewis (john.lewis@uwaterloo.ca) for faculty recruitment and Melissa Ireland (melissa.ireland@uwaterloo.ca) for staff recruitment.