



## EMPLOYMENT EQUITY COMPLIANCE PROGRAM

The Employment Equity Compliance Program requires employers to identify barriers to employment and to implement positive policies and practices to eliminate gaps in the representation of designated groups (women, Aboriginal peoples, persons with disabilities and visible minorities). Through the *Employment Equity Act*, the Canadian Human Rights Commission is mandated to conduct audits of federally regulated workplaces to ensure compliance with the Act.

There are approximately 500 federally regulated private sector employers of 100 or more employees in banking, communication, transportation and various other industries, as well as in grain elevators, uranium mines and nuclear power operations, which are covered by the Act. It also covers approximately 90 federally regulated public sector departments and agencies.

The program, which has been in existence since 1997, was redesigned in 2006 to better reflect the changing social context. The new audit process is simpler and allows for decisions on compliance to be determined more quickly.

### Highlights of the new audit process

- Number of statutory requirements streamlined from 12 to 9
- Amalgamation of different types of audits into one audit with two phases:
  - preliminary assessment phase
  - progress assessment phase
- Emphasis on monitoring performance of audited employers
- Goal of reducing time for an audit phase to under one year
- Streamlined and shortened approval process

### Audit process

The audit process begins with the Commission sending a letter to the employer to provide notification of the audit. Soon thereafter, the Commission's Compliance Review Officer sends an Employment Equity Audit Questionnaire and other documents to the employer. After the employer has completed the questionnaire and returned it along with other requested documentation, the Compliance Review Officer assesses the documents. If the Compliance Review Officer determines that the employer is in compliance with the *Employment Equity Act*, a recommendation is made to the Commission to that effect. The Commission's decision is communicated to the employer by letter and information about the employer's continuing obligations under the Act is included. The preliminary assessment phase of the audit is then considered to be complete.

If, on assessing the employer's documents, the Compliance Review Officer determines that the employer is *not* in compliance with the Act, the Compliance Review Officer negotiates with the employer to help correct the deficiencies observed. Within four months, the employer is expected to fulfill its undertakings and the Compliance Review Officer then assesses the progress the employer has made.

If the employer is now in compliance with the Act, the preliminary assessment phase of the audit is concluded as described above. If the employer is still not in compliance, the Commission will issue a Direction to which the employer must respond by a set deadline. The Compliance Review Officer reassesses the employer's progress at the end of the defined period. If the employer is still not in compliance, the Commission may refer the employer to an Employment Equity Review Tribunal.

The progress assessment phase of the audit normally begins three to five years after the preliminary assessment. This phase is designed to ensure that the employer continues to meet the audit requirements assessed in the preliminary phase. Particular attention is paid to the employer's progress in implementing the Employment Equity Plan. At that phase, it is expected that the plan has resulted in improved representation levels for under-represented designated group members.

## How to reach the Canadian Human Rights Commission

If you need more information about the Employment Equity Compliance Program, please contact:

**Commission regional offices** in Halifax, Montréal, Toronto, Edmonton and Vancouver, toll free 1-800-999-6899 (addresses available on the Commission's website);

or

**National office** at 344 Slater Street, 8th floor, Ottawa, Ontario K1A 1E1

Telephone: (613) 995-1151, or toll free 1-888-214-1090

TTY: 1-888-643-3304.

E-mail: [eeaudit-verificationee@chrc-ccdp.ca](mailto:eeaudit-verificationee@chrc-ccdp.ca)

Website: [www.chrc-ccdp.ca](http://www.chrc-ccdp.ca)

*This document is available on the Canadian Human Rights Commission's website and on request in alternative formats.*

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