



**DURHAM CATHOLIC  
DISTRICT SCHOOL BOARD**  
*Learning and Living in Faith*

## **POLICY – 328**

### **Staffing**

Area: Human Resources

Source: Superintendent of Human Resource Services

Approved: May 7, 2018

Revised: March 22, 2021 (Interim)

#### **1. Introduction**

The Board is committed to a Catholic education system that prepares its students for success, now and in the future. The Board recognizes its obligations to ensure its staffing processes are consistent with evolving legislative requirements and its contractual commitments for each employee group.

The Board also recognizes its obligation to uphold its denominational and management rights, and in doing so, ensure that its workplaces are diverse, equitable and inclusive where employees are treated with dignity and respect at all times.

The Board further recognizes the critical importance of fair, consistent, and transparent hiring processes in its commitment to fostering a qualified, well-prepared diverse workforce which strives to reflect the demographics of the communities in which it serves.

The Board acknowledges its role in ensuring the best educational programming possible for its students reinforced by having qualified staff whose demonstrated experiences and commitment to safe, inclusive, equitable, accessible, and high-quality learning environments is valued in its hiring processes and selection criteria.

#### **2. Definitions**

**Allocation of Staff** – the allotment of staff to Board owned places of work and being subject to the needs of the system, legal requirements set out in collective agreements and terms and conditions of employment and other factors deemed relevant by the Board.

**Appraisal** – the evaluation of an employee’s performance that is aligned to evaluation criteria and subject to collective agreements, terms and conditions of employment, relevant legislation and regulations and Board policies and administrative procedures.

**Collective Agreement** – for the purposes of this policy, it regulates the terms and conditions of its unionized employees in their workplace, their duties, and the duties of the Board. It is the result of a process of collective bargaining between the Board and trade unions representing various employee groups.

**Collective Bargaining** – good-faith process between the Board’s management staff and a trade union representing its employees, for negotiating wages, working hours, working conditions, and other matters of mutual interest. For the purposes of this policy it is understood that Collective bargaining is referenced when the Board and a trade union representing unionized employees are negotiating a collective agreement.

**Conflict of Interest** – a potential, apparent, or actual conflict where an employee, or the employee’s family or close business associates financial or other personal interest, whether direct or indirect, conflicts or appears to conflict with the employee’s responsibility to the Board, or when there is reasonable basis for perception of such conflict, including with the employee’s participation in any recommendation or decision as an agent of the Board.

**Employee** – equivalent to “worker” as defined in the Occupational Health and Safety Act and does not include a Trustee of the Board.

**Employment Systems Review** - the collection and analysis of workforce data, informed by objective data analysis, examining employment systems to determine whether they create barriers for candidates or otherwise unfairly impact their chances to succeed. An effective review will also examine organizational culture for unconscious values, assumptions, and behavioural norms that can disadvantage groups and individuals.

**Recruitment** – for the purposes of hiring, recruitment is a core function of the Human Resources and Administrative Services Department and refers to the overall process of attracting, selecting, and retaining suitable candidates for jobs (either temporary or permanent) for the Durham Catholic District School Board.

**Supervisor** – a person who has charge of the workplace or authority over a worker.

**Terms and Conditions of Employment** – the conditions that the Board and employees agree upon for a job. Terms of employment include but are not limited to an employee’s job responsibilities, hours, breaks, vacation and sick days and pay. They also include benefits such as health insurance, life insurance and retirement plans.

**Transfer of Employee** – the movement (transfer) of an employee from one Board site to another in order to fulfill legislative, contractual, collective agreements, program, personnel, and compassionate, professional or other requirements.

### **3. Purpose**

The purpose of this policy is to provide a framework for the administrative procedures which govern the various human resources and labour relations management operations, practices, and processes.

### **4. Application / Scope**

This policy applies to all employees and employee groups of the Board.

In accordance with changing legislative requirements, specific hiring processes and practices, by employee groups, may be further refined in the accompanying administrative procedures or as outlined herein.

### **5. Principles**

- 5.1 The Board commits that its denominational and management rights are exercised in a fair and reasonable manner consistent with Catholic values and social teachings.
- 5.2 The Board recognizes there is a positive effect on the educational experience and outcomes of historically under-served students when the workforce is reflective of the communities being served.
- 5.3 Subject to collective agreement and legislative obligations, the various human resources management practices related to staffing processes are within the Board's denominational and management rights.
- 5.4 The Board believes that its staffing processes are enhanced through collaboration with its various employee group partners, community stakeholder groups, and in response to the changing representational gaps in its workforce.
- 5.5 The Board will consider the following inter-dependent components in its hiring processes: qualifications and merit; diversity; equity and human rights; employment mobility; fairness and transparency; and, monitoring and evaluation.
- 5.6 The Board believes the promotion of human rights and equity is critical to achieving a diverse and representative teaching and non-teaching workforce to meet the needs of a diverse student population.
- 5.7 The Board will support fair and transparent hiring and promotion, by endeavouring to ensure that its employment policies and practices are anti-discriminatory.
- 5.8 The Board will work to intentionally identify and remove barriers for Indigenous peoples and equity seeking groups at each stage of the hiring process which value different experiences, skill sets, and educational and professional backgrounds.

- 5.9 The Board believes that its staffing processes should promote inclusive workplaces and facilitate employee professional growth and leadership opportunities for all employees throughout their respective careers.

## **6. Requirements**

- 6.1 The Director of Education, or designate shall issue administrative procedures to support this policy and to amend thereafter as the need may arise.
- 6.2 All supervisory officers, principals, and departmental managers shall comply with this policy and its related administrative procedures.
- 6.3 The policy and its attendant administrative procedures shall be consistent with relevant legislation, collective agreements for various bargaining units, and the terms and conditions of employment for non-union employee groups.
- 6.4 The Board commits to regularly review the effectiveness of its hiring practices in reducing barriers and gaps by examining each part of the process-from setting job requirements and employment conditions to establishing the recruitment, application, screening, interview, and selection processes so that no stage creates a barrier for candidates.
- 6.5 The Board acknowledges the integral importance of carrying out Employment Systems Reviews from time to time to monitor changing representational gaps. These reviews will be informed by objective data analysis. Where gaps are identified, the Board will work with its employee representatives and unions to use the results of these reviews to develop a fairness in employment plan including recommendations to close any identified gaps or remove barriers to underrepresented groups.

## **7. Sources**

- 7.1 DCDSB/APSSP Collective Agreement
- 7.2 DCDSB/CUPE Educational Assistants Collective Agreement
- 7.3 DCDSB/CUPE Facilities Services Personnel Collective Agreement
- 7.4 DCDSB/CUPE Secretarial/Clerical/Technical Collective Agreement
- 7.5 DCDSB/ETFO Collective Agreement
- 7.6 DCDSB/OECTA Elementary Teachers' Collective Agreement
- 7.7 DCDSB/OECTA Secondary Collective Agreement
- 7.8 DCDSB/Chaplains Terms and Conditions of Employment
- 7.9 DCDSB/Middle Management Terms and Conditions of Employment
- 7.10 DCDSB/Non-Union Terms and Conditions of Employment
- 7.11 DCDSB/CPCO Durham Chapter Principals/Vice Principals' Terms and Conditions of Employment
- 7.12 College of Audiologists and Speech Language Pathologists of Ontario
- 7.13 College of Early Childhood Educators
- 7.14 College of Psychologists of Ontario

- 7.15 Ontario College of Social Workers and Social Service Workers
- 7.16 Ontario College of Teachers
- 7.17 Criminal Code of Canada
- 7.18 Accepting Schools Act, 2012
- 7.19 *Education Act* and its Regulations, 1990
- 7.20 Municipal Freedom of Information and Protection of Privacy Act, 1990
- 7.21 Ontario College of Teachers Act, 1996
- 7.22 Ontario Early Childhood Educator Act, 2007
- 7.23 *Ontario Education Act* and its Regulations, 1990
- 7.24 Ontario Employment Standards Act, 2000
- 7.25 Ontario Human Rights Code, 1990
- 7.26 Ontario Occupational Health and Safety Act, 1990
- 7.27 Ontario Equity and Inclusive Education Strategy
- 7.28 Policy/Program Memorandum No. 165 – School Board Teacher Hiring Practices

## **8. Related Policies and Administrative Procedures**

- 8.1 PO325 – Appointment to Positions of Academic Responsibility
- 8.2 AP325-1 – Application to the Academic Leadership Position of Curriculum Chair – Interim
- 8.3 Application to the Leadership Position of Consultant/Coordinator – Interim
- 8.4 PO314 – Collection of Personal Information Concerning Criminal Background Checks and Offence Declarations
- 8.5 PO317 – Employee Conflict of Interest
- 8.6 AP317-1 – Employee Conflict of Interest
- 8.7 AP328-2 – Teacher Recruitment & Hiring
- 8.8 AP328-6 – Modified Work Program
- 8.9 PO324 – Workplace Violence
- 8.10 AP324-1 – Workplace Violence - General
- 8.11 AP328-1 Personnel File: Review by an Employee
- 8.12 AP328-5 – Staff Absence: Severe Weather Conditions