



Preferential or Limited Hiring

University Policy No.: HR6110
Classification: Human Resources
Approving Authority: President
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Preamble

- 1.00 When the university has a special program approved by the BC Human Rights Tribunal, such as an employment equity plan, the university may conduct preferential or limited searches that are of a kind approved under its employment equity plan or other special program.

Purpose

- 2.00 This policy provides for the use of preferential and limited hiring to foster equity and diversity. Preferential and limited hiring assists the university to achieve diverse and equitable representation in the workplace, and to recruit employees whose identities enrich the ways in which we accomplish the academic mission and serve our community.

Definitions

- 3.00 For the purposes of this policy, the following definitions apply:

“designated group” means those groups for which the university has been granted approval to conduct special programs. These will be listed on the Equity and Human Rights (“EQHR”) website.

“preferential hiring” means a job competition that gives preference to one or more of the designated groups, in accordance with the *BC Human Rights Code*. This means:

- (a) applications from members of the designated group(s) are considered first;
- (b) only those applicants from the designated group(s) are short-listed and assessed for the vacancy; and
- (c) if none of the preferred applicants are successful after the assessment process, applicants who are not members of the designated group(s) may be short-listed and assessed in accordance with regular selection processes.

“limited hiring” means a job competition that is limited to one or more of the designated groups eligible under the *BC Human Rights Code*. This means:

- (a) only applications from members of the designated group(s) may be considered; and
- (b) if no applicant meets the qualifications for the competition, or if none are successful after the assessment process, the competition must be re-posted or the position must be left unfilled.

“under-represented” means the representation of qualified members of a designated group in the workplace or program is less than the availability of persons in that designated group in the external labour market for that occupation.

Policy

4.00 Preferential or limited hiring may be used when one or more of the following situations exist:

- (a) when a designated group is under-represented in the relevant unit, occupation, or program;
- (b) where past attempts to reach equity through an employment equity plan or other means have not created sufficient change;
- (c) where a new or existing program requires the special expertise or knowledge of members of a designated group;
- (d) where equity and diversity targets or commitments with external funding programs have to be met;
- (e) where it is necessary to build a critical mass of perspectives to support diverse scholarship and work at the university;
- (f) where it is desirable to hire designated group members who will be role models or mentors for students, faculty, and/or staff; or
- (g) where it is expected that there will be few other opportunities into the near future to address the under-representation.

5.00 The university obtains approval from the BC Human Rights Tribunal for its preferential and limited hiring programs. Where the Tribunal pre-approves such a program, it cannot be considered to discriminate against excluded groups. Before embarking on a preferential or limited hire, units are expected to consult the EQHR website to ensure the necessary approvals are in place for the specific group for which they propose to hire.

Approval of Preferential or Limited Hiring

6.00 A proposal for preferential or limited hiring must be submitted to the vice-president responsible for the unit. Such requests must include:

- (a) the reasons the unit is requesting a preferential or limited hiring (see section 4.00);
- (b) the unit's equity plan or most recent equity goals;
- (c) description of representation and gaps in the unit compared to workforce representation (such data can be provided by EQHR); and
- (d) any other relevant information such as a summary of recruitment and selection processes used in recent competitions in the unit, and the results of such competitions.

7.00 For a unit to receive approval for a preferential or limited hiring, it must:

- (a) implement outreach recruitment to ensure that a deep and diverse pool of qualified designated group members have been informed and encouraged to apply;
- (b) provide training to administrators and search committee members on employment equity issues so that there is a welcoming environment for all members of designated groups;
- (c) review selection standards and assessment methods to make sure there are no systemic barriers or biases; and
- (d) provide, where appropriate, confirmation of union agreement to waive normal posting provisions in favour of a preferential or limited hire.

- 8.00 Once the vice-president has approved the proposal, the unit must work with EQHR to prepare its search procedures for the position(s) to be filled.
- 8.01 A unit conducting a preferential or limited search will be expected to follow good practices for such searches, including but not limited to:
- (a) ensuring candidates are considered for the widest number of positions when more than one position is being filled; and
 - (b) assessing the pool of self-identified candidates prior to and separately from other candidates, to reduce the potential impact from unconscious bias.
- 9.00 A preferential or limited hiring advertisement must include the university-approved equity statement, and will also note that the preferential or limited hiring is being applied under section 42 of the *Human Rights Code* for employment equity purposes.
- 10.00 In order to achieve the university's equity and diversity goals, vice-president approval for any position may be contingent on preferential or limited hiring being conducted.

Confidentiality

- 11.00 Hiring processes and related documents are confidential. Personal information is managed and protected in accordance with the [Freedom of Information and Protection of Privacy Act](#).
- 11.01 Any learning from a preferential or limited hiring process, such as helpful practices, can be shared with EQHR. EQHR will gather ideas from searches and will make these available without sharing identifying information.

Review

- 12.00 After a preferential or limited hire, the vice-president (or their designate) may meet with the hiring committee to evaluate the process and receive advice on conducting future preferential or limited hiring. The committee may make recommendations to Faculty Relations and/or Human Resources, with a copy to EQHR.

Authorities and Officers

- 13.00 The authorities and officers for this policy are:
- (i) Approving Authority: President
 - (ii) Designated Executive Officer: President
 - (iii) Procedural Authority: President
 - (iv) Procedural Officer: Executive Director, Equity and Human Rights

Relevant Legislation

[Employment Equity Act, SC 1995, c 44](#)
[Freedom of Information and Protection of Privacy Act, RSBC 1996 c 165](#)
[Human Rights Code, RSBC 1996, c 210](#)

Related Policies and Documents

[Equity and Human Rights website](#)
[Policy on Human Rights, Equity and Fairness \(GV0200\)](#)
[Protection of Privacy Policy \(GV0235\)](#)
[Recruitment Handbook](#)
[University of Victoria Employment Equity Plan](#)
[HR Manager Support Site](#)
[8 Steps to Preferential and Limited Hiring](#)