



CITY OF HAMILTON
CITY MANAGER'S OFFICE
Human Resources Division

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| TO: | Mayor and Members General Issues Committee |
| COMMITTEE DATE: | September 22, 2021 |
| SUBJECT/REPORT NO: | Equity, Diversity and Inclusion Framework (HUR19019(b)) (City Wide) (Outstanding Business List Item) |
| WARD(S) AFFECTED: | City Wide |
| PREPARED BY: | Jodi Koch (905) 546-2424 Ext. 3003 |
| SUBMITTED BY: | Lora Fontana Executive Director Human Resources |
| SIGNATURE: | |

RECOMMENDATIONS

- (a) That the Senior Leadership Team be directed to implement the following:
 - (i) Equity, Diversity, and Inclusion (EDI) Framework as outlined in Appendix “A” to Report HUR19019(b);
 - (ii) EDI Roadmap and Implementation Plan as outlined in Appendix “B” to Report HUR19019(b); and
 - (iii) Ensure their respective staff are required to attend the mandatory training outlined in Recommendation (b) to be delivered to Council members, the Senior Leadership Team, all Supervisor and above employees, and Union Executive Leadership in 2022 and 2023 in accordance with the timelines outlined in Appendix “C” to Report HUR19019(b);

- (b) That Human Resources staff be directed to source suitable training from an external provider(s) on EDI, relating to such elements including, but not limited, to anti-racism, anti-oppression, unconscious bias, and inclusionary best practices as outlined in Appendix “D” to Report HUR19019(b);

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- (c) That an amount not to exceed \$200,000, to be funded from Tax Stabilization Reserve Account #110046, to facilitate the Equity, Diversity and Inclusion 2022 and 2023 training and continued consultant organizational and leadership assessments, be approved; and,
- (d) That the equivalent of three (3) FTE and associated budget be added to the complement of the Human Rights Division in the 2022 budget to provide necessary resources and structure to support the EDI Roadmap and Implementation Plan;
- (e) That Human Resources staff be directed to source options for systems/process enhancements to support Diversity and Inclusion data metric dashboard requirements;
- (f) That staff be directed to revise the EDI Toolkit to ensure alignment with the EDI Framework and Implementation Plan and introduce as a staff resource in 2022;
- (g) That staff be directed to report back to the General Issues Committee by December 31, 2022 with a status update respecting the Equity, Diversity and Inclusion Roadmap and Implementation Plan and,
- (h) That the matter respecting the Equity, Diversity and Inclusion Framework be considered complete and removed from the General Issues Committee's outstanding business list.

EXECUTIVE SUMMARY

Over the past several years, there has been an increased level of awareness that Municipalities need to take a greater role to ensure communities are safe, respectful, and inclusive for all its citizens. Local government has a tremendous direct impact on policy, services, and civic engagement. City Council identified EDI as a key priority for the 2018 – 2022 Term of Council stating that “the City is committed to creating and nurturing a city that is welcome and inclusive. The goal is that equity-seeking communities will feel safe, supported and have an enhanced sense of belonging through strengthening community capacity, City responsiveness and creating inclusive engagement opportunities”. The City of Hamilton faces unique challenges and opportunities and, as such, the framework was designed to meet our City's specific needs.

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In accordance with Council's motion to develop an EDI Framework and accompanying Implementation Plan, a competitive procurement process was conducted with Ernst & Young (EY) identified as the successful proponent. The EY team and staff have engaged in a variety of activities including:

- Cultural Assessment Survey (Appendix "E" to Report HUR19019(b))
- Systems Review (Appendix "F" to Report HUR19019(b))
- Equitable Leadership Assessments for the Senior Leadership Team
- Focus Groups comprised of Council members, staff, EDI Steering Committee members, and Union leadership

This work formed a foundational organizational assessment of the employee experience, system and structure review, and leadership behaviours to identify the opportunities and strengths of the City of Hamilton. This work clearly showed consistent themes and messaging that provided us with a great deal of confidence in the necessary framework and Implementation Plan proposed.

An EDI Steering Committee comprised of staff from across the organization was formed in September 2020 and conducted a number of reviews including the draft EDI glossary of terms, the draft EDI Toolkit (Appendix "G" to Report HUR19019(b)), proposed EDI Calendar of Events, and EDI Steering Committee Mandate. This Steering Committee continues to meet on a monthly basis and provided valuable input and feedback to the overall consultation process.

Alternatives for Consideration – See Page 11

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Budget forecast of up to \$200,000 total for 2022 and 2023 to facilitate, develop and train Council Members, Senior Leadership Team, over 600 Supervisor and above staff, and Union Executive Leadership. Additional ongoing budget to support additional complement FTE starting in 2022 of estimated forecast of \$396,870.14/year.

Staffing: Three (3) staff required to provide the necessary resources to implement the EDI Roadmap and Implementation Plan as it is not feasible to incorporate this volume of work into existing roles and deliver the intended results. To be successful, the EDI priority of Council requires dedicated resources committed to this work. It is recommended that a Senior Project Manager, full-time permanent, an EDI Business Partner, full-time permanent, and a Training Coordinator, temporary full-time for a two-year period be committed to this initiative.

Legal: None

HISTORICAL BACKGROUND

The City of Hamilton began its EDI journey many years ago, albeit in a less formal fashion. Many key projects and initiatives have contributed to where the City is today in its current state, as well as helped to shape our desired future state.

These key projects and initiatives include:

- a) City of Hamilton's Strategic Plan 2016 – 2025
- b) Corporate Culture Pillars
- c) Our Future Hamilton 2016 – 2025
- d) Our People and Performance Plan – 2016 - 2025
- e) Voluntary Demographic Collection – 2018
- f) Regional Roundtable Organizational Assessment – 2017/2018
- g) Diversity and Inclusion Strategic Plan – 2017
- h) Review of Access and Equity's Function – 2016
- i) Employment Systems Review – 2014
- j) Vision 2020
- k) EDI Steering Committee – 2020
- l) Employment Equity Survey – 2020
- m) Voluntary Candidate Demographic Survey – 2020
- n) Review of Equity Toolkit – 2019/2021

While these initiatives have contributed significantly to the progress made, there remained a need to have an overarching framework to guide our policy and decision-making process, ensure alignment with the Corporate Strategic Plan, maximize synergies between departments, and to ensure barriers are eliminated and inclusion is enhanced in our daily work.

An EDI Framework is intended to promote equity, diversity, and inclusion throughout the organization. The EDI Framework has been designed to assist in the creation and implementation of policies, procedures, and practices that are responsive to the needs of diverse organizations and communities.

The EDI Framework will be utilized in a wide variety of manners including, but not limited to strategic planning, internal policies and procedures, goal setting, and service delivery models.

Equity, Diversity, and Inclusion Framework

The EDI Framework is not the end goal, but rather it is part of an ongoing and iterative process. It requires an in-depth understanding of our current state and our desired future state. Appendix “A” to Report HUR19019(b) illustrates the City of Hamilton Framework as we work towards embedding EDI into our thought processes, decision making, and corporate culture. This standardized approach will directly contribute to enhanced decision making and organizational outcomes by embedding EDI principles into the foundation of all we do.

Business Case:

A key component of the framework is to understand the business case supporting EDI and, perhaps more importantly, the impact and cost associated with not integrating EDI in the organization. Numerous studies have shown that enhancing Equity, Diversity and Inclusion in an organization results in better service delivery, improved perception as employer of choice, improved employee engagement and retention with reduced voluntary attrition.

Communications Plan:

For both our employees and community, clear communication and messaging is required to ensure consistent understanding of the EDI Framework and intended outcomes. An overall Communication Plan will assist in both staff training and reinforcement of key messaging, as well as provide timely responses to emerging issues.

Data Collection:

Staff have been actively collecting a variety of data in support of establishing EDI baseline measures and analyzing data trends over time. This includes such metrics as:

- 1) Voluntary Demographic Collection – Volunteers
- 2) Voluntary Demographic Collection – Job Applicants
- 3) Voluntary Demographic Collection – Employees
- 4) OPS Survey

These tools will be enhanced by continuing a multi-pronged approach to collect organizational information.

Demonstrated Ownership:

One of the key themes heard throughout the organizational assessments was the need to clarify and identify ownership for EDI. It is imperative that the City Manager as the EDI Champion and Senior Leadership Team lead the organization to become more inclusive and foster an overall sense of belonging. City Council also has a key leadership role in ensuring staff are provided direction that embodies EDI principles.

Applied Action Plans:

Organizations also require accountability. The proposed Implementation Plan provides for clear deliverables and timelines to advance EDI as an organization wide priority. Training is a key component of the Implementation Plan in order to build capacity and understanding at all levels. This, in turn, will yield more positive outcomes for our staff and community through enhanced decision making.

Metrics and Measurement:

The Implementation Plan needs to have metrics to measure the success of the plan. These measurements will either confirm we are achieving the intended effect or identify opportunities in a timely manner to adjust the Plan to achieve the desired state.

1. Complete Cultural Assessment on an annual basis
2. Complete ELA 360 on annual basis
3. Employment Equity updates annually including applicant demographics
4. OPS Survey every three years
5. Diversity Competencies embedded in annual PAD process
6. EDI Goals identified in annual PAD process

This is an iterative process that requires continued assessments and evaluation of evolving and dynamic environments, organizational and Council priorities, and strategic directions.

Importance of Equity, Diversity and Inclusion Framework

The EDI Framework is important because there are many employees and citizens that are at risk of exclusion if City leaders are not aware of the impacts decisions have on these groups. These populations include, but are not limited to:

- Indigenous peoples
- LGBTQ2S
- Immigrants
- Persons with Disabilities

- Persons living in Poverty
- Racialized People
- Rural Residents
- Women
- Youth
- Older Adults

These groups are traditionally more likely to face barriers, assumptions, stereotypes or discrimination when accessing services, employment, and other social benefits. An EDI Framework affects policies, procedures, and practices which lead to enhanced Equity, Diversity and Inclusion.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

The City of Hamilton has various policies that have relevance to the EDI Framework and associated work. These include:

- Equity and Inclusion Policy
- Harassment and Discrimination Prevention Policy
- Personal Harassment Prevention Policy
- Use of Indigenous Medicines Policy
- Code of Conduct
- Council/Staff Relationship Policy
- Recruitment Accommodation Procedure
- Employment Accommodation Procedure
- Flexible Work Arrangements Policy
- Protocol for Gender Identity and Gender Expression
- Recruitment and Selection Policy
- Substance Use Policy
- Telecommuting Policy
- Mental Health and Wellbeing Policy
- Workplace Breastfeeding Policy
- Violence in the Workplace Policy

Additionally, relevant legislation includes:

- Accessibility for Ontarians with Disabilities Act (AODA)
- Ontario Human Rights Code
- Employment Standards Act
- Ontario Occupational Health and Safety Act

As part of annual policy review process, the EDI framework, should be utilized as a tool to evaluate the various policies and inform possible required revisions. The EDI Steering Committee will serve as a resource for the Policy Review Committee to assist in this endeavor.

RELEVANT CONSULTATION

Extensive research has been done by Diversity staff on various models and methods to develop an EDI Framework and Implementation Plan. Internal consultation was conducted at monthly EDI Steering Committee meetings for the past year and through regular engagement with the Senior Leadership Team.

The City’s Diversity staff have also consulted with the Municipal Network of Diversity and Inclusion which includes representatives from the cities of Toronto, Mississauga, Winnipeg, Edmonton, Calgary, Vancouver, Victoria, Saskatoon, and Halifax which have proven to be a valuable resource and sounding board for the framework and other related Diversity and Inclusion initiatives. This information was integral to the Recommendations related to the proposed structure. The chart below illustrates comparator structures of various municipalities.

| Municipality | Population | Structure | Size of D&I Team | Investigation function |
|---------------------|-------------------|--|-----------------------------|---|
| City of Toronto | 2.732 million | The Equity & Human Rights Office sits with the People & Equity Division and includes: Director, Equity & Human Rights (reporting to the Chief People Officer) – 1 staff Human Rights - 7 staff Equity - 3 staff Gender Equity - 2 staff Accessibility - 3 staff | 16 staff | The Human Rights team has responsibility for human rights / workplace investigations |
| City of Calgary | 1.239 million | HR Consultant, Equity, Diversity and Inclusion Anti-Racism Organization Lead, Leader, Employee Experience Leader, Respect & Inclusion, Calgary Fire Dept | 4 staff | The D&I team does not have responsibility for human rights / workplace investigations |

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| Municipality | Population | Structure | Size of D&I Team | Investigation function |
|---------------------|-------------------|--|--|---|
| City of Winnipeg | 705,000 | Employees are within Corporate Human Resources, including the Diversity & Recruitment branch. | 5 staff | The D&I team is not tasked with human rights/ workplace investigations |
| Waterloo Region | 632,930 | Employees have been temporarily seconded from several departments. There are plans for new FTEs including a Director and 4 employees to support EDI work. | 5 seconded staff Future state is 5 FTEs | The D&I team is not tasked with human rights/ workplace investigations |
| City of Halifax | 400,000 | Office of Diversity & Inclusion and African Nova Scotian Affairs Integration Office (ANSAIO) Managing Director – 1 staff Advisors – 5 staff <ul style="list-style-type: none"> • Senior Advisor Diversity and Inclusion • French Services Advisor • Indigenous Community Engagement Advisor • Community Engagement – Planning & Development Advisor • Accessibility Services Advisor Local Immigration Partnership Coordinator – 1 staff African Nova Scotian Affairs Research Assistant Staffing – 1 staff | 7 staff | The D&I team is not tasked with human rights / workplace investigations |
| City of Vancouver | 631,500 | This team is in the City Manager’s (CAO) Office and reports into the City Manager Chief Equity Officer – 1 staff | 3 staff (all full time) | The D&I team is not tasked with human rights / workplace investigations |

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| Municipality | Population | Structure | Size of D&I Team | Investigation function |
|---------------------|-------------------|--|--------------------------------|---|
| | | Equity Consultant – 2 staff | | |
| City of Saskatoon | 246,400 | Diversity Coordinator in Human Resources | 1 staff | |
| Niagara Region | 481,727 | Program Manager – 1 staff 2 student interns | 1 full-time staff 2 interns | The D&I team is not tasked with human rights / workplace investigations |
| City of Victoria | 67,000 | No dedicated D&I role | | |
| Niagara Region | 481,727 | Program Manager 2 student interns | 1 full-time staff 2 interns | The D&I team is not tasked with human rights / workplace investigations |

Internally, the Urban Indigenous Strategy (UIS), a comparable organization-wide strategy, has a team supporting its implementation and overall sustainability. The UIS is supported by three (3) FTEs including a Manager, Senior Project Manager and Project Manager.

Similarly, the City’s Age Friendly Plan is supported by one (1) Project Manager and a student co-op position.

The EDI Framework will support internal alignments with both established and developing EDI initiatives including the Urban Indigenous Strategy, the Hamilton Community Safety and Well-Being Plan; and Hamilton’s 10-year Housing and Homelessness Action Plan. The Training Plan will assist in providing foundational cultural competency training across the organization and will enhance staff capacity to engage the recommendations related to training to support the UIS.

Alongside the EDI Framework, staff continue to address item (i) of the amended motion made at the September 19, 2019, GIC meeting to establish an EDI subcommittee of Council. Our research indicates that this is a unique to Hamilton proposed structure and the creation of the subcommittee will require Council participation in identifying the mandate and structure as well as membership going forward to ensure the intent of the motion is satisfied.

ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)

In conducting the research for this Recommendation Report, numerous models and approaches were reviewed and considered. What became apparent during this process is the need for organizations to customize their approach to EDI work by consulting with various stakeholders. This work was achieved through three levels of consultation;

1. Individual Employees
2. Systems and Structure
3. Leadership

The City of Hamilton's Strategic Plan clearly identifies the overall Vision and Mission. This has been supplemented with the Diversity and Inclusion Strategic Plan which was designed in alignment with the Corporate Strategy. A number of key initiatives and projects have been undertaken in the past several years which have led to our current state.

In order to move forward and advance towards our desired future state, a more focused and better resourced effort is required. This effort also requires identified accountabilities, defined measurables, and clear deliverables to ensure the Implementation Plan is positioned for success.

The Recommendations contained within this report will directly contribute to achieving these key elements.

ALTERNATIVES FOR CONSIDERATION

One alternative for consideration is to create a standalone Diversity and Inclusion Division that would report to the City Manager. The other Recommendations would remain the same. This model is frequently being used and is gaining in popularity, particularly in the area of post-secondary education as well as private industry. This approach, would require the same resource requests, but this action would accomplish a number of key goals:

- 1) Clearly communicate the priority this work has within the organization
- 2) Allow for dedicated resources and focus on Diversity and Inclusion work
- 3) Increase the effectiveness and timeliness of the deliverables related to EDI

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Budget forecast of up to an estimated \$600,000 annually to cover associated salary and benefit costs. Would still require \$200,000 of funding from Reserves to cover costs of sourcing and delivering training as outlined above as well as the ongoing consultant costs relating to metric tracking.

Staffing: Would require the hiring of a new position at the Senior Leadership Team level to convey the organization’s commitment to the newly created role in addition to the other three (3) FTEs to support the work.

Legal: None

Given the additional costs as well as the need for some preliminary foundational work, this option is not recommended at this time.

A second alternative for consideration would be to enlist the support of a Consultant(s) who specializes in Equity, Diversity and Inclusion work and have them manage this work as an ongoing project. This approach would relieve current staff from taking on additional duties but would not result in the same level of ownership or engagement from the organization’s staff. There would also be significant financial cost in taking this approach and it would not increase the organizational capacity to perform this work.

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Budget forecast estimated of up to an additional \$200,000 annually to cover associated Consultant costs. Would still require \$200,000 of funding from Reserves to cover costs of sourcing and delivering training as outlined above for 2022 - 2023.

Staffing: None

Legal: None

Given the challenges associated with managing external consultants and the desire to have engaged ownership of the EDI process, this alternative is not recommended.

The third alternative for consideration would be to continue to utilize existing Human Resources, Diversity and Inclusion staff to perform this work and contract out the Harassment and Discrimination Investigations they currently perform.

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Budget forecast estimated of up to an additional \$1,000,000 to \$1,500,000 annually to cover associated external investigator costs. Would still require \$200,000 of funding from Reserves to cover costs of sourcing and delivering training as outlined above for 2022 - 2023.

Staffing: None

Legal: None

This approach is not recommended due to the costs associated with external investigations at approximately \$30,000 to \$50,000 per formal investigation. In 2019, they performed 38 such investigations. In 2020, this team conducted 31 investigations, which would cost an estimated \$930,000 to \$1,550,000 annually if outsourced.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Healthy and Safe Communities

Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

Culture and Diversity

Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Report HUR19019(b) – EDI Framework
Appendix "B" to Report HUR19019(b) – EDI Roadmap and Implementation Plan
Appendix "C" to Report HUR19019(b) – Training Timeline
Appendix "D" to Report HUR19019(b) – Training Plan
Appendix "E" to Report HUR19019(b) – Cultural Assessment Survey Results
Appendix "F" to Report HUR19019(b) – System Assessment
Appendix "G" to Report HUR19019(b) – Equity Toolkit Feedback