

**MUNICIPAL EMPLOYMENT EQUITY IN THREE CANADIAN PROVINCES:
“WHAT, ME WORRY?”**

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and

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ABSTRACT

Neither federal nor provincial employment equity law in Canada requires that local units of government collect and report statistics on the presence of women, visible minorities, aboriginal peoples, or persons with disabilities in their workforces. As a result, there is little comparative data on the diversity of local government workforces. To begin to fill this void this study surveyed municipalities in three of Canada's largest and most diverse provinces--Alberta, British Columbia and Ontario--to ascertain what data they compiled on the composition of their workforces, and, if available, what these data might tell us about the demographic diversity of those workforces. The study finds that few municipalities had employment equity programs of their own in place and that few collected and analyzed data on the demographic composition of their workforces. Thus, it is difficult to say how much progress, if any, is being made in terms of employment equity. Various other data from the survey suggest that the commitment of municipal officials to the goals of employment equity is weak. The authors argue that progress in diversifying the workforces of local governments in Canada requires that they either be brought under the mandate of the federal government's employment equity legislation—as has been true in the United States since 1972—or individual provinces should require their local units of government to collect and report information on the demographic composition of their workforces.

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INTRODUCTION

Since at least the 1960s concern has existed in both Canada and the United States about discrimination in public sector employment. Efforts to address such concerns, and to ensure that public sector workforces reflect the larger diversity of each nation's population, have existed for almost as long. But in the case of provincial and local governments in Canada it is not clear how much progress has been made.

The Canadian federal government has taken the lead in efforts to address employment equity concerns.¹ In 1984 The Royal Commission on Equality in Employment issued its report, *Equality in Employment* (Abella, 1984). The Abella Report had a major impact on the content of the federal government's *Employment Equity Act*, enacted in 1986. But the reach of that legislation was limited to various federally regulated instrumentalities of the federal government, including Crown corporations. The Federal Contractors Program was begun at the same time to cover companies with 100 or more employees who bid for federal government contracts. Employees of the federal public service itself were not covered under the terms of the 1986 Act. Rather federal agencies were required to pursue employment equity under provisions of the *Financial Administration Act* as specified in the *Public Service Employment Act* (Bakan and Kobayashi, 2000). The revision to the federal *Employment Equity Act* that became law in 1995 did, among other changes, bring the federal public service under the jurisdiction of the act.

At the provincial level public sector employment equity efforts have been spotty. Bakan and Kobayashi (2000) report employment equity policies and/or laws that apply to the provincial government employees alone existed in British Columbia, Manitoba, Nova Scotia, Quebec, Saskatchewan, and, perhaps, New Brunswick.² No federal or provincial

¹ We use the term employment equity to refer to a strategy for addressing employment imbalances that a.) recognizes that the underutilization of individuals from particular groups results from systemic discrimination—that is practices that are discriminatory as to results even when a 'smoking gun' of discriminatory actions by particular individuals can not be identified; and that b.) advocates results-oriented' approaches to dealing with employment imbalances even if doing so requires discrimination in favour of members of designated groups. This is what would be called 'affirmative action' in the United States, as well as in some parts of Canada (see Bakan and Kobayashi, 2000, p. 6).

² Bakan and Kobayashi distinguish between provincial employment equity *policy* and employment equity *law*. The latter term is used only when a provincial legislature has adopted an employment equity act. Thus, they report that in Saskatchewan there is an employment equity policy in place that is "supported on most levels," but no employment equity legislation is in place. British Columbia is the only province whose legislative assembly has passed employment equity legislation. This is the *Public Service Act Directive on Employment Equity* (1994). An example of a provincial employment equity *policy* would be the Affirmative Action Program of Nova Scotia. This program, which applies only to provincial-level employment—is based on an agreement between the Nova Scotia Department of Human Resources and the Nova Scotia Human Rights Commission. (See Bakan and Kobayashi, 2000, p.10). In our paper, we treat an employment equity policy as equivalent to legislation.

legislation or policy regarding employment equity applicable to the local units of government currently exists in Canada.³

The fact that neither federal nor provincial employment equity policies apply to local governments in Canada stands in contrast to the situation in the United States. Serious efforts to address employment discrimination in the United States date from the passage of the *Civil Rights Act of 1964*--and especially Title VII of that act (Public Law 88-352, 78 Stat.241, 28 USC ss. 1147 [1971]). Shortly after the passage of the CRA of 1964, President Lyndon Johnson issued Executive Orders 11246 and 11375 which required that private sector employers with federal contracts and their subcontractors develop and submit annually plans identifying any underutilization of women and minorities and establishing goals and timetables to correct such underutilization. (U.S. Department of Labor, 1989; Kellough, 2003).

Given the focus of our study, the most important piece of U.S. federal legislation consists of the amendments to the 1964 *Civil Rights Act* that are embodied in the *Equal Employment Opportunity Act of 1972* (Public Law 93-380, 88 Stat. 514,2-0 USC 1228 [1976]).⁴ Among other changes, this act made most state and local governments subject to the employment non-discrimination requirements of Title VII of the 1964 *Civil Rights Act*.⁵ The federal government's Equal Employment Opportunity Commission was given responsibility for monitoring compliance on the part of sub-national governments. State and local units of government must file detailed reports annually on the proportion of their employees belonging to various 'protected' groups and on the specific nature of their employment status in terms of job class and compensation. The first summary of these reports (typically referred to as 'EEO-4 reports' after the name of the form on which the employment data were entered) was published in 1974 (U.S. Equal Employment Opportunity Commission, 1974).

As it turns out, the U.S. EEOC has made less use of these data as a basis for taking action on employment imbalances at the state or local levels than supporters of employment equity might wish--due in part to persistent understaffing of the agency.⁶ Nevertheless, this requirement has provided a wealth of information for both scholars and activists concerned about issues of public sector employment. Within just a few years of the passage of the *Equal Employment Opportunity Act of 1972* works utilizing data from

³ Local governments with 10 more employees were covered by the Ontario *Employment Equity Act of 1994*. But that act was subsequently repealed.

⁴ Other national laws addressing employment discrimination also apply to sub-national governments in the United States. One of most important of these is the *Americans with Disabilities Act of 1990* (Public Law 101-336). Suits challenging the employment practices of state or local governments can also be brought under the 'equal protection' clause of the 14th amendment of the U.S. Constitution.

⁵ The EEO Act does not apply to public higher educational institutions. Hence, a significant proportion of those who are employed at the state government level, in particular, are excluded.

⁶ We are indebted to Dr. Kenneth Meier of Texas A and M University--a leading American scholar of public sector employment discrimination and of how changes in the demographic composition of public sector workforces impact administrative performance—for insight on this point.

state and local government EEO reports began to appear in print (See, for example, Henderson, 1978; Meier, 1978; and Cayer and Sigelman 1980). And studies making use of these data have continued to appear (See, for example, Miller, Kerr and Reid, 1999; Greene, Selden and Brewer, 2000; McCabe and Stream, 2000; Kerr, Miller and Reid 2002).⁷

Thus, in the United States there exists nearly 40 years of data on the changing patterns of employment in American sub-national governments while we know next to nothing about what is happening in Canadian local government. This would not be such a serious matter were it not for the fact that in federal political systems—such as those that exist in Canada and the United States—most of the work of delivering public services is performed by those who are employed in sub-national governments. Clyde Barrow—one half of the infamous American bank-robbing duo of “Bonnie and Clyde”—when asked why he robbed banks, supposedly responded, “Because that’s where the money is!” It seems to us that the same logic applies to efforts to address systemic employment discrimination and to enhance the demographic diversity of the Canadian public service. Table 1 illustrates this point. Of the roughly three million Canadians who were employed in the public sector in 2006, less than one in six worked for the federal government.

[Table 1 Here]

Moreover, it is often at the local level that issues of employment equity become most pressing as larger cities, in particular, come to have increasingly diverse populations. This is especially so with respect to growth in the number of persons who are members of visible minority groups. Thus, the Ontario Ministry of Municipal Affairs (1992, p.1) noted: “[w]e in Ontario are increasingly multi-cultural, multi-racial, multi-lingual and multi-religious” with the result that “nowhere in the realm of government do these changes have more impact than at the local municipal level.” And the Ministry report went on to urge Ontario municipalities to adopt employment equity programs.

This is the background against which our paper is set. One goal is to determine the extent to which employment equity programs exist in Canadian municipal governments. We are especially interested in whether municipal governments monitor the number and proportion of employees from the four groups that have traditionally been the focus of employment equity efforts in Canada: women, visible minorities, persons of aboriginal heritage, and persons with disabilities. A second goal is to compare how the presence of such targeted groups in municipal workforces varies, and to assess the extent to which municipal workforces are demographically representative.

Our analysis focuses on municipalities in Alberta, British Columbia and Ontario. British Columbia and Ontario have some of Canada’s more diverse populations, while

⁷ For a study similar to these but focusing on Canada using federal government collected data see Leck and Saunders (1992).

fast-growing Alberta's population is becoming more diverse. Table 2 provides information on the demographic composition of the workforce in these three provinces. In both British Columbia and Ontario, visible minorities constitute nearly one-fifth of the provincial labour force, while this is true for one of ten workers in Alberta.

[Table 2 Here]

Bakan and Kobayashi (2000, p. 8) assert that: "the climate of debate in the provinces in Canada today regarding employment equity stands along a spectrum from extreme commitment to extreme opposition to the principles on which such policy is based." The three provinces whose municipalities we have chosen to study would certainly seem to support this point. Alberta is the heartland of Canada's contemporary conservative movement. It has no provincial-level policies in place relating to employment equity (Bakan and Kobayashi, 2000). Ontario has been on a roller coaster of partisan control of government since the 1980s. The NDP government of Bob Rae enacted a strong employment equity law in 1994. But the conservative government elected in 1995 quickly took action that substantially weakened that law (For more on the situation in Ontario see B. Elling, 2006; and Bakan and Kobayashi, 2002). British Columbia is home to a large population of Asian-Canadians—a group that historically has been the target of discrimination of all types—and the province has had an employment equity policy in place since 1991. This law does not, however, apply to local governments.

THE DESIGN OF THE STUDY

Most of the data were gathered with an on-line survey that was distributed to the population of potential respondents. The text of the initial e-mail, as well as two reminder e-mails, contained information on the purpose of the survey, a link to an informational website, and a secure link to the survey itself. Depending upon the information available, the surveys were sent to chief administrative officers, city managers, or the heads of human resources departments in particular municipalities. Contacts for Ontario were culled from individual municipal websites, Alberta's through the Alberta Municipal Affairs and Housing's municipal database, and British Columbia's were found using the Union of British Columbia Municipalities list of municipal officials.

The research was conducted in two phases. The project began with a focus on Ontario municipalities in the spring of 2006 (see B. Elling, 2006). In an effort to enhance the generalisability of our findings, the study was expanded to include municipalities in Alberta and British Columbia. These surveys were distributed in February of 2007. We do not believe that separating the two surveys by approximately seven months has had a significant impact on the conclusions that we can draw.

The Ontario survey differed slightly from the version of the survey used for Alberta and British Columbia. First, the later version of the survey did not include a set of questions asked of Ontario respondents concerning sources of influence on whatever employment equity policies were in place in a municipality. Second, a list of possible

employment equity-related policies present in a municipality was expanded slightly in the later survey. Specifically, to the list of 28 possible policies or practices in the Ontario version of the survey, were added three questions relating to sexual harassment, and a question as to whether a municipality had a pay equity policy or program in place. Hence, for these four items, data exist only for Albertan and British Columbian communities.

The appendix includes data on the municipal population distribution for each of the three provinces. There are slightly more than 1,000 municipalities across the three provinces. As the most populous Canadian province, Ontario has significantly more large municipalities. The number and proportion of small municipalities (below 2,000 residents) are especially great in Alberta, where only about one municipality in three has more than 2,000 residents. The sampling frame for Ontario involved sending a survey to all municipalities with populations greater than 20,000, and to a random sample of 20 of the 334 municipalities with populations of less than 20,000. In our judgment, smaller municipalities likely lack the personnel management infrastructure to execute much by way of an employment equity effort. When the study was expanded to include both Alberta and British Columbia, a decision was made to limit the sampling frame to communities with more than 2,000 residents. The result of these decisions was that a total of 362 surveys were distributed across the three provinces: 138 in Alberta, 103 in British Columbia and 121 in Ontario.⁸

Responses were received from a total of 92 municipalities across the three provinces for a response rate of slightly more than 25%. Table 3 provides detailed information on the response rate. Some studies have found response rates for electronic surveys to be lower than for mailed, pencil and paper versions (Anderson and Gansender, 1995; Kittleson, 1995), while others have found electronic surveys to have relatively high response rates (Bachman and Elfrink, 1996; Schaefer and Dillman, 1998). It would appear, however, that an overall response rate of 25% is relatively good for an electronic survey. Thus, a recent study on pay equity issues in the United States reported a response rate from an electronic survey that approximated ours (Alkadry and Tower, 2006).

[Table 3 Here]

Given the response rate, can our data be considered to be representative? Without having conducted exhaustive research on the socioeconomic and other characteristics of all 1,010 municipalities in the three provinces, this is hard to say. It does appear, however—from Table 4--that the responding communities are reasonably representative in terms of population. Municipalities in Alberta and British Columbia with populations greater than 20,000 are slightly overrepresented. In Ontario, smaller municipalities are significantly underrepresented in the survey population. This is a result of our decision to only survey a small sample of municipalities with populations under 20,000 in that province. In Alberta and British Columbia, the three largest municipalities responded.

⁸ In Alberta eight First Nations reserves were excluded from the sample and in our distribution of the survey we failed to contact two other communities. We also failed to contact one community in British Columbia. Hence, the number of surveys distributed in those two provinces is slightly less than the total number of municipalities with populations greater than 2,000.

The wide variation in the size of responding communities is reflected in the size of their workforces. This ranged from 9 to 8900 employees in Alberta, 8 to 5,000 in British Columbia, and 3 to 3,600 in Ontario.

[Table 4 Here]

DISCUSSION OF FINDINGS

In the absence of national or provincial policies that mandate employment equity efforts on the part of local units of government, what can be said about such efforts at the municipal level in Alberta, British Columbia and Ontario? One question is whether a municipality has what it—at least—considers to be an employment equity program in place. As Table 5 makes clear, most of the responding municipalities did not have such programs. Only 5 of the 92 municipalities who returned surveys across the three study provinces had some sort of employment equity program in place, with the fewest programs in Alberta and the most in Ontario. Even when an employment equity program was reported to exist, however, it was rare for a community to have established specific goals or timetables for achieving a more demographically diverse workforce. In Alberta, none of the municipalities that said that they had an employment equity program had established specific goals and timetables, although two municipalities that did not report having an employment equity program said they had done so! Similarly in British Columbia, having goals and timetables in place was rare, with only two of the four jurisdictions with an employment equity program, also having established goals and timetables. In B.C., two communities that did not report having an employment equity program nonetheless said that they had established specific goals and timetables. In Ontario only one community said that specific goals or timetables regarding the employment of members of target groups existed.

[Table 5 Here]

Since employment equity is—or at least should be—results oriented, employers with such policies would be expected to monitor the composition of their workforces. In Alberta, 43% of the jurisdictions collected information regarding their workforce, as did 42% of the responding jurisdictions in B.C. and 39% in Ontario. But while this was so, the data they collected did not generally pertain to the representation of members from designated groups. Table 6 provides information on this point.

[Table 6 Here]

Rather than seeking to assess the extent of workforce diversity with respect to these four groups, the monitoring of workforce composition was prompted by other concerns. Thus, one Alberta respondent told us that her municipality monitored the number of women it employed for reasons relating to the nature of employee benefit programs. Or a municipality might be concerned to know what proportion of its workforce was in the age cohort likely to soon take retirement.

Even when a municipality indicated that it did monitor the composition of its workforce it rarely did so with respect to all four groups. In fact, overall less than 10% of responding municipalities monitored with respect to all four (see Table 6). Monitoring was most common with respect to female employment (22% overall). Across the three provinces, monitoring of employment with respect to one or more designated groups was generally better in Alberta than in either British Columbia or Ontario.

In short, few of the responding municipalities had an employment equity program or monitored the proportion of designated groups in their workforces. Even fewer had programs that included specific goals or timetables for increasing the demographic diversity of their workforces. At the same, many municipalities did have *some* policies in place that were likely to contribute to employment equity, at least with respect to certain designated groups. Table 7 summarizes some of our findings on this score. The policies

[Table 7 Here]

that were most often embraced tended to be of two types. Some were policies that likely are a response to other legislation, were prompted by court rulings, or reflect the efforts of public sector unions. Notable here is the substantial number of jurisdictions that had a formal policy regarding sexual harassment in place, that had established a separate reporting process for complaints of sexual harassment, and that provide training for employees regarding sexual harassment and how to address it. Roughly half of the responding municipalities in Alberta and British Columbia also had pay equity programs or policies in place. Efforts to reduce sexual harassment benefit women in particular as they reduce the likelihood of working environments that are hostile or abusive to them. Such policies reduce the so-called ‘trap door’ problem—conditions that may prompt women to resign from particular employers. Pay equity is also a policy that benefits women in particular.

The other policies or practices that were reported to be relatively common—and that might be of some benefit to members of designated groups—are those that are not, however, specifically targeted to them. Examples of these are efforts to review hiring practices and policies and a willingness to modify the job duties of employees (of particular benefit to persons with disabilities). Flexible working hours are of particular value to female workers who typically have greater responsibility for both dependent children and aging parents (Guy, 2003).

Interestingly, and, we would argue, not coincidentally, municipal employment practices that more directly confront the realities of employment discrimination, or that seek to advance the employment status of particular designated groups, are far less common. Thus, only about a quarter or so of all the responding municipalities conducted training sessions for current employees examining issues of bias and discrimination; had policies or practices aimed at eliminating employment barriers for particular groups, or provided diversity training for new employees. Only about one municipality in ten surveyed its current workforce on issues of employment diversity.

This last point is buttressed by the comments of some of our respondents. Some of these comments were offered in response to a question that asked respondents whether in their judgment there existed any particular barriers to enhancing the diversity of their municipality's workforce? Others were offered in response to a concluding question asking them to make whatever additional comments they wished.

Taken as a whole, these comments suggest a view that employment equity is either not something that is a relevant concern for their particular community or a view that what employment equity is all about is 'equal opportunity.' A number of respondents observed, in essence, that their employment practices are fine because they simply--as one Alberta administrator put it--"try to hire the best people." Yet another Alberta respondent remarked that: "diversity in employment has not been an issue for us. We are an equal opportunity employer." And yet another: 'Equity programs reinforce racism and sexism. We believe in hiring the best person for the job regardless of age, race and gender.' And still another, from a British Columbia administrator, to the effect that: "This organization has not engaged in a 'counting' or quota approach to achieving diversity." Finally there is the Alberta administrator who stated that:

We hire on the basis of merit. We promote an atmosphere of support for our staff and feel that our respect for each other removes any perceived barriers. We have women, men, different ethnic backgrounds, etc., and those factors are not an issue when hiring, promoting or supporting our staff. We try to hire the best person for the job.

Views such as these on the part of many administrative officials are hardly unique. Several studies in the United States have shown that public sector administrators with supervisory responsibilities are frequently unenthusiastic about efforts to address the consequences of systemic employment discrimination (Milward and Swanson, 1979; Rosenbloom, 1984, Naff, 1998). A study by Naff (1998) of the views of U.S. federal government administrators found that only slightly more than one-third of non-minority managers agreed that, "selecting officials should be held accountable for achieving a workforce that is as diverse as the available civilian labor force." Less than 10% of non-minority managers agreed that their work unit would be more productive if it reflected the demographic makeup of the local labour force. Female federal supervisors exhibited only slightly more support for workforce diversity than did male managers. Minority managers were, on the other hand, roughly twice as positive about efforts to enhance workforce diversity, and about its benefits for administrative performance, as were their non-minority colleagues. But it is non-minorities who occupy most U.S. federal government managerial positions.

Comments from our respondents to the effect that they *simply* hire the best are also reflective of a perspective on employment equity that Bakan and Kobayashi--in their inter-provincial study of employment equity in Canada--identify as a 'worst case' perspective on what employment equity is about. They summarize that view this way:

Jobs should be advertised and assessed on the basis that there are no "male"

or “female” positions. It should be understood that whoever wants to can apply for a position. And when someone is hired or promoted, they should deserve that position objectively, totally based on qualifications and ability, with no consideration for gender (2000, p. 37).

Yet another theme that runs through the comments of the respondents is that employment equity is somebody else’s problem. And in particular, it is something that large city governments need to worry about. One Ontario respondent remarked: “We live in a very rural area, with few visible minorities, so workplace diversity has not been an issue with us.” An Alberta respondent asserted that: “Small towns do not attract applications from divergent groups or minorities, as indicated by the numbers in our current workforce.” An Ontario manager, responding to the question about barriers to greater workplace diversity, commented somewhat curiously that: “There are no internal barriers to greater workforce diversity in my organization because we are a very small workforce who come from similar backgrounds and have grown up together.” A number of respondents also asserted that because their jurisdictions were so small, no elaborate system for tracking the composition of the workforce was needed. Said one Alberta respondent:

“(I’m) (n)ot sure what the questions about tracking disabled, natives, women, are all about. Why should we? In an instant we know exactly how many we have. And to have programs about diversification lends credence that problems exist. They don’t here.

The Relative Presence of Designated Groups in Municipal Workforces in Alberta, British Columbia and Ontario

Given that only a relatively small number of the municipalities who responded to our survey tracked the presence of various historically underutilized groups in their workforce, it is not feasible to address our second primary research goal, which was to assess the extent to which municipal workforces mirror the presence of such groups in the larger population or labour force. To the extent that our data permit us to do this, it is clear that few of the responding municipalities have very diverse workforces. Table 8 provides some insight on this point. Even women--regarding whose employment the largest number of municipalities have data--are frequently not employed in numbers that approximate their presence in the Canadian population, with a mean presence of only about 36% of municipal workforces.

[Table 8 Here]

CONCLUSIONS AND POLICY IMPLICATIONS

Insofar as we are able to determine, the analysis presented in this paper is the first effort to examine issues of employment equity efforts at the municipal government level in comparative context in Canada. Our data do not paint an encouraging picture for

employment equity advocates. In three of Canada's largest and most diverse provinces, we found little evidence of a commitment to enhancing the demographic diversity of municipal workforces. In fact that commitment was so weak that we were essentially unable to achieve one of the central goals of our research: examining the extent to which municipal workforces reflected the demographic diversity of the overall workforce in Alberta, British Columbia and Ontario. This was so because few of the municipalities who responded to our survey collected the workforce information necessary to examine that very question.⁹

This brings us back to one of the central points of our paper. Whatever the failures of the United States to achieve a workforce that, in the words of former President Bill Clinton, "looks like America"--and those failures are many--the United States has at least gotten it right with a national government requirement that all state governments and most local governments must compile data on the demographic composition of their workforces and must submit that information annually to the national government. While--as we noted in the introduction to our paper--the U.S. Equal Employment Opportunity Commission has not made as good a use of these data as it might, social science scholars have. Hence, we know far more about where things are at with respect to sub-national government workforce diversity in the case of the United States than in the case of Canada.

When it comes to advancing employment equity we believe it is essential to know where we were, where we are now, and how far we still have to go. In their assessment of employment equity in Canada, Bakan and Kobayashi (2000, p. vii) made some 23 recommendations for strengthening employment equity programs across Canada. One of these is that "detailed annual reports on employment equity achievements should be mandatory." Similarly, the 11 criteria for an effective employment equity effort identified by the Canada Employment and Immigration Commission on Employment Equity includes the "collection and maintenance of information on the employment status of designated group employees by occupation and salary levels in terms of hiring, promotion, and termination in relation to all other employees" (As cited in Jains and Hackett, 1989).

Our findings suggest something else about the issue of employment equity in Canada. This is that for many municipal government elected officials and administrators who might be in a position to address the underutilization of members of target groups, 'employment equity' means--at best--'equal employment opportunity.' All that is necessary is to no longer engage in practices that smack of sexism, racism or other forms of overt, "smoking gun" discrimination. Put differently, most municipal policymakers do

⁹ We must, of course, acknowledge that our response rate is relatively low—although no lower than in other internet-survey based research. And while we think that the responding municipalities constitute a relatively representative group, it is possible that those who responded are doing less with respect to employment equity than is true for Alberta, British Columbia, or Ontario municipalities as a whole. Perhaps non-responding communities were too busy implementing effective employment equity programs to take the time to respond to a survey on the subject! Perhaps, but we seriously doubt it. If anything, our sample likely overstates municipal employment equity activity.

not embrace the central premise of employment equity as defined in the introductory section of our paper. To wit, the conviction that discrimination is ‘built into’ the institutions of society, and the workplaces of society, in a way that can only be remedied if various forms of ‘discrimination for’ groups that have been ‘discriminated against’ in the past are taken. The comments from respondents that were discussed in the preceding section of the paper tend to support this conclusion. Indeed, the views of many municipal administrators with human resource management responsibilities seem to amount to: “What, me worry?”

To be sure a few respondents were less than sanguine about the existing situation. Perhaps the best example of this comes from the human resources director of a relatively small Ontario town who stated:

As an individual who has spent several years working in the area of employment equity and is deeply committed to the issues and concepts, I see very little movement within the municipal sphere to move past anything more than basic diversity training, and instructions to the staff to “be nice.” The lack of legislative teeth removed with the rescinding of the former provincial legislation leaves proponents of employment equity with little clout within organisations. Competing priorities and limited resources compound the lack of interest—especially in smaller communities.”

The kind of data on the demographic dynamics of their workforces that we believe sub-national governments in Canada ought to be collecting and reporting are essentially the type of data that the federal government has been collecting since 1986 on its own workforce. To be sure, the federal government’s employment equity efforts with respect to its own workforce often fall short (see, for example, *The Hill Times*, Jan. 22, 2007). But the requirement that entities of the federal public service “prepare and analyze statistical data on their work force to identify areas in which persons in the designated groups are underrepresented” (Bakan and Kobayashi, 2000, p. 15) does at least help us to know relatively how much has been achieved and how much more needs to be done. Caterina Ventura , speaking of the 1986 federal Employment Equity Act, highlights the importance of reporting requirements:

The Act was viewed as deficient in areas such as employers covered, legislated standards for employers and enforcement. However, the reporting requirement provided a reference point to determine the level or representation of disadvantaged groups in a particular establishment. It provided information as to the share of employment held by designated groups *and embarrassed employers with poor employment equity records* to take measures on a voluntary basis to improve the representation of the workforce (1995, p. 43-44, emphasis added).

If progress with respect to employment equity in the local public service requires that local governments regularly report on the number of members of designated groups that they employ, the types of the jobs that members of such groups hold, and the patterns

of compensation for members of these groups, who should mandate such reporting? Canada could follow the American pattern and bring both provinces and their local governments under the reporting and other provisions of the 1995 Employment Equity Act. But we suspect that an effort to do this is likely to raise the usual strong objections to the expansion of Ottawa's authority, from most of the provinces in general and from Quebec in particular. That leaves the provincial (and territorial) governments. As noted, a few provinces do have employment equity programs of some sort in place although they apply to the provincial workforce only. Since local governments are legally the creatures of provincial governments no constitutional impediment to such provincial action exists.

The chief obstacle to provinces taking such action is, of course, political. One of the three provinces in our study—Ontario--did have employment equity legislation in place that not only covered private sector employers and the provincial government, but also local governments with 10 or more employees. Passed in early 1994, this act included reporting requirements that strengthened and standardized the type of reporting requirements found in federal employment equity law (Ventura, 1995). After less than two years on the books, however, that legislation was gone courtesy of the new Tory government of Mike Harris and its *Act to Repeal Job Quotas and to Restore Merit-based Employment Practices in Ontario*.¹⁰

In the short run we see little likelihood that either the national government or particular provincial governments will choose to bring local governments under the aegis of whatever employment equity legislation is in place. The picture is likely to remain one of a fairly strong employment equity effort by the federal government, some more modest efforts with regard to provincial workforces, and little or no attention to employment equity at the local government level.¹¹

This is not to say that some progress toward more demographically representative local government workforces may not occur from time to time. Certainly some of the information gathered by our survey suggests that various efforts are going forward, especially in larger communities. Indeed, while we were analyzing our data, the City of Edmonton, along with one of the city's largest employers--Capital Health--with 40,000 employees combined, announced an effort to recruit and retain more aboriginal workers. But the article discussing this initiative included the telling sentence, "Neither organisation keeps statistics on how many aboriginals they employ" (Edmonton *Journal*, March 10, 2007). Nothing could capture the thrust of our argument better. How will they know they are making progress?

¹⁰ Our data for Ontario provide little evidence that the short-lived Employment Equity Act of 1994 has had much of a residual effect for local governments in that province. Ontario municipalities were more likely to say that they had an employee equity program in place than was true in the other two provinces, but they were least likely to have specific goals or timetables in place. And they were less likely than municipalities in Alberta and British Columbia to track the proportion of their workforce that consists of members of various designated groups.

¹¹ It remains to be seen whether the Harper Government's attitude toward employment equity will be like that of the Ontario Conservative Government of Ontario in the 1990s. If it is, efforts to rollback federal employment equity might be expected to occur.

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Table 1: Distribution of Canadian Public Sector Employment by Level of Government in 2006

Level of Government	Number of Employees¹	Percent of Total
Federal²	473,767	15.6%
Provincial/Territorial³	1,554,376	51.2
Local⁴	1,010,704	33.3
Total	3,038,846	100.1% ⁵

1. Figure is total of full-time or part-time employees. Employment as of December 31, 2006.
2. Sum of categories of “federal general government—including full-time military personnel and reservists—as well as employees of Federal government business enterprises, such as Federal Crown Corporations.
3. Sum of employees in provincial and territorial general government, in provincial or territorial health and social service institutions, and in provincial and territorial universities, colleges, vocational and trade institutions. It also includes employees of provincial and territorial government business enterprises.
4. Sum of employees of local general governments, local school boards, and of local government business enterprises.
5. Exceeds 100 percent due to rounding.

Source: Adapted from Statistics Canada, CANSIM Table 183-0002. Accessed on March 6, 2007 at <http://www40.ca/1o1/csto1/govt54a.html>.

Table 2 Members of Designated Groups as a Percentage of Total Labour Force in Alberta, British Columbia and Ontario in 2001¹

Designated Group	Province		
	Alberta	British Columbia	Ontario
Women	46.1% (46.4%) ²	49.5% (47.3%) ²	47.6% (47.6%) ²
Visible Minorities	10.5 ³	19.7 ³	18.1 ³
Aboriginal Peoples	3.9 (3.5)	3.8 (3.6)	1.4 (1.4)
Persons with Disabilities	7.0 ⁴	7.5 ⁴	6.7 ⁴

1. The provincial labour force consists of the sum of those currently employed and those currently unemployed. It excludes those listed as “not in the labour force.”

2. The first percentage is the share of the entire labour force, aged 15-64, for a particular designated group. The figure in parentheses is a given group’s share of the total provincial labour force aged 20-64.

3. The data for visible minorities is not broken down by age categories but includes all those in the labour force ages 15 and older. In calculating this percentage, the denominator is the number of workers in the labour force across all ages 15 and older as well.

4. Data for persons with disabilities does not allow determination of the number aged 20-64 in the labour force.

Sources:

Female labour force data: “Labour Force Activity (8), Age Groups (17B), Marital Status (7B) and Sex (3) for Population 15 Years and Over, for Canada, Provinces, Territories, Census Metropolitan Areas and Census Agglomeration, 2001 Census, 20% Sample Data; Sex = Female.” Ottawa: Statistics Canada, Feb. 11, 2003. *2001 Census of Canada*. Catalogue Number 95F0377XCB2001004.

Visible Minorities labour force: “Labour Force Activity (8), Immigrant Status and Period of Immigration (10B), Visible Minority Groups (14), Age Groups (11A) and Sex (3) for Population 15 Years and Over, for Canada, Provinces, Territories, Census Metropolitan Areas and Census Agglomerations.” Ottawa: Statistics, February 11, 2003. *2001 Census of Canada*. Catalogue Number 97F0012XCB2001002.

Labour force data for Aboriginal Peoples: “Labour Force Activity (8), Aboriginal Status (3), Age Groups (11A) and Sex (3) for Population 15 Years and Over, for Canada, Provinces, Territories, Census Metropolitan Areas and Census Agglomerations, 1996 and 2001 Censuses-20% Sample Data.” Ottawa: Statistics Canada, February 11, 2003, *2001 Census of Canada*. Catalogue Number 97F0012XCB2001007.

Labour force data for persons with disabilities: Participation and Activity Limitation Survey, 2001. 2003. *2001 Census of Canada*. Catalogue Number 95F0377XCB2001004. Ottawa: Statistics Canada.

Labour force data for entire population: “Labour Force Activity (8), Age Groups (17B), Marital Status (7B) and Sex (3) for Population 15 Years and Over, for Canada, Provinces, Territories, Census Metropolitan Areas and Census Agglomerations, 2001 Census-20% Sample Data. Ottawa: Statistics Canada, May 14,

Table 3: Response Rate for Three-Province Municipal Employment Equity Survey

Province	Number of Municipalities Surveyed	Response Rate	
		Surveys Returned	Percent Responding
Alberta	138	41	29.7%
British Columbia	103	19	18.5%
Ontario	121	32	26.4%
Total	362	92	25.4%

Table 4: Comparison of the Population Distribution for All Municipalities in Province Versus Population Distribution for Survey Respondents in Alberta, British Columbia and Ontario

Population Range	Alberta				British Columbia				Ontario			
	All Provincial Municipalities		Responding Municipalities		All Provincial Municipalities		Responding Municipalities		All Provincial Municipalities		Responding Municipalities	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
500,001-up	2	1.4	2	4.9	1	1.0	1	5.3	6	1.3	1	3.1
200,001-500,000	0	0	0	0	1	1.0	1	5.3	11	2.5	4	12.5
90,001-200,000	0	0	0	0	7	6.7	1	5.3	24	5.4	6	18.7
60,001-90,000	4	2.7	2	4.9	8	7.7	1	5.3	19	4.3	9	28.1
20,001-60,000	6	4.1	3	7.3	11	10.6	1	5.3	41	9.2	8	25.0
10,001-20,000	23	15.5	4	9.8	25	24.0	4	21.1	69	15.5	0	0
5,001-10,000	53	35.8	11	26.8	18	17.3	4	21.1	81	18.2	1	3.1
2,001-5,000	60	40.5	19	46.3	33	31.7	6	31.6	76	17.1	1	3.1
2,000 and below	NA ¹	NA	NA	NA	NA	NA	NA	NA	118 ²	26.5	2	6.2
Number of Municipalities with Population Larger than 2,000	148	100.0	41	100.0	104	100.0	19	100.3 ³	445	100.0	32	99.8 ³

1. In Alberta and British Columbia, only municipalities with populations greater than 2,000 were surveyed. In Alberta eight First Nations reserves were excluded from the sample and in our distribution of the survey we failed to contact two communities. In the case of British Columbia, we failed to contact one community. Hence, the total number of surveys distributed in those two provinces is slightly less than the total number of municipalities with populations greater than 2000.

2. In Ontario, all municipalities with populations greater than 20,000 were surveyed and a random sample of the 118 communities with populations of 20,000 or less was taken and surveyed.

3. Percentage may vary from 100.0 due to rounding error.

Table 5: Status of Employment Equity Efforts by Municipal Governments in Alberta, British Columbia and Ontario.

	Alberta (n=41)		British Columbia (n=19)		Ontario (n=32)		Total (n=92)	
	No.	%	No.	%	No.	%	No.	%
Employment Equity Program Exists	5	12	4	21	10	31	19	21
Specific goals/timetables to achieve a demographically more diverse municipal workforce	2	5	2	11	1	3	5	5

Table 6: Proportion of Municipalities in Alberta, British Columbia and Ontario Tracking the Employment of Members of Designated Groups

	Alberta (N= 41)	British Columbia (N=19)	Ontario (N=32)	Total (N=92)
Track Female Employment	24%	16%	19%	21%
Track Aboriginal Employment	17	5	0	9
Track Visible Minority Employment	17	5	3	10
Track Employment of Persons with Disabilities	17	16	3	12
Municipalities that Track at Least One Group	24	21	25	24
Municipalities that Track all Four Groups	17	5	0	9

Table 7: Use of Selected Employment Practices by Municipalities in Alberta, British Columbia and Ontario

Employment Practice or Policy	Alberta (N =41)	British Columbia (N=19)	Ontario (N=32)	Total (N=92)
Review of Hiring Practices and Policies	80%	84%	88%	84%
Modified Job Duties for Employees	68	74	88	76
Formal Sexual Harassment Policy	78	74	NA ¹	77 ²
Flexible Work Hours	73	63	69	70
Pay Equity Policy	49	53	NA ¹	50 ²
Special Process for Sexual Harassment Complaints	44	63	NA ¹	50 ²
Emphasis on Shared Values of All Municipal Employees	44	42	38	41
Training for Employees on Sexual Harassment	34	53	NA ¹	40 ²
Training sessions examining bias, prejudice and discrimination	20	32	38	28
Policies/practices to eliminate employment barriers for particular groups	17	26	31	24
Diversity Training for New Employees	24	26	19	23
Employee Surveys Examining Issues of Workforce Diversity	10	5	9	9
Have a Diversity Mission Statement	5	11	9	8

1. The Ontario survey did not include this item.
2. Totals are for Alberta and British Columbia only

Table 8: Presence of Members of Various Designated Groups Employed by Municipalities that Actually Monitor The Diversity of Their Workforces

	Number of Municipalities that Monitor Employment of Aboriginals	Presence of Aboriginals in Workforces of Monitoring Municipalities	Number of Municipalities that Monitor Employment of Visible Minorities	Presence of Visible Minorities in Workforces of Monitoring Municipalities
Alberta	7	None in six, 10% in one.	7	None in any
British Columbia	1	1%	1	None in any
Ontario	0	NA	1	1-2% ¹
	Number of Municipalities that Track Employment of Women	Presence of Women in Workforces of Monitoring Municipalities	Number of Municipalities that Monitor Employment of Persons with Disabilities	Presence of Persons with Disabilities in Workforces of Monitoring Municipalities
Alberta	10	Mean of 36%, Range 20-55%	7	None in six, 2% in one.
British Columbia	3	Mean of 47%, Range: 40-56%	3	Mean of 1.7%. Range 0-3%
Ontario	6	26% or more in 5 municipalities; no response from one. ¹	1	1-2% ¹

¹Ontario was the first province surveyed and in that version of the survey the questions relating to the proportion of members of particular groups in a municipality's workforce provided respondents with the following response options: 1-2%, 3-5%, 6-10%, 11-15%, 16-20%, 21-25%, 26% or more. In the surveys sent to municipalities in Alberta and British Columbia, respondents were asked to indicate specific percentages.

Appendix

Distribution of Population of Municipalities in Alberta, British Columbia and Ontario

Population	Alberta		British Columbia		Ontario		Total	
	No.	%	No.	%	No.	%	No.	%
500,001 and above	2	0.5	1	0.7	6	1.4	9	0.9
200,001 to 500,000	0	0	1	0.7	11	2.5	12	1.2
90,001 to 200,000	0	0	7	4.5	24	5.4	31	3.1
60,001 to 90,000	4	1.0	8	5.2	19	4.3	31	3.1
20,001 to 60,000	6	1.5	11	7.1	41	9.2	58	5.7
10,001 to 20,000	23	5.6	25	16.1	69	15.5	119	11.8
5,001 to 10,000	53	12.9	18	11.6	81	18.2	152	15.0
2,001 to 5,000	60	14.6	33	21.3	76	17.1	169	16.7
2,000 and below	262	63.9	51	32.9	118	26.5	431	42.7
Total	410	100%	155	100%	445	100%	1010	100%