



NEADS

**National Educational Association
of Disabled Students**

Association nationale des étudiant(e)s
handicapé(e)s au niveau postsecondaire

The Canadian Employment Equity Act and How it Should be Improved

National Educational Association of Disabled Students (NEADS)

Elizabeth Mohler

Sarah Szumlanski

Rm. 514, Unicentre, Carleton University, Ottawa, Ontario K1S 5S6

Voice & TTY: (613) 380-8065

[Mailing List Sign-Up](#)

[NEADS Social Media](#)

[Instagram](#) | [Facebook](#) | [Twitter](#) | [YouTube](#) | [LinkedIn](#)

<https://www.neads.ca/>

<https://www.disabilityawards.ca/>

<http://breakingitdown.neads.ca/>

www.disabilityrightsonline.ca

<https://www.facebook.com/myNEADS/>

<https://www.canadahelps.org/dn/344>

About NEADS

Since its founding in 1986, the National Educational Association of Disabled Students' (NEADS') mandate has been to support full access to education and employment for post-secondary students and graduates with disabilities across Canada.

NEADS is a consumer-controlled, cross-disability charitable organization. The association represents its constituents through specific projects, resources, research, publications and partnerships. NEADS' work is centered around three core strategic program areas: disabled student debt reduction, disabled student experience in class and on campus, and disabled student and graduate employment. In addition to representing students and graduates with all types of disabilities, NEADS takes an intersectional approach recognizing its constituents are not merely defined by their disability but also other factors of their individuality including race, ethnicity, gender identity and sexual orientation. Persons with disabilities may be multi-marginalized because of their identities in education, employment and community contexts. A fully inclusive employment market will turn this marginalization into opportunities for diversity that reflects Canada's diverse population of citizens. The National Educational Association of Disabled Students applies a Gender Based Plus lens in addition to a disability lens to all of its projects and advocacy work. In keeping with our consumer directed model "Nothing About Us, Without Us" and "A Voice of Our Own" all members of the NEADS Board of Directors and about 90 percent of its staff/consultants are persons with disabilities.

The organization functions collaboratively with post-secondary stakeholders, other non-governmental organizations, employers, disability service providers (on college and university campuses) and communities that can improve opportunities in higher education and the labour market for persons with disabilities in Canada. NEADS, which is an independent organization but also a member group of the Council of Canadians With Disabilities, provides ongoing expert advice to Employment and Social Development Canada and provincial/territorial governments. As we examine the Employment Equity Act in this paper, it is worth highlighting that the hundreds of thousands of post-secondary students and graduates with disabilities that the National Educational Association of Disabled Students represents are the present and future of a highly skilled, credentialed, passionate group that are seeking full participation in the competitive Canadian labour market across fields and sectors. A modernized Employment

Equity Act will better serve persons with disabilities that we represent and will lead to diversity and inclusion in the federally regulated sector.

Introduction

The idea of employment equity stems from the 1984 Royal Commission on Equality in Employment (Abella's Commission), created by Judge Rosalie Abella. She penned the Commission to address systemic workforce discrimination found throughout Canada.

The Employment Equity Act was first implemented in 1986, inspired by Abella's Commission. Its purpose was to break down systemic barriers that create discrimination in the workplace for four designated groups (women, Aboriginal peoples, persons with disabilities, and members of visible minorities) and to reduce the underrepresentation of those groups in the workplace. The Act was amended in 1995 and the new version was implemented in 1996.

Aside from a few reviews, the [Employment Equity Act](#) of 1995 was the only significant update and the Act has remained largely unchanged for the past 27 years, despite a drastically evolving workforce. The report below examines the Employment Equity Act and the recent Accessible Canada Act, offering suggestions on how to improve the Employment Equity Act to better serve persons with disabilities.

Review of the Equity Act

The Government of Canada has made a commitment to improving equity over the years and has acknowledged that more work is necessary to create an equitable workplace for all Canadians. With this in mind, the Government of Canada committed to reviewing the Employment Equity Act in 2022 by creating an [Employment Equity Act Task Force](#) made of 12 member groups. The Task Force had four key areas of focus during their review: defining equity groups; how to better support equity groups; improving accountability, compliance, and enforcement for employment equity; and improving public reporting of employment equity.

The Task Force consulted with Canadians, stakeholders, and partners during their comprehensive review of the Act in order to learn their views and lived experiences in relation to employment equity and promoting diversity, equity, and inclusion in federal workplaces. The open public consultation was from February 28, 2022 to March 28, 2022. As the Employment Equity Act applies to the federal jurisdiction, including the public service, the federally regulated private

sector, and Crown Corporations, these were the focus of the consultations, though input and recommendations from all Canadians was considered.

As a result of the consultations and comprehensive review of the Act, the Task Force will submit a final report to the Minister of Labour covering the results and key findings of their review; advice based on their own experience, feedback, and consultations; and recommendations for the modernization and improvement of the employment equity framework in the federal jurisdiction in Canada. The final report will be released in Fall 2022.

Changing Times

In the decades since the Act was implemented, not only has the workforce drastically changed, but so has our understanding of disability and the barriers faced by persons with disabilities.

Definitions and categorizations of disability are frequently evolving, which complicates comparing data collected in recent times to data collected in past decades (as we do below). New data gathering methods, definitions, and survey questions have made it impossible to properly compare trends and statistics over time. For example, as mentioned in the Concepts and Methods Guide for the 2017 Canadian Survey on Disability (CSD), Employment and Social Development Canada (ESDC) began developing the Disability Screening Questions in 2010, which were used in the 2012 Canadian Survey on Disability before being changed prior to their implementation in the 2017 Canadian Survey on Disability (CSD).

Just as understandings and classifications of disability have changed in the decades since the Employment Equity Act was implemented, so too has our understanding of gender identity and sexual orientation. At present, the current Employment Equity Act does not include language on gender identity or sexual orientation. In 2021, Statistics Canada published a report called [Sex at birth and gender: Technical report on changes for the 2021 Census](#) which was one of the first reports to reflect changes in the Canadian population and its demographic characteristics.

As technology advances, new barriers arise that an outdated Act does not cover, making the revision of such legislation important if barriers to equitable workplaces are to truly be addressed.

It is important to note these issues while reading this report, both as an example of why changes to the Employment Equity Act are necessary and as something to keep in mind as you read the data provided below.

Purpose of the Employment Equity Act

The Employment Equity Act, amended in 1995 and implemented in 1996, aims to promote workplace equity for designated groups, including Aboriginal peoples, women, members of visible minorities, and persons with disabilities. The act recognizes the current disadvantages that these designated groups experience in the workplace and outlines employer obligations to counteract hiring prejudice.

It also covers compliance audits to ensure that companies are following these equity provisions and each organization under the Employment Equity Act must submit present yearly reporting. In the event that a company violates the Employment Equity Act and does not follow up with a report or continues to ignore the obligations, it may be subject to monetary penalties. These stipulations serve to enforce employment equity, provide accountability for companies, and support designated groups.

Provisions for Persons with Disabilities

Put simply, the Employment Equity Act does not provide any specific provision for persons with disabilities. It includes employer duties regarding the hiring of Aboriginal peoples, but no accommodations for persons with disabilities.

As previously mentioned, the act outlines various employer obligations which are meant as provisions for all designated groups. For example, the obligations state that employers must remove any employment barriers directed at designated groups and create policies to increase the representation of designated groups in the workforce. Employers must also review their workforce demographics, identify any underrepresentation, and create an equity plan with short-term numerical goals.

The goal of these accommodations is to benefit persons with disabilities and increase their representation. Yet the ambiguity of these obligations may actually limit the provisions for persons with disabilities, especially when employers are unaware of existing employment barriers.

How Urgent Is It to Include the Needs of Persons with Disabilities in the Workplace?

With the Employment Equity Act in effect for over 30 years, one may think there is no urgency to amend the document to further accommodate the needs of persons with disabilities.

Yet the representation of persons with disabilities has only marginally increased since 1987, as shown in the [Employment Equity Act 2020 report](#). Overall, the Canadian labour market availability (LMA) has seen about a 3.9% increase between 1987 and 2017. The representation of persons with disabilities only increased by 1.7% in 30 years and reached a high of 3.5% in 2019.

Although there is slow change happening in representation, it is not happening quickly enough to keep up with the market availability, nor is it occurring equally across all job sectors.

As such, it is urgent to modify current employment equity practices to include the needs of persons with disabilities in the workplace. The policies that have been in place for decades are clearly not bringing about enough change to close the workforce representation gap and eradicate workforce discrimination.

Overview of the Disabled Community in Canada

[Statistics Canada](#) released a 2017 report on disability. At the time of the report, there were over 6.2 million persons with disabilities (at least 15 years old) who formed 22.3% of the Canadian population. That's over one in five people. The most common types of disabilities related to pain, mental health, flexibility, and mobility, and 71% of individuals reported having two or more types of disability.

According to this report, which defined working age adults to be 25 to 64 years of age, only 59% of persons with disabilities within this age group were employed, compared to the 80% of persons without disabilities. The report also indicated of those with disabilities who were unemployed and not in school, 644,640 (39%) had the potential to work in an inclusive labour market.

The gap becomes even more noticeable when breaking it down further. Statistics Canada developed a 'global severity score' for the survey and split levels of severity into four groupings: mild, moderate, severe, and very severe. The 2017 Canadian Survey on Disability found that

persons without a disability were more than twice as likely to be employed than those living with very severe disabilities (76 percent versus 31 percent). For those living with mild, moderate, and severe disabilities, the employment rates were lower than those without disabilities at 76 percent, 67 percent and 49 percent respectively.

Researchers have consistently reported that Canadians with disabilities have worse employment and work-related outcomes than their non-disabled colleagues. Individuals with disabilities are more likely to be employed in low-skilled jobs, such as customer service roles. They are also less likely to hold higher-skilled positions, such as professional and management jobs. Of note, there is a strong correlation between severity of disability and labour market earnings. In 2017, the median employment income of Canadians without disabilities aged 15 to 64 was \$38,980, while those with milder disabilities was \$34,330, and those with more severe disabilities was \$19,160.

Part-time work, here defined as anything less than 30 hours per week, was more prevalent among those with severe disabilities. Both men and women with severe disabilities were more likely to work part-time, with men ages 25-64 three times more likely to have been working part-time at 25% than men without disabilities at 8%, and women one and a half times more likely at 29% than women without disabilities at 19%.

Education and Employment Gaps

A [National Educational Association of Disabled Students \(NEADS\) report](#) based on the 2012 Canadian Survey on Disability (CSD) written by Adele Furrrie reported that 42% of adults with disabilities had some form of post-secondary education, of whom 62% had some form of non-university post-secondary education and 38% had some post-secondary university education. Students with disabilities with university post-secondary education tended to be younger, more likely to be female, more likely to report a mild or moderate disability, and less likely to report more than one type of disability, identify as Indigenous, or be a member of a visible minority than non-university post-secondary students with disabilities.

Of the students with disabilities, 56% were female, and the gender divide was the most obvious with the university students, as 59% were female. Indigenous students made up 7.5% of the post-secondary students with disabilities, and students identifying as Indigenous were three times more likely to attend a non-university post-secondary education. Of the students with disabilities,

30% reported having only one disability, with university students being much more likely to only report one than non-university post-secondary students (37% compared to 27%). Approximately 39% of post-secondary students had a mild disability, with 46% being university students and 35% non-university post-secondary students.

The report also showed that approximately 59% of the non-university students were 35 years-of-age or older, compared to 47% of the university students. Approximately 50% of the post-secondary students had their choice of courses or careers influenced by their disability, 15% started their schooling later than most people their age, 37% took longer to achieve their current level of education, 35% went back to school for retraining, and 28% had their education interrupted for long periods of time. Many, if not all, of these factors can have economic and employment impacts.

The report also noted that 59% of the post-secondary students with disabilities (recently attended or currently attending at the time of the survey) were employed. Of the students who attended university between 2007 and 2011, 2.6% with university education were unemployed compared to 7.3% with non-university post-secondary education.

According to [a 2021 report](#) based on the 2017 CSD, which focused specifically on individuals 15 to 34-years-of-age, levels of education for persons with disabilities tend to be lower than those without, and the women had higher levels of education than men, with 23% of women and 12% of men having a bachelor's degree or higher. The main exception was trade certificates, of which more men (7%) achieved than women (4%). The report also stated that 29% of persons with disabilities did not finish their education due to their disability, and 14% of men and 15% of women started their educations at a later age.

The [first report](#) on the 2017 CSD revealed that, in a similar pattern to individuals without disabilities and regardless of disability severity level, employment rates were higher for individuals with post-secondary education than a high school education or less. When it came to those with a high school education or less, only 29% of women with severe disabilities and 32% of men with severe disabilities were employed, compared to mild disabilities with employment rates of 54.4% of women and 67% of men, and persons without disabilities, at 65.8% of women and 79.2% of men.

People with severe disabilities and a university education were still less likely to be employed than people without disabilities who only had a high school education or less. Many people with disabilities believe that they have been underemployed because of their disability, stuck working jobs that they are overqualified for, with about 32% of employed persons with disabilities feeling that their job does not require the education level that they have. Over half of those employed felt limited in their job opportunities.

However, this report did make an important note that the rates of disability increased with age, so the link between education and disability (and extended to education, disability, and employment) cannot be considered clear-cut, since many may not have been disabled while getting their education. Regardless, many persons with disabilities still had lower levels of employment than persons without disabilities with the same level of education.

Unmet Needs

According to the results of the 2017 Canadian Survey on Disability, workplace accommodations were required by 37% of employed persons with disabilities, over 772,000 people, 59% of whom found all their needs met, 19% some of their needs, and 21% none of their needs. The survey also found that new employees who had worked for a company for two years or less were less likely to have their needs met than employees who had worked for the company for three or more years.

The most commonly required (19%) workplace accommodation was flexible work schedules, which was provided when needed 74% of the time, while communication aids (required 1.1% of the time, by 23,240 people) were only provided 41% of the time. According to the survey, the more workplace accommodations a person required, the less likely they were to have their needs met.

While the survey found that only 25% of employees who required workplace accommodations made requests for them, 40% of those who did had their request refused. Of those who did not make requests, 36% said their employer already knew they required the accommodation while 34% were afraid of negative outcomes and 42% were not comfortable asking.

Similar results were found in the Participation and Activity Limitation Survey (PALS) done by Statistics Canada in 2006. The results of this survey actually showed that there was a *decline* in

workplace accommodations being provided between 2001 (79.7%) and 2006 (64.8%). The survey also showed that, just as people with more severe disabilities were less likely to be employed than those with mild disabilities, the unemployed people with severe disabilities also tended to require more workplace accommodations and suggest that the increased accommodation requirements may contribute to the lack of employment.

Discrimination in the Workforce

One of the barriers to employment that the Employment Equity Act should prevent is workforce discrimination. Yet people are still reporting discrimination because of their disabilities almost 30 years after this Act passed.

The [NEADS report](#) based on the 2012 CSD reported that approximately 11% of post-secondary students with disabilities believed they had been refused a job interview due to their disability, and approximately 16% believed they had been refused a job due to their disability. Approximately 40% believed themselves to be disadvantaged in employment due to being disabled, while 35.5% believed that their current or potential employer would likely consider them disadvantaged. In the report, across four of the five measures of perceived discrimination in the workforce, non-university post-secondary students reported higher rates of discrimination than university students.

In the 2017 CSD, 7% of employees with disabilities (aged 18 to 64) reported that they were denied an interview because of their condition. Almost 10% reported that a company refused to give them a job, and 10.2% did not receive a promotion due to their disabilities.

According to the [2006 Participation and Activity Limitation Survey](#) (PALS), 25.5% of the unemployed persons with disabilities believed that they had been refused a job due to their disability within the previous five years, compared to 7.6% of the employed persons with disabilities. Similarly, 5.5% of the employed and 18.3% of the unemployed persons with disabilities believed they had been denied an interview because of their disability.

PALS also reported that 5.2% of the employed persons with disabilities and 6.3% of unemployed persons with disabilities believed that they were paid less than other workers with similar jobs. 6.3% of the employed persons with disabilities also believed they had been given less responsibility, along with almost 10% of the unemployed persons with disabilities.

These rejections, combined with the overall workplace atmosphere, affect persons with disabilities. About 25% of these employees consider themselves disadvantaged in the workforce, and another 25% feel that their employers view them as disadvantaged.

Comparing the Employment Equity Act and the Accessible Canada Act

Overview of the Accessible Canada Act

The [Accessible Canada Act](#) (ACA) became law in 2019, following similar accessibility legislation in several provinces. The ACA seeks to benefit Canadians, especially those with disabilities, by realizing a Canada that is free of barriers by 2040 in the federal regulated sector. As a first public step under the ACA, organizations are required to publish, report on progress, and regularly revisit an accessibility plan through consultation with people who have disabilities. As one of the first steps in this act, the Canadian Forces, Parliamentary entities, federal agencies, and Crown corporations are required to publish their first accessibility plans by December 31, 2022. These organizations are further required to publish updated versions of the accessibility plan every three years, and progress reports in the years where no accessibility plan is being published.

The ACA takes a proactive approach to identifying, eliminating, and preventing barriers. There are seven areas for action under the ACA:

- built environments (buildings and public spaces);
- employment (job opportunities and employment policies and practices);
- information and communication technologies (digital content and technologies used to access it);
- communication (information that is difficult or impossible to access, read or understand either due to technology or the way it is presented);
- procurement of goods and services (contracting with suppliers who provide goods and services that comply with accessibility standards);
- delivering programs and services; and
- transportation (by air as well as by rail, ferry and bus carriers that operate across a provincial or international border)

Accessibility plans published under the ACA require organizations to proactively look for barriers within their organizations across the seven areas of focus and make plans to remove those barriers.

Definitions

The Act defines key terms used in the law. The terms “disability” and “barrier” are important because they describe who the Act is directly intended to benefit and how the Act would be successful.

Key Definitions

Barrier

- means anything – including physical, architectural, technological or attitudinal, anything that is based on information or communications or anything that is the result of a policy or a practice – that hinders the full and equal participation in society of persons with a physical, mental, intellectual, learning, communication or sensory impairment or a functional limitation.

Disability

- means a physical, mental, intellectual, learning, communication or sensory impairment— or a functional limitation—whether permanent, temporary or episodic in nature, that, in interaction with a barrier, hinders a person’s full and equal participation in society.

Here are some additional details that are important to acknowledge with respect to this definition:

- Disability is not solely a diagnosis. Disability is a result of the interaction between an individual with an impairment and barriers within the environment (i.e. social, attitudinal, and/or physical).
- Not all disabilities are obvious, and every experience of disability is different.
- A disability or the level of impairment does not define a person.
- Not all individuals with an impairment self-identify with a disability (e.g. not all in the Deaf culture identify with having a disability, but instead relate to membership in a linguistic and cultural minority).

There are two models of disability in the literature, as reflected in current culture, that are important to be aware of as background to accessibility and inclusion practices and policies.

- Under the medical model of disability, this term refers to a deficiency within the individual that needs to be remedied. This is the prevailing cultural ideology.
- Under the social model of disability, this term refers to as a disadvantage or limitation of activity caused by barriers imposed by society which excludes individuals from full participation. This is the model supported by disability advocates, and also reflected in written policies.

Since the ACA and the Employment Equity Act have a similar goal, one would expect them to coincide and support each other. Yet, there are more areas of disconnect than similarity, prompting a call for reform.

Areas of Similarity

Overarching Goal

Of course, the Employment Equity Act and the ACA both aim for more equality in Canada. Although these Acts prioritize different areas, they both offer provisions to ensure equal opportunities for all.

System of Plans and Reviews

Both Acts require entities to establish plans for improvement, followed by periodic reviews or progress reports. Each document emphasizes the importance of continual evaluation and improvement.

Areas of Disconnect

Target Audience

Perhaps the most obvious point of disconnect is that the Accessible Canada Act focuses more on persons with disabilities. While it clearly states that the ACA will benefit everyone, it emphasizes removing barriers that typically hinder persons with disabilities. Comparatively, the *Employment Equity Act* focuses on multiple designated equity seeking groups.

Removing All Types of Barriers

Similarly, the ACA aims to eliminate barriers across all areas of life, not just employment, and there are a lot of organizations that need to comply with the ACA that might not fall under the jurisdiction of the Employment Equity Act. With this broader focus, the ACA helps establish

accessibility plans and requirements for each entity, acknowledging the multifaceted hurdles that persons with disabilities face.

Accountability Methods

While the Employment Equity Act includes compliance and penalty guidelines, the ACA establishes a more goal-oriented system. It does include compliance and penalties, but subsection 78 specifically states that the purpose of having penalties is not to punish, but to encourage compliance.

The ACA combines the penalties with a feedback and progress report system. This approach encourages entities and organizations to make changes not out of fear of a penalty, but out of a desire to reach a common goal.

Advising Teams and Organizations

As previously mentioned, to keep improving equity efforts, the Government of Canada created the [Employment Equity Act Review Task Force](#). Although a step in the right direction, this Task Force is late coming. Plus, the aim of the task force is only to consult and report, not implement changes.

The ACA, on the other hand, established the creation of the [Canadian Accessibility Standards Development Organization](#) within its original documents. From the start, the ACA has had the support of a CEO, an Accessibility Commissioner, and a human resources department.

The level of organization outlined in the ACA does not connect with the Employment Equity Act's ambiguous outlook. Nor does the Task Force implement and seek council from groups like the Accessibility Standards Canada to create a connected, streamlined equity act.

Setting Goals

The final main difference between the ACA and the Employment Equity Act is that the ACA establishes a clear goal: removing and preventing accessibility barriers by 2040. This is in stark contrast to the Employment Equity Act's vague mandates and general obligations that leave each employer to interpret them as they will.

Recommendations on How the Employment Equity Act Can Be Improved

Overall, the best way to improve the Employment Equity Act is by making it more specific and concrete. The Act gives only general provisions for four key underrepresented groups, each with its own nuances.

To better serve the needs of persons with disabilities — and all other designated groups — the Employment Equity Act needs to clearly define barriers to employment, require company accessibility plans, set nationwide goals, and request progress reports.

Each of the following points should be applied to each individual designated group, not just persons with disabilities.

Define Barriers

Perhaps the most critical improvement to the Employment Equity Act would be to properly define barriers faced by persons with disabilities. Under the section on employer obligations, the Act calls companies to identify and eliminate said barriers but gives no guidance on how to do so.

If employers do not know what type of barriers they are looking for, they could assume that their company is completely accessible by all, when that is far from the truth.

The Employment Equity Act could implement some points from the ACA's list of barriers and clearly define what employers should be responsible for when creating new equity policies.

For example, one potential barrier is transportation. Of course, an employer cannot be expected to make all public transportation accessible to persons with disabilities. Yet an employer could provide contact information for transportation services for employees or job applicants. Additionally, as mentioned earlier, one of the most common workplace accommodations desired by persons with disabilities is a flexible, reduced, and/or modified work schedule, and employers might not think of the flexibility (or lack thereof) of scheduling to be a barrier to work.

Many employers may not consider these factors, but they are imperative to many persons with disabilities. As such, the Employment Equity Act should define common barriers, prompting

employers to closely examine their company's environment, building structure, and communications.

Specify Accessibility Plans

Similarly, the Employment Equity Act should require employers to establish accessibility plans, not just the equity plans currently mentioned in the document. After specifying barriers, the Act should include regulations for both initial and updated accessibility plans, like the ones outlined in the ACA.

When making these plans, employers should consider the defined barriers and decide which ones they need to address in their company. Additionally, the Act should specify that employers create the plans alongside persons with disabilities to ensure their needs are being met.

Establish Goals

Another way to improve the Employment Equity Act would be to incorporate the communal goal-centred approach from the ACA. It could include a long-term goal for the entire country, supported by short-term goals — like the accessibility plans mentioned above — for each company.

The Employment Equity Act currently includes stipulations requiring employers to create an equity plan and set numerical goals. Yet without a common goal across the country, each employer can interpret this at will.

As such, the communal long-term goal should be represented by a numerical figure. For example, the Employment Equity Act could set a goal of increasing the nationwide representation of persons with disabilities (or all designated groups) by 3% by 2035.

Each employer would then take charge of examining their current workforce demographics as currently stated in the Employment Equity Act, but with the national long-term goal in mind.

This method gives employers a clear focus on how to better serve persons with disabilities in both the near and far future. These goals can act as a guide for new company policies, hiring procedures, and regulations.

Progress Reports

In combination with the goals, the Employment Equity Act could include obligatory progress reports instead of only the analysis and review obligations currently required. Again, the change would help give employers a more tangible goal, pushing them to continually improve rather than simply conduct analyses.

These reports could include similar expectations as the ones laid out in the ACA, where persons with disabilities participate in the report and offer their consultation.

This approach ensures that the progress report accurately represents the workplace environment and may draw attention to previously overlooked barriers to persons with disabilities. The reports can also hold companies accountable for making equity changes to better serve designated groups.

Continue Consultations

It is important to have continued consultations and open dialogue with persons with disabilities to ensure their needs are being met and their employment barriers are accurately identified and addressed. Continued consultations with persons with disabilities would aid in the successful implementation of the other recommendations within this report.

As part of our review of the Employment Equity Act, NEADS also hosted [a joint consultation session](#) with the Council of Canadians with Disabilities (CCD) on July 8, 2022, to address the Employment Equity Act Review, comparisons to the Accessible Canada Act, key workplace barriers, and concerns of persons with disabilities, as well as how the Employment Equity Act could be improved. The [recording of the live event](#), which featured expert speakers Dr. Michael Prince of the University of Victoria and April D'Aubin, Researcher and National Coordinator of the Council of Canadians With Disabilities, has been made available for viewing on the NEADS YouTube channel in English and French. Consultations like this are invaluable to reviewing and improving the Employment Equity Act and other acts like it, to ensure barriers are accurately addressed and progress can be made.

Conclusion

Despite increasing understandings of the barriers to equitable workplaces and progress towards a more equitable workforce in recent decades, there is still much work to be done and significant

and urgent barriers faced by persons with disabilities. The statistics listed above show only a snapshot of how persons with disabilities continue to face workplace discrimination and employment barriers. From stigmatization to a lack of workplace accommodations, employers must consider the diverse needs of persons with disabilities. The Employment Equity Act is in dire need of updates to address the advancements in knowledge and changes in the workforce that have occurred in the decades since the last major amendments were made, and to make the Act work cohesively and complementarily with recent legislations like the Accessible Canada Act.

Improvements to the Employment Equity Act that could help not only persons with disabilities, but other underrepresented groups as well, include defining barriers, adding regulations for the implementation and updating of accessibility plans, establishing both short-term and long-term concrete goals, and including obligatory progress reports. To put it simply, making the currently ambiguous Act more concrete, with more specific provisions for persons with disabilities, could help work towards a more equitable workforce for all peoples, including persons with disabilities.

While positive changes have been made, there is still much room for improvement.

References

- Furrie, A. (2017). Post-Secondary Students with Disabilities: Their Experience Past and Present. Retrieved from: <https://www.neads.ca/en/about/media/Final%20reportCSD2012AdeleFurrie2-3.pdf>
- Government of Canada. (2022). Canadian Survey on Disability, 2017: Concepts and Methods Guide. Retrieved from: <https://www150.statcan.gc.ca/n1/en/catalogue/89-654-X2018001>
- Government of Canada. (2022). Accessible Canada Act. Retrieved from: <https://laws.justice.gc.ca/eng/acts/A-0.6/FullText.html>
- Government of Canada. (2022). Employment Equity Act. Retrieved from: <https://laws-lois.justice.gc.ca/eng/acts/E-5.401/page-1.html#docCont>
- Government of Canada. (2022). Employment Equity Act: Annual Report. Retrieved from: <https://www.canada.ca/en/employment-social-development/corporate/portfolio/labour/programs/employment-equity/reports/2020-annual.html#h2.5.3>
- Government of Canada (2021). Educational experiences of young women with disabilities. Retrieved from: <https://www150.statcan.gc.ca/n1/pub/36-28-0001/2021010/article/00003-eng.htm>
- Government of Canada (2020). Sex at birth and gender: Technical report on changes for the 2021 Census. Retrieved from: <https://www12.statcan.gc.ca/census-recensement/2021/ref/98-20-0002/982000022020002-eng.cfm>
- NEADS. (2022, June 25). NEADS Employment Equity Act Review Consultation with April D'Aubin and Dr. Michael Prince, July 8 (noon to 1:00 EST on Zoom). Retrieved from: <https://www.neads.ca/en/about/media/index.php?id=1301>
- NEADS. (2022, August 11). NEADS x CCD: Employment Equity Act Review Consultation [Video]. YouTube. <https://www.youtube.com/watch?v=f5FhiGuc52Y&t=212s>

Statistics Canada. (2018). A demographic, employment and income profile of Canadians with disabilities aged 15 years and over, 2017. Retrieved from: <https://www150.statcan.gc.ca/n1/pub/89-654-x/89-654-x2018002-eng.htm>