



The following document was prepared by the AJC following consultations with Governing Council representatives who are elected by the AJC membership. This document is intended to highlight various concerns raised by its members over the years and more recently in relation to PPSC staffing practices generally and to offer recommendations to help improve staffing processes, increase career advancement opportunities and eliminate systemic barriers generally. Recent PSEA amendments now explicitly require each employing department to identify and eliminate systemic barriers. This document was prepared with this and the following context in mind, including but not limited to the ORO LP report, prior workplace assessments conducted by third parties at PPSC, PSES results, staffing complaints, member reports to the AJC, staffing complaints and outcomes, and the PS Code of Values and Ethics, and PPSC's positive shift in recruitment practices relating to DCFP and CFP positions.

Perceptions/Issues reported across various offices	Resulting Recommendations
<ol style="list-style-type: none">1. General perceptions of unfairness and partiality2. Management is cheating the system to its advantage. More experienced/senior counsel are observing being excluded from promotional opportunities that are being granted to younger/less experienced counsel.3. Processes vary across the country and are inconsistent (selection criteria for e.g.), lack of a standard of practice.4. There is personal favouritism and fraternization between selection panel members and candidates, resulting in a	<ol style="list-style-type: none">1. Standardize the hiring process based on the promotion of following pillars:<ol style="list-style-type: none">a. The process must be fair, reasonable;b. It's in the department's interests to encourage and provide equal career advancement opportunities to all LPs;c. Redefine how competitive processes and the nature of these processes mutually benefit the employer AND employees;d. The department must be as transparent and objective as possible when it comes to staffing competitions and its use of discretion between advertised and non-advertised;e. It's in the employer's interests to maximize the quality and quantity of candidates, by eliminating all barriers that have the effect of excluding one or more groups by virtue of their affiliation, whether on a prohibited ground or not. For example, drug prosecutors and regulatory prosecutors should have equal career advancement and training opportunities;



<p>perception that the system is fixed. Reports of individuals correctly guessing who the successful candidates will be before the selection process has been initiated or completed are numerous.</p> <p>5. Suspicion that answer keys have been shared with certain candidates in the past.</p> <p>6. Personal favouritism exists. It's demoralizing for those who aren't part of the in-crowd.</p> <p>7. Selection criteria are developed with the preferred candidates in mind. Other strategies are being used to limit opportunities. For example, many competitions are being held in the summer or provide for short application window.</p> <p>8. Equity considerations seem superficial noting that even if members of equity seeking groups are hired, their promotional opportunities are restricted.</p> <p>9. The way in which individuals are assigned to acting teal leader positions in some cases is in response to an immediate, unforeseen need and rather than</p>	<p>f. Managers should support LP career aspirations by providing meaningful feedback post appointment process in order to enhance their learning and improve their performance in the context of future competitions;</p> <p>g. Selection committee panel members must avoid all actual or perceived conflicts of interest and report potential conflicts in accordance with the code of values and ethics;</p> <p>h. The deputy head's delegated authority must be exercised reasonably, fairly and consistently across the department with proper oversight and accountability to ensure a fair and equitable process.</p> <p>2. Cultural shift on the overall purpose of staffing processes which is not limited to filling a hole with a path of least resistance and least management effort.</p> <p>3. Hiring processes should be respectful and recognize that prospective candidates are valuable.</p> <p>4. Commitment to equity by management – 360 degrees, workplace assessment and surveys to measure D&I success against PREA targets (feedback must come from those impacted and observing leadership).</p> <p>5. Anonymize applications.</p> <p>6. Offer sessions to all on how to navigate and excel in a competitive process</p> <p>7. Provide employees with meaningful and genuine feedback regarding their results and performance during the competitive process and consider providing them with additional training to help fill in the gaps that led to their screening out or non-selection.</p> <p>8. If PPSC is serious about eliminating barriers, survey members generally regarding the current processes and engage the bargaining agents as well.</p>
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<p>consider providing development opportunities to LPs without acting experience, management takes the easy out by assigning someone with prior acting team leader experience.</p> <p>10. Competitions are being held for team leader positions, yet LP3 positions without team leader responsibilities are often not being held. This provides limits to prospective LP3 candidates who in the case of non-team leader positions may not, for example, require bilingualism or prior management experience.</p> <p>11. There are systemic barriers in the selection criteria that blatantly favour drug prosecutors over other disciplines. Data is expected to reflect that prior promotions favour drug prosecutors disproportionately.</p> <p>12. Interviews for unsuccessful candidates are not all the meaningful given management's reluctance to be transparent. The experience for many does not result in learning in order to better perform in future competitions.</p> <p>13. Individuals are being told they can file complaints when it is common</p>	<p>9. Provide all candidates with adequate time to allow them to prepare for competitions during regular work hours by reassigning work as needed. This will help members of equity seeking groups.</p> <p>10. Rotate acting positions and have a contingency plan in place for unexpected absences to ensure management doesn't resort to the same person out of convenience. The greater picture of career advancement opportunity and development should be a dominating factor.</p> <p>11. Be honest and forthcoming with the candidates who need further development.</p> <p>12. Consider 360 evaluations of those in acting positions to help the further develop.</p> <p>13. Standardize the competitive process where possible to keep it simple and predictable.</p> <p>14. Provide guidelines on the dos and don'ts to selection panel members and management and obligations of HR advisors to report improprieties via escalation to the deputy head (whose delegation has been subdelegated)</p> <p>15. Consider advertising acting appointment to increase transparency and fairness and eliminate perceptions of favouritism</p> <p>16. Provide enhanced and greater in-depth training to managers and staffing advisors on equity issues in the context of staffing</p> <p>17. Consider centralizing and standardization to improve perceptions overall and eliminate duplication.</p>
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<p>knowledge that the Board rarely ever finds in favour of complainants.</p> <p>14. Wording of selection criteria is subjective and the perception is that managers are modifying to favour their preferred candidate and exclude others.</p> <p>15. Lack of clarity regarding the level of management experience required leaving the decision regarding level rather subjective.</p> <p>16. Lack of fairness regarding acting positions.</p> <p>17. Some hiring managers are not familiar with desk book when assessing examinations, resulting in some applicants being screened out for reasons that cannot be reasonably substantiated.</p> <p>18. There is a bias against certain applicants.</p> <p>19. Perception that HR support to management running competitions is of little value.</p> <p>20. The exercise of discretion in the regions is problematic – wording of criteria is</p>	<p>18. Standardize selection criteria were possible for each generic job description</p> <p>19. Consider having a selection panel from a different region assess candidates from another region (pilot)</p> <p>20. Hire an ombuds to oversee the competitive processes overall.</p> <p>21. Avoid summer in-house competitions when many are away on vacation.</p> <p>22. Consider religious observances and extending the timelines to be more inclusive.</p> <p>23. Ensure that information regarding competitive processes is shared with everyone equally and at the same time.</p> <p>24. Require management to document and report any and all discussions regarding competitive processes outside the normal course of the process.</p> <p>25. Survey participants and observers following competitive processes to get their feedback about equity, fairness, transparency, level of support, learning, objectivity, ethics.</p> <p>26. Eliminate barriers by ensuring that references (regardless of their positions) are qualified to report on their observations regarding the performance, quality, expertise and qualifications of candidates.</p> <p>27. Increase promotional opportunities for all while balancing legitimate bilingualism requirements. Question bilingualism requirements based on current composition of workforce and existing language preferences – and consider realigning direct reports whose languages preferences justify the need for full-time bilingual team leaders so as to increase promotional opportunities for positions who do not require bilingualism.</p>
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<p>catered to include some and exclude others.</p> <p>21. Selection panel committee composition is a problem. Some on the committee fraternize with candidates and have personal relationships with the candidates. Other times, the cttee member is also the supervisor providing a reference for the candidate.</p> <p>22. Equity is supposed to be a consideration but oftentimes is disregarded.</p> <p>23. Perception that some prospective candidates have access to more information than others.</p> <p>24. Bilingualism may serve as a barrier for those whose language proficiency is lacking.</p> <p>25. The processes are unnecessarily gruelling and stressful and can have consequences on the mental health in the workplace.</p> <p>26. Filling out applications often takes hours and is repetitive – candidates are often eliminated for ridiculous reasons because they fill out the application wrong or don't meet the minutest requirements.</p>	<p>28. Continue to question the past processes to determine the current and future ones.</p> <p>29. Eliminate exams where possible to reduce the impact on parents and for which extensive preparation is required outside working hours.</p> <p>30. Filling out applications often takes hours and is repetitive – candidates are often eliminated for ridiculous reasons because they fill out the application wrong or don't meet the minutest requirements. These should be simplified and streamlined. Ensure requirements are actually necessary and relevant for role.</p> <p>31. Make processes more transparent and minimize timelines for hiring – i.e., by responding/communicating with participants wherever possible so that applications don't simply enter a black hole with no response.</p> <p>32. Consider the necessity, objectives and implications of written exams and their potential adverse impacts – what are they seeking to evaluate and should the applicants be presumed to know the law on the basis that they meet or exceed the requirements of the position they currently hold.</p> <p>33. Consider increasing awareness, outreach and advocacy to help destigmatize the need for accommodation by neurodiverse LPs or persons with invisible disabilities in competitive processes.</p>
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27. Certain people with "invisible" disabilities, such as anxiety disorders, are under more stress and pressure when they are in a room with multiple assessors. This, combined with certain constraints can lead to candidates freezing up, or just blanking out. Persons with invisible disabilities are uncomfortable asking for accommodation. Stigma continues to be of concern. Interviewing for a job is not to be considered as the same as advocating in a litigation capacity.