

**WRITTEN SUBMISSION TO THE STANDING SENATE  
COMMITTEE ON HUMAN RIGHTS**

**EMPLOYMENT EQUITY IN THE FEDERAL PUBLIC SERVICE**

JUNE 16, 2026



**Public Service Alliance of Canada  
Alliance de la Fonction publique du Canada**



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## Executive Summary

The Public Service Alliance of Canada (PSAC) is deeply committed to employment equity in the federal public service. Public service cuts could have a greater impact on equity groups in several ways, including higher rates of separation in all or some occupational categories, which could result in lower rates of representation in the workforce. The current workforce adjustment process in the federal public service threatens the equity gains made over the past decades. The *Employment Equity Act* Review Task Force brought forward key recommendations that must be implemented to ensure the protection of employment equity in the federal public service. PSAC is calling for the Standing Senate Committee on Human Rights to demand accountability, oversight and transparency from the federal government on the impacts of cuts on designated equity groups. Ensuring the Task Force recommendations are put into effect is crucial to both employment equity modernization and the future success of employment equity programs in the federal public service.

## Introduction

### Who We Are

The Public Service Alliance of Canada (PSAC) is one of Canada's largest unions. PSAC represents 245,000 workers in every province and territory in Canada and in locations around the world. Over 180,000 of these workers are employed by the federal public service.

PSAC has been a leader in advocacy for workplace and human rights in Canada, including the fight for equal pay, enhanced workplace health and safety and employment equity advancements.

### Advancing Employment Equity Initiatives

Employment equity programs or initiatives consist of proactive, positive measures designed to increase the representation of workers who have historically been disadvantaged in the workplace.

Employment equity recognizes that women, Indigenous Peoples, racialized people and people with disabilities are often held back — not because they lack ability — but



because of factors unrelated to their ability. These factors include things like racism, ableism, sexism, discrimination, bias, stereotypes, assumptions and systems that were not designed inclusively.

Employment equity is designed to address and remedy inequities by increasing the representation of workers from these four designated groups in the workplace to a level that reflects their representation in the labour market.

Employment equity is about changing workplace culture and hiring practices. It's about the identification and removal of barriers to ensure that members of equity groups are not prevented from getting jobs or developing their careers if they are qualified to do so. Employment equity allows everyone to fully contribute to the workplace.

In accordance with the *Employment Equity Act* (EEA), departments must have employment equity plans that set out:

- their goals for the hiring and promotion of the four designated groups;
- positive policies and practices to address hiring, training, promotion, retention; and
- measures to eliminate barriers.

Section 15 of the EEA requires the employer to consult and collaborate with unions on the preparation, implementation and revision of employment equity plans. Employers may have policies and/or directives on employment equity that reaffirms their roles and responsibilities under the EEA, such as the Treasury Board's *Directive on Employment Equity, Diversity and Inclusion*.

Since the federal public service became subject to the EEA in 1996, workplace representation rates of employment equity groups have slowly increased. Nonetheless, there continue to be systemic barriers and under-representation of some equity groups.

For thirty years, PSAC's members, activists and human rights leaders continue to advocate for advancing employment equity. PSAC has been calling for amendments to the EEA, ensuring that historically disadvantaged and excluded workers have equitable access to career opportunities in the workplace.



## Analysis

### The Current State of Employment Equity in the Federal Public Service

Workers with disabilities, Indigenous Peoples, women, racialized workers and 2SLGBTQIA+ people continue to face unique and systemic barriers to equity in the public service.

In 2023-24, workers with disabilities were significantly under-represented in the core public administration (CPA). Of the number of employees in the CPA, 7.9% have self-identified as persons with disabilities, which is below the workforce availability estimate of 12.0% (see Annex – Table 1 for the data).

As of March 2024, racialized workers are represented only slightly above the workforce availability estimate (see Annex – Table 1 for the data). The overall representation of racialized workers in the CPA was 22.9%, which is only a 0.2% increase compared to their workforce availability estimate (22.7%). This gain, however important, is miniscule.

Current workforce availability rates are based on the *2021 Census of Population* and the *2022 Canadian Survey on Disability*. This is an issue, as both sources are outdated, which makes the data unreliable. As demographic trends in Canada's population shift, representation rates for employment equity groups, especially racialized and Indigenous workers, are unrealistic given the growth in Canada's labour market.

Information on staffing, such as hires, promotions and separations can provide another indicator of the health of employment equity in the federal public sector. Unfortunately, when considering this indicator, the outlook is no better. In 2021, PSAC provided Treasury Board with [a written submission](#) on our concerns with staffing processes in the federal public service. This submission addressed barriers and challenges workers face in hiring and promotional processes.

The 2023-24 data continue to demonstrate that these challenges are still at play. For example, Indigenous workers are leaving the core public administration in greater numbers than they are joining it (see Annex – Table 2 for the data). While Indigenous hires increased to 4.3% in this time period, 6.0% of Indigenous workers left the core public administration in 2023-24. Simply put, the gains were not offset by the losses.



## What We Know

Under employment equity, departments that fall under the jurisdiction of central agencies must track rates of hiring, promotion and separation<sup>1</sup> to report them to Treasury Board. Annually, Treasury Board reports to Parliament on employment equity in the CPA. Separate agencies (including Parks Canada, Canada Revenue Agency, Canada Food Inspection Agency, etc.) must also track and report annually.

Where there is a higher rate of separation for one or more equity group(s) than their rate of representation, or a higher-than-average rate of separation, this is cause for concern. Departments should investigate why this is happening. Are there barriers in the process that have a negative impact on the equity group(s)? Is discrimination occurring? If so, in accordance with federal law, discrimination and barriers must be removed.

In addition, departments should consider the effects on the overall rate of representation of the equity group(s) and take measures to ensure that the rate does not fall below their labour market availability.

Public service cuts could have a greater impact on equity groups in several ways:

- in all occupational categories or groups, one or more equity groups could be declared affected or surplus at a higher rate than non-equity groups;
- downsizing could be focusing principally on occupational categories or groups that have higher rates of representation for the equity groups (e.g. racialized workers at the lower levels of the scientific categories); or
- downsizing could be focused on particular departments, sections or programs that have higher rates of representation for the equity groups (e.g. Indigenous Program at Justice Canada).

During the major cuts to the public service in the mid-1990s, Indigenous workers and workers with disabilities were separating from the public service at a higher rate of separation than other workers. This suggests a greater impact of the cuts on Indigenous workers and workers with disabilities. During the *Deficit Reduction Action Plan* (DRAP)

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<sup>1</sup> Separation refers to the number of employees removed from the public service payroll. This could be through layoff, termination, non-renewal of term employee, retirement or resignation.



starting in 2012, workers with disabilities were more adversely impacted by the cuts than workers without disabilities.

Since then, the Treasury Board data from 2010 to 2024 continue to show that employment equity gains have been slow for designated groups in the federal public sector.

Historically, workers with disabilities have been leaving the federal public service in greater numbers than they have been entering the workforce (see Annex – Table 3 for the data).

This troubling trend could be due to several factors, including barriers in the duty to accommodate process and discrimination against persons with disabilities in the workplace. Under employment equity legislation, employers must take measures to ensure accommodation for the designated groups. Duty to accommodate can include eliminating or modifying policies or practices that have a discriminatory impact on workers. It could also include making modifications to the worksite or to an employee's job duties to meet disability-related needs.

The duty to accommodate is an obligation under human rights legislation and the removal of barriers is enshrined in the *Accessible Canada Act*. Despite this fact, workers with disabilities continue to express their frustrations with unmet accommodation needs due to discrimination and barriers. In the CPA, higher rates of separation for workers with disabilities persist as a key challenge in ensuring equity in the workplace.

## **Current Impacts of Workforce Adjustment on Employment Equity**

Given the slow progress on employment equity in the federal public service, we are concerned about the current impacts of workforce adjustment on employment equity groups. Specifically, we are worried about how ongoing cuts may deepen the existing staffing inequities in the federal government.

Federally regulated employers have a legal obligation to ensure there is no discrimination in the workplace, including in situations of restructuring and layoffs. Employers covered under the EEA have obligations to achieve and maintain a workforce that is representative of the population and to eliminate discriminatory barriers. Employees from the four designated equity groups face discrimination in the



workplace and society — they often face the worst impact when workplaces reorganize or downsize.

Under Budget 2025 and the current Comprehensive Expenditure Review, cuts are happening without any consultation with critical stakeholders, including public sector unions.

The government has failed to adequately provide detailed information on the types of positions, programs and/or services impacted by cuts. They must recognize the disproportionate impact it may have on the workforce for people who are part of one or more equity groups.

These cuts will lead to significant gaps in the public service workforce, weaken programs and funding to organizations and communities. They will also erode service delivery to millions of people across this country.

As of early March 2026, [more than 13,000 PSAC members have received workforce adjustment notices](#). The total number of job losses across the federal public sector is still unknown. However, according to data in the government's [workforce reductions in the federal public service](#) report as of early March 2026, over 24,000 workers have received letters of affected or at-risk status. This number will continue to evolve as departments finalize the implementation of their cuts.

Without measures in place, the evidenced historical trends from the 1990s cuts and DRAP will repeat themselves. We can project that the current workforce adjustment process may disproportionately and negatively impacts equity groups. This has the potential to set back employment equity gains.

We will not know the impacts of cuts on employment equity groups if data is not collected, analyzed and made public. Currently, there is little comprehensive equity data being shared with bargaining agents on who is being impacted by job losses. Data sharing is dependent on the potential good will of individual departments. To understand how workforce adjustment is impacting workers of employment equity groups, we need employers to provide accurate, detailed and timely data. Cutting jobs with no transparency about who is being cut undermines the very purpose of employment equity legislation.



What we do know is that federal departments and agencies with higher representation of racialized workers such as Employment and Social Development Canada, Immigration, Refugee and Citizenship Canada and Health Canada are being hit hardest by cuts. It is noteworthy that these departments also provide services and programs for equity communities. These cuts highlight the need to monitor which services and programs are being affected by losses — are they related to employment equity initiatives and/or meant to support marginalized communities? If so, we fear this will undo the decades-fought gains to make the federal public service more representative of Canada’s rich diversity.

We are also concerned that employment equity groups will be adversely impacted by the selection of employees for retention or lay-off (SERLO). SERLO is a process used during workforce adjustment to make decisions about which workers will be laid off or retained. It relies on the application of merit and is employer driven. In instances where the employer is considering offering an employee a “reasonable job offer,” duty to accommodate may come into play in a workforce adjustment situation. A “reasonable job offer” must consider accommodation needs, yet it is unclear how this is playing out in the current moment. Are accommodation needs being respected when considering merit and reasonability in the SERLO process?

For example, in situations where there is a relocation or where the job offered is at a different worksite, management must consider whether the proposed worksite is accessible for persons with disabilities, for example, or if relocation allows for the cultural needs of Indigenous workers to be accommodated. The employer’s duty to accommodate means that policies and procedures must be flexible and must not be applied in a mechanical way. The employer should not insist on a job offer without considering the accommodation needs of the employee, even if such a job offer would technically be considered “reasonable.” The employer must also meet any needs for accommodation during the assessment process when employees are being selected for retention or layoff.

With no oversight into whether reasonable job offers made under SERLO are indeed flexible and take into consideration the accommodation needs of employees, it is likely that historically disadvantaged workers, including persons with disabilities and Indigenous Peoples, will continue to be hardest hit by workforce adjustment-related job losses.



Even more troubling — once they are out of work, workers with disabilities, Indigenous workers and racialized workers are more likely to encounter difficulties re-entering the job market. This is evidenced in unemployment rates for these groups, which are much higher than the overall unemployment rate in Canada.

## Progress and the Way Forward

### Implementation of Employment Equity Modernization

As noted earlier, employment equity gains have been slowly made over the past decades. Despite these gains, the federal public service is still not representative nor inclusive of employment equity groups due to shortcomings within the employment equity legislation.

To better understand these shortcomings, the *Employment Equity Act* Review Task Force was engaged to complete a comprehensive review of the EEA. In 2022, PSAC was consulted by the Task Force, and we provided them with [a report including ten key recommendations](#) that are even more relevant today. In 2023, the Task Force released their own report with a series of recommendations to modernize and update the EEA. The Task Force incorporated many of our concerns into their report. PSAC continues to advocate for the implementation of these recommendations.

Although the Treasury Board Secretariat (TBS) and the Public Service Commission (PSC) have taken some measures to address a few of the Task Force recommendations, there are many that remain entirely unaddressed. For example, PSAC was pleased to see small shifts toward rethinking equity groups by moving away from outdated terminology such as “visible minorities” and disaggregating some data with reporting on Black workers.

However, there have been no concrete steps taken to enact any of the EEA legislative amendments called for by the Task Force. Examples of recommended amendments include identifying Black and 2SLGBTQIA+ workers as designated employment equity groups. In addition, to better understand the unique experiences and outcomes among designated employment equity groups, disaggregated data that identifies sub-groups (e.g. South Asian, Chinese, First Nations, Inuit, Métis) is needed. Intersectional analyses are also crucial to effectively identify and address barriers faced by workers (e.g. women) who self-identify in additional equity groups.



In February 2026, at the Standing Senate Committee on Human Rights meeting on employment equity in the public service, both TBS and PSC claimed an inability to direct departments to protect employment equity groups from adverse impacts. Neither TBS nor PSC provided data about how employment equity groups are being impacted by ongoing workforce adjustment. They claimed that individual departments are delegated to collect and analyze this data. TBS and PSC's interpretation of their role stems from the changes under the *Public Service Modernization Act (PSMA)*, which amended the *Public Service Employment Act (PSEA)* in 2004-05. Thus, TBS and PSC have repeatedly stated that they cannot compel departments to comply with their policies and directives. The current lack of accountability and oversight into the impact of cuts on employment equity groups reinforces the need for the Task Force's recommendations to be implemented as soon as possible.

In addition, it was very clear that neither TBS nor PSC had taken steps to ensure that workforce availability data is current and reflects Canada's population (i.e., not based on outdated Census data). Thus, the Task Force recommendations related to data justice remain largely unaddressed, including the development of an employment equity data steering committee and ensuring public transparency through democratizing data access, have not been implemented. Neither of these recommendations require complex legislative change.

Many of the Task Force recommendations do not require the Minister of Jobs and Families' authority for implementation. However, both TBS and PSC placed the responsibility on the Minister of Jobs and Families to implement the Task Force recommendations, even though many recommendations do not require the Minister's support. It is clear that different entities under the EEA can easily "pass the buck" and not be held accountable.

As recommended by the Task Force, an independent Employment Equity Commissioner must be appointed to ensure oversight and accountability. The Commissioner would collect information on employment practices and policies, ensuring that employment equity is implemented in workplaces. Further, the Commissioner would address issues and complaints in ways that the Canadian Human Rights Commission (CHRC) cannot. As the CHRC is the body responsible for auditing employers for employment equity compliance, there are clear limitations to its role and jurisdiction.

It is necessary for the government to consult with PSAC and other public sector unions representing workers across the federal public service. The issues arising from ongoing



workforce adjustment display a crucial need for legislated joint employment equity committees with detailed roles and responsibilities. These committees must be able to negotiate employment equity into collective agreements. Most employers have failed to share timely and complete information about the impact of cuts on employment equity groups and any measures taken to address these impacts. This demonstrates a lack of initiative to meaningfully consult and collaborate with bargaining agents on employment equity issues.

As noted, employment equity considerations are not mandatory during workforce adjustment process, whereas the processes under the PSEA are mandatory. SERLO assessment processes<sup>2</sup> are the only part of the workforce adjustment process which legislates employers to consider barriers and biases affecting equity groups. However, this evaluation method and the results are not provided to bargaining agents. One important recommendation is to elevate the EEA to quasi-constitutional status for it to take precedence over the PSEA and other related legislation. This will ensure that employment equity is meaningfully considered throughout the workforce adjustment process.

The Minister of Jobs and Families has the responsibility to deliver on these recommendations and ensure that the legislative framework of the EEA is cogent. The government must be held accountable for implementing the Task Force recommendations. The lack of progress in the period of over 2 years has been alarming.

## **Interim Reporting**

PSAC believes that the Senate Standing Committee on Human Rights can drive the government to act on employment equity modernization before it is too late. The current workforce adjustment process is threatening the very purpose of employment equity legislation. Should the committee publish an interim report on its current study, focusing on concerns with the lack of transparency, accountability and oversight related to cut impacts on employment equity, the government may change course. Such a report must address the slow progress on employment equity modernization and call for the government to act on the recommendations of the Task Force.

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<sup>2</sup> [Public Service Employment Regulations](#), section 22(5).



## Recommendations

### What we are Calling for

PSAC recommends that the committee:

- demands accountability from the Minister of Jobs and Families to modernize employment equity in the federal public sector and implement oversight through joint employment equity committees to ensure progress;
- urges the government to prioritize the implementation of the *Employment Equity Act* Review Task Force’s recommendations; and
- publishes an interim report with recommendations for the government, focusing on employment equity and workforce adjustment — including a need to provide unions with timely and comprehensive data on equity groups impacted by cuts and job losses.

## Conclusion

### Change is Overdue

Employment equity is an important framework, ensuring that no worker is denied employment or career development opportunities for reasons unrelated to their ability. Some gains have been made in the decades-long fight for workplace diversity and inclusion. However, staffing inequities persist in Canada’s federal public service.

The current workforce adjustment and subsequent job losses taking place in the federal public service threaten the very purpose of employment equity legislation. Workforce adjustment puts workers from historically disadvantaged groups at risk, including Indigenous workers, women, racialized workers and persons with disabilities. It also jeopardizes the programs and services these workers provide to people and communities across Canada.

Canada needs a strong public service workforce that reflects our diverse population — one that responds to the unique needs of this country. Cuts won’t make that possible.



Inaction won't make this possible. We urge this government to work with us to find sustainable solutions that will keep Canada's public service moving in the right direction.

Real change for workers is long overdue. More work needs to be done to correct the conditions of disadvantage in Canada's workplaces. The EEA needs to be modernized to fulfil its purpose of achieving equality in the workplace.

We are grateful to the committee membership for their engagement on this important matter. We remain available for further consultation.



## Annex – Table 1

**Overall employment equity representation in the core public administration (CPA) for all employees with workforce availability (WFA) and national labour market availability (LMA), 2023-24 fiscal**

Equity group	CPA	WFA	LMA
Women	56.9%	55.3%	48.3%
Indigenous Peoples	5.3%	4.1%	4.3%
Persons with disabilities	7.9%	12.0%	12.6%
Visible minorities	22.9%	22.7%	24.9%

Source: [TBS Employment Equity Demographic Snapshot 2023-24 \(table 1\)](#).

Note: WFA and LMA estimates based on 2021 Census and 2022 Canadian Survey on Disability. LMA is weighted from with four filters (citizenship/residency, classification, education, geography) to create WFA estimates.



## Annex – Table 2

### Hires into, promotions within and separations from the core public administration (numbers and percents), 2023 – 24 fiscal

Action	All employees	Women	Indigenous Peoples	Persons with disabilities	Visible minorities	Black workers
Hires	29,033	17,530 (60.4%)	1,243 (4.3%)	2,372 (8.2%)	7,790 (26.8%)	2,002 (6.9%)
Promotions	31,025	19,578 (63.1%)	1,642 (5.3%)	2,517 (8.1%)	8,115 (26.2%)	1,788 (5.8%)
Separations	15,222	8,667 (56.9%)	906 (6.0%)	1,210 (7.9%)	2,394 (15.7%)	576 (3.8%)

Source: [TBS Employment Equity Demographic Snapshot 2023-24 \(table 10\)](#).

Note: "Hires" refer to employees who were added to the public service of Canada payroll between April 1 and March 31 of each given fiscal year. "Separations" refer to employees who left the public service of Canada payroll between April 1 and March 31 of each given fiscal year. Please note that the data on "separations" includes employees who separated while on leave without pay.



## Annex – Table 3

### Trends in hires, promotions and separations for persons with disabilities, 2016-23 fiscals

<b>Fiscal year</b>	<b>All employees</b>	<b>Persons with disabilities</b>	<b>Per cent of hires</b>
2016–17	16,081	603	3.7%
2017–18	19,249	685	3.6%
2018–19	23,334	866	3.7%
2019–20	24,901	977	3.9%
2020–21	24,229	1,053	4.3%
2021–22	28,929	1,601	5.5%
2022–23	33,361	2,295	6.9%
<b>Fiscal year</b>	<b>All employees</b>	<b>Persons with disabilities</b>	<b>Per cent of promotions</b>
2016–17	17,487	693	4.0%
2017–18	20,660	837	4.1%
2018–19	25,489	1,097	4.3%
2019–20	27,211	1,133	4.2%
2020–21	24,919	1,181	4.7%
2021–22	29,295	1,681	5.7%
2022–23	33,194	2,230	6.7%



<b>Fiscal year</b>	<b>All employees</b>	<b>Persons with disabilities</b>	<b>Per cent of separations</b>
2016–17	12,491	902	7.2%
2017–18	12,937	994	7.7%
2018–19	12,898	850	6.6%
2019–20	13,043	931	7.1%
2020–21	12,446	841	6.8%
2021–22	16,687	1,097	6.6%
2022–23	17,510	1,202	6.9%

Source: [TBS Employment Equity in the Public Service of Canada for Fiscal 2022-23.](#)