

DID YOU KNOW?

Tourism HR Canada projects a 41% growth in labour demand within the tourism sector by 2035, with the food and beverage industry potentially seeing over 100,000 jobs go unfilled.

REMOVE BARRIERS

Having a 'Canadian Experience' requirement is exclusionary

- ✓ Remove areas of your job application that require a candidate to disclose the country in which they obtained their experience.
- ✓ Do not refer to or request information on race, nationality or place of origin in the job application or interview process.
- ✓ Consider how you can assess someone's skills, rather than relying on where experience was acquired. This includes collecting references, job-related testing, behavioural interview questions and scenario and/or role-play tasks.
- ✓ Develop on-the-job training to support employees to succeed in your business.

KNOW THE LAW

Asking candidates about citizenship status could be considered a discriminatory practice

Ask if a candidate is "legally entitled to work in Canada" rather than citizenship status. This way you are inclusive of individuals holding diverse legal statuses.

BUILD INCLUSION

Candidates cannot be denied employment or treated differently within the workplace based on an accent

- ✓ An accent does not determine one's fluency, communication skills or comprehension.

NEED MORE INFORMATION?

For more information and to download the full guide "How to Create a Positive & Inclusive Workplace" visit restaurantscanada.org/positive-inclusive-workplace

DID YOU KNOW?

Approximately 15% of the Canadian population currently identifies as having a disability, with numbers increasing as demographics shift towards an aging population. Creating more accessible workplaces will also help ensure greater accessibility for customers with disabilities, opening up a larger customer base.

<http://www.statcan.gc.ca/pub/89-654-x/89-654-x2013002-eng.htm>

REMOVE BARRIERS

1. **ATTITUDINAL:** Behaviours, assumptions or perceptions that discriminate against people with disabilities
2. **ORGANIZATIONAL OR SYSTEMIC:** Policies, procedures and practices that discriminate against individuals or prevent them from full participation
3. **ARCHITECTURAL OR PHYSICAL:** Where possible, modify elements of buildings or outdoor spaces that create barriers for people with disabilities
4. **INFORMATION OR COMMUNICATIONS:** Take into consideration sensory disabilities such as seeing, hearing and learning when sending/receiving information
5. **TECHNOLOGY:** Technology barriers occur when a device or technological platform is not accessible to its intended audience and cannot be used with an assistive device

“Workers with disabilities are more productive, work more safely, stay longer, require less supervision, are more innovative and have less absenteeism. In my business, for example, the absenteeism rate for my 46 employees with disabilities is 85 per cent lower than the 200 employees without disabilities. My annual employee turnover is 38 per cent, versus the 100-per-cent norm in the quick-service restaurant sector. I have never filled out a Workplace Safety and Insurance Board claim for a workplace injury to a worker with a disability. And workers with disabilities have different problem-solving skills – and ‘different’ is exactly how workplace innovation is bred.”

MARK WAFER, TIM HORTONS FRANCHISE OWNER
(Globe and Mail interview)

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Employers in Canada are required to provide religious accommodation in the workplace.

An employer should provide accommodation in a manner that supports an individual's "autonomy, comfort and confidentiality".

An employee should never be disciplined or otherwise penalized for making a request for religious accommodation. Employers are encouraged to receive and accept accommodation requests as sincere and in good faith.

BEST PRACTICES

- ✓ Develop a clear accommodation policy and request process.
- ✓ Ensure an inclusive dress code that can be adapted, with consideration to the option of long sleeves/pants; head coverings such as scarves, hijabs, turbans, yarmulkes; face coverings such as niqabs; and facial hair growth.
- ✓ Determine where a private place can be provided, should a prayer space be requested.
- ✓ Develop a strategy to manage scheduling when employees need time away from work for religious observances.
- ✓ Consider diverse dietary needs when food is prepared or served. When in doubt, ensure a plant-based option is provided. Employees should never be required to taste food that is against their dietary restrictions.
- ✓ Be inclusive when planning activities, particularly when they are associated with a particular religion. Choose times to celebrate as a team that are not focused on a particular holiday, or make it your practice to celebrate the holidays of multiple faiths.
- ✓ Ensure all employees are aware that discriminatory jokes, comments or practices that target members of a particular faith will not be tolerated.
- ✓ Avoid making assumptions. Remember that there is diversity within every faith - different people may practice the same faith differently.

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Individuals who identify as transgender or gender non-binary disproportionately experience harassment, discrimination and violence because of their gender identity and gender expression, which may differ from their birth-assigned sex.

It is against the law to discriminate against someone in employment based on their gender identity or gender expression.

BEST PRACTICES

- ✓ Don't make assumptions about the gender identity of others.

Gender expression refers to how a person presents their gender, which can include appearance, behaviour and chosen name/pronoun.

- ✓ Avoid using gendered language where possible.
- ✓ Never reveal information such as birth name without a person's permission.

There is no legal requirement for someone to reveal their trans identity to an employer or colleagues.

- ✓ Respect the use of a transgender person's chosen name and chosen pronouns.
- ✓ Treat someone as the gender they identify as, including the use of washrooms or change rooms.
- ✓ Ensure your workplace is free of transphobic remarks or harassment.
- ✓ Develop a culture that proactively fosters an inclusive environment for LGBTQ employees, including clear policies referencing gender diversity.

TRANSITIONING IN THE WORKPLACE

Transitioning is a complex experience that can include personal, medical and legal processes. The exact steps in transition vary from person to person. Supporting an Employee in Transition, provided by The 519 community centre in Toronto, provides helpful tools and tips to foster a safe and inclusive environment.

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WHAT IS WORKPLACE VIOLENCE?

Any incident(s) in which an employee is threatened, assaulted, abused or humiliated during the course of their employment that may cause physical or psychological harm. This includes threats, attempted or actual assault, application of force, verbal abuse or harassment by a coworker, supervisor or customer.¹ This does not include any reasonable action taken by an employer or supervisor relating to the management and direction of workers or a workplace.²

THREATENING BEHAVIOUR: Such as shaking fists, destroying property or throwing objects.

VERBAL OR WRITTEN THREATS: Any expression of an intent to inflict harm.

HARASSMENT: Any behaviour that demeans, embarrasses, humiliates, annoys, alarms or verbally abuses a person and that is known or would be expected to be unwelcome. This includes words, gestures, intimidation, bullying, or other inappropriate activities.

VERBAL ABUSE: Swearing, insults or condescending language.

PHYSICAL ATTACKS: Hitting, shoving, pushing or kicking.³

WHAT IS WORKPLACE SEXUAL HARASSMENT?

Workplace sexual harassment can involve unwelcome words or actions associated with sex, sexual orientation or gender that are known or should be known to be offensive, embarrassing, humiliating or demeaning to a worker or group of workers, in a workplace. It can also include behaviour that intimidates or isolates individual(s). Workplace sexual harassment may include:

- ✓ Asking questions, talking, or writing about sexual activities
- ✓ Rough or vulgar humour or language related to sexuality, sexual orientation or gender
- ✓ Displaying or circulating pornography, sexual images, or offensive sexual jokes in print or electronic form
- ✓ Leering or inappropriate staring
- ✓ Invading personal space
- ✓ Unnecessary physical contact, including inappropriate touching
- ✓ Demanding hugs, dates, or sexual favours
- ✓ Making gender-related comments about someone's physical characteristics, mannerisms, or conformity to sex-role stereotypes
- ✓ Verbally abusing, threatening or taunting someone based on gender or sexual orientation
- ✓ Threatening to punish a worker if they refuse a sexual advance.⁴

¹ https://cupe.ca/sites/cupe/files/guideline_for_violence_prevention_in_the_workplace_0.pdf

² <https://www.worksafebc.com/en/resources/health-safety/books-guides/a-handbook-on-preventing-and-addressing-workplace-bullying-and-harassment?lang=en>

³ <http://www.ccohs.ca/oshanswers/psychosocial/violence.html>

⁴ <https://www.labour.gov.on.ca/english/hs/pdf/wpvvh.pdf>

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Biases, whether conscious or not, can result in barriers to the inclusion of employees from diverse racial, ethnic and cultural backgrounds. Some ways in which this can manifest in the workplace include:

HARASSMENT: Unwelcome behaviours such as humiliation, offensive jokes, racial slurs or comments, uninvited nicknames, bullying, intimidation or unwanted physical contact can be harassing actions.

IF YOU SEE SOMETHING, DO SOMETHING

Staying silent when you witness harassing behaviour sends the message that this behaviour is okay.

DRESS CODE: Setting formal or informal expectations about how hair is worn, what head coverings can be worn, or setting a short length for sleeves, trousers or skirts can unfairly impact certain groups more than others.

HIRING: Put checks in place to avoid biases in hiring practices. Ensure diversity is present at all levels and roles of the organization, including managerial and decision-making positions. Opportunities for advancement and success within the organization should be available to all regardless of one's race, ethnicity or culture.

WORK ENVIRONMENT: Casual jokes that remain unaddressed, comments that perpetuate negative stereotypes about certain groups, exposure to offensive imagery or other actions that demean an individual or group can be a form of discrimination.

MICRO-AGGRESSIONS: Everyday comments and behaviours can intentionally or unintentionally be insulting, resulting in the recipient feeling as though they do not belong. Sometimes, micro-aggressions can be intended as a compliment, but they can communicate negative slights. For example, asking, "Where are you from" can imply that a person is not truly Canadian due to their racial, ethnic or cultural background.

BEST PRACTICES

- ✓ Actively recruit and hire a racially and ethnically diverse staff at all levels of the business.
- ✓ Examine the working environment to eliminate negative portrayals, exclusion or stereotypes.
- ✓ Develop a committee dedicated to forming and monitoring a plan for promoting inclusion in your workplace.
- ✓ Implement anti-racism training for staff and integrate this as part of the on-boarding process.
- ✓ Develop an equal opportunity statement to include in job postings and post in the workplace.

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ADVERTISING

- ✓ Consider **LANGUAGE** in job postings. It is against the law to exclude candidates based on grounds such as race, gender, age, disability, sexuality and religion/creed
- ✓ Only list **REQUIREMENTS** that truly reflect what is needed to perform the job.
- ✓ **ADVERTISE** your positions in diverse places, including local organizations such as community centres, settlement agencies and employment services.

IS YOUR JOB POSTING INCLUSIVE?

P/T male dishwasher for large venue kitchen. Strong, young person needed for heavy manual labour. Evening/weekend availability a must.

CHANGE TO

P/T dishwasher required for a large venue kitchen. Must be able to safely lift 60 lbs. Extended periods of standing, walking, bending, and kneeling. Evening/weekend availability a must.

INTERVIEWS

- ✓ Ensure a **FAIR** selection process. Ask all candidates a set of standard questions and have a rubric or scorecard to measure their responses.
- ✓ Provide **CLARITY** to candidates. Repeat questions if asked and offer questions in a written format in addition to asking aloud.
- ✓ Develop an interview process that matches the **REQUIREMENTS** of the position.
- ✓ Proactively offer candidates a process for **ACCOMMODATIONS** if needed.

TIP FOR AN INCLUSIVE WORKPLACE

Develop policies for inclusive, healthy and safe workplaces (including accommodation, harassment, sexual assault and violence) and post them in common areas.

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