



Office of the  
**Merit Commissioner**  
Upholding Fair Hiring in the BC Public Service

# 2023 ANNUAL REPORT 2024









# Office of the Merit Commissioner

Upholding Fair Hiring in the BC Public Service

The Honourable Raj Chouhan  
Speaker of the Legislative Assembly  
Province of British Columbia  
Parliament Buildings, Room 207  
Victoria, British Columbia V8V 1X4

Dear Mr. Speaker:

It is my honour to present the 2023/24 Annual Report of the Merit Commissioner. This report is submitted pursuant to section 5.2 of the *Public Service Act*, Chapter 385 of the Revised Statutes of British Columbia.

As an Officer of the Legislative Assembly, I would be pleased to appear and report further on these matters at the request of the Members of the Legislative Assembly.

Respectfully submitted,

**David McCoy**  
Merit Commissioner

Victoria, British Columbia  
May 2024

The Office of the Merit Commissioner would like to acknowledge that we are living and working with gratitude and respect on the traditional territories of the Indigenous peoples of British Columbia.



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## Message from the Merit Commissioner

I appreciate the opportunity to present the Office of the Merit Commissioner's *2023/24 Annual Report*. This is my second annual report as I begin the second year of my term as Commissioner.

The Merit Commissioner's annual report is the opportunity to reflect on the state of merit-based hiring over the last year within organizations that hire for roles under the *BC Public Service Act* (the *Act*). It is also a time to detail observations and activities that have transpired in the areas of staffing reviews and just cause dismissals. This report also serves to assure legislators and British Columbians alike that there is accountability and responsibility in ensuring that the people appointed under the *Act* to serve them are qualified for their roles, and that the recruitment and selection processes used to hire them were properly designed and applied to result in appointments based on the principle and factors of merit.

The theme of this year's report is "A Modern Public Service—Now and Tomorrow." It is important that this annual report reflects on the current state of the merit principle and administrative fairness in just cause dismissal processes for the organizations that fall under my mandate. We must also be accountable for the work we undertake and how we approach that work by reporting on the current state of affairs of this Office.

I also look ahead to the future in the areas of hiring and just cause dismissal processes. That means having a plan for how the Office will respond to developments such as artificial intelligence (AI) in the hiring process. It means foreshadowing important future special studies. And it means sharing hopes for legislative changes that may better support the Merit Commissioner in providing the relevant independent oversight that serves British Columbians.

Over the last year, the Office has experienced considerable changes. We have brought on new team members; implemented a new case management system; refined our internal business processes; embarked on a merit-awareness campaign with organizations and staff; and participated in a legislated review of the just cause dismissal process provisions of the *Act*, all while building on an internal culture of respect, trust, and accuracy within our new team.

In this year's report, I observe small yet positive changes in the overall level of merit-based hiring. The level of merit-based hiring has increased 5% from last year and is now at 64%. While it is encouraging to see better performance in applying merit to the competitive processes, I am certain that organizations can continue to strive to improve their merit-based hiring processes to better align with the principle and factors of merit.

In addition to the application of merit in these competitions, I also observe the level of documentation for each file and ensure the qualifications of those people appointed. This year, I found that 96% of the audited individuals were qualified for their role upon appointment, and 66% of the appointments had an acceptable level of written documentation on file. These figures are relatively constant when compared to previous years. Once again, this year there were no appointments audited with any evidence of patronage.

The staffing review function of my Office saw 20 requests for review submitted in 2021/22. Additional individuals also inquired for support and investigation from this Office. However, the legislated mandate is clear that I can only investigate bargaining unit appointments when requested by employee applicants who were unsuccessful in a competitive process and who had already requested an internal inquiry from the organizational head. I was able to review 18 requests; two were not eligible for review because a requestor was not an employee applicant or an internal inquiry had not yet been conducted. The reviews found that 61% met the principle of merit. In 39% of the appointments reviewed, I directed a reconsideration of the appointment decision by the respective organizational head.

This year a *Special Committee to Review Provisions of the Public Service Act* confirmed that just cause dismissals reviews by the Merit Commissioner are to continue in force, with some additional amendments recommended to the *Act* to support my reviews. In 2022/23, I reviewed 19 dismissal files and noted four areas where I felt the BC Public Service Agency and the organizations involved in this process have demonstrated improvements in just cause dismissals. I also noted four areas where improvement should be implemented. As these reviews are completed by the Merit Commissioner only after all courses of redress are exhausted, it is important to note that it may take a significant amount of time for specific recommendations in my annual reports to be fully implemented by the Public Service Agency.

This year I also began outreach activities to promote the merit principle in hiring and to find out what “merit myths” may exist within the BC Public Service that need to be addressed in the future. I wanted to understand concerns or questions as they relate to my office, role, and work so that this Office remains relevant, responsive, and trusted as an independent statutory office. My efforts included meeting with 40 organizational heads, from deputy

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ministers to statutory officers to judicial executives and CEOs of agencies, boards, and commissions. My team and I met with over 100 employees to further “merit myth-bust” and help clarify the understanding and expectations of merit-based hiring in organizations that hire for roles under the *Act*. I continue to meet regularly with the deputy minister of the Public Service Agency to ensure an open channel of communication and have also begun to establish professional connections with the Public Service Commission of Canada and the Merit Protection Commissioner of the Australian Federal Government.

As our team continues to grow and adapt to the renewed vision for this Office, we are actively fostering a working environment that foregrounds respect for each other and the stakeholders with whom we interact, and practising inclusivity while embracing the diversity that each person brings to the team. We have supported local charities, promoted Indigenous understanding and appreciation, and learned about each other as colleagues. Together we work with collegiality, collaboration, conviction, and dedication in fulfilling the mandate of this Office.

We have only just started, and we have a path forward to provide continued oversight, trusted investigations, and responsible stewardship of fair hiring and just cause dismissal processes within the broader BC Public Service.



**David McCoy**  
Merit Commissioner

## Our Vision

A provincial public service founded in merit-based hiring and fair process in just cause dismissals.

## Our Mission

To strengthen and support fairness and transparency in organizations that operate under the *Public Service Act* by:

Monitoring the application of the merit principle in hiring appointments.

Reviewing the application of best practices, policies, and standards in just cause dismissals.

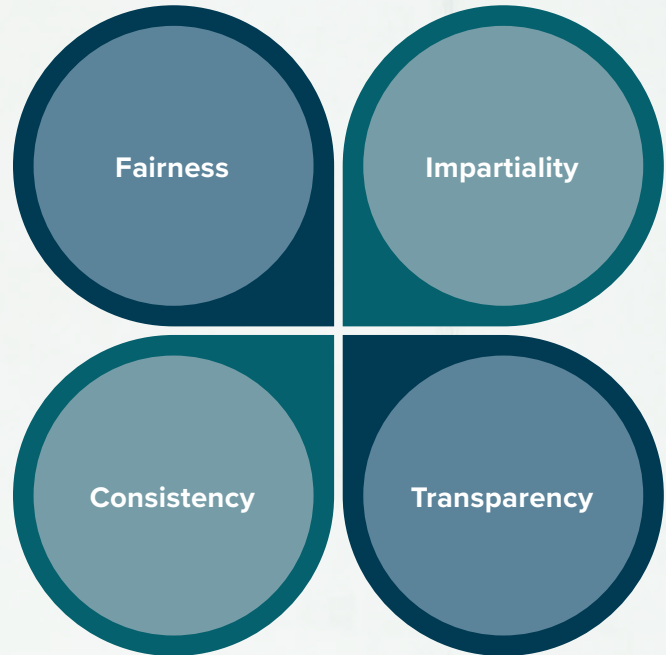
Providing guidance information and insights into relevant subject matter pertaining to our mandate.

## Our Values

The employees at the Office of the Merit Commissioner bring shared professional values to the workplace.

## Our Principles

The work at the Office of the Merit Commissioner is guided by the principles of:



We uphold standards of integrity and professionalism in our performance, as we do for those over whom we provide oversight.





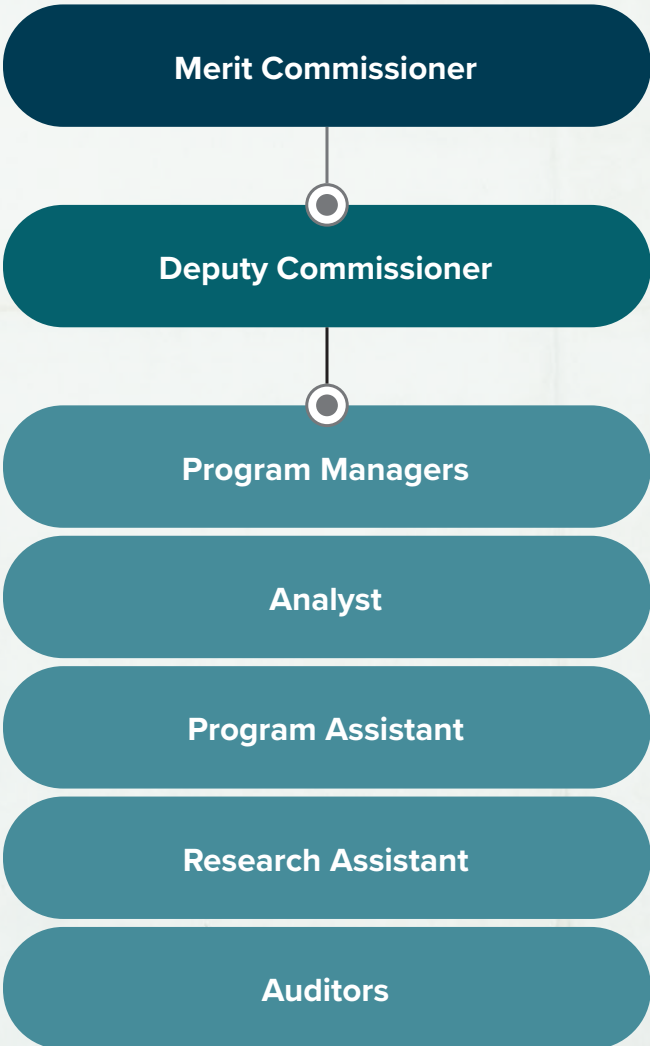


# Who We Are

The Merit Commissioner is an independent officer of the Legislature, appointed by the Legislative Assembly on a part-time basis for a three-year term. As set out in the *Public Service Act*, the Merit Commissioner is responsible for:

- Monitoring the application of the merit principle in the recruitment and selection of employees in provincial government organizations where employees are appointed under the *Act*.
- Reviewing the application of government practices, policies, and standards to just cause dismissals as per the *Act*.

The Commissioner is supported by a small team of dedicated staff and contract resources, known collectively as the Office of the Merit Commissioner (the Office). The work of the Office is guided by the principles of **fairness, impartiality, consistency, and transparency**. We uphold the same standards of integrity in performance and accountability that we apply to others, and all who contact the Office are treated with respect.



The actions and decisions concerning hiring and dismissal are varied and complex. A number of individuals and organizations are directly involved in these functions, and their roles in fair hiring and dismissal processes are outlined below.





## A Modern Public Service

### From Past to Present – Merit at the Heart of Hiring

The merit principle was introduced into hiring for BC's public service in 1908. Public servants were to be hired not due to their political connections, but rather for their qualifications. Merit-based hiring meant that employees must be qualified for the work and that appointments were not the result of patronage.

Since then, the guidance around how to ensure merit-based hiring has evolved, but the principle of merit-based hiring has remained. It is critical that hiring should follow sound processes and principles to ensure applicants are assessed fairly and objectively, through reasonable and transparent processes. And it remains crucial that the people hired under the *Public Service Act* are qualified to do the work. Given the diversity and importance of public service workers—from firefighters to engineers, social workers, policy analysts, liquor store managers, and financial experts—merit-based hiring continues to be foundationally important to the government services British Columbians expect. Through the years, the Office of the Merit Commissioner has played an important role in auditing hiring competitions, conducting staffing reviews, and reviewing just cause dismissal processes for administrative fairness.

Independent review of hiring in public service organizations is more important than ever. Good data and observations form a baseline to monitor if changes are having a positive or negative impact.





## Job search

### Staying Current with Today's Hiring Realities

It is key that as the Merit Commissioner continues to be responsible for auditing hiring competitions, conducting staffing reviews, and reviewing just cause dismissal processes, the Office of the Merit Commissioner does not lag behind the world around us. We must stay current with the realities that are shaping public service hiring, to continue to provide up-to-date and meaningful observations and guidance.

Looking at the world around us, we can see many changes that may be impacting public service hiring. All these changes can challenge hiring managers and may influence hiring practices. They may have positive influences—or may take people off course from best practice.

- The global COVID-19 pandemic ushered in unprecedented levels of remote work that have included increases in “virtual hiring,” where all hiring activity takes place remotely. Our recent staffing review report included recommendations for hiring managers to ensure they don’t allow over-reliance on technology in the hiring process that may result in unfair and inequitable hiring processes. Having appropriate backup plans can help ensure “virtual hiring” is fair.
- Employees are working in more dispersed teams, with less hiring to “head office” locations.

- The public service appears to be seeing more employee movement—employees competing on new jobs more often.
- A generational shift in the workforce means that a greater percentage of hiring managers may have a lower level of hiring experience than in the past.
- Artificial intelligence (AI) tools are suddenly accessible, and expectations around their use are unclear.
- Inclusive hiring practices and diversity in hiring are coming to the forefront with the recognition of the importance of having an inclusive and diverse public service.

The changes that organizations face may not always be predictable—but where we can, the Office of the Merit Commissioner needs to anticipate and be ready to respond to changes. That includes evaluating how practices and tools align with the merit principle. It also includes continuing to observe and report on the extent to which merit is applied in hiring processes as outlined by our guiding legislation: the *Public Service Act*.

In the spirit of staying current, the Office of the Merit Commissioner is building capacity through research and professional development in key areas such as inclusive hiring, hiring for diversity, AI in hiring, and auditing best practices.



Independent review of hiring in public service organizations is more important than ever. Good data and observations form a baseline to monitor if hiring evolutions are having a positive or negative impact.

## Planning for Tomorrow: Hope and Scope

Staying current also means planning for the future. To that end, the Office of the Merit Commissioner is exploring changes in how it audits and how it communicates with the organizations whose appointments fall under its scope. These changes include:

- Exploring updates to the random sampling methodology used for the Annual Merit Performance Audit to better ensure a line of sight to sub-groups within audited appointments.
- Preparing guidance information on emerging topics that may impact fairness in hiring.
- Increasing outreach to organizations to enhance understanding of the Merit Commissioner's mandate and of merit-based hiring.
- Talking with audited organizations about flexibility in hiring approaches within the rules set out in the *Public Service Act*. A thoughtful, creative hiring process may better support organizations in achieving merit-based appointments than a cookie-cutter approach, especially in a changing world.

Looking ahead, the Merit Commissioner sees opportunities to enhance the province's commitment to the independent oversight of hiring and just cause dismissal processes.

Legislative amendments recommended by the Special Committee to Review Provisions of the *Public Service Act* promise the hope of enhanced efficiencies that support the Merit Commissioner continuing to fulfill their mandate in a timely and fair way.

In the months and year to come, the Merit Commissioner also looks forward to talking with government about opportunities to enhance independent oversight of fair hiring. This includes exploring possibilities for increasing accessibility, insight, and accountability.



In the spirit of staying current, the Office of the Merit Commissioner is building capacity through research and professional development in key areas such as inclusive hiring, hiring for diversity, AI in hiring, and auditing best practices.



## About Our Work

The Office has three central responsibilities:

- 1 Conducting merit performance audits
- 2 Reviewing specific staffing decisions upon request by eligible individuals
- 3 Reviewing processes that have resulted in just cause dismissals

We also conduct relevant special audits and studies.

# Merit Performance Audits – Annually Surveying the Hiring Landscape in BC’s Public Service

## Audits Today

The Office monitors the application of the principle of merit in organizations whose roles are governed by the *Public Service Act* through random audits of appointments made each year. The audit focus is on permanent appointments and temporary appointments greater than seven months made in any organization that is subject to section 8 of the *Act*. Appendix A includes the list of organizations the Merit Commissioner monitors for the application of the merit principle to appointments.

We conduct audits in accordance with generally accepted professional audit standards and methodology. Periodically, we ask independent experts to review our approach to ensure our sampling methodology and practice support our objectives. We also conduct quality assurance reviews of the audits to ensure our results and findings are consistent.

This past year has seen a significant shift and improvement in the audit process through the introduction of a new case management system. This foundational tool is used to collect, store, and run reports on statistical data on audits that the Office undertakes. The new system was launched to coincide with the start of the 2023/24 Merit Performance Audit cycle.

In accordance with section 5.1(a) of the *Act*, the purpose of a merit performance audit is to determine whether:

- (i) the recruitment and selection processes were properly applied to result in appointments based on merit, and
- (ii) the individual, when appointed, possessed the required qualifications for the position to which they were appointed.

This past year has seen a significant shift and improvement in the audit process through the introduction of a new database system. This foundational tool is used to collect, store, and run reports on statistical data on the audits the Office undertakes. The new system was launched to coincide with the start of the 2023/24 Merit Performance Audit cycle.

Annually, we randomly select a statistically representative number appointments for audit. Semi-annually and annually, we provide deputy ministers and organization heads with detailed individual audit reports for appointments within their organization so they may share findings with the responsible hiring managers and take any necessary action to improve hiring practices. These individual audit reports are also provided to the deputy minister of the BC Public Service Agency (Agency Head) who is responsible for staffing policy, support, and training in the BC Public Service.

The Office also prepares a consolidated report of all audit findings in which we set out the risks to merit-based hiring identified through the audit and make recommendations to improve hiring practices. These recommendations are directed to deputy ministers and organization heads (and the staff to whom they have delegated staffing authority). Additionally, we use this report to acknowledge and support good hiring practices throughout the BC Public Service. The Office submits this report to the Legislative Assembly. It is also shared with the public via our website.

### Appointments on Merit

Section 8(1) of the *Act* requires that, other than in some defined exceptions, appointments to and from within the public service must:

- (a) Be based on the principle of merit, and
- (b) Be the result of a process designed to appraise the knowledge, skills and abilities of eligible applicants.

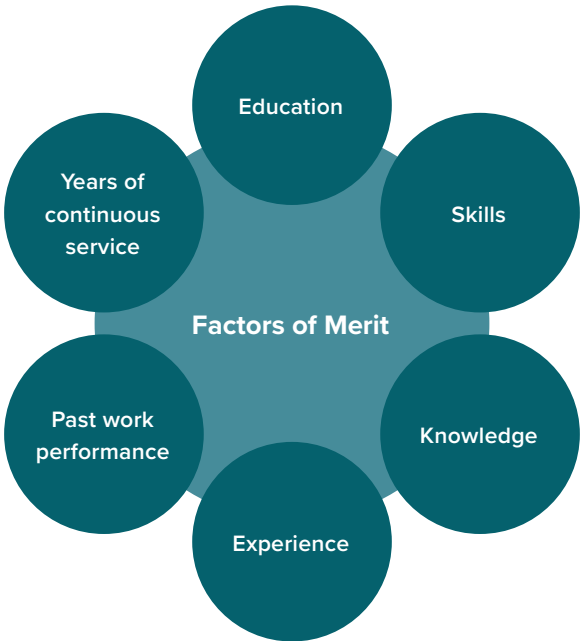
### The Merit Principle

The *Act* states that all appointments to and from within the BC Public Service must be based on the principle of merit. The merit principle means that candidate selection is based on:

- possessing the established qualifications for a role;
- an assessment that includes the six factors of merit listed in the *Act*; and
- non-partisanship and impartiality.

### Factors of Merit

Section 8(2) of the *Act* lists the matters to be considered in determining merit. These must include:



Our audits follow established practices to determine whether hiring processes have been designed and conducted in a way that leads to merit-based appointments.



# Our Audit Process for Each Audited Competition



## We examine:

- The overall approach used to recruit and select applicants
- The five common stages of a hiring process:
  1. Short-listing
  2. Interview and testing
  3. Past work performance
  4. Years of continuous service
  5. Notification
- The appointed individual's application and their performance in the competition

## We consider:

- If the process complied with the *Public Service Act* and, where applicable, relevant provisions of collective agreements
- If the panel's approach was consistent with fair hiring principles:
  - Open and transparent processes
  - Objective and relevant job assessments
  - Reasonable decisions
  - Equitable treatment of applicants
- The qualifications of the individual appointed
  - Their education, knowledge, skills, and experience according to the job requirements
  - Their scores according to the established assessment standards
  - Their overall ranking in the context of the competition results

## We make:

- Two audit **findings**:
  - Whether the recruitment and selection process was based on merit
  - Whether the individual appointed was qualified
- One **determination**:
  - Whether there was sufficient and appropriate documentation on file to support the hiring decision





Below are the definitions for each of the findings and the determination we make for each audited appointment.

### Recruitment and Selection Process Findings

**Merit:** The recruitment and selection process was properly designed and applied to result in an appointment based on merit.

**Merit with exception:** The recruitment and selection process contained one or more errors in design or application: there was no identifiable negative impact on the outcome.

**Merit not applied:** The recruitment and selection process contained one or more errors in design or application: the impact on the outcome was known to be negative and, as a result, the appointment was not based on merit.

A finding of “merit not applied” is also made if there is insufficient evidence to demonstrate that the design or application of a process was based on merit.

### Individual Appointment Findings

**Qualified:** The individual, when appointed, possessed the qualifications specified as required for the position.

**Not qualified:** The individual, when appointed, did not possess the qualifications specified as required for the position.

**Qualifications not demonstrated:** There was insufficient evidence provided to demonstrate that the individual, when appointed, possessed the qualifications specified as required for the position.

### Documentation Determination

**Good:** The hiring process was comprehensively documented with minimal or no follow-up required.

**Sufficient:** The hiring process was partially documented. Some key documents were missing or incomplete and/or some aspects of the process required more than simple clarification. There was sufficient information to complete the audit.

**Insufficient:** The hiring process was insufficiently documented. Key aspects of the process were not documented and a detailed explanation was required.



The detailed audit program can be viewed at [www.meritcomm.bc.ca](http://www.meritcomm.bc.ca).

# The Future of Audits



## Findings

The Office is currently exploring options for an alternative merit rating system to reflect our findings. It is a common misconception that a “merit with exception” finding is analogous to a “merit” finding, when in fact it is more aligned with a “merit not applied” finding. “Merit with exception” means that there is an error, or multiple errors, in the process with either an unknown or mitigated impact, and that negative impact to the outcome of the competition was narrowly avoided.



## Feedback

Currently our Office provides feedback to ministries and organizations bi-annually in the spring, with an interim report, and again in the fall with a final report. We will be exploring the benefits of different reporting cycles in order to maximize timely, meaningful feedback.

We will also be exploring different methods of feedback, including making accessibility changes to our audit reports, to facilitate more continuous learning for organizations.



## Random Sampling Approaches

We are exploring updates to the random sampling methodology used for the Annual Merit Performance Audit to better ensure a line of sight to sub-groups within audited appointments.

## Looking Back: 2022/23 Merit Performance Audit Findings

A total of 10,970 permanent appointments and temporary appointments exceeding seven months were made to and within the BC Public Service between April 1, 2022 and March 31, 2023. In order to be able to generalize the results of the audit to all of these appointments, a simple random sample, based on a predetermined sample size, was chosen from this population each quarter. This resulted in:

- A sample of 280 appointments selected for audit. Of these, 12 were determined to be outside the scope of the audit. These were removed from consideration.
- The audit of the hiring processes for the remaining 268 appointments.

For each of the 268 appointments, we made findings on the qualifications of the individual appointed and the fairness of the recruitment and selection process. With respect to the process, where we made a preliminary finding of “merit not applied,” the responsible deputy minister or organization head was provided with the opportunity to review the draft report and provide additional or clarifying information.

All deputy ministers and organization heads received a final report for each appointment audited within their organization. They were encouraged to share the results with the responsible hiring managers.

At the conclusion of the audit, we completed a comprehensive analysis and made recommendations. These overall findings were reported to the Legislative Assembly in January 2024 and were published on our website.



## Qualifications of Individuals Appointed

In all but 12 cases (4%), the individual appointed met the qualifications specified as required for the position at the time of appointment.

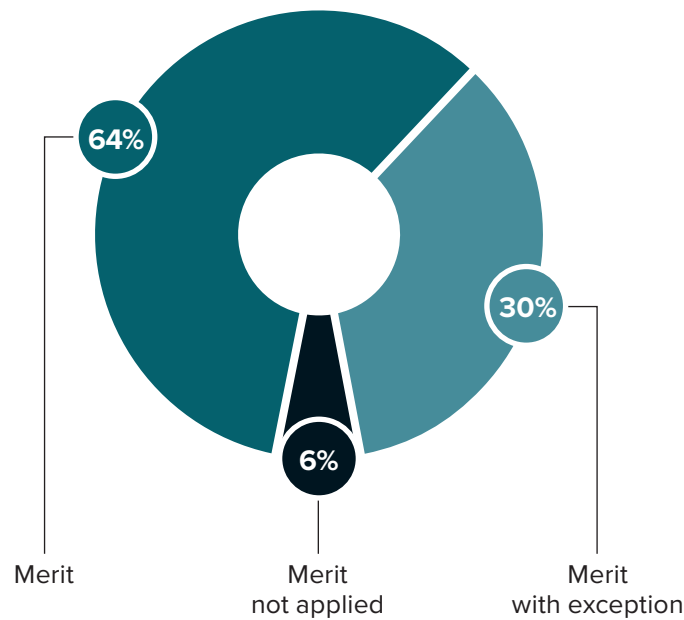
For 10 of these exceptions, we made a finding of “qualifications not demonstrated” based on insufficient evidence to show that the appointees were qualified. We also made a finding of “not qualified” for two appointees, one of whom did not achieve a sufficient score to pass the interview and one who did not possess the qualifications specified as required for the position.

There was no evidence that any of the 268 appointments audited were the result of patronage.



## Recruitment and Selection Process

2022/23 Overall Recruitment and Selection Process Findings



Over the past four years, the proportion of audited appointments with a “merit not applied” finding has varied between 2% and 6%. This year’s “merit not applied” findings were at the high end of the range at 6%.

“Merit with exception” findings decreased from last year’s rate of 35% to 30%.

When our findings are extrapolated to the adjusted total population of BC Public Service appointments for the 2022/23 fiscal year, it is estimated that:

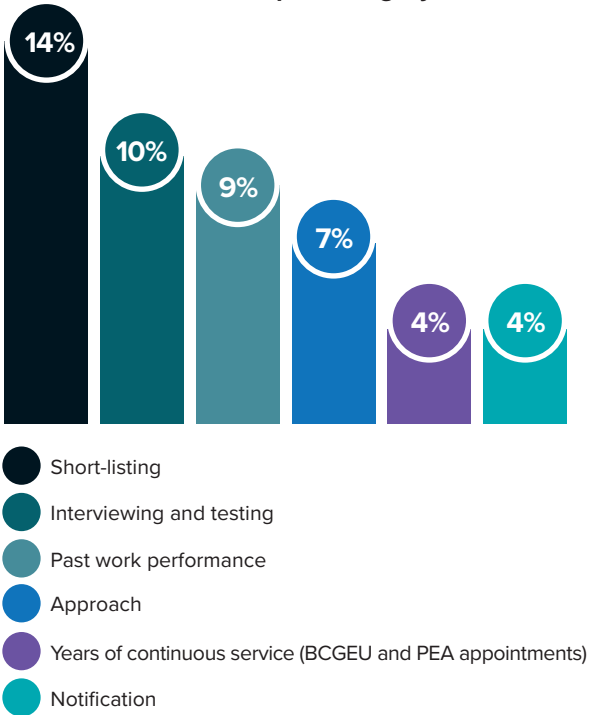
- **6,777 (64%)** of appointments were error free (**merit**).
- **622 (6%)** of appointments had errors with a known negative identifiable impact (**merit not applied**).
- **3,126 (30%)** of appointments had errors with no identifiable negative impact (**merit with exception**).

The errors are identified and reported out by the category or stage of the process in which they occurred. While each audit results in a single recruitment and selection process finding, some appointments had only one error, whereas others had multiple errors in one or more categories.



Illustrated below are the number of appointments with errors in each of the categories as a percentage of all appointments audited.

Percentage of Audited Appointments with Errors per Category





Overall, comparing these findings to 2021/22, we observed an increase in appointments with errors in the approach stage and a decrease in appointments with errors in the short-listing and interviewing and testing stages. Past work performance errors remain stable, as do years of continuous service and notification errors, which represent a smaller percentage of errors.

With respect to fair hiring principles, we observed that open and transparent processes continue to be a cornerstone of hiring for organizations that hire under the Act, as is the use of objective and relevant means of assessment. Errors related to reasonable decision-making and the equitable treatment of applicants continue to post the greatest risk to merit-based hiring. The errors that were most frequent and had the greatest negative implications for applicants resulted from either simple administrative mistakes or errors in judgment by the hiring panel.

Nearly one-third of the short-listing errors identified were the result of the hiring panel's decision to modify, or lessen, one or more of the requirements identified as essential in the original posting. Also, inadvertent but serious short-listing errors were made when hiring panels mistakenly advanced an unqualified candidate or eliminated a qualified candidate.

While the most frequently identified error at the interviewing and testing stage was the absence of marking criteria, mistakes made when calculating scores were the errors more likely to result in a negative impact for candidates.

## Cautionary Note:

In this year's audit cycle, "expressions of interest" (EOIs) were noted as a particular area requiring improvement. Twenty-four EOIs were audited in the 2022/23 year, representing 9% of the audited competitions, with notably poorer findings. Only 38% of EOIs resulted in a "merit" finding compared to 65% overall this audit cycle. More concerning was that 13% of EOIs resulted in "merit not applied" compared to 6% overall. This office can only surmise why EOI competitive processes were carried out less rigorously when compared to the larger audited group. Anecdotally, we have heard that these restricted hiring processes have sometimes been incorrectly viewed as not requiring a full merit-based process. **In fact, these processes are held to the same standards as any other hiring process for permanent or temporary appointments over seven months.**



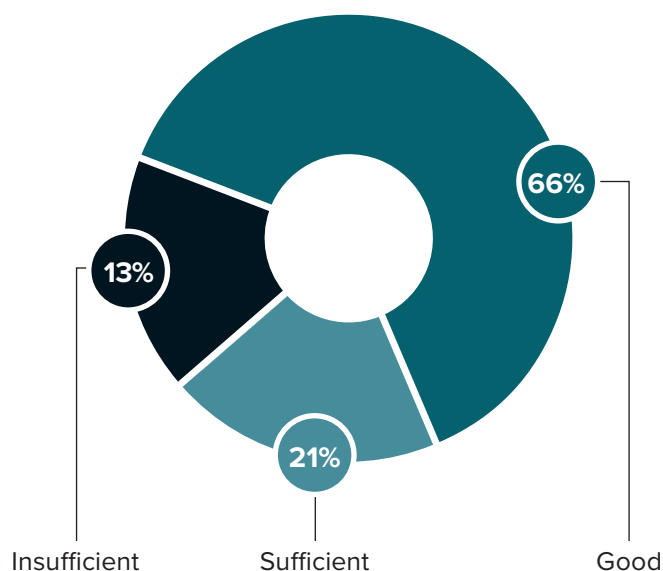




## Documentation

As illustrated below, overall, the audits determined that documentation in 66% of appointments was good. Unfortunately, there was a small increase in the rate of audited competitions where the audits determined the documentation was insufficient.

### 2022/23 Overall Documentation Determinations



## 2022/23 Audit Recommendations

Based on the findings and the most significant issues identified through the 2022/23 Merit Performance Audit, the Merit Commissioner made four recommendations to deputy ministers and organization heads in the Merit Performance Audit Report. These recommendations are intended to guide their delegated hiring managers to strengthen merit-based hiring. We recognize that assistance by the BC Public Service Agency and/or an organization's internal human resource teams may be necessary to support implementation.

### Recommendations:

1. Establish, confirm, and finalize which mandatory qualifications will be used to short list in a competition **prior to** posting the opportunity, and apply these consistently to all applicants.
2. Prior to posting, make every effort to ensure a reasonable, diverse, and equitable applicant pool.
3. Ensure the hiring processes and documentation for "expressions of interest" competitions are approached with the **same rigour** as for any other competition.
4. **Ensure accuracy** in the calculation and transcription of the assessment scores in all areas prior to deciding and releasing competition results.

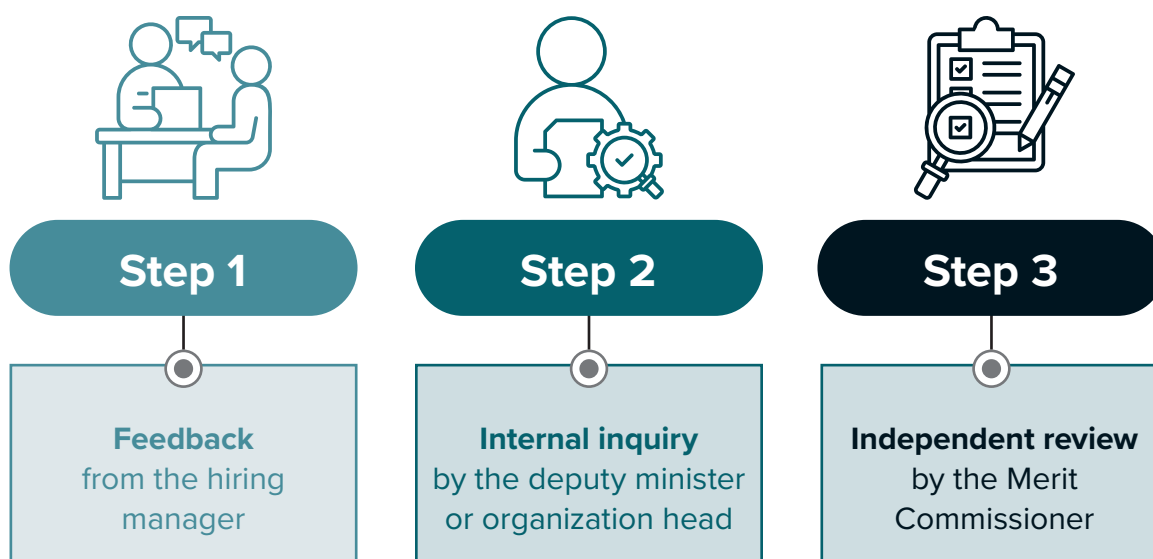


## Looking Ahead: 2023/24 Merit Performance Audit

- The 2023/24 audit of appointments made from April 1, 2023 to March 31, 2024 is currently underway.
- Random samples of appointments are being drawn for each quarter.
- Audits of 133 appointments were completed for the first two quarters, and the respective reports were provided to deputy ministers and organization heads in **April 2024**.
- Audits of the remaining appointments drawn from the last two quarters of this fiscal year will be completed over the summer and the respective reports provided to the deputy ministers and organization heads in the **fall of 2024**.
- We intend to publish a comprehensive report, including the analysis and summary of the overall audit results, in **December 2024**.

## Staffing Reviews: Answering the Call for Fairness Investigations

The *Act* provides employee applicants who are unsuccessful in a competition for either a permanent position or a temporary assignment greater than seven months with the right to request a review of the appointment decision. There is a three-step staffing review process, which an employee may initiate when notified of a competition outcome.



At this time, under the *Public Service Act*, a review by the Merit Commissioner is available only to employees who are applicants for positions within a collective agreement bargaining unit.



If an employee proceeds to the third step, the Merit Commissioner may conduct an independent review of the grounds of concern in the hiring process. For each review:

We examine:	We consider:	The Merit Commissioner decides whether to:
<ul style="list-style-type: none"><li>● The aspects of the hiring process that are related to the employee’s grounds for concern.</li><li>● The relevant evidence contained within the competition file.</li><li>● Information obtained through discussions with the employee requesting the review, the panel chairperson, and, where necessary, other relevant individuals such as hiring panel members.</li></ul>	<ul style="list-style-type: none"><li>● The application of relevant legislation, policy, and provisions of collective agreements.</li><li>● Whether the aspects under review meet the principles of merit-based hiring:<ul style="list-style-type: none"><li>• Open and transparent processes</li><li>• Relevant job-related assessments</li><li>• Reasonable decisions</li><li>• Fair and equitable treatment</li></ul></li></ul>	<ul style="list-style-type: none"><li>● <b>Uphold</b> the appointment decision where the grounds comply with the requirements of section 8(1) of the Act, or</li><li>● Direct a <b>reconsideration</b> of the appointment decision where the review determines that aspects of the process identified by the requestor do not comply with the requirements of section 8(1) of the Act.</li></ul>

The Merit Commissioner’s decision is final and binding.

The Merit Commissioner’s internal target to issue decisions is within 30 days after the Office receives all documents necessary to conduct the review.



## The Future of Staffing Reviews

The Merit Commissioner is passionate about employees' access to the staffing review process. Accessibility means, in part, that employees are adequately informed of their rights to staffing reviews and that they receive meaningful feedback. The Merit Commissioner looks forward to talking with government about opportunities to enhance accessibility in these and other areas for all employees.

The staffing review process provides employees with a mechanism to ensure a fair process. This fosters accountability for organizations in the hiring processes they undertake. As with accessibility, the Merit Commissioner looks forward to talking with government about opportunities to enhance accountability when a Merit Commissioner review finds serious underlying defects in a hiring process.

## Results: 2022/23 Staffing Review Report

In August 2023, we published on our website the *Report on Staffing Reviews 2022/23*. The report outlined the steps in the staffing review process and provided a brief overview of the staffing review activity that occurred at Step 2 (internal inquiry) and a more detailed examination of the staffing review activity that occurred at Step 3 (review). Of the 20 requests submitted, two were determined to be ineligible and the remaining 18 were found eligible for a review.

Most of the requestors had concerns about the interviewing and testing stage of the hiring process. The concerns within this stage included technical difficulties experienced both before and during an interview, the marking of responses, the questions asked during the interview, and the amount of time allocated for the interview. Grounds raised less frequently by the requestors related to years of continuous service and feedback received during a competition process.

There were a few concerns brought forward that were outside the scope of the Merit Commissioner's statutory responsibilities. These include concerns related to discrimination, past hiring processes, employee or labour relations issues, and the introduction of a new ground that had not been raised to the organizational head at the internal inquiry step of the process.



Of the 18 staffing reviews conducted, the Merit Commissioner upheld the appointment decision in 11 of the competitions and directed reconsiderations for the other seven (four of these reconsiderations were from the same competition):

- The flaws that were identified involved technical issues where candidates received the pre-interview materials late, resulting in some candidates having less than the allocated time to prepare their interview responses.
- In addition, a review of the same competition found a lack of short-listing consistency.
- The other three reconsideration decisions found that the short-listing approach was not consistent, the interview assessment of candidates was unfair, and the marking approach involved issues of reasonableness and transparency.

These reviews highlight the fundamental importance of providing consistent preparation time for interviews, accurately defining short-listing criteria in advance of advertising a competition, and constructing well-designed assessment processes.

On average, it took 34 days to complete each of the 18 reviews once the competition file was received.

The number of reviews requested was less than 1% of the eligible appointments made within the BC Public Service over the same fiscal year—which, although low, is consistent with previous years. With a small number of reviews, it is not possible to identify any systemic problems. However, the information in the report will provide insight into areas of concern for employees and provide hiring managers with potential opportunities to improve their hiring practices.

## Results: 2023/24 Staffing Reviews

In 2023/24, the Merit Commissioner received 25 requests for review of appointments, a 25% increase from the year before. The requests were for competitions within nine different ministries or organizations. Eight requests were ineligible: two requestors were from excluded competitions; three requestors were not government employees or were no longer employees; two requestors had not received an internal inquiry decision; and another was a successful candidate in the competition. As a result, the Merit Commissioner undertook 16 reviews.

Grounds for review in the fiscal year included:

- The factors of merit were not appropriately or fairly considered, resulting in a flawed competition process.
- Experience was not properly considered during the short-listing stage.
- Interview questions and/or written assessments were not appropriately scored.
- The interview questions and/or written assessments were unclear.
- Years of continuous service were not properly calculated.
- Past work performance was not objectively or fairly assessed.
- One or more panel members were biased either in favour of or against a candidate.

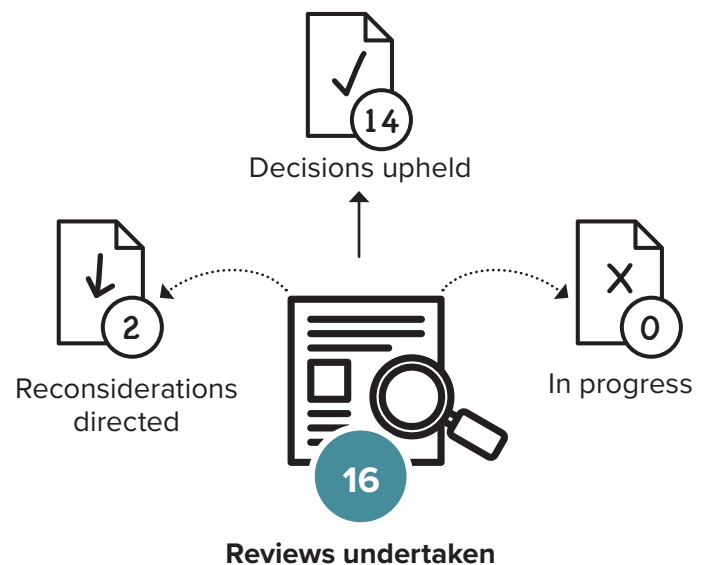
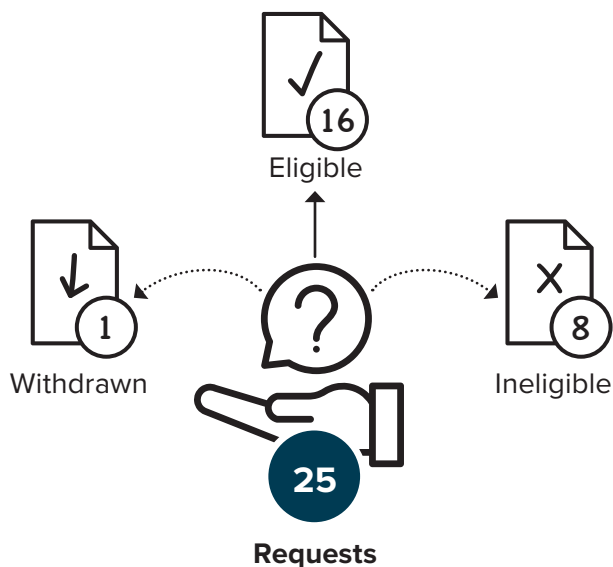


By the end of the fiscal year 2023/24, the Merit Commissioner had issued decisions for 16 staffing reviews.

- In 14 cases, the ministry's decision was upheld.
- In two cases, the responsible deputy minister or organization head was directed to reconsider on the basis that an aspect of the selection process related to the employee's grounds did not comply with section 8(1) of the Act.

Detailed reports with reasons were provided to the employee who submitted the request and the responsible deputy minister or organizational head.

An analysis of the staffing reviews conducted in 2023/24 will be undertaken, and a summary report is expected to be published in the summer of 2024 on our website.



# Dismissal Process Reviews – An Evolution of Process Since 2018

The *Public Service Act* states that the Merit Commissioner “is responsible for monitoring the application of government practices, policies and standards to eligible dismissals” and may note particular instances or identify persistent patterns of related non-compliance as well as make recommendations in relation to just cause dismissal processes.

The purpose of the dismissal review process is to determine whether the dismissal process adhered to all necessary practices, policies, and standards. The purpose is not to determine whether the action met the legal standard for a just cause dismissal.

The application of the principles of natural justice and procedural fairness to all just cause dismissal decisions is important not only to the individuals affected by the decision, but also to the larger interest in the proper and fair administration of public services. The Merit Commissioner dismissal reviews evaluate whether the principles of natural justice and procedural fairness are applied to all eligible just cause dismissal decisions.

## Reviews of eligible just cause dismissal processes provide:

- Independent assurance that dismissal processes adhere to all necessary practices, policies, and standards.
- Oversight of government processes and actions.
- Increased accountability.

The dismissal process review purpose is to determine whether the dismissal process adhered to all necessary practices, policies, and standards. The purpose is **not** to determine whether the action met the legal standard for a just cause dismissal.

The reviews undertaken are done carefully and thoughtfully against each aspect of the dismissal process. The Merit Commissioner will observe and report on any aspect that is considered non-compliant, as well as make related recommendations on best-practice issues to improve future dismissal processes.

The current human resources policy “Termination for Just Cause” embodies the related practices and standards for dismissals in the BC Public Service. This policy includes two administrative due process checklists for included (union) and excluded (non-union) employees, as well as procedural steps for review and approval. The policy also includes an investigation best-practice protocols checklist. As this is the standard to which the BC Public Service holds itself accountable, it also forms the basis of the Merit Commissioner’s review of dismissal processes.

The Office considers all dismissal process documentation and relevant information to conduct a full review. The general process for conducting reviews of dismissal processes is illustrated below:





The Merit Commissioner has reviewed 83 eligible dismissal files since April 1, 2018. These reviews have enabled the Merit Commissioner to report observations and make recommendations on an annual basis regarding organizational processes and practices. In addition, the Merit Commissioner and the Public Service Agency (PSA) meet to discuss the observations and recommendations in detail, to further facilitate improvements.

## 2023: An Important Milestone for the Dismissal Process Review

2023 marked a milestone in the Merit Commissioner's work on dismissal process reviews. Upon the five-year anniversary of this legislated mandate being assigned to the Merit Commissioner, a review of those responsibilities was undertaken by a special committee of the Legislature. On May 11, 2023, the Special Committee to Review Provisions of the *Public Service Act* (the "Committee") was appointed to review the *Act* as it relates to dismissal process reviews.

The Merit Commissioner was pleased to participate in the review process established by the Committee, which invited the Merit Commissioner and other parties to present to the Committee on their experience with dismissal process reviews and any recommendations for how to improve them. The Merit Commissioner was also grateful for the opportunity to respond to presentations made by the Public Service Agency, Ministry of the Attorney General, and Excluded Employees Association, via a written submission to the Committee.

The responsibility to review processes related to eligible just cause dismissals from the BC Public Service was added to the Merit Commissioner's role in April 2018 through an amendment to the *Public Service Act*. The *Act* (under section 25.1) states that within five years after the date the Merit Commissioner received the dismissal process review role, a special committee of the Legislative Assembly must begin a review of the *Act* in relation to dismissal process reviews and must submit a report to the Legislative Assembly with its findings within one year.

The Merit Commissioner made four recommendations: to maintain existing provisions in the *Public Service Act*, and three recommendations for legislative amendments, to support the Merit Commissioner in conducting fair and timely reviews.

The Committee's findings in its report tabled in November 2023 reinforced the importance of the Merit Commissioner's dismissal process review work and supported its continuation.

"The Committee finds that dismissal process reviews by the Merit Commissioner provide important independent oversight of government practices to ensure just cause dismissals are handled appropriately. Members acknowledge that the majority of input received during the Committee's consultation indicated that the provisions in the *Act* related to dismissal process reviews are working as intended, and that the Merit Commissioner's work has contributed to improved dismissal practices. As such, the Committee agrees that provisions in the *Act* related to dismissal process reviews—including those regarding eligibility for reviews, the Merit Commissioner's ability to request information, and the Merit Commissioner's discretion to determine which dismissals to review—should be maintained." (*Report On Dismissal Process Reviews By The Merit Commissioner, Special Committee to Review Provisions of the Public Service Act*)





## What's Next?

The Special Committee to Review Provisions of the Public Service Act made three recommendations to the Legislative Assembly for amendments to the *Public Service Act*, that:

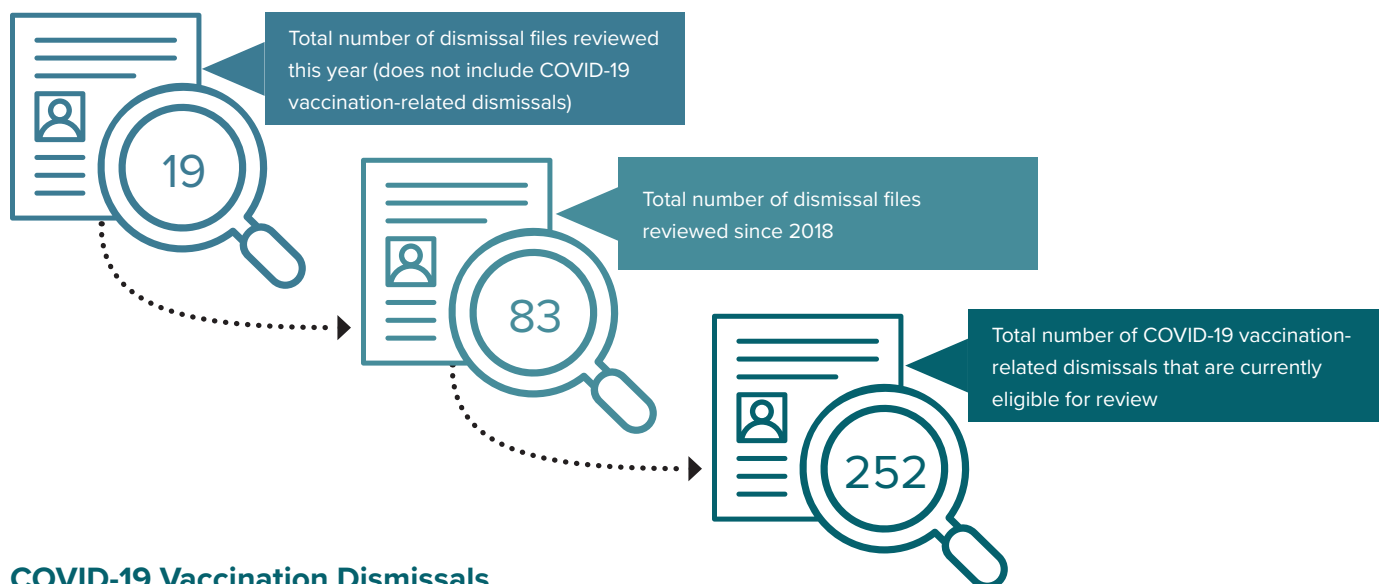
1. The *Act* be amended to enable the Merit Commissioner to compel unions, courts, judicial tribunals, and quasi-judicial tribunals to confirm whether there is an active case in an individual's name for the sole purpose of determining a reviewable dismissal's eligibility for review.
2. The *Act* be amended to clarify that employees appointed under section 27(1) are eligible for dismissal process reviews.
3. The *Act* be amended to clarify that it is not a waiver of legal advice privilege to share dismissal files, including legal material, with the Merit Commissioner.

The Merit Commissioner has communicated with the Minister of Finance and the Public Service Agency deputy minister in support of these amendments, offering assistance and expressing the hope for these amendments to be made as soon as practicable. These changes will support the Merit Commissioner in continuing to conduct reviews in a fair, fulsome, and timely way.

In addition, the Committee made six recommendations to the Public Service Agency (PSA) to address issues related to investigations of just cause dismissals. The Merit Commissioner has met with the PSA to discuss these recommendations and plans to update the Office of the Merit Commissioner review checklists as appropriate to review future dismissal files accordingly for practice changes.

The Merit Commissioner made four recommendations: to maintain existing provisions in the *Public Service Act*, and three recommendations for legislative amendments, to support the Merit Commissioner in conducting fair and timely reviews.

## Results for 2023/24



## COVID-19 Vaccination Dismissals

As a result of policy decisions surrounding the vaccination status of public service employees, 318 dismissals occurred. These dismissals are considered “reviewable” as per s.5.11 of the *Public Service Act*, and many are now also *eligible* for review under the *Act*.

In relation to this group of dismissal process files, the Merit Commissioner has identified an ongoing challenge with assessing eligibility: currently, there is a significant delay in the ability of the BC Human Rights Tribunal to serve a complaint on a respondent and notify an employer that a complaint has been filed. Consequently, a recommendation was made to the Special Committee to Review Provisions of the *Public Service Act* to compel basic case information from any grievance procedure

under a collective agreement or a proceeding before a court or a judicial or quasi-judicial tribunal in relation to a reviewable dismissal, for the sole purpose of determining eligibility for dismissal review. The Merit Commissioner is pleased that the Special Committee recommended “amending the Act to enable the Merit Commissioner to compel unions, courts, and other judicial bodies to confirm whether there is an active case in an individual’s name” to “provide the Merit Commissioner with certainty that a dismissed employee has concluded all avenues of redress and recourse and that their case is thereby eligible for a dismissal process review” (*Report on Dismissal Process Reviews by the Merit Commissioner*).



Dismissal processes become eligible after all avenues of redress or recourse have expired or been completed. This allows employees’ rights to grievances and other proceedings to proceed without any potential interference from Merit Commissioner reviews.

- If there is no challenge to a dismissal, the process becomes eligible for review 12 months following the dismissal.
- If the employee chooses to challenge the dismissal, the process becomes eligible for review six months after all redress or recourse proceedings are complete.



## Analysis and Reporting of COVID-19 Vaccination-Related Dismissal Processes

The dismissal processes for eligible dismissals are being analyzed by the Merit Commissioner. A strategic sampling approach determined by the Merit Commissioner and implemented by the PSA has been taken that will allow for commenting on the overall processes within the group of dismissals, and for noting any irregularities observed from file to file. This includes a sampling of cases where the employee did not claim any exemption from the vaccine policy as well as a sampling where an exemption was claimed. Thus far, the Merit Commissioner has reviewed 21 related files to date.

In the spirit of the *Act* and to maintain the integrity of the intended legislated process, the Merit Commissioner will not report publicly on the results of the analysis of the COVID-19 vaccination-related dismissal processes until all potential litigation has been concluded as per s.5.12 of the *Act*.

The Merit Commissioner review of files to date has resulted in findings and observations. In the interest of providing timely feedback to the organizations that conducted the dismissal processes, these findings will be shared with the Public Service Agency in the months to come.

Analysis of the findings  
will be reported in the Merit  
Commissioner's annual report  
once due process has been  
concluded for all of the  
318 files.



## Results of Other 2023/24 Dismissal Process Reviews

### Positive Areas of Note



#### Public Service Agency Involvement

Organizations are no longer navigating the just cause dismissal process in isolation.



#### Opportunities to Respond

Generally, employees have full and fair opportunities to respond to issues.



#### Interviews

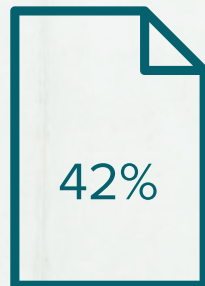
Interviews conducted during investigations provided a fair opportunity for the witness to respond.



#### Progress

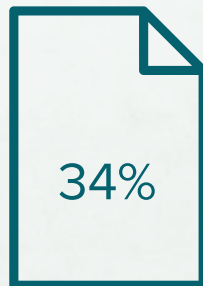
Previously noted concerns are being addressed.

### Areas for Improvement



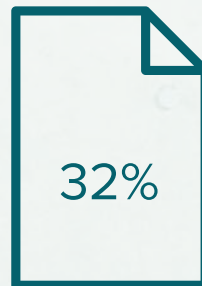
#### Suspension Analysis

Opportunity to improve documentation around decisions regarding employee suspensions.



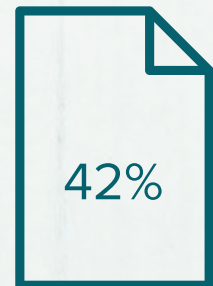
#### Material Provided to Legal Counsel for Analysis

Opportunity to document more effectively for legal counsel what additional supporting materials are available.



#### Documentation Regarding Delays

Opportunity to better document reasons for delays in investigations and decision-making.



#### Use of Process Checklists

We continue to encourage organizations to expand their use of the Due Process Checklist by providing annotations.





In 2022/23, the Merit Commissioner continued to review all eligible dismissals (save for those relating to COVID-19 vaccination status). This past year, the Merit Commissioner received 19 dismissal files (not related to vaccination status), including two from the last fiscal year that were still being prepared for review in March 2023, and one that had become eligible in 2021. Two additional files were also eligible; however, they were still being prepared for review as of March 31, 2024.

It is again apparent from a review of dismissal files this year that thorough analyses were undertaken by the responsible parties before recommendations to terminate the employees were made to the deputy minister or equivalent. Due process is being followed, with process steps being completed, fairly conducted interviews, and employees having full and fair opportunities to respond to issues.

However, the review found circumstances where there were opportunities for improvement. These were not sufficient to compromise the fairness of the dismissal process, and not an indication of a lack of due process; rather, they are areas for organizations to improve over time.

The comments in this report and the previous report relate to ensuring that dismissal files clearly demonstrate that all due process steps were followed. They are not an indication that government practices, policies, and standards respecting eligible dismissals are not being met. These practices, policies, and standards continue to be monitored and updated by the PSA where appropriate.

It is recognized that, given the lag between the conduct of a dismissal process and the review, any practice changes recommended as the result of Merit Commissioner review would not happen immediately. However, where areas for improvement have been noted for the PSA prior to the investigation being instigated, reviewers would anticipate that files reviewed would subsequently demonstrate that the feedback had been incorporated into their process and practice.



## Opportunities for Improvement Noted

First, it was unclear in several files whether there was any consultation, review, or recommendation, including with an employee relations specialist, concerning the suspensions (with or without pay) occurring as part of the investigation or prior to the termination. Our review did not conclude that the appropriate professional advice had not been sought in these eight files; rather, we could not find sufficient file information to confirm that this consultation occurred.

This feedback was noted in the 2022/23 annual report. Our review did observe a slight improvement in this area this year and we look forward to further documentation improvements in the files to be reviewed in the coming year.

Second, some files did not demonstrate whether legal counsel had been advised of the full suite of materials (e.g. interview notes, documentary evidence such as CCTV footage) available to them for review in addition to the investigation report and, in most cases, labour relations analysis provided. While we anticipate that legal counsel would seek additional documentation if it were necessary to their analysis, it may be advisable for legal counsel to be provided with a summary of other available relevant material and documents, including those documents that were available to the investigator, so that legal counsel can assess whether a review of such documents would assist with their analysis.

Third, the review noted that again this year, documentation and transparency around timeliness remained an issue in six of the files reviewed. Unexplained delays were observed in several files in the overall timeline, and, in one case, in the time the investigation took to commence. There are many legitimate reasons that investigations and decision-making may be delayed; however, in many of the files where such delays were noted, again this year, no clear explanation was provided in the file for the delay.

Lengthy delays in this process not caused by the employee under investigation may create unfairness for that employee, in particular where the employee is suspended without pay during the investigation. While the individual nature and complexity of most dismissal cases do not necessarily lend themselves to a predetermined time standard for natural justice and due process, explanations for any delays in the investigation process, and between the conclusion of the investigation and the organization head's decision, should be transparent to the former employee (to the extent possible) and in the file review.

Fourth, gaps were noted where a medical issue had been raised either by the former employee or their representative, or where the dismissal file contents raised the possibility that the former employee might have a medical issue. In such cases, it was not always clear that consideration was given to the question of whether the medical issue was a mitigating factor in the misconduct. Documentation of these considerations would demonstrate whether all relevant information had been taken into account in the decision to terminate employment.

Finally, as noted in the 2020/21 and 2021/22 annual reports, we observed a continuing area for improvement in the level of detail provided when completing both the "Investigations Best Practice" and "Administrative Due Process for Just Cause Termination" checklists. We continue to recommend including clarifying notes in these checklists, particularly where file materials may be missing or require additional clarification.

The timeliness and organization of the documentation and required reporting supplied by the BC Public Service Agency continued to be excellent.



## A Preview of Related Work to Come

Organizations that hire under the *Public Service Act* have indicated they value the special studies produced by the Office of the Merit Commissioner. These draw on data collected for the annual merit performance audit, or they use data collected especially to take a closer look at an aspect of hiring within our mandate. The Merit Commissioner is exploring topics for several new special studies to be published in the year to come.

Inclusive hiring practices and diversity in hiring are coming to the forefront with the recognition of the importance of having an inclusive and diverse public service. Therefore, in the fall, the Office will publish a special study on diversity and inclusion in hiring.

As a preview of that work, and to fulfill commitments made in last year's annual report, Appendix C provides observations of some inclusive recruiting practices that can be observed in the job postings and job profiles collected for the 2023/24 Merit Performance Audit. This very preliminary data demonstrates the extent to which organizations that hire under the *Public Service Act* are making efforts to build inclusive hiring into the start of a hiring process when the job is first advertised to prospective applicants.





# Office of the Merit Commissioner

Upholding Fair Hiring in the BC Public Service

## At a Glance



Our office met with over 100 employees this year to discuss and clarify merit-based hiring.



The Merit Commissioner met with over 40 organization heads.



Our office audited 268 audit randomly selected hiring appointments.



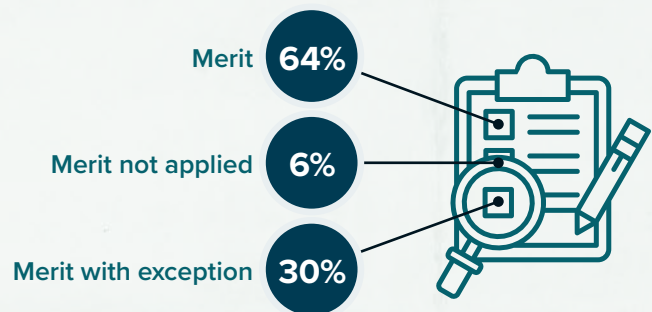
Three informational reports were completed for public review—all available on our website.



25 staffing reviews requested, 16 eligible staffing reviews completed (2023/24).



### 2022/23 Overall Recruitment and Selection Process Findings



In August 2024 we will celebrate one year of working with our new database system!



Five years: This fiscal marks five years of the Merit Commissioner being assigned oversight of the dismissal review process.



Participation in one special committee review of dismissal process reviews provisions in the *Public Service Act*.



In 2022/23 there were 10,970 appointments made in the public service that were in scope for our audits.



Over 95% of candidates appointed clearly demonstrated the appropriate qualifications for the role to which they were appointed.





# Budget

The Office’s budget and expenditures for the **2023/24** fiscal year are shown below by expenditure type. In November 2023, the Merit Commissioner met with the Select Standing Committee on Finance and Government Services to review results of the Office’s work over the previous year, establish priorities for the year ahead, and review budget requirements for the next three fiscal years.

The Committee acknowledged the work of the Office and endorsed the Service Plan as it was presented. Subsequently, the Office was **allocated a budget of \$1,522,000 for fiscal 2023/24**. Details of this budget allocation are shown below.

## Budget and Expenditures

	Approved budget 2023/24	Projected expenditures 2023/24 as of April 15	Approved budget 2024/25
Salaries & benefits	716,000.00	773,799.00	950,000.00
Travel expenses	17,000.00	10,011.00	17,000.00
Operating expenses	488,000.00	531,039.00	524,000.00
Professional services	221,000.00	170,038.00	176,000.00
Access to contingencies	80,000.00		
<b>Total</b>	<b>1,522,000.00</b>	<b>1,484,887.00</b>	<b>1,667,000.00</b>

\*The contingency funding used is included in projected expenditures for 2023–2024.

# APPENDIX A:

## Organizations Subject to Oversight by the Merit Commissioner<sup>1</sup>

(As of March 31, 2024)

### Ministries\*

Agriculture and Food  
Attorney General  
Children and Family Development  
Citizens' Services  
Education and Child Care  
Emergency Management and Climate Readiness  
Energy, Mines and Low-Carbon Innovation  
Environment and Climate Change Strategy  
Finance  
Forests  
Health  
Housing  
Indigenous Relations and Reconciliation  
Jobs, Economic Development and Innovation  
Labour  
Mental Health and Addictions  
Municipal Affairs  
Post-Secondary Education and Future Skills  
Public Safety and Solicitor General  
Social Development and Poverty Reduction  
Tourism, Arts, Culture and Sport  
Transportation and Infrastructure  
Water, Land and Resource Stewardship

### Statutory Offices

Auditor General  
Elections BC  
Human Rights Commissioner  
Information and Privacy Commissioner  
Ombudsperson  
Police Complaint Commissioner  
Representative for Children and Youth

### Courts of British Columbia

BC Court of Appeal  
Provincial Court of BC  
Supreme Court of BC

### Other Public Sector Organizations

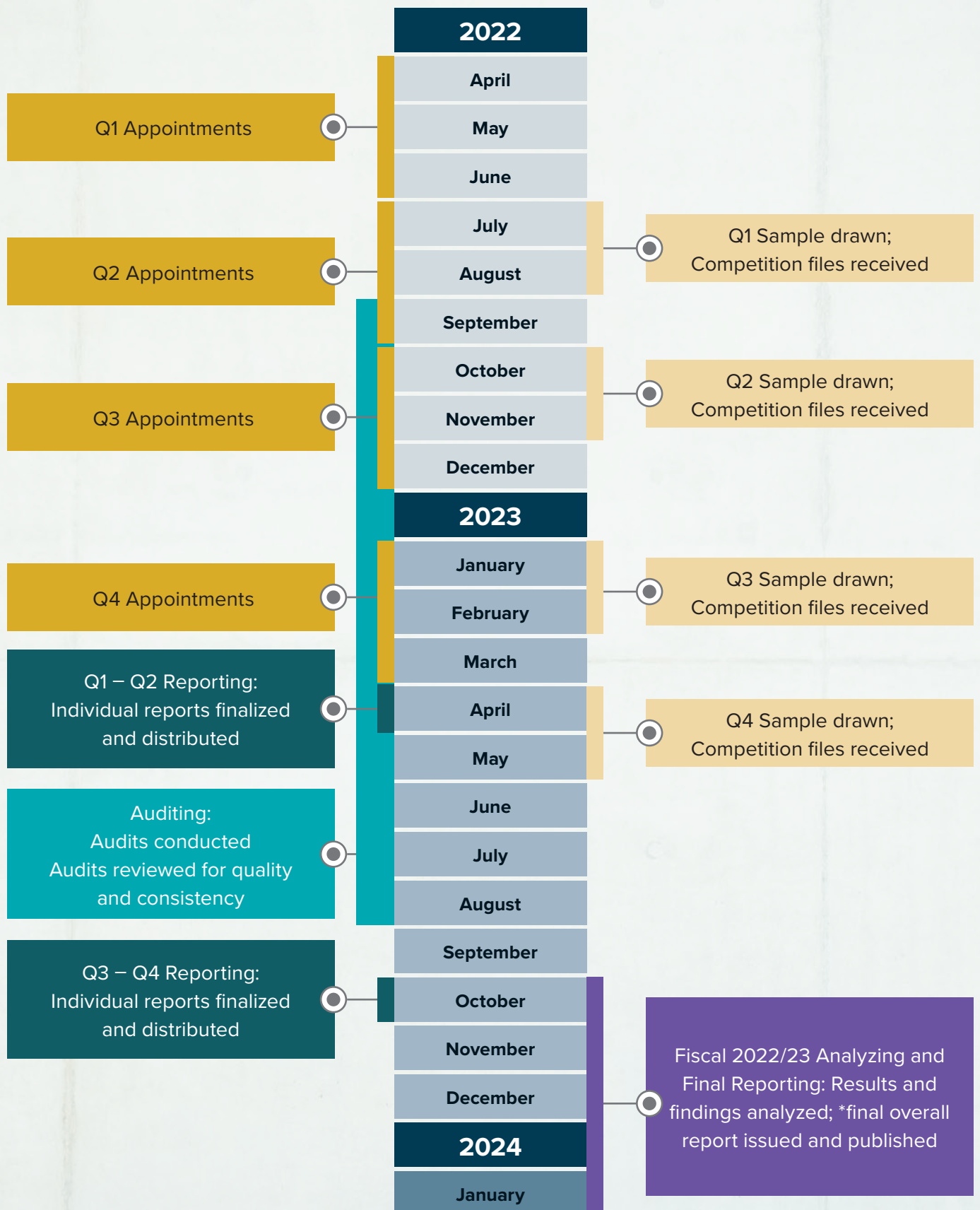
Agricultural Land Commission  
BC Container Trucking Commissioner  
BC Farm Industry Review Board  
BC Human Rights Tribunal  
BC Pension Corporation  
BC Public Service Agency  
BC Review Board  
Civil Resolution Tribunal  
Community Care and Assisted Living Appeal Board  
Destination BC  
Employment and Assistance Appeal Tribunal  
Environmental Appeal Board  
Financial Services Tribunal  
Forest Appeals Commission  
Forest Practices Board  
Health Professions Review Board  
Hospital Appeal Board  
Independent Investigations Office  
Industry Training Appeal Board  
Islands Trust  
Mental Health Review Board  
Office of the Premier  
Oil and Gas Appeal Tribunal  
Passenger Transportation Board  
Property Assessment Appeal Board  
Public Guardian and Trustee  
Public Sector Employers' Council Secretariat  
Royal BC Museum  
Safety Standards Appeal Board  
Surface Rights Board  
Workers' Compensation Appeal Tribunal

*\*Organization names are current as of publication.*

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1. Only roles that are hired under the *Public Service Act* are subject to Merit Commissioner oversight.

## APPENDIX B: Merit Performance Audit Timeline





## APPENDIX C: A Preview of Inclusive Hiring Findings



Inclusive hiring practices are strategies used by hiring managers and organizations to create hiring processes that are more likely to encourage qualified applicants from diverse backgrounds to apply and to be able to equitably participate in a hiring process. Attracting more diverse qualified applicants can help achieve a more diverse workforce that better represents the citizens of British Columbia.

The Office of the Merit Commissioner reviewed the postings and job profiles of 228 appointments from fiscal year 2022/23. This review made preliminary observations regarding inclusive hiring practices that could be observed at the initial “recruitment” stage of the competition. The scope of these observations is limited to only what could be observed in the job postings and profiles from one audit year. A more in-depth special study of inclusive hiring practices will be released in the fall of 2024.

This initial review observed the following:

1. In 203 postings (89%), there was some form of a **diversity-welcoming statement**.

Diversity statements in postings are intended to communicate that employers value equality and diversity, and to encourage applications from marginalized groups. This kind of statement indicates to prospective applicants that the organization not only values diversity but also welcomes applications from qualified diverse applicants.

The most observed statement of this type in the sample is below:

- The BC Public Service is committed to creating a diverse workplace to represent the population we serve and to better meet the needs of our citizens. Consider joining our team and being part of an innovative, inclusive, and rewarding workplace.



2. In 208 postings (91%), the posting referred applicants to a service that is designed to support Indigenous applicants in navigating the BC Public Service hiring process.

This service is called the **Indigenous Applicant Advisory Service** and is available to applicants that self-identify as Indigenous (First Nations, status or non-status, Métis, or Inuit) seeking work or already employed in government ministries.

- Only 18 postings (8%) **did not include** a reference to this service.
  - Of those 18 postings, 14 were posted as an “expression of interest” (restricted to current internal employees) in organizations with access to the service.

3. Statements outlining that **equivalent qualifications** would be considered were observed in 165 postings (72%). Such “equivalency statements” may encourage more diverse qualified applicants to apply for positions—for example, in cases where someone has less formal education but more relevant work experience.
  - In 71 postings (31%), the equivalency statement referred to education and experience.
  - In 66 postings (29%), references to secondary school graduation also provided inclusive options for alternative secondary school graduation/program equivalents.

As our team continues to grow and adapt to the renewed vision for this Office, we are actively fostering a working environment that foregrounds respect for each other and the stakeholders with whom we interact, and practising inclusivity while embracing the diversity that each person brings to the team. We have supported local charities, promoted Indigenous understanding and appreciation, and learned about each other as colleagues. Together we work with collegiality, collaboration, conviction, and dedication in fulfilling the mandate of this Office.









Office of the  
**Merit Commissioner**

Upholding Fair Hiring in the BC Public Service

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