



Tracking refugee status in the workforce:

A Guide for Companies in Canada



About

This document provides guidance for employers who seek to identify employees with refugee status. The guidance was developed by the Tent Partnership for Refugees and Accenture Canada, and draws on the experience and learnings of Canadian companies that have proactively hired, or committed to hire, refugees in their own workforce.

Why collect data on refugee status?

As one of Canada's growing workforces, refugees play a critical role in meeting the hiring needs of companies faced with a rapidly aging working population. Canada has welcomed over a million refugees over the last four decades, and the Canadian economy has benefited immensely from the experience, skills, and entrepreneurial spirit that refugees and other newcomers bring. But while refugee workers bring many benefits, they may also have distinct needs, given their background. In order to maximize the contributions of refugees, companies should have systems in place to effectively identify, support, and retain these workers.

A refugee is someone who has been *"forced to flee his or her country because of a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership in a particular social group"*.

Many Canadian employers have long captured data on their employees' gender, ethnicity, and more, as a way to better understand staff, improve recruitment and retention, and comply with legal requirements. However, unlike gender, visible minority status, and other designated groups under Canada's Employment Equity Act, employers are not required to collect data on the number of refugees they employ.

To minimize risk, many companies lacking clarity around how they can appropriately collect this information have avoided collecting refugee status information altogether. As a result, they have been unable to track key data, such as the number of refugees hired to date, or metrics such as productivity and turnover — hampering the ability to show the business results of hiring efforts or glean insights to improve their programs. Fortunately, several companies in Canada have started in recent years to collect refugee status information.

Being able to identify refugees — in a sensitive, safe, and legal manner — is an important step that not only allows companies to track employee progress and growth within a company, but also enables employers to demonstrate their commitment to diversity and inclusion, even in the absence of legal requirements to collect this information.

Based on conversations with a number of companies, we offer guidance here on how employers can create an internal process to safely and effectively collect this information.

Selecting the right approach

Collecting refugee data involves asking employees about their immigration status and whether they came to Canada as a refugee.

At the recruitment stage when applying for a role, employers cannot ask candidates questions about their country of origin or citizenship status, as this practice is illegal according to Canada's human rights law¹. However, information on refugee status can be collected post-hire as long as employees are asked to disclose this information *voluntarily*. Among companies tracking

refugees in their workforce, voluntary self-identification is the leading approach -- the same approach used by employers to collect information on employees who are visible minorities, Aboriginal peoples, and people with disabilities.

There are two alternative methods available to employers looking to collect information on employees' refugee status. Before deciding on a method of data collection, keep in mind that there are pros and cons of each approach. We list some of these below:

Approach A): Attaching refugee status data to confidential employee records

Employers can collect personalized data on refugee status through:

- ▲ Sharing documents during the on-boarding process and at subsequent points, asking employees to voluntarily disclose their status.
- ▲ Voluntary employee surveys that require employees to disclose their name and/or employee identification number.
- ▲ The information obtained through these tools would be stored in employees' confidential HR records.

This approach has several upsides, as it allows employers to measure individual and aggregate refugee employee performance, turnover, and advancement within the company. It also allows employers to cross-reference refugee status with other employee data, such as salary and leadership potential. This approach allows an employer to more clearly identify any obstacles or challenges that refugees may face and take remedial action; it also allows an employer to determine business outcomes, potentially laying the groundwork for more concerted actions to recruit and hire refugee employees. The downside of collecting personalized data is that some employees may decide not to report their status for fear of discrimination, so this approach may result in undercounting.

Approach B): Collecting anonymized refugee status data

Employers may choose to collect data on refugee status through anonymized channels, such as:

- ▲ Anonymous in-house employee surveys, such as those used to measure employee satisfaction and engagement, or
- ▲ Surveys administered by third-party human-resources firms

While anonymous surveys can be run internally by the company's HR department, some employers choose to outsource the collection of sensitive employee data using third-party HR firms, as this method further reassures employees and reduces the potential for workplace discrimination.²

This approach has one principal upside: anonymous employee surveys maximize confidentiality, and therefore make it more likely that employees will report their status.

However, anonymous surveys can only provide limited information, such as the number of employees reporting their status and levels of satisfaction with current employment. They do not permit an employer to track refugee employee productivity, retention, or performance, hindering an employer's ability to address particular needs of refugee employees and improve their programs accordingly.

1. See for example, <http://www.ohrc.on.ca/en/iv-human-rights-issues-all-stages-employment/5-interviewing-and-making-hiring-decisions>

2. Privacy and human rights legislation in Canada varies by province, but the common workplace principle throughout Canada is to limit personal data collection to what's reasonably necessary and to collect personnel data with the employee's knowledge and consent. Employers must be able to justify why they need that information, explain what data they are collecting and how it will be used. To alleviate any legal concerns, the first step is to verify your company's legal obligations at a provincial and federal level.

Applying a selected approach

With either approach, there are some key guiding principles.

As with other non-visible identities such as LGBTQ+ - where tracking of data is not mandated under Canada's Employment Equity Act - trust is the most critical factor

for increasing the likelihood that employees will disclose information about their identity. Employees are more likely to share information about their identity if they're confident that sharing this information is in their best interest, and that their employer will protect their personal information.

GUIDING PRINCIPLES



BE EXPLICIT

Employers should share information on the company's commitment to inclusion & diversity during new hire orientation, and/or at the top of any survey requesting employee information.



COMMUNICATE YOUR INTENTIONS & PRIVACY PROTOCOLS

Employers should explain why information is being collected, how it will support the company's I&D efforts, and steps the company will take to keep data confidential. Employers should identify champions among management and staff of diverse backgrounds to encourage self-identification and explain its importance.



LEVERAGE COMPANY LEADERSHIP

The most successful I&D initiatives are often led by company executives at the C-suite level. Company leadership should highlight the strategic importance and business case for hiring refugees and tracking progress against hiring goals.



DRIVE UP PARTICIPATION

Employers should send ongoing reminders to employees to ensure they participate in the survey to ensure a high response rate.

The question

The language employers use when asking refugees to self-identify their status is very important. The following is an example of how employers can ask employees to self-identify as refugees, as part of an internal annual employee survey.

01. Start with the company's commitment.

02. Explain why this data is being collected and how it'll be used.

CompanyX is committed to creating a diverse and inclusive workplace by hiring 100 refugees by 2020. *CompanyX* does not discriminate on the basis of immigration status. Your answers will help us measure our progress in hiring practices and diversity goals, as well as inform future policy and programming decisions.

The following questions are completely voluntary, and all individual responses will be kept strictly confidential and will not be shared with anyone, including your team.

In Canada, the most commonly known categories of "refugees" are: 1) refugee claimant (or asylum seeker), 2) asylee, and 3) resettled refugee.

A. Do you currently have refugee status in Canada? That is, are you a resettled refugee, asylee, or refugee claimant/asylum seeker?

- ☐ Yes
- ☐ No
- ☐ Prefer not to say

03. Offer a few different questions/answer options that respondents can choose from to disclose their status.

B. If not, have you ever previously had this status?

- ☐ Yes
- ☐ No
- ☐ Prefer not to say

C. Do you lack official refugee status but identify as a refugee on account of having fled your home country because of fear of persecution, human rights violations, or other risks to your safety and life?

- ☐ Yes
- ☐ No
- ☐ Prefer not to say

D. What year did you come to Canada?

Employers can also consider including questions to measure engagement among self-identified refugee employees.

Storage and use of employee data

As with all sensitive and confidential personal data, employers must plan how the data will be securely stored and used. Results should be shared in an aggregated and anonymized manner that prevents the identification of individuals. This is especially important for refugees, whose lives may be put at risk if their information were to be disclosed publicly. To protect the privacy of employees,

it is recommended to restrict data access to a very limited number of staff, generally the human resources department. Data should also be stored separately from your company's performance management systems to avoid possible perceptions of discrimination between identity and performance feedback.

Act on the data

Developing a process to collect data on refugee status is one small yet significant step towards making workplaces more inclusive for refugees, and other non-visible minorities. It shows employees that an employer recognizes and values diversity, putting the refugee identity on par with other identities that employers

collect data on. Our hope is that this guidance will help companies better understand the demographic composition of their workforce, monitor their hiring progress, and drive actions that increase retention and engagement of refugee employees so they can reach their full potential.

NEXT STEPS

If you would like to know how your company can start hiring refugees, or how you can maximize the potential of refugee employees, reach out to Tent at info@tent.org

