

May 30, 2023

VIA EMAIL

Attention: [REDACTED]

Dear [REDACTED]

Re: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act, 2015* (File #: PB/438/2023)

On April 28, 2023, we received your request for access to the following records/information:

Please provide: the organization's current employment equity plan; the number of self-identified persons with disabilities employed and percentage of total workforce; the number of self-identified persons with mobility impairments employed and percentage of total workforce, and current employment equity targets for the organization.

Please be advised that access to these records have been granted. Please see Appendix A, attached hereto.

In keeping with our standard practice, it is our intention to post this letter on the Newfoundland and Labrador Hydro website.

Please be advised that you may ask the Information and Privacy Commissioner to review the processing of your access request, as set out in section 42 of the Access to Information and Protection of Privacy Act, 2015 (the Act) (a copy of this section has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner.

The appeal may be addressed to the Information and Privacy Commissioner as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John's, NL. A1B 3V8

Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Email: commissioner@oipc.nl.ca

You may also appeal directly to the Supreme Court within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act (a copy of this section has been enclosed for your reference).

If you have any further questions, please contact me by telephone at (709) 725-4859 or by email at cassandrahearn@nlh.nl.ca

Sincerely,

Cassandra Hearn

Cassandra Hearn
Access & Privacy Officer

Access or correction complaint

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52 (1) or 53 (1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21 ;

(b) a decision respecting an extension of time under section 23 ;

(c) a variation of a procedure under section 24 ; or

(d) an estimate of costs or a decision not to waive a cost under section 26 .

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.

Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner's refusal under subsection 45 (2).

Appendix A

Newfoundland and Labrador Hydro (Hydro) is strongly committed to equity, diversity and inclusion (EDI) and has been actively striving for continuous improvement for several years. However, Hydro does not fall under the requirements of the Employment Equity Act (the Act) and therefore does not have an employment equity plan as defined by the Act.

In keeping with our strong commitment, we take a multi-faceted approach to ensuring equity, diversity and inclusion is a priority for everyone at Hydro. Both our Strategic Plan and corporate values specifically and deliberately include our commitment to EDI. We include EDI as part of our orientation program for all new employees and we offer regular training, events and information sharing on a wide variety of topics. We recognize many days of significance internally (i.e. International Day of Persons with Disability, International Women’s Day, Multiculturalism Day, and more) and we partner with expert organizations such as Inclusion NL, WRDC and ANC to support our efforts.

Hydro has set specific gender equity targets (which are unrelated to the Act) and which are internal targets that have resulted in increasing the representation of women in our organization. A chart outlining the targets are as follows:

Position	2022 Actual % Female	Target % Female
Executive	33%	30%
Management	33%	35%
Engineers & Engineers in Training	25%	30%
Technicians & Technologists	9%	10%
Field Supervisors	5%	6%
Skilled Trades & Apprentices	6%	10%
Manual Workers	19%	20%

Thank you for your inquiry.