

Policy Title	Equal Employment Opportunity
Related Documentation	Code of Conduct Harassment Prevention Policy Workplace Discrimination, Harassment, Bullying and Violence Policy Grievance and Dispute Handling Authorised Statement Grievance and Dispute Handling Procedure EEO Management Plan 2010 Workplace Investigation Authorised Statement Disciplinary Action Authorised Statement
Relevant Legislation/ Corporate Plan	<i>Anti-Discrimination Act 1977</i> <i>Local Government Act 1993</i> <i>Human Rights and Equal Opportunity Act 1987</i> <i>Sex Discrimination Act 1984</i> <i>Race Discrimination Act 1975 (Cth)</i> <i>Racial Hatred Act 1995 (Cth)</i> <i>Disability Discrimination Act 1992</i> <i>Work Health and Safety Act 2011</i>
Responsible Officer	Manager Human Resources

Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.

Objectives

Council's Equal Employment Opportunity Policy and Management Plan aims to provide positive initiatives to improve employment opportunities and procedures, as well as conditions for all workers.

Policy Statement

Council is committed to providing a workplace where there is equal employment opportunity, and recognises and respects that we all have different backgrounds and beliefs. The implementation of this policy will enhance our ability to realise the potential of our diversity.

Scope

The EEO Policy provisions apply to all workers and will be implemented consistently in all areas across Council.

DATA AND DOCUMENT CONTROL

Division: Business Services Section: Human Resources DocSet: 1669055:	Adopted Date: 13/10/1998 Revised Date: 11.02.2014 Minute Number: 9 Review Date: 30/6/2016	Page: 1 of 4
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Definitions

Worker

A worker is a person as defined under the Work Health and Safety Act 2011 is a "worker" if the person carries out work in any capacity for a person conducting a business or undertaking, including work as:

- A worker
- A contractor or subcontractor
- A worker of a contractor or subcontractor
- A worker of a labour hire company who has been assigned to work in the person's business or undertaking
- An outworker
- An apprentice or trainee
- A student gaining work experience
- A volunteer
- A person of a prescribed class.

Discrimination

Discrimination occurs when someone is treated unfairly because they happen to belong to a particular group of people or have a particular characteristic. Discrimination can be "direct" or "indirect".

Direct discrimination is treating someone unfairly compared to someone else in the same or similar circumstances.

Indirect discrimination means a requirement (or rule) that is the same for everyone but has an effect or result that is unequal and unreasonable having regard to the circumstances.

The grounds for discrimination include:

- A person's sex
- Gender identity
- Sexual orientation
- Intersex status
- Pregnancy
- Breastfeeding
- Race (including colour, nationality, descent, ethnic or ethno-religious background)
- Age
- Marital or relationship status
- Homosexuality
- Disability
- Transgender status
- Carers' responsibilities
- If a person has an infectious disease.

Equal Employment Opportunity

Equal employment opportunity is based on the merit principle and is a right to fair and unbiased conduct, practices and decision making in all employment related activities.

EEO target groups: include women, Aboriginal people, Torres Strait Islanders, people from a Culturally and Linguistically Diverse background (CALD) and people with a disability.

Harassment

Any form of behaviour that:

- you do not want
- offends, humiliates or intimidates you
- creates a hostile environment

Harassment includes sexual harassment. It is against the law to harass or sexually harass someone on the basis of the attributes, real or perceived, as outlined under point 4 below of "Principles".

Victimisation

Includes threatening, harassing or punishing a person in any way because they have objected about the discriminatory manner in which they have been treated. It also applies to anyone who has made a complaint, or intends making a complaint, under the Act. Victimisation also applies to anyone giving evidence about a complaint.

Legislative Context

Anti-Discrimination Act 1977

Local Government Act 1993

Human Rights and Equal Opportunity Act 1987

Sex Discrimination Act 1984

Racial Discrimination Act 1975

Racial Hatred Act 1995 (Clth)

Disability Discrimination Act 1992

Principles

1. Council will communicate this policy to all workers and other stakeholders as appropriate.
2. Encourage active participation of all workers in the EEO planning and implementation process through the EEO Sub-committee.
3. Provide ongoing training to all workers to encourage an environment whereby all workers accept the role they play in the practical application of this policy.
4. Promote a culture that provides workplaces that are free from discrimination, harassment and abuse.
5. Ensure that all workers have equal access to employment, promotion and learning opportunities within the workplace via a merit-based process.
6. Treat all workers fairly and with respect.
7. Encourage and facilitate employment and promotion for EEO target groups.
8. Review human resources practices to ensure flexibility in accommodating the changing needs of our workers through the provision of flexible work options.
9. Review employment practices to ensure that we maintain a system in which individuals are selected, promoted and treated solely on the basis of merit.
10. Review the EEO Management Plan annually.

Responsibility

The General Manager, Directors, Managers, Coordinators and Team Leaders/Supervisors are responsible for ensuring that the principles of this policy are implemented and adhered to.

Effectiveness of this Policy

The Policy will be reviewed on an annual basis in conjunction with the EEO Management Plan to ensure that all legislative requirements are being met.

END OF POLICY STATEMENT

DOCUMENT HISTORY AND VERSION CONTROL RECORD

Contact for inquiries and proposed changes

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Version Number	Revised Date	Authorised Officer	Amendment Details