

# ANTI-DISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY POLICY



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## ANTI-DISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY POLICY

### APPROVALS

|                      |                        |                          |         |
|----------------------|------------------------|--------------------------|---------|
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| <b>CATEGORY</b>      | Statutory              |                          |         |
| <b>POLICY OWNER</b>  | People and Performance |                          |         |
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## OBJECTIVE

Isaac Regional Council (IRC) is committed to providing an inclusive work environment where all employees are treated fairly, equally, with respect and dignity and are free from unlawful discrimination, vilification, and/or victimisation.

Inclusion and diversity in areas of the employment relationship such as recruitment, training and management are promoted. When employment decisions are made, they are based on merit, not irrelevant attributes or characteristics that an individual may possess.

## SCOPE

This Policy applies to all IRC employees:

- Full time, part time, casual, permanent or temporary employees
- Contract employees
- Volunteers, work experience students, agency supplied staff, contractors and Councillors.

This Policy is not limited to the workplace or work hours. It applies to employees in all work-related dealings with each other, and with customers and/or clients This Policy extends to all employees while off site at work related functions (including social functions and celebrations), while on trips and attending conferences.

## DEFINITIONS

| TERM / ACRONYM        | MEANING                                                                                                                                                                                                                                                                                                                                                                     |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| EEO                   | Equal Employment Opportunity is the principle that ensures that all employees and potential employees are treated equitably and fairly, regardless of their race, sex, marital status, age, physical or intellectual impairment, or sexual preference.                                                                                                                      |
| Merit                 | The merit principle requires that people be assessed according to their skills, abilities, qualifications, experience and standard of work performance relevant to the duties of the nominated position or training and development opportunity and disregarding any personal characteristics which are irrelevant to the position or training and development opportunity. |
| Discrimination        | Discrimination is denying any person equality of treatment based on grounds other than those directly related to the requirements of the job. Discrimination can be direct or indirect.                                                                                                                                                                                     |
| Direct Discrimination | Direct discrimination on the basis of an attribute happens if a person treats, or proposes to treat, a person with an attribute less favourably than another person without the attribute is or would be treated in circumstances that are the same or not materially different.                                                                                            |

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|-------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Indirect Discrimination | Indirect discrimination on the basis of an attribute happens if a person imposes, or proposes to impose, a term—<br>(a) with which a person with an attribute does not or is not able to comply; and<br>(b) with which a higher proportion of people without the attribute comply or are able to comply; and<br>(c) that is not reasonable.              |
| Victimisation           | happens if a person does an act, or threatens to do an act, to the detriment of another person because they have lodged a complaint, they intend to lodge a complaint, or they are involved in a complaint of unlawful conduct.<br>IRC employees must not retaliate against a person who raises a complaint or subject them to detriment.                |
| Vilification            | unlawful vilification is a public act which incites hatred, serious contempt or severe ridicule of a person or group of people, because of their race, religion, sexuality or gender identity. Serious vilification includes a threat of harm to a person or their property, or inciting others to threaten physical harm to a person or their property. |

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## ROLES AND RESPONSIBILITIES

### CEO

The CEO is responsible for;

- Ensuring support and consistent application of this policy;
- Promoting appropriate standards of behaviours and enforcing IRC's approach towards zero tolerance of discrimination.
- Ensuring a safe and inclusive work environment free from discrimination and promoting equality and diversity.

### Directors, Managers and Supervisors:

Directors Managers and Supervisors are responsible for;

- Complying with this policy;
- Promoting and modelling appropriate behaviours;
- Treating complaints and behaviours which may constitute discrimination seriously and taking immediate action.

### Manager People and Performance:

The Manager People and Performance is responsible for;

- Promoting the policy to ensure IRC work environment is free from discrimination.

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- Ensuring training and awareness of avenues for advice and the complaints procedure with respect to discrimination.
- Treating complaints of discrimination with appropriate confidentiality.
- Ensuring an impartial, fair and transparent process is followed.

## Employee:

Employees are responsible for;

- Complying with this policy;
- Reporting any incident of discrimination and/or harassment that they have experienced or witnessed and not to participate in discriminatory behaviour;
- Participate in any training provided by IRC;
- Modelling appropriate behaviours;
- Treating any allegations or complaints of discrimination with appropriate confidentiality.

## POLICY STATEMENT

Isaac Regional Council (IRC) is an equal opportunity employer who is committed to providing an inclusive work environment where all employees are treated fairly, equally, with respect and dignity and are free from unlawful discrimination, vilification, and/or victimisation. IRC has zero tolerance towards unacceptable behaviour under any circumstance.

Employees will be treated on merit and valued according to how well they perform their duties. Employee selection and promotion will be accurate, fair, accountable, and systematic. In accordance with State and Federal Legislation, employees will not be treated differently due to any of the following:

|                                |                                |                           |
|--------------------------------|--------------------------------|---------------------------|
| • Sex                          | • Relationship status          | • Gender Identity         |
| • Pregnancy                    | • Parental status              | • Family Responsibilities |
| • Breastfeeding                | • Age                          | • Sexuality               |
| • Race                         | • Impairment                   | • Lawful sexual activity  |
| • Religious belief or activity | • Political belief or activity | • Trade Union activity    |

Or associated with, or in relation to, a person identified on the basis of any of these attributes.

IRC is committed to providing a workplace that is free from discrimination, vilification and victimisation. IRC considers these behaviours unacceptable and will not be tolerated under any circumstance.

Employees found in breach of this policy and to have participated or abetted discrimination, vilification and victimisation of another employee or employee group, will be subject to disciplinary action up to and including dismissal.

## Complaints Procedure

IRC has an obligation to treat all complaints of discrimination, vilification and victimisation seriously. All complaints will be handled confidentially and impartially, investigated promptly and recommendations implemented.

If an employee feels that they have been discriminated against, in the workplace, they should not ignore it.

Where an employee feels they cannot address the matter directly with the person involved, or they have done so, and this has not stopped the behaviour, they can make a complaint to their Supervisor/Manager, Manager People and Performance, or a Director.

If an employee witness's discrimination, vilification and/or victimisation in the workplace they should encourage the other person to speak up or seek support. Otherwise, the person witnessing the incident could also make a complaint.

IRC has an Employee Complaints and Grievance Handling Procedure which outlines options available to suit the particular circumstances of each individual situation. The procedure should be referred to and followed.

## Counselling and Support

IRC provides confidential assistance to employees in the form of wellbeing support and professional counselling. Employees are encouraged to access IRC's Employee Assistance Provider Gryphon Psychology, for support or counselling. Gryphon Psychology can be contacted on 1800 056 076.

## Training

On commencement of employment, employees undertake a Corporate Induction. The Corporate Induction provides an overview on discrimination and EEO and clearly outlines IRC's zero tolerance stance. IRC is committed to providing awareness and training to all new employees at the point of induction and subsequent employee training on an ongoing basis. The training raises awareness of what discrimination is and clearly outline IRC's zero tolerance stance.

## LEGISLATIONS AND RELATED GUIDELINES

- *Anti-Discrimination Act 1991 (Qld)*
- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *Industrial Relations Act 2016*
- *Age Discrimination Act 2004*
- *Human Rights Act 2019*
- *Australian Human Rights Commission Act 1986*
- *Disability Discrimination Act 1992*
- *Racial Discrimination Act 1975*

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- *Sex Discrimination Act 1984*
  - *Work Health and Safety Act 2011 (Qld)*
  - *Public Sector Ethics Act 1994*

## REFERENCES

| TYPE             | DOCUMENT ID/NAME                                                                                                      |
|------------------|-----------------------------------------------------------------------------------------------------------------------|
| <b>POLICY</b>    | Workplace Bullying and Harassment Policy<br>Code of Conduct                                                           |
| <b>PROCEDURE</b> | Recruitment and Selection Procedure<br>Employee Complaints and Grievance Handling Procedure<br>Disciplinary Procedure |