

## EQUAL OPPORTUNITY POLICY

### POLICY

- a. Shire of Quairading is an Equal Opportunity Employer and will provide equality in employment for all people employed or seeking employment.
- b. People will be given a fair and equitable chance to compete for appointment, promotion or transfer, and to pursue their career effectively.
- c. Consistent with this, Shire of Quairading will not condone, and regards as unfair, all forms of unlawful discrimination or vilification, including that which relates to:
  - i. Gender;
  - ii. Pregnancy;
  - iii. Potential pregnancy;
  - iv. Marital/domestic status;
  - v. Disability;
  - vi. Race, colour, national extraction, social origin, descent, and ethnic, ethno-religious or national origin;
  - vii. Age;
  - viii. Family responsibilities, family status, status as a parent or carer;
  - ix. Racial classification;
  - x. Sexuality;
  - xi. HIV/AIDS vilification;
  - xii. Religious belief or activity;
  - xiii. Political belief or activity;
  - xiv. Industrial activity;
  - xv. Employer association activity;
  - xvi. Trade union activity;
  - xvii. Physical features;
  - xviii. Breastfeeding;
  - xix. Transsexuality;
  - xx. Transgender;
  - xxi. Profession, trade, occupation or calling;
  - xxii. Medical record; and

- xxiii. Criminal record (unless for reasons of Government clearance for workers or Council Member eligibility)
- d. In all cases no factors other than performance, experience and competence are to be used as the basis for performance assessment, training and development opportunities and promotions.
- e. All employees will contribute to and comply with the initiatives contained within the Strategic Community Plan, Corporate Business Plan, Reconciliation Action Plan and underpinning operational plans.
- f. All employees will comply with the respective Award, the National Employment Standards and other relevant industrial relations legislation.

## PROCEDURE

- a. These procedures compliment and are to be read in conjunction with the procedures detailed in the Bullying, Harassment & Diversity Policy and Grievance Policy.
- b. Management will manage and direct workers equally and will not make decisions or take action based on any of the discriminatory factors listed above.
- c. Management will make all decisions relating to appointment, promotion and career development without regard to any matters, other than the individual's inherent ability to carry out the position.
- d. The ability to liaise with, empathise with and share experiences with Aboriginal and Torres Strait Islander peoples is recognised as an inherent ability.
- e. Management and workers are to treat and engage with tenants, clients, workers and all other stakeholders equally and will not make decisions or take action based on any of the discriminatory factors listed above.
- f. If a worker considers a work-related decision has been made based on one or more of the discriminatory factors above, the worker is to follow the procedures in the Grievance Policy.

## DEFINITIONS

### Discrimination

Unlawful workplace discrimination occurs when an employer takes adverse action against a person who is an employee or prospective employee because of the following attributes of the person:

- a. Gender;
- b. Pregnancy;
- c. Potential pregnancy;
- d. Marital/domestic status;
- e. Disability;
- f. Race, colour, national extraction, social origin, descent, and ethnic, ethno-religious or national origin;
- g. Age;
- h. Family responsibilities, family status, status as a parent or carer;

- i. Racial classification;
- j. Sexuality;
- k. HIV/AIDS vilification;
- l. Religious belief or activity;
- m. Political belief or activity;
- n. Industrial activity;
- o. Employer association activity;
- p. Trade union activity;
- q. Physical features;
- r. Breastfeeding;
- s. Transsexuality;
- t. Transgender;
- u. Profession, trade, occupation or calling;
- v. Medical record; and
- w. Criminal record (unless for reasons of Government clearance for workers or Council Member eligibility)

### **Diversity**

Workplace diversity means individual differences across the workforce and the adaption of work practices to create an inclusive environment in which all diverse skills, perspectives and backgrounds are valued. Examples of differences include:

- a. Gender;
- b. Age or life-stage;
- c. Language, ethnicity or cultural background;
- d. Disability;
- e. Sexual orientation;
- f. Religious belief;
- g. Education;
- h. Socio-economic background;
- i. Personality;
- j. Geographic location;
- k. Marital status; and
- l. Family or other carer responsibilities.

## **Equal Opportunity**

Equal opportunity means the aggregation of policies and practices in employment and other areas that prohibit discrimination against people according to race, colour, age, sex, national origin, religion, or mental or physical disability.

## **Equal Employment Opportunity**

Workers have equal access to training, promotion, appointment or any other employment related issue without regard to any factor not related to their competency and ability to perform their duties.

## **Grievance**

Grievance means a formal complaint by a worker directly related to:

- a. The work environment;
- b. Functions performed at work;
- c. Other people at work;
- d. The treatment of the worker and / or other people at work.

If the complainant has not formalised a complaint, the complaint is not yet a grievance.

## **Victimisation**

A worker who has made a complaint of discrimination or harassment is subject to detriment.

## **ACCOUNTABILITIES & RESPONSIBILITIES**

- a. The Council is accountable for:
  - i. Ensuring the organisation has in place a lawful, transparent and accountable policy framework, supported by an appropriate suite of policies and procedures.
  - ii. Endorsing (or not) each organisational policy document in a timely and effective manner; and
  - iii. Delegating implementation of each policy document to the CEO.
- b. The CEO is accountable for ensuring the development, implementation, monitoring and review of this policy document, in accord with governing legislation and Council directives.
- c. The Executive Management Team and Managers are responsible for:
  - i. Ensuring that all workers under their direction comply with this policy document; and
  - ii. Enacting process to redress non-compliance with this policy document.
- d. All workers are individually responsible for complying with this policy document.

## **GUIDELINES**

*Local Government Act 1995*

**STATUTORY ENVIRONMENT**

*Equal Opportunity Act 1984*

*Fair Work Act 2009*

*Fair Work Amendment Act 2013*

*Local Government Act 1995*

*Racial Discrimination Act 1975 (Cth)*

*Workplace Gender Equality Act 2012*

*Work Health & Safety Policy 2020*

*Local Government Industry Award 2020*

*Industrial Relations Act 1979*

*Minimum Conditions of Employment Act 1993*

**Record of Policy Review**

Version	Author	Council Adoption	Resolution	Reason for Review	Review Date	CEO Signature
01	Nicole Gibbs	24/02/23	166-22/33	New Policy	Feb 2025	