

<b>POLICY NO.</b>	A.2
<b>POLICY SUBJECT</b>	Equal Opportunity Employment
<b>ADOPTION DATE</b>	17 December 1998
<b>LAST REVIEW DATE</b>	26 November 2020 (C.05/1120)

## OBJECTIVES

The objective of this Policy is to outline the Shire's position on Equal Employment Opportunity (EEO) and to create an environment of equal opportunity and diversity to achieve good working relationships. The goals of this Policy are;

- The Shire will actively work to raise the level of awareness of Equal Opportunity and Diversity principles and practices within the Shire;
- The Shire will actively promote an environment for all staff that is free of discrimination, bullying and harassment;
- The Shire will enable all staff to apply equally for all positions within the Shire, for which they are qualified, through its commitment to their support, provision of carer planning and development, advice and assistance;
- The Shire will recognise the diverse cultural needs of employees.

## POLICY STATEMENT

1. The Shire is committed to being an employer which provides for equal employment opportunity for all employees. This policy should be read in conjunction with the Shire's Policy relating to "Violence, Harassment and Bullying in the Workplace".
2. The Shire aims to provide an environment of fairness and equity in its workplace. The Shire believes that equal opportunity creates a more harmonious and productive workplace, which not only benefits the Shire, but also the wider community.
3. The Shire considers it the right of every employee to carry out their work in an environment which promotes job satisfaction, maximises performance and provides economic security. Such an environment is dependent of it being free from all forms of harassment, bullying, discrimination and victimisation.
4. In accordance with the WA Equal Opportunity Act 1984, the Shire shall develop and maintain an Equal Opportunity Management Plan.

## 5. Definitions

**5.1 Discrimination** is treating someone unfairly due to their race, sex, marital status, pregnancy, impairment, religious or political conviction, age, family responsibility or family status. These grounds may change as legislation is amended.

**5.2 Harassment** is defined as any unwelcome, offensive comment or action relating to the grounds of discrimination. It is behaviour towards another employee that is offending, humiliating or intimidating. It shall not be condoned and if necessary, disciplinary action shall be taken.

5.3 **Bullying** is defined as repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment, which could reasonably be regarded as undermining the individual's right to dignity at work.

## **6. Responsibilities**

6.1 The Shire recognises its legal obligations under the Equal Opportunity Act, 1984 (as amended);

- The WA Equal Opportunity Act 1984
- The Racial Discrimination Act (Cth) 1976
- The Sex Discrimination Act (Cth) 1984
- The Human Rights and Equal Opportunity Commission Act (Cth) 1987
- The Disability Discrimination Act (Cth) 1992

and will actively promote amongst Elected Members, employees and prospective employees, equal employment opportunity based solely on merit to ensure that discrimination does not occur on the grounds of sex, marital status, pregnancy, race, disability, religious or political convictions, age, and family status and responsibility.

6.2 The Shire also has a moral obligation to ensure its staff are not subjected to other forms of harassment. All employees are expected to treat each other with consideration and respect at all times.

## **7. Staff Training, Appointments and Promotions**

7.1 All employment training with this Shire will be consistent with providing equal opportunity to all employees provided their relevant experience, skills and ability meet the minimum requirements for such training. All promotional polices and opportunities with this Shire will be directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability meet the minimum requirements for such promotion.

7.2 All offers of employment within this Shire will be directed towards providing equal opportunity to prospective employees provided their relevant experience, skills and ability meet the minimum requirements for engagement.

7.3 The Shire is mindful of its community obligations and to that end will proactively undertake training for disadvantaged persons.

## **8. Grievances**

8.1 All informal complaints related to EEO will be dealt with fairly, quickly and confidentially.

8.2 All formal complaints related to EEO will be dealt with fairly, quickly and in accordance with legislative requirements by the Chief Executive Officer. Where the complaint involves the Chief Executive Officer, it shall be reported to the President for investigation and appropriate action.

## **9. Harassment**

- 9.1 The Shire will not tolerate harassment of any form within its workplace. Harassment is defined as any unwelcome offensive action or remark concerning a person's race, colour, language, ethnicity, political or religious convictions, gender, marital status, age, family status and responsibility or impediment (impairment).
- 9.2 Any individual who experiences harassment should immediately make it clear to the person(s) concerned that such behaviour is unwelcome. However, if the individual has difficulty in doing this, then assistance should be sought from others to meet with the person(s) concerned.

## **10. Bullying**

- 10.1 Bullying will be treated in accordance with the Shire's Policy relating to "Violence, Harassment and Bullying in the Workplace".

## **11. Employment**

- 11.1 In accordance with the Local Government Act 1995 (as amended) the Shire shall recruit in accordance with the principle of merit and equity and shall ensure that discrimination does not occur.
- 11.2 All employment training with the Shire shall be directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability meet the minimum requirements for such training.
- 11.3 All promotional policies and opportunities with the Shire shall be directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability meet the minimum requirements for such promotion.
- 11.4 The equal employment opportunity goals of the Shire shall be designed to provide an enjoyable, challenging, involving, harmonious work environment for all employees where each has the opportunity to progress to the extent of their ability.

## **PROCEDURE**

It is the responsibility of all staff to ensure that proper standards of conduct as contained in the Shire's Code of Conduct are upheld in the workplace. Management and staff in supervisory positions shall ensure that the work environment is free from all forms of harassment, bullying and discrimination.

Allegations of discrimination or harassment may be discussed or assistance sought from the appropriate Executive Manager or the Chief Executive Officer.

Harassment allegations will be considered seriously and sympathetically and will be investigated promptly and confidentially. In all cases, the utmost care shall be taken in investigating allegations impartially by recognising the rights of all parties. Victimisation of any party will not be tolerated by the Shire.

However, if an employee is dissatisfied with the outcome of any conciliation attempt, they may take the matter up with the Equal Opportunity Commission or their Union.

## **RESPONSIBILITIES**

The overall responsibility for monitoring the effectiveness, the policy and management plan lies with the Chief Executive Officer. However the Shire recognises that equal opportunity is the responsibility of everyone in the Shire and, as such, will ensure that advice on equal opportunity matters is available on an on-going basis to all staff.

The coordination of the equal opportunity function within the Shire is primarily the responsibility of the Chief Executive Officer.