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## ANTI-DISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY POLICY

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*Version 2 Adopted on 18/07/2016 by Chief Executive Officer*

### 1. PURPOSE

Carpentaria Shire Council (Council) aims to provide an environment that promotes equal opportunity and prevents unlawful discrimination. The objective of this policy is to ensure that all those in the workplace are treated fairly and with respect and are educated in the recognition and prevention of unlawful discrimination.

### 2. SCOPE

This policy applies to all employees of Council and also extends to others such as contractors and consultants who are, or may be perceived to be, acting on Council's behalf.

### 3. DEFINITIONS

**Discrimination** refers to unfair or unequal treatment of an individual or group based on certain characteristics. Under the *Queensland Anti Discrimination Act 1991*, it is against the law to discriminate against an employee or job applicant because of their:

- a) sex;
- b) relationship status;
- c) pregnancy;
- d) parental status;
- e) breastfeeding;
- f) age;
- g) race;
- h) impairment;
- i) religious belief or religious activity;
- j) political belief or activity;
- k) trade union activity;
- l) lawful sexual activity;
- m) gender identity;
- n) sexuality;
- o) family responsibilities;
- p) association with, or relation to, a person identified on the basis of any of the above attributes.

**Equal employment opportunity (EEO)** refers to employment practices that are designed so that employees and job applicants are able to compete for or be awarded employment, promotions, transfers, training and other employment related benefits on their merits without reference to irrelevant characteristics.

## **4. RESPONSIBILITIES**

### **4.1. ALL EMPLOYEES, CONTRACTORS, CONSULTANTS**

All people working on behalf of Council are expected to:

- a) promote a climate of mutual respect where people are able to work free from discrimination or harassment;
- b) treat all customers of Council and community members with respect and professionalism without having regard to non-relevant criteria or distinctions;
- c) promptly inform their manager or supervisor if there has been a (potential) breach of this policy.

### **4.2. MANAGERS AND SUPERVISORS**

Employees with managerial or supervisory responsibility or both are required to:

- a) role model appropriate behaviour which promotes the principles of this policy;
- b) ensuring all decisions relating to appointment, promotion, training and career development are made without regard to any matters other than the individual's inherent ability to carry out the job;
- c) identifying, preventing and redressing potential problems in the workplace before these become the subject of complaints;
- d) raise any observed inappropriate behaviour with the person so behaving and take further action if the behaviour does not cease. This duty exists even in the absence of a complaint.
- e) manage or escalate complaints of discrimination in a timely, confidential and fair manner ensuring due process.

### **4.3. HUMAN RESOURCES**

The Human Resources team are responsible for:

- a) working with managers and supervisors to ensure complaints are dealt with in a sensitive, impartial, timely and confidential manner, which ensures that persons against whom complaints have been made are afforded natural justice;
- b) monitoring the adequacy of this policy and recommending appropriate changes to the Chief Executive Officer.

## **5. CONSEQUENCES FOR BREACHING THIS POLICY**

Council will treat all allegations of unlawful discrimination seriously and impartially. The consequences will depend on the seriousness of the case. Outcomes may include, but are not restricted to the following:

- a) gaining a commitment from one or more persons to cease, and not to repeat, the behaviour;
- b) making an apology to the affected person or persons;
- c) providing mediation between the parties, if both parties agree to the mediation process and to the mediator;
- d) providing targeted training regarding prevention of unacceptable workplace behaviours;
- e) offering support to the person making the complaint;
- f) offering support to the person against whom the complaint is made;
- g) disciplinary action;

- h) suspension or dismissal against the person found responsible for race discrimination or vilification has been proven;
- i) disciplinary action, up to and including suspension or dismissal, against the person making a complaint of discrimination if, after investigation, the complaint is found to have been malicious or vexatious.

Disciplinary action may be taken against anyone who retaliates against a person who has made a complaint.

## 6. RELEVANT LEGISLATION AND ASSOCIATED COUNCIL DOCUMENTS

- *Disability Discrimination Act 1992*
- *Racial Discrimination Act 1975*
- *Sex Discrimination Act 1984*
- *Age Discrimination Act 2004*
- *Human Rights and Equal Opportunity Commission Act 1986*
- *Racial Hatred Act 1995*
- *Queensland Anti Discrimination Act 1991*
- *Local Government Act 2009*
- Recruitment and Selection Policy
- Grievance Resolution Policy and Procedure

## 7. NEXT REVIEW

2019

18/07/2016

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Chief Executive Officer