

## Appendix 9. Equal Opportunity Policy

(Next review by March 2025)

Policy number	9	Current policy version	5
Original policy approved	Jul 2012	Previous review date	Oct 2017
Current policy reviewed by CEO	KB	Current version approved by Committee of Management on	Mar 2022
Responsible person	CEO	Scheduled review date by	Mar 2025

### Introduction

Assisi Aid Projects (Assisi) is committed to the principle and provision of Equal Opportunity. This includes treating all personnel fairly and equitably, and creating a work environment whereby personnel can work to their full potential, free from discrimination, harassment, bullying and victimisation.

Assisi Aid Projects has zero tolerance for discrimination, harassment, bullying, victimisation and associated behaviours of any kind. Any reports of misconduct will be appropriately addressed.

Every workplace in Australia is subject to Equal Opportunity laws.

### Purpose

Consistent with Equal Opportunity laws, the purpose of this policy is to ensure the fair and equitable treatment of all personnel in Assisi policies, procedures and practices including, but not limited to recruitment, selection, promotion/transfers, working hours, discipline, compensation, benefits, training, and provision of goods, services, and facilities.

### Scope

This policy applies to all Assisi staff, members, Governing Body members (including both Committee of Management and subcommittee members), volunteers, interns, representatives, contractors, and visitors to project sites (hereinafter referred to as "personnel").

### Definitions

Anti-discrimination: Discrimination is any unfair treatment, generally where one person is treated differently from another in the same situation.

Discrimination can be direct or indirect. Indirect discrimination is treatment that appears to be equal but is unfair on certain people. To be unlawful it must also be unreasonable.

It is unlawful to unfairly treat people because of their: race (including colour, nationality, descent, ethno-religious background and ethnic or national origin), sex, marital or relationship status, disability (physical, intellectual, psychiatric, and diseases such as HIV/AIDS), age, gender identity, intersex status, pregnancy, family responsibilities, sexual orientation.

Discrimination may also include harassment (outlined below) and:

- Vilification, which is defined as any public act that is likely to incite hatred, serious contempt or severe ridicule for a person or a group of people.
- Victimization occurs when someone is treated unfairly because they have made a complaint about discrimination or helped someone else make one.

**Harassment:** Harassment refers to any form of behaviour that is not wanted, not asked for, and that humiliates someone (puts them down), offends them or intimidates them (makes them afraid). Harassment can be based on, but not limited to, the following: race (including colour, nationality, descent, ethno-religious background and ethnic or national origin), sex, marital or relationship status, disability (physical, intellectual, psychiatric, and diseases such as HIV/AIDS), age, gender identity, intersex status, pregnancy, family responsibilities, sexual orientation.

**Sexual harassment:** Sexual harassment may include, but is not limited to, making unwanted sexual advances and requests for sexual favours where:

- Submission to such conduct is made an explicit or implicit term or condition of employment.
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions with the purpose or effect of substantially interfering with the individual's work performance or creating an intimidating, hostile or offensive working environment.

**Bullying:** Bullying refers to unreasonable behaviour directed towards a person, or a group of people, that creates a risk to both physical and mental health, safety, and well-being. It includes behaviour (generally a pattern of behaviour) that intimidates, offends, degrades, or humiliates another person, including by electronic means such as

email, notice boards, blogs, and social networking websites.

**Violence:** Violence in the workplace can be defined as a threat or an act of aggression resulting in physical or psychological damage, pain or injury to a worker, which arises during the course of work.

**Exploitation:** Refer to Assisi Aid Projects' Preventing Sexual Exploitation, Abuse and Harassment Policy (Appendix 15: Good Practice Manual).

### **Policy and Procedures**

To maintain Assisi's obligations under Equal Opportunity law, and to ensure personnel are treated fairly and equitably, Assisi will:

- Control, direct and monitor the work performance of personnel.
- Give legitimate comment on performance or work-related behaviour.
- Ensure that the workplace and goods and services offered are free from discrimination, harassment, victimisation, bullying and violence.
- Take all reasonable steps to prevent discrimination, harassment, victimisation, bullying and violence.
- Apply fair and objective criteria to ensure candidates are selected on the basis of their relevant merits, abilities and experience.
- Actively address barriers to hiring, and progression in employment, to promote diversity and equity.
- Seek to improve any policies and procedures that may be perceived to encourage 'unconscious bias'.
- Respond quickly, seriously, and effectively to any complaints in line with the Workplace Grievances Procedure. Personnel found to be engaging in discrimination, harassment, victimisation, bullying and violence will be subject to discipline, which may include termination of employment, removal from duties, and possibly criminal charges.
- Ensure all new staff are provided with relevant induction information relating to this Equal Opportunity Policy, i.e., as specified in the Code of Conduct (to be signed by all personnel).
- Ensure personnel understand the reporting and investigation procedures for sexual harassment, exploitation and abuse.

As part of their engagement with Assisi personnel have a responsibility not to discriminate against, harass, victimise, bully or commit violence against other staff or stakeholders.

Further, Assisi personnel can:

- Expect that Assisi will make employment decisions based on merit.

- Expect not to be discriminated against, sexually harassed or victimised at work, and expect that Assisi will maintain a work environment that is free from these behaviours.
- Make a complaint to management if they are being harassed by anyone in any way during the course of their work. If a member of personnel believes their rights have been violated or they have been discriminated against, they should follow the Workplace Grievances Procedure.

### **Responsibilities**

In addition to the roles and responsibilities discussed above and the Policy Overview section at the start of this manual, additional responsibilities with regards to this policy are outlined below.

Responsibilities of the Chief Executive Officer:

- Proactively promote adherence to this policy including in, but not limited to, recruitment, staff performance and development, and procurement.
- Ensure personnel understand their rights and responsibilities under this policy.
- Promote practices to build trust between personnel.
- Act on any complaints following the Workplace Grievances Procedure.

Responsibilities of all other personnel:

- Ensure they are familiar with the Equal Opportunity policy and complaint procedures.

### **Related documents:**

Assisi – Workplace Grievance Procedure

Assisi – Recruitment Procedure

Legislation – Equal Opportunity Act 2010

Legislation – Fair Work Act 2009

Legislation – Disability Discrimination Act 1992

Legislation – Racial Discrimination Act 1975

Legislation – Sex Discrimination Act 1984

Legislation – Equal Opportunity for Women in the Workplace Act 1999

Legislation – Human Rights and Equal Opportunity Commission Act 1986