

Equal Employment Opportunity Policy

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Strategic Pillar	Organisation Capability
Responsible Branch	Workplace and Governance

1. OUTCOMES

- 1.1 Queanbeyan-Palerang Regional Council aims to provide an inclusive and welcoming environment where officials and others in the workplace are treated fairly and with respect, and are free from unlawful discrimination, harassment, vilification and bullying.
- 1.2 Council aims to ensure that when employment decisions are made, they are based on merit, not on irrelevant attributes or characteristics that an individual may possess. Fair and transparent processes are applied in assessing the capacity of a person to perform the inherent requirements of a position, having regard to the person's knowledge, skills, qualifications and experience and their potential for future development. Council is committed to create a work environment which promotes good working relationships.
- 1.3 Council promotes equal employment opportunities as specified in the *NSW Local Government Act 1993*:
 - (a) *to eliminate and ensure the absence of discrimination in employment on the grounds of race, sex, marital or domestic status and disability in councils, and*
 - (b) *to promote equal employment opportunity for women, members of racial minorities and persons with disabilities in councils.*

2. POLICY

- 2.1 The policy seeks to establish an equitable working environment where all Council officials and prospective employees are afforded fair and equitable treatment in relation to:
 - (a) Access to services and information
 - (b) Transparent decision making
 - (c) Recruitment and selection
 - (d) Learning and development
 - (e) Career advancement
 - (f) Conditions of employment
- 2.2 The policy strives to promote diversity in the organisation to reflect community demographics.
- 2.3 The policy (and the associated EEO and Diversity Management Plan) aims to:
 - (a) Foster a culture that values diversity and inclusion
 - (b) Remove barriers to participation and progression in employment and training
 - (c) Encourage innovation and flexibility through different ways of working

3. SCOPE OF THE POLICY

- 3.1 This Policy applies to all Council officials, including employees, councillors, contractors, members of council committees, conduct reviewers, delegates of council, work experience employees and volunteers.

4. DEFINITIONS

Bullying - repeated, unreasonable behaviour directed towards an individual or group that creates a risk to health and safety

Council officials — employees, councillors, contractors, members of Council committees, conduct reviewers, delegates of Council, work experience students and volunteers of the Council.

Direct discrimination - when a person is treated less favourably than another in their employment because of a reason or ground which is prohibited by law. The prohibited grounds of discrimination are set out in the Federal, State and Territory laws and include sex, race, age etc. A full list of the grounds of discrimination which operate federally and in NSW will be relevant, and are listed out below.

- Race (including colour, nationality, descent, ethnic, ethno-religious or national origin)
- Gender
- Pregnancy (including potential pregnancy)
- Carers' responsibilities, family responsibilities, carer or parental status, being childless
- Feeding or infants or babies
- Industrial/trade union membership, non-membership or activity
- Employer association membership, non-membership or activity
- Temporary absence from work because of illness or injury
- HIV/AIDS
- Spent convictions
- Religious belief or activity
- Marital status, relationship status
- Homosexuality, transexuality, sexuality, sexual preference, lawful sexual activity, gender identity
- Disability, including physical, mental and intellectual disability
- Age (including compulsory retirement)
- Political belief or activity
- Criminal record (unless the conviction would exclude the person from holding a role at Council)
- Medical record
- Defence service
- Association (i.e. association with a person who has one or more of the attributes for which discrimination is prohibited)

Diversity and Inclusion Group – An internal Council group tasked with supporting an organisational commitment to inclusion, respect and equity that fosters an environment for all staff to thrive

Executive — includes the Chief Executive Officer and Portfolio General Managers.

Indirect discrimination - may occur when an employer imposes a policy, requirement or condition which applies to everyone equally but it in fact operates to disadvantage a particular group because of a characteristic of that group, such as their sex, age, race (ie - a prohibited ground of discrimination).

Prospective employee – anyone who is interested in, or submits an application for a position at Queanbeyan-Palerang Regional Council.

Sexual harassment – unwelcome conduct of a sexual nature, which makes a person feel offended, humiliated or intimidated.

Vilification - a public act which incites hatred, severe contempt or severe ridicule of a person or group, because of race, homosexuality, transgender, transexuality or HIV/AIDS. Vilification is a particularly serious breach of EEO laws and will be dealt with accordingly.

Victimisation - where a person is retaliated against or subjected to a detriment because they have lodged a complaint, they intend to lodge a complaint or they are involved in a complaint of unlawful conduct.

5. LEGISLATIVE OBLIGATIONS AND/OR RELEVANT STANDARDS

- *Local Government Act 1993* (NSW)
- *Anti-Discrimination Act 1977* (NSW)
- *Work Health and Safety Act 2011* (NSW)
- *Age Discrimination Act 2004* (Commonwealth)
- *Disability Discrimination Act 1992* (Commonwealth)
- *Racial Discrimination Act 1975* (Commonwealth)
- *Sex Discrimination Act 1984* (Commonwealth)
- *Workplace Gender Equity Act 2012* (Commonwealth)
- *Australian Human Rights Commission Act 1996*
- Local Government Award
- QPRC Code of Conduct
- QPRC Values
- QPRC EEO and Diversity Management Plan
- QPRC Disability Inclusion Action Plan
- QPRC Reconciliation Action Plan
- QPRC Respectful Behaviours in the Workplace Directive

6. CONTENT

- 6.1 Through the application of its values of Respect, Integrity, Continuous Improvement and Innovation, QPRC aims to eliminate direct and indirect discrimination, bullying and harassment, vilification and victimisation.
- 6.2 Council's EEO and Diversity Management Plan details the programs developed to achieve the integration of equity and diversity and equal employment opportunity principles in all aspects of employment with QPRC.
- 6.3 Alleged breaches of this Policy must be reported to the CEO or Service Manager, Workplace and Governance for investigation in line with Council's internal processes and the *Local Government (State) Award 2020*.

7. RESPONSIBILITIES

- 7.1 All Council officials must understand and comply with this Policy and report alleged breaches.
- 7.2 Council's Executive is responsible for implementing the Policy and other related internal Directives that promote inclusion, equity and diversity.
- 7.3 Council's Workplace and Governance branch is responsible for overseeing the implementation of the Equal Employment Opportunity and Diversity Plan and subsequent reporting.
- 7.4 Council's Executive, Service Managers, Program Coordinators and Team Leaders are responsible for ensuring decisions in relation to recruitment, training, access to entitlements, workplace activities and human resource practices are applied fairly, consistently and without bias.

7.5 Council's Diversity and Inclusion Group will promote inclusion, respect and equity within the organisation and identify risks and recommend mitigation strategies and policies.

7.6 All staff are responsible for participating in learning and raising awareness of diversity and equal opportunity within Council.

8. REVIEW

8.1 This policy will be reviewed during the term of each elected Council or as required by changes to:

- (a) Legislation; or
- (b) Council's functions, structure or activities.