

3.5 Equal Employment Opportunity Policy



Council Resolution:	19/02/2013/007
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Review Date:	1 June 2025

1. PURPOSE

Coomalie Community Government Council is committed to providing a workplace that is free from harassment, bullying and discrimination. Equal employment opportunity principles apply equally to Councillors and Council Staff.

Coomalie Community Government Council recognises its obligations under relevant legislation and in acknowledging the community's expectations is committed to:

- Taking all reasonable measures to eliminate all forms of harassment, bullying and discrimination in the workplace;
- Creating a culture where staff and visitors treat each other with mutual respect, courtesy and dignity;
- Continuing to develop, implement and promote appropriate standards of a fair and equitable workplace;
- Taking action where required in accordance with Council policies, procedures and legislative requirements;
- Making adjustments to the workforce, working environment and workplace practice to ensure appropriate standards of conduct at all times; and
- Ongoing training and education for employees to ensure awareness of rights and expectations.

2. POLICY STATEMENT

2.1 Equal Employment Opportunity

2.1.1 The recruitment processes will not request information about the applicant which is not relevant to the requirements of the position.

For example:

- Applicant gender and gender history;
- Marital status (or other status, or plans);
- Children (or plans to have them);
- Other dependents;
- Childcare arrangements;
- Birthplace, racial or ethnic origin;
- Length of residency in Australia;
- Health/medical status or disability;
- Spouse, or spouse's employment and/or salary;
- Sexual preference;
- Religious beliefs;
- Political beliefs/affiliations; or
- A photograph.

2.1.2 All employment training with the Coomalie Community Government Council will be consistent with providing equal opportunity to all employees provided their relevant experience, skills and ability meet the minimum requirements for such training.

2.1.3 All offers of employment within the Coomalie Community Government Council will be directed towards providing equal opportunity to prospective employees provided their relevant experience, skills and ability meet the minimum requirements for engagement.

2.1.4 All promotional policies and opportunities with the Coomalie Community Government Council will be directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability meet the minimum requirements for such promotion.

2.2 Anti-discrimination

2.2.1 As per sec 31 of the NT *Anti Discrimination Act 1992*:

(1) A person shall not discriminate:

- (a) in deciding who should be offered work; or
- (b) in the terms and conditions of work that is offered; or
- (c) in failing or refusing to offer work; or

(d) by failing or refusing to grant a person seeking work access to a guidance program, vocational training program or other occupational training or retraining program; or

(e) in developing the scope or range of a program referred to in paragraph.

(2) A person shall not discriminate:

(a) in any variation of the terms and conditions of work; or

(b) in failing or refusing to grant, or limiting, access to opportunities for promotion, transfer, training or other benefit to a worker; or

(c) in dismissing a worker; or

(d) by treating a worker less favourably in any way in connection with work.

(3) A person shall not discriminate against a worker on the grounds of the worker's religious belief or activity by refusing the worker permission to carry out a religious activity during working hours being an activity:

(a) of a kind recognized as necessary or desirable by persons of the same religious belief as that of the worker; and

(b) the performance of which during working hours is reasonable having regard to the circumstances of the work; and

(c) that does not subject the employer to any detriment.

2.2.2 Council, along with Northern Territory and Federal Law prohibit discrimination in both forms of direct discrimination and indirect discrimination.

Direct discrimination is when a person or group of people treats, or proposes to treat a person with a protected attribute unfavourably, because of that attribute.

Indirect discrimination occurs if a person imposes or proposes to impose, an unreasonable requirement, condition or practice that has, or is likely to have, the effect of disadvantaging persons or groups of people with a protected attribute.

2.3 Harassment and Bullying

2.3.1 For purposes of this policy, harassment is any verbal or physical conduct designed to threaten, intimidate or coerce an employee, co-worker, or any person working for or on behalf of Coomalie Community Government Council.

Coomalie Community Government Council prohibits harassment and bullying of any kind, including sexual harassment, and will take appropriate and immediate action in response to complaints or knowledge of violations of this policy.

- 2.3.2** Everyone at the workplace has a legal, as well as moral responsibility, to prevent harassment and bullying from occurring. A high priority of Coomalie Community Government Council is to eliminate or minimise, as far as reasonably practicable, the risks to health and wellbeing in the workplace. This includes the implementation of strategies to prevent workplace bullying.

2.4 Reporting and Assistance

- 2.4.1** All employees are required to comply with Council Policy, and all relevant legislation. Should you be a victim or witness of discrimination, harassment, bullying or any behaviour that does not comply with this policy, Council encourages a report to be made. A report should be made to your direct Supervisor, the HR Manager, or CEO, whichever you are more comfortable reporting to.

- 2.4.2** Should you be unsatisfied with steps taken to resolve the issue, the following are able to assist in further resolution:

- Australian Human Rights Commission - www.humanrights.gov.au
- Fair Work Ombudsman – www.fairwork.gov.au

- 2.4.3** If an employee breaches this policy, they may be subject to disciplinary action. In serious cases this may include termination of employment. Agents and contractors (including temporary contractors) who are found to have breached this Policy may have their contracts terminated or not renewed. If a person makes a false complaint, or a complaint in bad faith (e.g. making up a complaint to get someone else in trouble, or making a complaint where there is no foundation for the complaint), that person may be disciplined and or have their employment terminated.

- 2.4.4** Assistance is available to Council employees via the Employee Assistance program.

Please see your Supervisor, HR Manager or CEO to discuss accessing this program.