

Equal employment opportunity

PROCEDURE 1.2.1(aa)

POLICY NO AND TITLE	1.2.1	Conditions of employment policy
PROCEDURE	1.2.1(aa)	Equal employment opportunity
VERSION AND DATE ADOPTED	1	
RESPONSIBLE OFFICER		Manager Human Resources

Introduction

Council is wholly committed to the principle of Equal Employment Opportunity

In all policies and practices of the council there shall be no discrimination relating to sex, marital status, parenthood, race, colour, national origin, physical or mental impairment, religion, political views or responsibilities as a carer as defined in the Anti Discrimination Act.

Selection of individuals for employment, promotion or advancement, training and staff development will be on the basis of personal merit in fair and open competition according to the skills, qualifications, knowledge and level of ability to carry out the duties involved in the position.

Council's Policy on Equal Employment Opportunity reflects our desire to enjoy a workplace free of discrimination where each person has the opportunity to progress to the extent of their ability.

This Policy in no way prevents Council from taking up grants for special programs to train or employ people for groups under represented in the workforce.

EEO Background

Equal Employment Opportunity (EEO) means that all employment related activities, from recruitment through to termination, will be fairly conducted to ensure that for each job, training and/or career development opportunity within an organisation, people will be equally considered based on their relevant skills and qualifications. It is the principle of recruitment, training, development, promotion and termination on merit.

EEO Legislation

There is Federal, State and Local Government legislation in place to ensure that employees are not discriminated against or harassed.

Federal Legislation

- Racial Discrimination Act 1975
- Sex Discrimination Act 1984
- Disability Discrimination Act 1992

This legislation makes it unlawful for an organisation or its employees to discriminate against job applicants or employees on the basis of race, colour, nationality or ethnic origin, sex, marital status, pregnancy or disability.

The legislation has additional provisions relating to discrimination involving harassment and specifically provides for sexual harassment being unlawful.

State Legislation

- NSW Anti-Discrimination Act 1977

This legislation specifies that it is against the law to discriminate against, or harass someone on the basis of race, sex, marital status, disability, homosexuality, age (including compulsory retirement) or HIV/AIDS vilification.

The Act is administered by the Anti-Discrimination Board which is responsible for the investigation and conciliation of formal complaints of discrimination or harassment.

Local Government Act 1993

Section 344 of the Local Government Act compels Councils to prepare and implement an EEO management plan to eliminate and ensure the absence of discrimination in employment on the grounds of race, sex, marital status and physical impairment in Councils. The Act also promotes EEO for women, members of racial minorities and physically handicapped people.

8.3 Discrimination

Basically discrimination means acknowledging differences and making distinctions on the basis of differences. Discrimination is unfair if it is based on irrelevant considerations, bias or prejudice. People are often judged on the basis of general beliefs held about their race, sex or disability rather than on the basis of their individual skills and abilities.

There are two types of discrimination, both of which are against the law:

- **Direct discrimination** occurs when a person is openly treated unfairly because of their sex, race, physical or intellectual impairment.
- **Indirect discrimination** occurs where a general requirement or rule is imposed (such as minimum height for a position) and the requirement has an effect or result that is unequal for all.