
EQUAL EMPLOYMENT OPPORTUNITY POLICY

PURPOSE

To treat people on their merits at every stage of the employment relationship.

To commit to providing a work environment that embraces and supports a knowledge of and respect for equity and cultural inclusion, safety and security and which is free from harassment and discrimination.

To comply with, and ensure that employees have a broad understanding of, the principles of the legislation and principles of equal employment opportunity. Under the Anti-Discrimination Act 1991 discrimination, victimisation, sexual harassment and vilification are unlawful.

To comply with:

- Work Health and Safety Act 2011
- Prevention of Workplace Harassment Code of Practice 2004.
- Standard 6 of the National Standards for Group Training Organisations
- Standard 2 of the Australian Quality Training Framework, Essential Conditions and Standards for Continuing Registration

SCOPE

This policy applies to all employees of MRAEL Group, including staff and apprentices and trainees hosted external to MRAEL.

POLICY

As an equal opportunity employer, MRAEL Group ensures all employees are treated on their merits, without regard to race, age, sex, marital status or any other factor not applicable to the position. Employees are valued according to how well they perform their duties, their ability and their enthusiasm to maintain company standards. We believe all employees have the right to work in an environment free of discrimination and harassment.

ANTI-DISCRIMINATION ACT

One of the purposes of the Anti-Discrimination Act 1991 is to promote equality of opportunity for everyone by protecting them from unfair discrimination in certain areas of activity, including work and education. The purpose is achieved by prohibiting discrimination based on certain grounds or attributes and defining the types of discrimination and the areas of activity in which discrimination is prohibited. The Act also prohibits victimisation, sexual harassment and vilification.

Discrimination occurs when someone is treated unfavourably because of an attribute under the Act. Discrimination may involve:

- Making offensive ‘jokes’ about another worker’s racial or ethnic background, sex, sexual preference, age, disability or physical appearance.
- Display of pictures or posters, which are offensive or derogatory.
- Expressing negative stereotypes about particular groups.
- Judging someone on their political or religious beliefs rather than their work performance.
- Using stereotypes or assumptions to guide decision making about a person’s career.
- Undermining a person’s authority or work performance because you dislike one of their personal characteristics.

Discrimination on the basis of the following attributes is unlawful (s7 of the Act) and will not be tolerated by MRAEL:

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| <ul style="list-style-type: none"> ▪ sex ▪ relationship status ▪ pregnancy ▪ parental status ▪ breastfeeding ▪ age ▪ race ▪ impairment ▪ religious belief or religious activity | <ul style="list-style-type: none"> ▪ political belief or activity ▪ trade union activity ▪ lawful sexual activity ▪ gender identity ▪ sexuality ▪ family responsibilities ▪ association with, or relation to, a person identified on the basis of any of these attributes. |
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The Act further clarifies that a person must not discriminate during recruitment (the pre-work area, s14) or during employment (the work area, s15(1)). Note also that a person’s motive for discriminating is irrelevant (s10(3)).

VICTIMISATION

Victimisation occurs when a person does, or threatens to do, an act to the detriment of another person –

- a. because the complainant, or a person associated with, or related to, the complainant
 - i. refused to do an act that would amount to a contravention of the Act; or
 - ii. in good faith, alleged, or intends to allege that a person committed an act that would amount to a contravention of the Act; or
 - iii. is, has been, or intends to be, involved in a proceeding under the Act against any person; or
- b. because the respondent believes that the complainant, or a person associated with, or related to, the complainant is doing, has done, or intends to do one of the things mentioned in paragraph I, II or III.

SEXUAL HARASSMENT

Sexual harassment is any form of sexual attention that is unwelcomed. It may be unsolicited touching or other physical contact, remarks with sexual connotations, smutty jokes, unsolicited demands or request for sexual favours, leering or the display of offensive material.

Sexual harassment can be a single incident - it depends on the circumstances.

There is no onus on the person being harassed to say he/she finds the conduct objectionable. Many people find it difficult to speak up in these circumstances however it is important that all instances are reported to enable action to be taken to address the issue.

All employees are responsible for their own behaviour and therefore have a responsibility to ensure their interaction with their peers is appropriate and in a non-offensive manner.

VILIFICATION

Vilification on the basis of race or religion, is simply a public act of hatred. It is unacceptable at MRAEL and such acts may also be unlawful.

It can include things such as graffiti in public places, speeches, abuse, remarks in the media or on internet sites, gestures, posters or stickers. For these sorts of things to be considered vilification, they need to be public and to incite people to hate others because of their race or religion.

Employers can be held responsible for the actions of their workers, unless reasonable steps are taken to reduce or prevent the vilification.

To ascertain if it is vilification, ask yourself:

1. Did it happen publicly, and could other people see, hear or read it?
2. Could it incite hatred, severe ridicule or serious contempt of people because of their religion or race?

These are the two main questions you need to ask yourself. If the answer to both is 'yes', then it could well be vilification. If, however, the incident, speech or article was private or fairly minor, or a light-hearted joke, it probably won't be vilification.

EQUAL EMPLOYMENT OPPORTUNITY

The Access and Equity principles upheld within MRAEL allow equity for all people through the fair allocation of resources, allow equality of opportunity and ensure access for all people to appropriate, quality vocational education and training programs and services.

These principles will facilitate the following outcomes:

- Increased opportunities for people to participate in apprenticeships and traineeships.
- Increased participation within the vocational education and training system for people for under-represented groups.
- The development of quality support services which enhance clients' chances to achieve positive outcomes.

These principles are particularly directed to the following groups of people:

- Aboriginal and Torres Strait Islander people
- Australian South Sea Islander people
- Mature aged people
- People in custody
- People who live in rural or remote areas
- People with a disability
- People who want to improve their language, reading, writing or number skills
- People from a culturally and linguistically diverse background
- Women

MRAEL EQUAL OPPORTUNITY FOR WOMEN PROGRAM

As part of the requirements of the Equal Opportunity for Women in the Workplace Act 1999, MRAEL have operated an equal employment for women in the workplace (affirmative action) program since 1 February 1989. The program is designed to ensure that appropriate action is taken by MRAEL to eliminate all forms of discrimination against women in relation to employment matters, and measures are taken by MRAEL to contribute to the achievement of equal opportunity for women in relation to employment matters.

The practical purpose of the program is to ensure that both men and women have the same opportunities to pursue a worthwhile career. Recruitment and promotion will be strictly on the basis of merit without reference to a person's gender. At the same time it will encourage women to consider working in traditionally male dominated areas. This does not mean that women will be forced into these traditionally male dominated areas and nor will it put any men's jobs at risk. It is simply a matter of encouraging everyone to consider options they may not have considered in the past.

WORKPLACE HARASSMENT

Within a working environment, it is recognised that there are bound to be occasional differences of opinion, conflicts and problems in working relationships – these are part of a working life. Workplace harassment though can be defined as the 'repeated less favourable treatment of a person by another or others in the workplace, which may be considered unreasonable and inappropriate workplace practices'.

Workplace harassment includes unwelcomed and unsolicited repeated behaviour that intimidates, offends, degrades, humiliates or threatens a worker. It can occur between people in any direction within a workplace e.g. laterally (a co-worker harassing another co-worker), upwards (a worker harassing a manager or supervisor), or downwards (a supervisor/manager harassing a worker). It does not include reasonable management action taken in a reasonable way by a person's employer in connection with the person's employment.

Some examples of workplace harassment include:

- Abusing a person loudly
- Repeated threats of dismissal or other severe punishment for no reason
- Constant ridicule
- Leaving offensive messages on email or the telephone
- Sabotaging a person's work, for example, by deliberately withholding or supplying incorrect information, hiding documents or equipment, not passing on messages and getting a person in trouble in other ways
- Maliciously excluding and isolating a person from workplace activities
- Persistent and unjustified criticisms
- Humiliating a person through gestures, sarcasm, criticism and insults
- Spreading gossip or false, malicious rumours about a person with an intent to cause the person harm

Under the Work Health and Safety Act 2011, employers and employees have a legal responsibility to comply with any measures that promote health and safety in the workplace. MRAEL strives to eliminate or minimise the risks to employees' health and safety caused by workplace harassment. Strategies to control these risks will include the communication and regular review of this policy, the provision of an Employee Assistance Program, a culture of open communication and a commitment to address all reports of workplace harassment according to the principles of natural justice.

Workplace harassment can have detrimental effects on people and the business. It can create an unsafe working environment, lead to the breakdown of teams and reduced efficiency and result in staff turnover and increased costs. Individuals who continue to be exposed to workplace harassment may experience loss of self-confidence, anxiety, depression and severe tiredness.

MRAEL requires all workers to behave responsibly by complying with this policy, to not tolerate unacceptable behaviour, to maintain privacy during investigations and to immediately report incidents of workplace harassment. Managers and supervisors must ensure workers are not exposed to workplace harassment and must personally demonstrate appropriate behaviour.

WHAT TO DO IF YOU ARE DISCRIMINATED AGAINST, VICTIMISED, HARASSED OR VILIFIED

Do not ignore inappropriate behaviour in the hope that it will go away. Silence may give the impression that the behaviour is acceptable. You will not be disadvantaged in your employment conditions or opportunities as a result of lodging a complaint.

You may contact the following people who have been nominated by MRAEL to give advice or investigate complaints:

Cohort	Contact
Apprentice Employment Program Apprentice or Trainee	Apprentice Specialist or Apprentice Services Operations Coordinator for your area or Apprentice Services Manager
Staff	Immediate Manager

You may also contact the Anti-Discrimination Commission Queensland on 1300 130 670 for information about how to make a complaint.

Choose the course of action you feel most comfortable with. You will not be disadvantaged in your employment conditions or opportunities as a result of lodging a complaint.

Refer to MRAEL's Employee Assistance Program Policy for information on how to access further support. This Program entitles every MRAEL employee to access two confidential sessions with Gryphon Psychology each year.

COMPLAINTS HANDLING

All reports of discrimination, victimisation, harassment or vilification will be treated seriously by MRAEL and investigated promptly, confidentially and impartially in conjunction with MRAEL's Complaints Handling Policy. A written complaint is not required. No person making a complaint or acting as a witness will be victimised in any way.

When complaints are received by MRAEL the principles of natural justice will be applied, as outlined below:

- The person alleged to have committed the act is presumed to be innocent until allegations are proven to be true.
- All allegations will be investigated promptly.
- The person who has allegedly committed the act will be informed of all the allegations and given an opportunity to explain his or her version of events.
- Should the complaint be proven to be true, remedial action will be taken.

In the case of the act being committed by an employee of a Partner Organisation the same principles will apply, as this will enable the workplace to implement disciplinary action for non-MRAEL employees who are engaging in this behaviour, in accordance with the workplace's own policies and procedures.

MRAEL will take remedial action against any MRAEL employee who has been proven to have discriminated against, victimised, harassed or vilified a co-worker. Such action may involve a warning, transfer, counselling, demotion or dismissal, depending on the circumstances.

REVIEW

This policy and the actions outlined above will be reviewed annually.

LINKS

The following websites may be of interest should you require further information:

The Queensland Anti-Discrimination Commission
www.adcq.qld.gov.au

Disability Services Queensland
www.disability.qld.gov.au/

Workplace Health and Safety Queensland
www.deir.qld.gov.au/workplace/index.htm

Workplace Harassment
www.deir.qld.gov.au/workplace/subjects/harassment/index.htm

Equal Opportunity for Women in the Workplace
www.eowa.gov.au/default.asp

Human Rights and Equal Opportunity (including links for Age, Sex, Disability and Racial Discrimination legislation)
www.hreoc.gov.au/ or
www.ag.gov.au/www/agd/agd.nsf/Page/Humanrightsandanti-discrimination_Humanrightsandanti-discrimination