

EQUAL EMPLOYMENT OPPORTUNITY AND ANTI-DISCRIMINATION Policy & Procedures

Last reviewed: January 2021

Next review date: January 2022

By: Dean of Community

Equal Employment Opportunity (EEO) is a positive way of ensuring that people are treated fairly and not disadvantaged on the basis of irrelevant characteristics.

State and federal laws go further and set out the types of discrimination which are unlawful in the workplace. They are designed to stop a person being treated unfavourably because of a personal characteristic. They cover the following areas and are protected by the law:

- Age;
- Breastfeeding;
- Family or carer responsibilities;
- Irrelevant criminal records;
- Marital status;
- Medical history;
- Membership of any lawful organisation;
- Nationality;
- Parental status;
- Physical or mental disability;
- Political opinion;
- Pregnancy;
- Race;
- Religion;
- Sex;
- Sexual preference;
- Social origin; or
- Trade union or employer association activity.

Unlawful discrimination also covers a situation where a person is assumed to possess personal characteristics that are in the categories listed above or are assumed to possess those characteristics some time in the future, for example pregnancy.

DIRECT AND INDIRECT UNLAWFUL DISCRIMINATION

Unlawful discrimination can occur:

- Directly: when a person or group is treated less favourably because of a personal characteristic protected by law, for example a worker is refused a promotion because they are "too old"; or
- Indirectly: when an unreasonable requirement, condition, or practice is imposed that has, or is likely to have, the effect of disadvantaging people with a personal characteristic protected by law, for example providing training opportunities only to full-time staff, thereby excluding employees who are working part time due to their carer responsibilities.

WHAT IS NOT UNLAWFUL DISCRIMINATION

It is not unlawful to discriminate against a person on the basis of their being in one of the protected categories, provided it is based on a reasonable requirement of the job or operation.

POLICY

St Mary's Anglican Girls' School is committed to providing a safe working environment which is fair and free from discrimination, harassment and bullying. All staff and other people with whom we come into contact as part of our work, will be treated professionally, fairly, and with respect.

Decisions regarding:

- Advertising, job descriptions, and selection procedures;
- Conditions of employment and pay;
- Training opportunities;
- Rostering and allocating of work;
- Performance management and termination procedures; and
- Promotion opportunities

will be done on the basis of merit and the inherent requirements of the job and reasonable operational requirements. Employees will not be disadvantaged because of irrelevant personal characteristics or assumed irrelevant personal characteristics.

COMPLAINTS PROCEDURE

If you believe you have been the subject of discrimination, you should take prompt action in accordance with our **Complaints Management – Students, Parents and Public**.