

Equal Opportunity & Anti-Discrimination Policy

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Last approved by Board

Introduction

Everyone is welcome at ICMEC AU. Without exception, we want everyone to feel that they are treated fairly and with dignity, courtesy, kindness and respect at all times. We also strive to be an employer of choice, attracting and retaining the best, diverse talent, where everyone feels that they belong, are valued, and can contribute to our strategy and success.

ICMEC AU promotes equity both inside and outside our organisation, with respect to any personal or social identities, individual rights, opportunities, or status. We recognise that diversity is found in any social identity, such as age, culture, ethnicity, gender, nationality, physical abilities or characteristics, political and religious beliefs, sexual orientation, diversity of thought, as well as many other additional attributes. Inclusion is the process of involving, accepting, and valuing all people in the workplace regardless of their differences and social identity.

This policy aims to describe ICMEC AU's commitment to equal opportunity and anti-discrimination and how it will be applied.

Application

This policy applies to all aspects of employment including recruitment and selection; conditions and benefits; training and promotion; task allocation; hours of work, leave arrangements, performance management and termination of employment.

The scope of this policy extends to on-site, off-site or after-hours work; work-related social functions; conferences – wherever and whenever staff may be as a result of their duties. In so far as this policy imposes any obligations on ICMEC AU, those obligations are not contractual and do not give rise to any contractual rights.

This policy will be subject to regular review and ICMEC AU may unilaterally introduce, vary, remove or replace this policy at any time.

Expectations & Responsibilities

At ICMEC AU, we believe firmly that everyone is entitled to:

- recruitment and selection decisions based on merit and not affected by irrelevant personal characteristics;
- work free from discrimination, bullying, sexual harassment and harassment on the ground of sex;
- the right to raise issues or to make an enquiry or complaint in a reasonable and respectful manner without being victimised; and
- reasonable flexibility in working arrangements, especially where needed to accommodate their family responsibilities, disability, religious beliefs or culture.

At ICMEC AU we expect that everyone will:

- treat each other with dignity, kindness, courtesy and respect. Always.
- proactively contribute to a culture of inclusivity.
- follow the standards of behaviour outlined in this policy;
- advise management immediately if they are concerned about actions or behaviour that is not aligned with this policy.

Additionally, we expect managers to::

- demonstrate inclusive leadership and an environment that empowers all our people to realise their potential;
- drive our innovation and success, through a diverse workforce by attracting, welcoming, developing and retaining people with different perspectives, experiences and backgrounds to support our mission;
- model appropriate standards of behaviour and take steps to educate team members on their obligations under this policy and legislation;
- ensure that recruitment decisions are based on merit and that no discriminatory requests for information are made;
- intervene quickly and appropriately when they become aware of inappropriate behaviour.
- act fairly to resolve issues and enforce workplace behavioural standards, making sure relevant parties are heard;

- help staff resolve complaints informally;
- refer formal complaints about breaches of this policy to the appropriate senior manager for investigation; and
- ensure staff who raise an issue or make a complaint are not victimised.

Unacceptable Workplace Conduct

Discrimination, bullying and sexual harassment and harassment on the ground of sex are unacceptable at ICMEC AU and are unlawful under legislation including:

- Fair Work Act 2009 (Cth)
- Sex Discrimination Act 1984 (Cth);
- Racial Discrimination Act 1975 (Cth);
- Disability Discrimination Act 1992 (Cth);
- Age Discrimination Act 2004 (Cth);
- Australian Human Rights Commission Act 1986

ICMEC AU's Respect in the Workplace Policy provides clear guidance on matters relating to bullying and harassment.

Discrimination

Discrimination is treating, or proposing to treat, someone unfavourably because of a personal characteristic protected by the law, such as sex, age, race or disability.

Discrimination can occur:

- Directly, when a person or group is treated less favourably than another person or group in a similar situation because of a personal characteristic protected by law (see list below).

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.

Protected personal characteristics under Federal discrimination law include:

- parental status or status as a carer, for example, because they are responsible for caring for children or other family members;
- sex;
- pregnancy and breastfeeding;

- sexual orientation, intersex status or gender identity, including gay, lesbian, bisexual, transsexual, transgender, queer and heterosexual;
- marital status, whether married, divorced, unmarried or in a de facto relationship or same-sex relationship;
- race, colour, descent, national origin, or ethnic background;
- religion;
- social origin;
- age, whether young or old or because of age in general;
- a disability, disease or injury, including work-related injury;
- industrial activity, including being a member of an industrial organisation like a trade union or taking part in industrial activity, or deciding not to join a union;
- political opinion;
- medical record;
- an association with someone who has, or is assumed to have, one of these characteristics, such as being the parent of a child with a disability.

It is also against the law to treat someone unfavourably because you assume that they have a personal characteristic or may have it at some time in the future.

Victimisation

Victimisation is subjecting or threatening to subject someone to a detriment because they have asserted their rights under equal opportunity law, made a complaint, helped someone else make a complaint, or refused to do something because it would be discrimination, sexual harassment or victimisation. Victimisation is against the law.

It is also victimisation to threaten someone (such as a witness) who may be involved in investigating an equal opportunity concern or complaint.

Victimisation is a very serious breach of this policy and is likely (depending on the severity and circumstances) to result in formal discipline against the perpetrator.

ICMEC AU has a zero-tolerance approach to victimisation.

Confidentiality

It is unacceptable for staff at ICMEC AU to talk with other staff members, external partners or associates about any complaint of discrimination or harassment without ICMEC AU's express permission.

Breaching the confidentiality of a formal complaint investigation or inappropriately disclosing personal information obtained in a professional role (for example, as a manager) is a serious breach of this policy and may lead to disciplinary action.

Resolving Issues

ICMEC AU strongly encourages anyone who believes they have been discriminated against, bullied, sexually harassed, harassed on the ground of sex, or victimised to take appropriate action by making a complaint in accordance with the Grievance Handling Policy & Procedure.

All complaints of discrimination will be dealt with seriously, confidentially and speedily. ICMEC AU will not ignore or treat lightly grievances or complaints.

Staff will not be penalised for raising a grievance or complaint, even if it is not upheld unless the complaint was both untrue and/or made in bad faith.

Breach of Policy

ICMEC AU expects all staff to observe the standards set out in this policy.

Staff (including managers) found to have engaged in such conduct might be counselled, warned or disciplined. Severe or repeated breaches can lead to formal discipline up to and including termination of employment.

Under the law, employees can be held personally liable for certain breaches of discrimination law.