

Equal Employment Opportunity & Anti-Discrimination - Policy Number 504

Edited August 2023

1. Purpose

This policy outlines the equal employment opportunities and anti-discrimination guidelines.

2. Scope

This policy applies universally to all Pacific Community Housing Workers. This policy also applies in the context of members of the public, particularly those seeking to enrol or apply for employment with Pacific Community Housing.

3. Principals

Guided by Pacific Community Housing's vision, mission and values to be a fair, equitable, transparent and quality provider of affordable housing, Pacific Community Housing will:

- Give equal opportunity employment to all people
- Provide a culture where all employees and stakeholders are, and feel, valued
- Nurture an environment of zero tolerance for any form of discrimination in the workplace
- Comply with all state and federal laws

4. Equal Opportunity and Discrimination

Pacific Community Housing supports the principles of equal opportunity in all aspects of the relationship between Pacific Community Housing and its Workers. This is consistent with Pacific Community Housing's philosophy and concern for social justice and equity. By designing this policy, Pacific Community Housing supports the principle that Workers are selected or promoted according to merit, irrespective of race, sex, marital status, age, physical, intellectual impairment or other grounds as listed in this policy.

Discrimination occurs when a person, or group of people, is treated less favourably than another due to a particular attribute or personal characteristic. At Pacific Community Housing, directors, board members, employees, volunteers and managers must not treat job applicants and employees unfairly or harass/discriminate against them because of their:

- Age
- Criminal Record
- Gender
- Race, colour, nationality, national extraction
- Impairment, mental, intellectual, psychiatric and physical disability
- Marital status
- Medical Record
- Family or carers responsibilities
- Pregnancy
- Religion
- Sexual orientation
- Political opinion
- Social origin (elements a person adopts from surrounding culture)

Examples of discrimination may include:

- Offensive jokes, comments or gestures which refer to a person's characteristics.
- Display or circulation of material which can be considered offensive.
- Expressing negative stereotypes of a particular group.

- Sending offensive material by email.
- Using stereotypes or assumptions to guide decisions.
- Making derogatory comments.
- Undermining another person's position due to a dislike of their personal characteristics.
- Discrimination can be either direct or indirect:

Direct discrimination occurs when a person is dealt with unfairly on the basis of one of the grounds listed under Discrimination (noted above);

Indirect discrimination is often less obvious. Sometimes, a policy, rule or practice seems fair because it applies to everyone equally, but, upon closer inspection, some people are actually being treated unfairly as a result. This is because some people, or groups of people, are unable (or less able) to comply with a given rule or policy and are inherently disadvantaged because of it. If this policy or practice is not reasonable, it may be a form of indirect discrimination.

Examples of indirect discrimination may include:

- an employer having a policy of not letting any employee work part-time. (People with children or family responsibilities could be disadvantaged), or
- a public building, while fitted with lifts, has a set of six steps at the front entrance. Entry for those needing to use the lift is through the back entrance near the industrial bins (Those using a wheelchair cannot get into the building from the front entrance).

Pacific Community Housing does not tolerate any form of discrimination in the Workplace. All reports will be treated seriously and investigated promptly, confidentially and impartially. State and federal laws make discrimination illegal on many grounds.

Pacific Community Housing employees are required to comply with this policy at all times. If a Worker is found to be in breach of this policy, they will be managed accordingly. He or she may be subject to disciplinary action, which in some cases may include termination of employment. In certain cases, Pacific Community Housing may have to report the matter to a relevant authority.

5. Action to be Taken

If someone feels this policy has been breached in any way, it should not be ignored. It is recommended to make a written note about the behaviour including details of the date and time of the incident, what happened and any witnesses.

The following steps may be taken:

- If you feel comfortable doing so, you may wish to address the issue with the person concerned and request that he or she stops engaging in the harassment or bullying;
- If you do not feel comfortable confronting the person directly, or if you confront the person and the behaviour continues, then you should go to your supervisor. If you feel unable to speak with your supervisor (or more specifically if your supervisor is the person in question), contact the Operations Manager for advice.
- A formal complaint can be made which is to be addressed to the Pacific Community Housing board.

6. Supervising Management

Supervisors and managers have a responsibility to ensure that allegations of discrimination are considered seriously, dealt with fairly, promptly, and thoroughly.

All supervisors are responsible for ensuring their staff and volunteers are aware of this policy and its application. They must seek to prevent or stop discrimination and must handle all complaints as serious and investigate all complaints.

7. Legislative Framework and Related Policies

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