

1 EQUAL OPPORTUNITY AND DIVERSITY POLICY

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SECTION 1 - PURPOSE AND CONTEXT

1. Corporate Technology Services (CTS) is committed to achieving equal opportunity and diversity in employment.
2. This policy provides the framework to ensure that the Company is guided by the principles of equal opportunity, respect and inclusion and complies with the spirit and intent of federal and state legislation.
3. All members of the Company's community have a responsibility to contribute to the achievement of an equitable working and learning environment and the policy applies to all members of the Company's community including staff, contractors, visitors or individuals engaged in official relations with the Company.

SECTION 2 - DEFINITIONS

4. For the purposes of this policy:
 - a. Equal Opportunity refers to people having equal access to opportunities in work and study.
 - b. Unlawful behaviour refers to unlawful discrimination, unlawful harassment, victimisation, vilification and unlawful adverse action.
 - c. Unlawful discrimination occurs when a person, or a group of people, is treated less favourably than another person or group on the basis of characteristics as determined by Federal and State legislation. Unlawful discrimination can be direct or indirect.
 - d. Unlawful harassment occurs when a person is made to feel intimidated, insulted or humiliated because on the basis of certain characteristics as determined by Federal and State legislation.
 - e. Characteristics which Federal and State legislation prohibit discrimination and harassment on include:
 - i. age;
 - ii. breastfeeding;
 - iii. disability;
 - iv. family or carer's responsibilities;
 - v. marital or relationship status;
 - vi. political conviction;
 - vii. pregnancy or potential pregnancy;
 - viii. race, colour, descent, nationality, ethnic, ethno-religious or national origin;
 - ix. religion;
 - x. gender expression;
 - xi. sexual orientation or preference;
 - xii. transgender status;
 - xiii. actual or imputed characteristics of any of the attributes listed above; and
 - xiv. association with a person identified by reference to any of the attributes listed above.

- f. Vilification refers to a public act that could incite others to hate, have serious contempt for, or severely ridicule a person or a group of people because on the basis of certain characteristics as determined by legislation.
- g. Victimisation refers to less favourable treatment of a person or persons for their participation in making, supporting or resolving a complaint of discrimination, harassment or vilification covered under the relevant statutes, whether that participation was actual, intended or presumed. This includes a person or persons who have agreed to be witnesses in relation to a complaint.
- h. Adverse Action includes but is not limited to discrimination on the basis on certain characteristics as defined under legislation.
- i. Special measures are acts which the Company can take to enable substantive equality for individuals who belong to groups which have experienced past disadvantage, because of laws and rules, stereotypes and attitudes. Special measures aim to redress past disadvantage and improve employment outcomes and access to education for people from these groups. Anti-discrimination legislation enables the University to implement special measures for specific groups.

SECTION 3 - POLICY STATEMENT

- 5. The Company is committed to ensuring the integration of the principles of equal opportunity for all staff and students in Company policies, procedures, decisions and operations. Company activities are underpinned by the principles that:
 - a. all members of the Company have the right to be treated fairly and equitably;
 - b. there is equitable access to education for students and equitable access to conditions and benefits of employment for all staff;
 - c. all members of the Company are entitled to a work and study environment free from unlawful discrimination, harassment, vilification, bullying or other adverse and inappropriate behaviours;
 - d. diversity is respected and appreciated as contributing to the richness of the Company environment;
 - e. an inclusive and flexible environment, including the implementation of special measures when required, provides the best outcomes for the varied needs of the diverse staff community;
 - f. equal opportunity does not mean treating everyone in the same way and that to redress the past disadvantages of particular groups, special measures are needed to improve employment and educational opportunities for people from these groups. These groups include women, Aboriginal and Torres Strait Islander people, people with a disability and people from culturally and linguistically diverse backgrounds; and
 - g. staff have the right to raise complaints in good faith under the Company's complaints procedure without fear of retaliation or victimisation.

Part A - Policy Implementation

- 6. The Company will promote equal opportunity by:
 - a. taking all reasonable steps to ensure that the working environment is free from unlawful discrimination, harassment, vilification, victimisation, bullying or other adverse and inappropriate behaviours.

- b. implementing inclusive policies, practices and programs in all its activities and services to take account of the needs of the diverse Company community.
- c. developing and implementing programs and special measures to improve access, participation, retention and success of employees from under-represented equity target groups.
- d. developing and implementing programs and special measures to improve access and outcomes for staff from under-represented equity target groups.
- e. Monitoring and reporting on the Company's equal employment and diversity performance against identified Company priorities and legislative requirements.
- f. Implementing training and awareness raising strategies to ensure that all employees know their rights and responsibilities.
- g. Providing an effective procedure for complaints based on the principles of natural justice.

Part B - Roles and Responsibilities

- 7. The Company has a legal and a moral obligation to provide equal opportunity in employment and a workplace free from discrimination and harassment. While progress has been made in many areas, the success of the equal opportunity and diversity programs depends on the cooperation of the whole Company community.
- 8. All staff are accountable for ensuring that their own behaviours comply with the Company's commitments and relevant state and federal legislation.
- 9. All executive, senior and supervisory staff have accountabilities for the implementation of equal opportunity, gender equity and diversity within the Company.

Part C - Related Legislation

- 10. The following legislation is related to this policy;
 - a. Federal Legislation
 - b. Racial Discrimination Act 1975
 - c. Sex Discrimination Act 1984
 - d. Human Rights and Equal Opportunity Act 1986
 - e. Disability Discrimination Act 1992
 - f. Workplace Gender Equality Act 2012
 - g. Disability Standards for Education 2005
 - h. Fair Work Act 2009
 - i. NSW Legislation
 - j. Anti-Discrimination Act (NSW) 1977

Part D - Gender Equality in the Workplace

- 11. Gender equality in the workplace at the Company includes strategies to address issues of the under representation of women in senior positions, the under representation of women in non-traditional areas of employment and study for women, workplace flexibility and the gender pay equity gap.

Part E - Equity and Diversity Unit

12. The Equity and Diversity Unit contributes to the achievement of equal opportunity and diversity through:
 - a. monitoring and reporting on the University's equal opportunity performance under relevant state and federal legislation;
 - b. assisting and advising the Company on meeting its key equity targets and equal opportunity obligations under legislation; and
 - c. advising and assisting the Company on implementation of policies and practices that support a fair and equitable work and study environment.

Part F - Complaints

13. Any complaints about breaches of the Policy will be dealt with in accordance with the Company's Employee Handbook (Whistleblowers, Raising Grievances) and Workplace Health & Safety Handbook (Complaint Procedures).
14. Complaints may also be made externally to the Australian Human Rights Commission, the NSW Anti-Discrimination Board or to the Federal Fair Work Ombudsman.