

08.0 Equal Opportunity & Discrimination Policy

Purpose

The purpose of this policy is to ensure AGA adheres to the requirements of the Equal Employment Opportunity (Commonwealth Authorities) Act 1987, Disability Discrimination Act 1992, National Standards for Group Training Organisations (2017), AQTF Essential Conditions and Standards for Continuing Registration, Standards for Registered Training Organisations 2015, VRQA Guidelines for Vocational Education and Training 2016 and 2018-19 Standard VET Funding Contract Skills First Program.

To provide clarity and expectations to all members of AGA around equal opportunity and discrimination. To identify exactable behaviors for organisational practices. The Policy provides to promote equal opportunity in employment for women and persons in designated groups and for related purposes and to create fair and equal opportunities for all new, existing and prospective employees.

Definitions

Designated group means any of the following classes of persons:

- members of the Aboriginal race of Australia or persons who are descendants of indigenous inhabitants of the Torres Strait Islands;
- persons who have migrated to Australia and whose first language is not English, and the children of such persons;
- persons with a physical or mental disability;
- any other class of persons prescribed by the regulations for the purposes of this definition.

Discrimination means: both direct and indirect discrimination, is essentially anything that makes distinctions between individuals or groups so as to disadvantage some or advantage others. This includes :

- discrimination that is unlawful under the Racial Discrimination Act 1975 or the Sex Discrimination Act 1984; or
- discrimination by which a person with a physical or mental disability is, because of the disability, treated less favourably than a person without the disability.

Disability, in relation to a person, means:

- total or partial loss of the person's bodily or mental functions; or
- total or partial loss of a part of the body; or
- the presence in the body of organisms causing disease or illness; or
- the presence in the body of organisms capable of causing disease or illness; or
- the malfunction, malformation or disfigurement of a part of the person's body; or
- a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or
- a disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgment or that results in disturbed behaviour; and includes a disability that:
 - presently exists; or
 - previously existed but no longer exists; or
 - may exist in the future (including because of a genetic predisposition to that disability); or
 - is imputed to a person.

To avoid doubt, a disability that is otherwise covered by this definition includes behaviour that is a symptom or manifestation of the disability.

Approved by: Anthony Magnuson

Created / Updated / Reviewed: Aug 2019

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Employee means a natural person appointed or engaged:

- under a contract of service, whether on a full-time, part-time, casual or temporary basis; or
- under a contract for services.

Equal Employment Opportunity (EEO) means means that employees are treated fairly and equitably. It means that employees are judged on their ability to do the job based on merit – skills, qualifications and experience, rather than assumptions about them because of different characteristics such as their sex, race marital status, disability, etc. It also means promoting a working environment that is free from sexism, racism, sexual harassment and other forms of discrimination

Employment matters includes:

- recruitment procedure, and selection criteria, for appointment or engagement of persons as employees;
- promotion and transfer of employees;
- training and staff development for employees; and
- conditions of service of employees.

Relevant authority means an authority that employs 40 or more employees in Australia.

Policy

This policy covers all employees employed by AGA at all locations. The keys features of this Policy are:-

AGA employs and provides services to a cross section of people from diverse social, political and cultural backgrounds in providing services to our clients. We aspire to recognise the differences in experience and perspectives that our employees bring to the business.

Just as AGA values diversity in managing investment risk, diversity in the workplace adds value to our business decisions through different perspectives and experiences. The term diversity in the workplace recognises that individuals within the workforce differ from each other. As a result, they have a wide range of different needs, skills and experiences. Differences between employees are both observable (such as race, gender and age) and not immediately apparent (such as marital status, family/parental status, sexual orientation, political affiliation, religious affiliation, education level, socio-economic status and physical or intellectual impairments).

AGA encourages diversity in the workplace, because diversity creates:

- effective adjustment to demographic and cultural changes;
- effective team membership and increased productivity;
- new approaches and ideas;
- wider pool for recruitment selection;
- multi-dimensional corporate image;
- utilisation of employees' overseas experience and qualifications;
- increased access to a diverse market; and
- increased business opportunities

We aim to give every job applicant, Apprentice, Trainee and employee an equal opportunity in gaining or progressing employment with AGA. We recruit and promote on the basis of merit; that is, the person who is best for the job will get the job.

As an employer, AGA recognises the rights of individuals and groups to be free from discrimination and harassment on legislatively applicable Federal and State grounds such as:

- Race
- Sex
- Physical / mental ability
- Family responsibilities
- Pregnancy / possible pregnancy
- National extraction or social origin
- Industrial activity
- Lawful sexual activity
- Gender identity
- Colour
- Age
- Marital status
- Religious beliefs or activities
- Political beliefs or activities
- Physical features
- Carer status
- Breastfeeding in Public
- Sexual orientation

AGA applies EEO to all customers, fellow employees and independent contractors. EEO legislation deals with three main areas of practical concern:

- Discrimination
- Harassment
- Affirmative action

Under Federal and State legislation, AGA will ensure that direct or indirect discrimination on the grounds listed in this policy does not occur in its work environment or dealings with the public. This includes but not limited to:

- Direct discrimination refers to individual actions or behaviour usually resulting from prejudice or stereotypical thinking.
- Indirect discrimination involves instances where certain groups are unreasonably excluded or otherwise disadvantaged by apparently neutral policies, practices, procedures or decisions that are unfair or unequal in their effect.

AGA will ensure that current and prospective employees receive fair and equitable treatment.

Unlawful discrimination will not be tolerated by AGA. Employees found engaging in discriminatory conduct will be subject to disciplinary action, including termination.

In any event where termination is to take place the Departmental Manager must advise the CEO and provide a report detailing the circumstances prior to termination taking place.

Policy Approved by: Executive General Manager

Distributed to: All sites via Intranet