



# Equal Employment Opportunity Policy and Management Plan

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## 1. Summary

The object of this Equal Employment Opportunity (EEO) Management Plan is to eliminate and ensure the absence of discrimination in employment on the grounds of race (colour, nationality, ethnic or ethno-religious background), sex, age, pregnancy, sexual preference, transgender, disability (physical and intellectual impairment), marital status, political opinion, social origin or religion, past convictions and carer's responsibility. The Plan also aims to promote equal employment opportunity for members of disadvantaged groups such as women, members of racial minorities, physically handicapped persons, Aboriginal people and Torres Strait Islanders, older workers and youths.

EEO aims to ensure that everyone is treated fairly. EEO does not give certain groups unfair advantage over others. It aims to ensure that all people are treated the same. The objective of EEO is the elimination of unfair discrimination, which is the practice of making distinctions between individuals or groups so as to disadvantage some and advantage others. The concept of equity and fairness encompasses all facets of employment, from applying for a position, promotion or transfer, access to training and development, to equity in the provision of benefits to employees throughout their employment with us.

Council will provide equality of opportunity for all employees and applicants for employment and in doing so will observe the provisions of relevant anti discrimination/equal opportunity legislation as well as the *Local Government Act (1993)* which stipulates that all Local Government Authorities are to prepare and implement an Equal Employment Opportunity Management Plan.

## 2. What is Equal Employment Opportunity (EEO)

EEO is a positive way of describing the absence of discrimination in the workplace. This means that employment decisions are not made on the basis of irrelevant characteristics such as a person's sex, race, marital status and so on. Basing employment decisions on such characteristics is unfair, poor management and also unlawful under Federal and State equal employment laws.

EEO also means the absence of harassment in the workplace. Unlawful harassment can be based on any of the prohibited grounds of discrimination, but is commonly sexual or racial in nature. Harassment is any form of behavior that is unwelcome, and which offends, humiliates or intimidates someone.

### 3. Objectives

The objectives of the EEO Management Plan are to:

- Create a working environment which is free from discrimination and where employees are treated fairly, with dignity and respect.
- Support the morale and motivation by increasing employee confidence in our work practices by ensuring that all employees have equal access to employment opportunities within the workplace.
- Continually review employment practices to ensure flexibility in accommodating the changing needs of our employees.
- Keep all policies and procedures consistent with legislative requirements.
- Ensure all employees have an equal opportunity based on merit; and
- Provide a safe and productive working environment for all employees.

### 4. EEO Responsibilities

#### **General Manager and Director Responsibilities**

- Ensure the effective implementation of our EEO and Anti-Discrimination Policy.
- Ensure that all work practices and behaviors are fair in the workplace; and;
- Provide all employees with equal access to fair, prompt and confidential processes to deal with complaints and grievances.

#### **Human Resources Responsibilities**

- Ensure Council's EEO Policy is revised in accordance with the Policy Register.
- Provide up to date training on EEO legislation and related issues.
- Provide all employees with equal opportunity to apply for available jobs and flexible working arrangements.
- Ensure selection processes are transparent and the methods used are consistent; and;
- Keep all employees updated on legislative changes and requirements.

#### **Employee Responsibilities**

- Recognise and respect the talents and skills of other employees.
- Respect social differences among employees and customers.
- Treat all people fairly and without prejudice; and
- Immediately report all forms of discrimination to their Manager/Supervisor or the Manager Human Resources.

### 5. EEO Policy

Application	All Staff including Contractors
Responsible Officer	Manager Human Resources
Author	Manager Human Resources
Authorised by	Council Resolution 2023
Distribution	Pulse Policy Register
Review Date	August 2026

#### **Purpose**

The purpose of this policy is for Council to provide a work environment free from discrimination and harassment and to ensure that all employees and prospective employees are afforded equal access to opportunities and benefits relating to employment, promotion and training.

## **Definitions**

**GM** - General Manager

**Council** - Narromine Shire Council

Council Staff - Permanent, temporary and casual employees, volunteers, work experience personnel, consultants and contractors of Narromine Shire Council

**Workplace** - Refers to the premises, site or location where employees work.

**Discrimination** - Unlawful discrimination - occurs when someone, or a group of people, is treated less favorably than another person or groups because of their race, colour, national or ethnic origin, sex, pregnancy or marital status, age, disability, religion, sexual preference, trade union activity, or any other characteristics specified under anti-discrimination and human rights legislation. Discrimination may be direct, indirect or systemic.

**Direct Discrimination** - happens when a person of particular race, sex, age, marital status or a person with a disability is treated less favorably than a person who is not of that particular race, sex, age, marital status, or a person who does not have a disability is treated in the same or similar circumstances.

**Indirect Discrimination** - occurs when rules, regulations or practices assume everyone is the same, have the same opportunities and can meet the same "normal" criteria. These rules and practices are discriminatory in effect, as they exclude people with suitable skills who don't meet the apparently fair rules of practices, eg. Height requirements for certain jobs, doors that are too heavy for someone in a wheelchair to use, no female toilets at certain work sites.

**Systemic Discrimination** - is rules or practices which result in different patterns of access to different jobs and different access to benefits or services. It is the result of both direct and indirect discrimination.

**EEO** - Means that all employment and promotion decisions are made on merit.

**Disability** - The functional loss imposed on an individual as a result of impairment and includes physical, intellectual, psychiatric, sensory, neurological and learning disabilities. It also includes physical disfigurement.

**Harassment** - Includes any behavior that is unwanted, unsolicited and unwarranted, and as such is offensive. The distress caused may be intentional or unintentional. Harassment may take such forms as coercing, offensive jokes, suggestions about another's racial or ethnic background, gender, sexual preference, disability, or physical appearance, offensive pictures, unwanted physical contact or verbal advances; making unwarranted assumptions about an individual's or a group's behavior, values, culture or abilities; intimidation, abuse or assault.

**Racism** - is the expression of attitudes, or behavior, based on an assumption of the superiority of one race or group of persons of one colour, ethnic origin, or culture over another.

**Affirmative Action** - this is when an employer decides to provide extra help

## Reference

This policy complements other legislation and where it is silent on matters referred to in the following legislation such matters must be followed in accordance with the legislation.

This policy can be varied by the General Manager if exceptional circumstances prevail.

- *Local Government (State) Award 2020*
- *Local Government Act 1993*
- *NSW Anti-Discrimination Act 1977*
- *Racial Discrimination Act 1975*
- *WHS Act 2011*
- *Sex Discrimination Act 1984*
- *Industrial Relations Act 1996*
- *Disability Discrimination Act 1992*
- *Fair Work Act 2009*

## 6. Policy statements

### 6.1 Responsibilities:

#### 6.1.1 General Manager's Responsibility

The General Manager has a legal duty to do their best to ensure that every employee and prospective employee is treated fairly- with no discrimination and no harassment.

The General Manager has the ultimate responsibility for not only ensuring that their own behaviour complies with this policy but that the EEO Management Plan is implemented throughout Council's working environments. They will support all under their direct control and will hold them accountable for their specific responsibilities.

#### 6.1.2 Director's Responsibilities

The Directors are responsible, and will be held accountable, for ensuring that their own behaviour complies with this policy. They are also responsible for ensuring that this policy and associated programs are effectively implemented within their areas of control, to support all under their immediate control and hold them accountable for their specific responsibilities.

Failing to comply with the responsibilities outlined above, could be the subject of disciplinary action which could result in dismissal.

#### 6.1.3 Responsibilities of Directors, Managers, Supervisors and Team Leaders

- To ensure that their own behaviour complies with this policy;
- To ensure that their employees are aware of Council's EEO and Bullying and Harassment policies;
- To actively monitor their work environment;
- To take reasonable steps to prevent discrimination and/or harassment in the workplace;
- To act to resolve incidences of harassment and/or discrimination when they become aware of the problem, even if no complaint has been made;

- To respond to complaints of harassment and/ or discrimination quickly and effectively; and
- To ensure that all complaints are treated seriously, equitably and confidentially.

Those who fail to comply with the responsibilities outlines above could be the subject of disciplinary action which could result in dismissal.

#### 6.1.4 Employees Responsibilities

- To ensure their own behaviour complies with this policy.
- To take reasonable steps to prevent discrimination and/or harassment in the workplace;
- To ensure that all complaints are treated seriously, equitably and confidentially.

Employees who fail to comply with the responsibilities outlined above could be the subject of disciplinary action which could result in dismissal.

#### 6.2 Who is responsible for the day-to-day coordination of EEO matters?

The responsibility for EEO at Council lies with ALL staff. However, the Manager Human Resources has been delegated the responsibility of ensuring that Council meets its objectives as set out in the EEO Action Plans.

The Manager Human Resources is also responsible for coordinating the EEO Committee and participating on the Committee as an ex-officio member and Convener.

The Manager Human Resources is also responsible for preparing and implementing the EEO Management Plan in consultation with the EEO Committee.

#### 6.3. EEO Management Plan

The Local Government Act requires that Council prepares and implements an EEO Management Plan. The Act requires that:

1. Policies and programs be devised to achieve a fair, equitable and discrimination and harassment free workplace;
2. All policies and programs be communicated to all employees;
3. Appropriate information/data be collected and recorded;
4. HR practices be regularly reviewed (e.g. recruitment techniques, selection criteria, training and staff development programs, promotion, transfer policies and patterns, and conditions of service) with a view to identify and discriminatory practices;
5. The setting of goals and targets, where these may be reasonably be determined, against which the success of the plan can be assessed; and
6. Councils Annual Report is to include details of the activities undertaken in that year to implement EEO.

## 6.4. EEO Committee

### 6.4.1 Aim

The Consultative Committee acts as the EEO Committee. The aim of the EEO Committee is to work with all employees towards a discrimination and harassment free workplace and to ensure that all employees and prospective employees are afforded equal access to opportunities and benefits relating to employment, promotion and training.

### 6.4.2 Responsibilities

The EEO Committee is responsible for:

- Informing, and consulting with, staff on EEO matters;
- Promoting EEO throughout the organisation;
- Acting as Contact Officers by advising staff with EEO grievances of the options available to them; and
- Overseeing the implementation of the EEO Action Plan and managing its ongoing administration.

### 6.4.3 Decision Making

All programs and/or strategies proposed by the Committee are to be submitted to the Executive Leadership Team for approval and endorsement.

### 6.4.4 Composition of Committee

Ideally, the committee will comprise at least one representative from the following areas:

- GM's department
- Indoor employees
- Outdoor employees
- Human Resources

The Consultative Committee has been appointed as the EEO Committee.

### 6.4.5 Committee Membership

Employee representatives are appointed to the Committee for a two (2) year period.

### 6.4.6 Meetings

Committee meetings are held at least three (3) times each year as and when required.

### 6.4.7 Meeting Minutes

Copies of the minutes will be distributed to:

- Each committee member;
- The Executive Leadership Team; and
- Posted on lunchroom noticeboards for all staff.

#### Associated Documents

- Narromine Shire Council's Code of Conduct
- Narromine Shire Council's Grievance Resolution Policy
- Narromine Shire Council's Provision of Information to and Interaction Between Councillors and Staff Policy
- Narromine Shire Council's Workplace Bullying Policy and Procedures
- Narromine Shire Council's EEO Management Plan

#### **Review**

This policy will be reviewed every 4 years or as required and may be amended from time to time with reference to any relevant legislation, best practice guides, or other factors.

## 7. EEO Management Plan 2022 - 2026

CONSULTATION					
Objective	Actions	Target	Responsibility	Performance Indicators	Target Date
Ensure employees are represented in the development of the EEO Management Plan	Invite comment and input during the development and drafting of the EEO Management Plan via the Consultative Committee	All employees	HR	Minutes of the Consultative Committee Meetings	Ongoing
COMMUNICATION AND AWARENESS					
Objective	Actions	Target	Responsibility	Performance Indicators	Target Date
Ensure that management and all employees are aware of the EEO Policy and EEO Management Plan	Conduct EEO Awareness refresher training for all employees	All employees	HR	Refresher training conducted	October 2023
	Promote EEO, anti-discrimination and/or anti-harassment via the staff newsletter	All employees	HR	Articles placed in the HR Newsletter	Ongoing
	Provide staff with access to the EEO Management Plan	All employees	HR	EEO Management Plan available to all employees and by contacting Human Resources	Ongoing

<b>RECRUITMENT AND SELECTION</b>					
<b>Objective</b>	<b>Actions</b>	<b>Target</b>	<b>Responsibility</b>	<b>Performance Indicators</b>	<b>Target Date</b>
To review recruitment policies and practices to ensure they conform to EEO principles and demonstrate fair practice	Review Recruitment Policy	All employees	HR	Revised policy approved by the EEO Committee and communicated to all employees.	June 2022
	Ensure gender-based language is not included in recruitment advertisements and correspondence	Applicants for vacant positions	HR	No justified complaints of gender based language in recruitment advertisements	Commenced and ongoing
	Ensure that all appointment decisions are justified and documented on merit-based grounds	Selection panels	HR	Files maintained on all appointment actions, with merit-based reasons for appointment clearly set out	Commenced and ongoing
Ensure that selection panel members are trained to implement the principles of EEO throughout the recruitment process	Ensure at least 2/3 of the selection panel members have participated in merit based interviewing training that incorporates EEO awareness	Selection panel members	HR	Merit based interview training (Recruitment and selection) completed for a minimum of 2/3 of any interview panel members.	Commenced and ongoing

<b>INDUCTION</b>					
<b>Objective</b>	<b>Actions</b>	<b>Target</b>	<b>Responsibility</b>	<b>Performance Indicators</b>	<b>Target Date</b>
Ensure that all new employees are aware of the EEO Policy and EEO Management Plan	Conduct EEO Awareness as part of the Narromine Shire Induction Program	All new employees	Human Resources	Narromine Shire Council Induction program attendance list. Induction form notes completion of EEO awareness, signed and filed	Commenced and ongoing
<b>APPOINTMENT AND TRANSFER</b>					
<b>Objective</b>	<b>Actions</b>	<b>Target</b>	<b>Responsibility</b>	<b>Performance Indicators</b>	<b>Target Date</b>
Create appointment and transfer policies and practices to ensure they conform with EEO principles and demonstrate fair practice	Succession Planning Policy updated in accordance with the policy register	All employees	Human Resources	Policy communicated to all employees.	Ongoing
	Review the content of letters of offer	All employees	Human Resources	Letters of offer are consistent and equitable across the organisation	Commenced and ongoing

<b>APPOINTMENT AND TRANSFER</b>					
<b>Objective</b>	<b>Actions</b>	<b>Target</b>	<b>Responsibility</b>	<b>Performance Indicators</b>	<b>Target Date</b>
Ensure that all appointments and transfers are based on merit and position related criteria	Ensure that if/when opportunities to act in higher positions are available that such arrangements are based on merit and in accordance with EEO principles	All employees	HR, All Managers and Directors	Nil substantiated complaints regarding non-compliance with EEO principles	Commenced and ongoing
Ensure that all employees who are injured and unable to return to their pre-injury duties are assessed for suitable duties in accordance with their abilities	Offers of suitable duties are based on the injured employee's abilities and our capacity to provide such duty	Injured employees	Human Resources	Nil substantiated complaints regarding non-compliance with EEO principles	Commenced and ongoing

<b>CONDITIONS OF EMPLOYMENT</b>					
<b>Objective</b>	<b>Actions</b>	<b>Target</b>	<b>Responsibility</b>	<b>Performance Indicators</b>	<b>Target Date</b>
Develop and review conditions of employment to ensure they demonstrate fair practice and conform with EEO principles	Inform all employees of conditions of employment at Induction	All employees	Human Resources	Written record of employees completing Induction Program	Commenced and ongoing
	Human Resources Policies and Procedures are developed and reviewed to ensure compliance with EEO principles	All employees	Human Resources	Policies are reviewed in accordance with the policy register and approved by the EEO Committee.	Commenced and ongoing
<b>FLEXIBLE WORK PRACTICES</b>					
<b>Objective</b>	<b>Actions</b>	<b>Target</b>	<b>Responsibility</b>	<b>Performance Indicators</b>	<b>Target Date</b>
Maintain policies to assist employees with their dual responsibilities to work and their families	Maintain flexible work arrangements	All employees	Human Resources	Maintain indoor flexitime policy and outdoor variable working hours policy	Commenced and ongoing

<b>LEARNING AND DEVELOPMENT</b>					
<b>Objective</b>	<b>Actions</b>	<b>Target</b>	<b>Responsibility</b>	<b>Performance Indicators</b>	<b>Target Date</b>
Review learning and development practices to ensure they conform with EEO principles and provide all employees with learning and development opportunities	Individual Learning & Development Plans are developed to assist employees transferring into their role	New starters and employees transferring to another role	HR and all Managers	Individual learning and development plan completed within 12 weeks of an employee commencing in a role	Commenced and ongoing
	Individual learning needs identified in annual performance appraisals	All employees	HR and all Managers	Corporate training plan and operational plans incorporate individual learning needs	Annually
	Examine in-house and external training courses and materials to ensure they are non-discriminatory and consistent with EEO principles	All employees	HR	Courses and materials are non-discriminatory No breaches of EEO principles	Commenced and ongoing
	Ensure information for the selection of participants for training is consistent with EEO principles	All employees	HR	Information complies with EEO requirements	Commenced and ongoing

<b>LEARNING AND DEVELOPMENT</b>					
<b>Objective</b>	<b>Actions</b>	<b>Target</b>	<b>Responsibility</b>	<b>Performance Indicators</b>	<b>Target Date</b>
	Support the professional development of all employees by considering all applications on merit	All employees	HR	Staff training, education and development Policy Training Plan	Commenced and ongoing
Provide all employees an opportunity to acquire skills relating to the job application process in order to build confidence in their ability to handle the process when internal vacancies occur	Offer job application skills training for internal recruitment	All employees	HR	Informal training offered	Commenced and ongoing

<b>HARASSMENT AND GRIEVANCE PROCEDURES</b>					
<b>Objective</b>	<b>Actions</b>	<b>Target</b>	<b>Responsibility</b>	<b>Performance Indicators</b>	<b>Target Date</b>
Maintain effective grievance and harassment procedures	Review Grievance Resolution Policy	All employees	HR	Amended policy approved by the EEO committee and communicated to all employees	Reviewed August 2022
	Train staff on Harassment and Workplace Bullying	All employees	HR	All employees to attend bullying and harassment training	June 2023
<b>ACCESS TO COUNCIL PREMISES</b>					
<b>Objective</b>	<b>Actions</b>	<b>Target</b>	<b>Responsibility</b>	<b>Performance Indicators</b>	<b>Target Date</b>
Where practicable, ensure that our premises and facilities are accessible to employees with physical disabilities	Assess and make minor work site modifications to accommodate the needs of individual employees who have a physical disability	Employees with physical disabilities	Community Facilities Manager	Needs identified and accommodated as required	Commenced and ongoing

**IMPLEMENTATION, EVALUATION AND MONITORING**

<b>Objective</b>	<b>Actions</b>	<b>Target</b>	<b>Responsibility</b>	<b>Performance Indicators</b>	<b>Target Date</b>
Monitor the contributory effect of discriminatory practices to the loss of employees	Monitor reasons for resignations to ensure resignations are not due to EEO and harassment issues	All employees	HR	Collect information from exit interviews to identify reasons and report to management	Commenced and ongoing