

# ANTI- DISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY POLICY

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## OUR COMMITMENT

Centrepont is committed to promoting a positive work environment that supports positive work relationships and protects the rights of its employees allowing them to achieve their full potential in an environment that values and affirms diversity and is free from discrimination, harassment, victimisation and vilification.

## PURPOSE

The purpose of this policy is to:

- Promote a corporate culture and environment conducive to the appointment of well qualified employee, senior management and director candidates so that there is equal employment opportunity and diversity to maximise the achievement of corporate goals;
- Set out the Company's policy with regard to anti-discrimination and responses to discriminatory behaviour;
- Set out the Company's policy with regard to equal employment opportunity (EEO); and
- Explain the standard of behaviour expected of employees with regard to these issues.

Everyone is responsible for ensuring that the work environment is free of material and conduct that could be seen as offensive. This includes work-related functions and activities including external training courses sponsored by Centrepont.

## SCOPE

This policy applies to all directors, executives and employees of Centrepont including full time, part time, casual and fixed term employees.

## OUTLINE

Under the *Fair Work Act 2009*, discrimination is disadvantaging someone in the workplace because of their:

- race;
- colour;
- sex;
- sexual orientation;
- social origin;
- religion;
- family or carer's responsibilities;
- age;
- physical or mental disability;
- marital status;
- political opinion;
- pregnancy;
- national extraction;

- personal association (whether as a relative or otherwise) with a person or people identified by reference to any of these attributes.

Each case will be dealt with on an individual basis taking into consideration any external factors that may apply.

## Definitions

**Discrimination**, including direct and indirect discrimination, occurs when a person is treated less favourably or harassed in certain areas of public life including their employment because of a personal characteristic or prescribed attribute as listed above and protected under law.

Direct discrimination occurs when a person is denied a benefit or an opportunity on the grounds of any of the prescribed attributes. Indirect discrimination occurs when a policy, rule or practice has a discriminatory effect against a person or group of people in relation to the list above.

Unlawful discrimination will not be tolerated by Centrepont. Employees found engaging in discriminatory conduct will be subject to disciplinary action.

**Victimisation** occurs when a person subjects another person to detriment (or threatens to do so) because they have made or intend to make a complaint, or refused to assist in the contravention of this policy. It also includes acting to a person's detriment because they have agreed to be a witness.

Examples of victimisation of a person who makes or intends to make a complaint of discrimination, harassment or sexual harassment, or who gives evidence or information in connection with such a complaint include:

- refusing to employ the person;
- dismissing, or threatening to dismiss, the person from their employment;
- prejudicing, or threatening to prejudice, the person in their employment;
- intimidating or coercing, or imposing any penalty upon the person.

**Vilification** occurs when a person incites hatred towards, serious contempt for, or severe ridicule of a person or group of persons of any of the prescribed attributes listed. Victimisation and vilification is against the law and will not be tolerated by Centrepont under any circumstances.

If a complaint of victimisation or vilification is made it will be dealt with in accordance with the grievance policy.

## Policy guidelines

Centrepont is committed to creating a working environment free from discrimination and where all employees are treated equally with dignity, courtesy and respect. Centrepont aims to do this by:

- developing a diverse workforce, and conducting business, employment procedures and internal systems with the absence of discrimination;
- including contemporary principles of workforce diversity in the company's policies protecting everyone from the presence of discrimination;

- creating an environment free from discrimination and vilification where all employees are treated with dignity, courtesy and respect;
- providing an effective procedure for complaints based on the principles of natural justice;
- handling conflict arising from discrimination effectively;
- setting standards of acceptable behaviour for all employees;
- providing all workers with anti-discrimination and EEO training to ensure that employees know their rights and responsibilities;
- treating all complaints in a fair, timely and confidential manner;
- protecting people from any victimisation or reprisals;
- encouraging the reporting of behaviour which breaches this policy; and
- regularly reviewing this policy, the complaint handling procedures and training needs.

## Equal Employment Opportunity (EEO)

The recruitment, status and advancement of employees of Centrepont is based on the competence, experience and qualifications of the people involved and decisions must be made free from any form of discrimination.

In summary, EEO involves:

- merit-based selection;
- ensuring that conditions of service and career opportunities are fair and equitable;
- assisting all employees to achieve their full potential with respect to their positions;
- ensuring that the workplace is free from unlawful discrimination and/or harassment of any kind;
- ensuring equity of access to training and career development.

## Applying the Policy

### Responsibilities

All employees are required to undertake anti-discrimination and EEO awareness training as part of their orientation to the company and at other times during their employment to ensure understanding of and compliance with this policy where changes occur or a requirement is identified.

### Senior Executives

Senior Executives of Centrepont are responsible for implementing equity and diversity initiatives, and ensuring unlawful discrimination does not occur within their area of accountability, including:

- providing leadership on the implementation of equity and diversity initiatives;
- ensuring compliance with legislative obligations;
- ensuring that equity and diversity principles are integrated into everyday management practice and all Human Resource management practices.

### Managers

All Managers are responsible for implementing equity and diversity principles and ensuring unlawful discrimination does not occur in their workplaces.

These responsibilities include:

- demonstrating personal leadership and commitment to equity and diversity goals;
- being familiar with, and promoting all relevant policies;
- modelling and promoting appropriate behaviour in relation to equity and diversity principles and practices, (e.g. in relation to job design, recruitment and selection, training and development, performance management, management of organisation change and the application of employment conditions);
- implementing work practices, policies and strategies to eliminate unlawful discrimination from their work areas;
- provide all employees with equal opportunity to apply for available jobs, higher grade duties and flexible working arrangements;
- training and development that enables employees to be productive at work and to pursue a career path;
- ensuring work areas are free from discrimination or harassment of any kind;
- take an active role in preventing discrimination and managing the impacts if discrimination occurs;
- providing access to training and development opportunities on anti-discrimination.

### **All Employees**

All employees are responsible for ensuring their behaviour is in accordance with the Centrepont Code of Conduct, and the principles of equity, diversity and anti-discrimination.

These responsibilities include:

- behaving appropriately and ensuring respect for all individuals including managers, subordinates, colleagues and members of the public;
- ensuring that they do not engage in any discriminatory behaviour, vilification or otherwise breach this policy;
- reporting any incidences of discrimination or vilification in the workplace;
- treating all individuals fairly and equally;
- respecting diversity of all individuals;
- ensuring they do not engage in discriminatory behaviour towards fellow employees, supervisors, managers, contractors, clients or any other person/s with whom they come into contact with through work.

### **What to do if you believe you have been discriminated against?**

Employees who consider that they have been unlawfully discriminated against may use the following options to resolve their complaint:

1. Initiate discussions with their manager (or another manager if issue involves immediate manager);
2. Seek support from Human Resources;
3. Lodge a grievance (refer to the Grievance Policy);

4. Lodge a complaint with Fair Work Australia or the anti-discrimination or equal employment organisation within your state if the matter has not been appropriately addressed by the company.

## Procedure

Discussion between the employee experiencing discrimination and their Manager is recommended, particularly in the early stages of a problem involving possible discriminatory behaviour. If the behaviour does not stop, or even if it does stop but you wish to report it, please advise your Manager.

The discussion may result in action being taken or the development of strategies to resolve the problem at the workplace level. If the problem remains unresolved the employee should contact Human Resources to discuss the range of options available to deal with the matter.

All complaints of discrimination and vilification will be treated seriously, promptly, confidentially and impartially. Employees will not be disadvantaged in their employment conditions or opportunities as a result of lodging a complaint.

It is a good idea to make a written note of any discrimination or harassment, including details of dates, times, witnesses, what happened, and what you said/felt. Be frank and open with those who are investigating the complaint about what happened. This will enable appropriate action to be taken.

There are a number of options available to employees for dealing with discrimination ranging from dealing with the matter individually to making a formal complaint. These options are outlined in the Grievance Policy.

Where discrimination or vilification has been substantiated, or where disciplinary action resulted, the records will be placed on the personnel file of the offending employee.

Where discrimination or vilification has not been substantiated the records will not be placed on the complainant's personnel file.

Accordingly, it is important for the person complaining of the conduct to maintain confidentiality and only speak to those persons about the complaint who need to be involved.

## Breach of Policy

Breaches of the Anti-Discrimination and EEO policy will not be tolerated. This includes discrimination in the workplace or in any work-related context such as conferences, work functions and business trips. Failure to comply with the policy will result in the appropriate disciplinary action. Serious breaches of this policy may result in termination of employment. Any employee proven to have lodged a fake claim will face the same disciplinary process, up to and including termination.

## Lodging a Grievance

If an employee considers that they have been discriminated against, and the matter has not been satisfactorily resolved, they may lodge a grievance. Please refer to the Grievance Policy for more information about the process for lodging a grievance regarding the Anti-Discrimination and EEO Policy.

## Lodging a complaint with Fair Work Australia

If an employee's complaint has not been resolved through the grievance process, they may lodge a complaint with Fair Work Australia or the anti-discrimination or equal opportunity organisation within their state.

## Employee Assistance Program (EAP)

The Employee Assistance Program is available for support and guidance to employees who feel they are being discriminated against. Please refer to the Employee Assistance Program policy for further information.

## Review

This policy will be reviewed as changing circumstances warrant.

## References

Code of Conduct  
Grievance Policy  
Employee Assistance Policy  
Performance and Conduct Management Policy  
Fair Work Act 2009  
Australian Equal Opportunity for Women in the Workplace  
Australian Human Rights Commission  
Queensland Industrial Relations Commissions (QIRC)  
NSW Anti-Discrimination Board  
South Australian Equal Opportunity Commission  
Victorian Equal Opportunity and Human Rights Commission  
Western Australia Equal Opportunity Commission

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\*\*\* Please note Human Resources is responsible for the creation, updating and maintenance of this policy and procedure. Human Resources reserves the right to modify this policy and procedure without notice however, employees affected by the policy will be notified of changes. To receive a current version of any policy and procedure, please visit ConnX or contact Human Resource