
Anti-Discrimination & Equal Employment Opportunity Policy

Contents

1	Purpose	2
2	Scope.....	2
3	EEO.....	2
4	Discrimination	2
5	Indirect discrimination	3
6	Vilification	3
7	Rights and responsibilities	3
8	Breach of this Policy.....	4
9	Complaint handling procedure	4
10	Victimisation	4
11	Related Documents	4
12	Document control.....	4
13	Policy Version and Revision Information.....	4

1 Purpose

Kiama Community College Ltd (KCC) is committed to providing an environment where workers and others in the workplace are treated fairly and with dignity and respect and are free from unlawful discrimination.

KCC is committed to ensuring that all workers have equal opportunities for employment, limited only by the existence of genuine opportunities (such as vacancies, promotion opportunities, access to training and so forth) and the suitability of applicants for such opportunities.

All placements and promotions are based on factors of merit, such as skills, experience, qualifications and other relevant competencies.

Equal Employment Opportunity (EEO) laws apply to all areas of employment, as well as the provision of goods and services.

2 Scope

This Policy covers all workers of KCC (whether full-time, part-time or casual) **and** all persons performing work at the direction of, in connection with, or on behalf of KCC (for example trainers, contractors, subcontractors, volunteers, agents, consultants, and temporary staff) (collectively '**workers**').

This Policy extends to all functions and places that are work related, for example, work lunches, conferences, Christmas parties and client functions.

3 EEO

Under EEO laws, discrimination and vilification are unlawful and strictly prohibited.

Workplace discrimination can occur in a variety of instances, including:

- Recruiting and selecting staff
- Terms, conditions and benefits offered as part of employment
- Who receives training and what sort of training is offered
- Who is considered and selected for transfer, promotion, retrenchment or dismissal

4 Discrimination

Direct discrimination in employment occurs when a person is treated less favourably than another in their employment because of a reason or ground which is prohibited by law. The prohibited grounds of discrimination are set out in the Federal, State and Territory anti-discrimination laws and include:

- Race (including colour, nationality, descent, ethnic, ethno-religious or national origin)
- Sex, gender identity, intersex status
- Marital status, domestic status, relationship status
- Age

- Religious belief, affiliation, conviction or activity
- Homosexuality, transsexuality, sexuality, sexual preference/orientation, lawful sexual activity
- Disability/impairment, including physical, mental and intellectual disability
- Pregnancy and breastfeeding
- Carers' responsibilities, family responsibilities, carer or parental status, being childless
- Industrial/trade union membership, non-membership or activity
- Employer association membership, non-membership or activity
- Political belief, opinion, affiliation, conviction or activity
- HIV/AIDS status
- Association (i.e. association with a person who has one or more of the attributes for which discrimination is prohibited)

5 Indirect discrimination

Indirect discrimination may occur when an employer imposes a policy, requirement or condition which applies to everyone equally, but it, in fact, operates to disadvantage a particular group because of a characteristic of that group, such as their sex, age, race (ie. a prohibited ground of discrimination).

Discrimination also includes the situation where an employee harasses another person based on a ground of discrimination. Harassment is unwelcome conduct that a reasonable person would expect to offend, humiliate or intimidate. See the Workplace Bullying and Harassment Policy for further information.

6 Vilification

Vilification is a public act which incites hatred, severe contempt or severe ridicule of a person or group, because of race, gender identity, sexuality, HIV/AIDS status or disability. Vilification is a particularly serious breach of laws and will be dealt with accordingly.

7 Rights and responsibilities

All workers must:

- understand and comply with this Policy
- ensure they do not engage in any unlawful conduct towards other workers, customers/clients or others with whom they come into contact through work
- ensure they do not aid, abet or encourage other persons to engage in unlawful conduct
- follow the complaint procedure in the Grievance Policy if they experience any unlawful conduct
- report any unlawful conduct they see occurring to others in the workplace in accordance with the complaint procedure in this Policy
- maintain confidentiality if they are involved in the complaint procedure

Workers should be aware that they can be held legally responsible for their unlawful conduct.

Workers, who aid, abet or encourage other persons to engage in unlawful conduct, can also be legally liable.

8 Breach of this Policy

All employees are required to comply with this Policy at all times. If an employee breaches this Policy, they may be subject to disciplinary action. In serious cases this may include termination of employment. Agents and contractors (including temporary contractors) who are found to have breached this Policy may have their contracts with Kiama Community College Ltd terminated or not renewed.

9 Complaint handling procedure

If an employee feels that they have been subjected to any form of unlawful conduct contrary to EEO laws or this Policy, they should not ignore it. Employees should use the Grievance Policy for dealing with these issues.

10 Victimization

Victimization is where a person is retaliated against or subjected to a detriment because they have lodged a complaint, they intend to lodge a complaint, or they are involved in a complaint of unlawful conduct. Employees must not retaliate against a person who raises a complaint or subject them to any detriment.

11 Related Documents

- Code of Conduct Policy
- Performance Management Policy
- Workplace Bullying and Harassment Policy
- Sexual Harassment Policy
- Grievance Policy

12 Document control

Date reviewed	Date adopted	Amendment
January 2025	January 2025	N/A

13 Policy Version and Revision Information

Policy Authorised by:	Chief Executive Officer
Effective date of Original Version:	13 January 2025
Policy Maintained by:	HR Lead
Version Number/Effective date:	1.0 13 January 2025
Review Date:	13 January 2027