

***Discrimination***

***Overview***

The Associations take a no tolerance stance in relation to discrimination in our workplace. Discrimination is an unacceptable form of behavior, which will not be tolerated under any circumstances. The aim of this policy is to prevent discrimination in any Association related activity and to comply with discrimination and human rights law obligations.

***Scope***

This Policy applies to all Association employees, elected officials and to all individuals who enter into particular relationships with the Associations for a specified time period or time periods, for example contractors and volunteers participating in association activities (referred to as ‘employees’ for the purposes of this Policy).

This Policy applies to employees in all their work-related interactions with each other, and with customers, contacts or clients.

It applies in the workplace or off site, at work-related functions (including social functions and celebrations), while on trips and attending conferences.

**“Associations” refers** to ANUSA, PARSA & ANUSM.

***Policy Statement***

Discrimination occurs when a person or group of people is treated less favourably because of a particular characteristic they have (or are believed to have), as compared to how another person or group of people would be treated in the same or similar circumstances, when not having that characteristic.

The types of discrimination that can occur are those based on the grounds of sex, marital status, relationship status, status as a parent or carer, sexual preference, gender identity, pregnancy, breast feeding, race (including nationality), social origin, colour, national extraction, age, political opinion, religion, impairment, mental disability, physical disability, psychiatric disability, intellectual disability, profession, trade or calling, criminal record, spent conviction, medical record, trade union activity.

Discrimination can be direct i.e. any action which specifically excludes a person, or group of people from a benefit or opportunity based on an irrelevant consideration e.g. paying a female bar attendant less than a male bar attendant.

Discrimination can also be indirect i.e. when a particular policy or practice has a discriminatory effect on a particular employee or group of employees, even though this may not be intentional e.g. requiring a certain length of service to obtain promotion, rather than being merit based, or unreasonably requiring a position to be full-time rather than allowing it to be worked on a part- time basis.

As well as violating this policy, discrimination may be unlawful. For example, discrimination is unlawful in employment, access to premises, accommodation or in the provision of goods and services.

***Responsibility of employees***

The Associations expect all employees, elected officials, representatives, volunteers, members of the Association engaged in Association related activities to create a discrimination-free and an inclusive workplace culture.

All employees are expected to comply with this policy; to behave in a professional manner, to not participate in discriminating behavior and to treat each other with dignity and respect when they are at work and off-site.

All incidents of discrimination – no matter how large or small or who is involved – require employers and managers to respond quickly and appropriately.

The Associations recognise that comments and behavior that do not offend one person can offend another. This policy requires all staff employees and volunteers to respect other people’s limits.

A complaint of discrimination can be made using the Associations’ Employee Grievance Resolution policy and procedure.

***Breach of the policy***

Where discrimination takes place, the Associations will implement the provisions their Underperformance and Misconduct disciplinary policy. Disciplinary action will be taken by in accordance with the Associations Underperformance and Misconduct Policy against any member employee found to have breached this policy. The action to take will be assessed in consultation with the complainant and will be appropriate to the breach. Further actions may include:

* an official warning and note on the person's personnel file;
* a formal apology;
* counselling, including further education;
* transfer;
* suspension;
* dismissal for very serious matters; or
* referral to the police for potentially criminal matters.

***Resolving issues***

The Associations strongly encourages any employee who believes they have been bullied discrimination harassment or sexual harassment to take appropriate action (see Employee Grievance Resolution procedure.

Please do not suffer in silence. Choose the action you feel most comfortable with.

Employees have the option to address the matter themselves, and discussing it with the perpetrator of the discrimination.

Employees also have the option to seek assistance from the Office Manager, President or Editor-in-Chief for advice, support or action on their behalf.

Employees who make a complaint of bullying, discrimination, harassment or sexual harassment will not suffer any victimisation by the Associations for making the complaint. This also applies to employees who agree to be a witness in a complaint or have a complaint made against them.

***Informal Personal Resolution***

If you want to deal with the situation yourself, you may do so. However, it is not necessary that you try to resolve the complaint this way.

This option involves approaching the person responsible for the harassing or sexually harassing behavior yourself. You could tell the person what you are unhappy about, why you are unhappy about it, and what you would like to happen. Taking a person with you for support may be helpful.

Other useful resources include:

Canberra Rape Crisis Centre: 02 6247 2525

***Contact officers***

Contact officers are employees who have been trained to provide confidential and impartial information and support to help other employees make an informed decision about how to try to resolve an issue.

Contact officers will not solve the problem for you, but they can be a very useful sounding board for you to go through this procedure, help you understand the options that are available to you.

The contact officers are:

* ANUSA - Eleanor Boyle and Ben Gill.
* PARSA
* ANUSM

***Make an internal complaint***

The Associations have has an obligation to treat all complaints of harassment and sexual harassment seriously. All complaints will be handled confidentially and impartially, investigated promptly and recommendations implemented.

1. The starting point to resolving a complaint is to talk with someone. This can be your manager/contact officer (or member of an Association Executive if more appropriate). Tell them what your concerns are; explain what has happened and how it has affected you.

2. The person you approach may take immediate action (e.g. removing offensive graffiti or posters).

3. The person you approach may provide a range of options. The manager may speak to the person you are making a complaint about, to see if the situation can be resolved informally.

4. Some matters are not resolved so easily, especially if the person being complained about denies or disputes the allegations, or the issues are complex. Your manager (or another manager if appropriate) may handle your complaint, or refer it to specialist human resource staff or engage an independent external agency. This option will involve an investigation, collecting evidence and witness statements, and making findings and recommendations which will be implemented by the Associations. The following people are available to discuss these options:

Name: Eleanor Boyle

Position: Office Manager

Location: ANUSA offices

Contact Details: Eleanor.boyle@anu.edu.au or phone 6125 2444

***Employee assistance program***

All Association employees plus the ANUSA Executive & Department Officers and the PARSA employees and Executive are entitled to free, professional counselling from our employee assistance program.

Employees can access the service by visiting www.eapdirect.com.au and registering using our organisational details:

Organisation Name: ANU PARSA

Organisation Token: PARSA

Organisation Password: usrkey

Once these have been entered, each person can create their own confidential account.

To book an appointment or get some more information, please call 1300 360 364

***Make an external complaint***

All Association employees and Executive are able to make an external complaint of discrimination to the Human Rights Commission at https://www.humanrights.gov.au/complaint-information

***Other relevant Associationpolicies***

Employees are encouraged to read this policy in conjunction with other relevant Association policies, including:

* Flexible working arrangements policy
* Work Health and Safety policy
* Underperformance and Misconduct policy
* Bullying Policy
* Sexual Harassment and harassment policy
* Grievance Management policy
* Mission, vision and values statements

***Guidelines/Legislative Compliance***

* *Human Rights and Equal Opportunity Commission Act 1986*
* *Race Discrimination Act*
* *Sex Discrimination Act*
* *Disability Discrimination Act Discrimination Act 1991 (ACT)*
* *Fair Work Act 2009 (s. 351 Discrimination)*
* *Work Health and Safety Act 2011 (ACT)*
* *Work Health and Safety Regulations 2011 (ACT)*

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