Equal Employment Opportunity Policy and Procedures

1. Equal Employment Opportunity

Equal employment opportunity is concerned with people being given a fair go when they are at work, and when they are looking for work.

Equal employment opportunity means treating people as individuals with different skills and abilities, without making judgments about them based on stereotypes, or on characteristics (such as sex, age, race, sexuality, disability, pregnancy or marital status) that are irrelevant to a person’s capacity to do the job.

Equal employment opportunity means ensuring a work environment that allows all employees to work to their full potential, and that is free from all forms of discrimination and harassment, including sexual harassment.

Equal employment opportunity works on the merit principle, so that the applicant who best meets the needs of the job is the one selected, and the worker who best meets the needs of the job is the one retained. Equal employment opportunity is thus a matter of management best practice.

2. Statement of Commitment

The management of Australian Pacific Travel and Tourism Pty Ltd and the AFTA Travel & Tourism College NSW has a firm commitment to the principles of Equal Employment Opportunity and will ensure that no staff member or potential staff member is subjected to discriminatory policies or practices in any aspect of employment.

In addition, harassment (i.e. persistent bullying, annoying or pestering) of any type will not be tolerated.

3. The Law

Each State has its own laws with respect to equal opportunity. The Human Rights and Equal Opportunity Act 1986, the NSW Anti-Discrimination Act and Disability Discrimination Act 1992, Racial Discrimination Act 1975 and Sex Discrimination Act 1984 focus on discrimination on the grounds of:

- **Sex** (i.e. whether a person is male or female):
- **Sexuality** (i.e. whether a person is homosexual, heterosexual, bisexual or transsexual):
- **Marital Status** (i.e. whether a person is single, married, widowed, divorced, separated, or living in a de facto relationship):
- **Pregnancy**
- **Race** (i.e. a person’s country of birth, ancestry, colour of skin, or nationality):
- **Physical Disability** (i.e. the loss or malfunctioning or malformation of any part of the body):
- **Intellectual Impairment** (i.e. the loss or imperfect development of mental faculties resulting in reduced intellectual capacity):
- **Age** (which covers all ages)

Discrimination on any of the grounds listed is unlawful if it occurs in most areas of public life, including employment.

All aspects of employment are covered. This includes:
- when recruiting and selecting staff;
- policies, practices and procedures (including unwritten ones);
- terms and conditions of work;
- training, promotion and transfer;
- the methods and reasons for dismissal or retrenchment.

All types of employees are covered. This includes:
- applicants for positions;
- current employees, whether full time, part time or casual;
- volunteers and unpaid workers;
- agents remunerated by commission.
- contract workers.

Also made unlawful by the above-mentioned Acts are sexual harassment and victimisation and the subjecting of an employee to a “detriment”.

**Sexual harassment** is behaviour:
- that has a sexual element to it;
- is unwelcome to the person it is directed at;
- makes that person feel (with reason) humiliated or offended or intimidated.

**Victimisation** means treating someone unfairly because they have acted on the rights given to them by equal opportunity law, or because they have supported someone else who acted on those rights.

A “detriment” is defined to include humiliation or denigration. So, harassment on any of the grounds covered by the Act (that is, race, sex, sexuality, marital status, pregnancy, age, or disability) would amount to a “detriment”.

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4. Discrimination

Unlawful discrimination means treating someone differently and less favourably on the grounds of sex, sexuality, marital status, pregnancy, race, disability or age.

Discrimination need not be **DIRECT**, or open. It also can be **INDIRECT**, and harder to detect because it is built into the structure of an organisation, or into policies or practices or the “way things are done”.

**INDIRECT DISCRIMINATION** happens when there is a requirement that at first seems to treat everyone equally, but which in fact has an unfavourable effect on one group of people. For example, to say that only people over 180cm tall could apply for a job would have an unfavourable effect on women and on some ethnic groups, and would be unlawful Indirect discrimination on the grounds of sex and race **UNLESS** it could be proven that the job could only be done by someone over 180cm tall.

Discrimination is also defined as failing to provide special assistance or equipment that is needed by a person with a disability, unless it is unreasonable to do so.

5. Rights and Responsibilities

The Human Rights and Equal Opportunity Act gives rights and responsibilities to employees (and potential employees) and employers.

a) Potential employees have the right to have decisions about who should be offered a job made on merit.

b) Employees have the right to work in an environment free of discrimination and harassment.

c) Employees have the responsibility not to discriminate against or harass other employees.

d) Employers have the responsibility to ensure that the workplace is free of discrimination and harassment.

e) Employers – and managers and supervisors – have a legal responsibility to take all reasonable steps to make sure this happens.

6. What This Means in Practice

This Policy is one of the steps taken by Australian Pacific Travel and Tourism Pty Ltd and the AFTA Travel & Tourism College NSW.

The other steps are:
- A member of senior management will accept day-to-day responsibility for implementing this policy. The person with this responsibility is the Principal Executive Officer, Australian Pacific Travel and Tourism Pty Ltd.
- Managers and supervisors will be trained in this policy and its implementation by means of one of the supervisors attending an Equal Opportunity Workshop who will then advise the managers and supervisors through a series of training sessions.
- Employees will be informed of this policy through a series of staff meetings and a copy of the policy will be contained within the Staff Policy and Procedures Manual.

7. Complaints of Discrimination

The Principal Executive Officer, Australian Pacific Travel and Tourism Pty Ltd has the ultimate responsibility for Equal Employment Opportunity.

Any complaints about breaches of this policy will be dealt with seriously, confidentially and quickly. The person to contact in the first instance is the Academic Co-ordinator, AFTA Travel & Tourism College NSW, who will outline the steps you can take if you wish to lodge a formal complaint.

In addition, any person has the right at any time to contact the Equal Opportunity Commission for information or advice, or to lodge a complaint of discrimination.

You can phone, write, or call in to the Equal Opportunity Commission in your State – addresses and contact numbers of which are contained in this Handbook.

The management of Australian Pacific Travel and Tourism Pty Ltd and the AFTA Travel & Tourism College NSW accepts that the absence of discrimination and harassment leads to a more stable, more contented and therefore more productive workforce, in which people are treated fairly.

Review

This policy will be reviewed as apart of the College’s three-year review cycle.