



ANTI-DISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY POLICY AND PROCEDURE

A.M.Y. Nominees Pty Ltd is committed to providing and maintaining a safe and healthy workplace for all workers (including contractors and volunteers) as well as clients, visitors and members of the public. Discrimination will not be tolerated in any form during recruitment and employment with AMY Nominees. Reports or allegations will be treated seriously and with respect to all individuals.

PURPOSE

Antakarinja Matu-Yankunytjatjara (AMY) – AMY Nominees and related entities recognise their responsibilities and obligations under State and Federal anti-discrimination and equal opportunity laws. As such the organisation is committed to providing an environment for all staff of AMY Nominees entities that is free from unlawful and unacceptable discrimination and harassment.

This policy applies to all staff, volunteers and contractors. Any breaches of this policy by staff may result in disciplinary action up to and including termination of employment (or termination of services for others).

The Workplace Grievance Complaints Form should be used for reporting instances of alleged unlawful discrimination or harassment, except where otherwise specified.

POLICY

References

Sex Discrimination Act 1984 (C'th)

Equal Opportunity Act 1984 (SA)

Fair Work Act 2009 (C'th)

Definitions

In this policy -

- Discrimination is any practice that makes distinctions between individuals or groups so as to disadvantage some people and advantage others on the basis of an attribute (such as sex, race, religion), or on the basis of characteristics generally attributed to persons with that attribute (e.g. being female, Aboriginal or non-Aboriginal etc.).
- Direct discrimination directly excludes a person from a benefit (such as a job, or admission to a course) on the basis of a personal characteristic irrelevant to the situation (e.g. excluding someone from a job or course because of their marital status).
- Indirect discrimination refers to a policy or practice that appears to be neutral, or the same for everyone, but which, in operation, results in a particular person or group being adversely affected or excluded from consideration. Indirect discrimination is often unintentional. In order to constitute indirect discrimination, the particular policy or practice must be unreasonable in the circumstances.
- Harassment is unreasonable behaviour capable of causing concern or distress to the recipient and is believed by the recipient to be affecting work or progress. It may arise from an act, a decision, or an omission which is perceived by the person whom it affects as wrong, unjust, unfair or discriminatory. It may be a single incident or a series of incidents. Harassment may consist of offensive, abusive, belittling, humiliating threatening or intimidating behaviour directed at a person (or a group of people) because of some real or perceived attribute.

Behaviours that comprise unlawful direct and indirect discrimination and associated harassment have been recognised in relevant State and Federal laws and in other relevant organisational policies. The grounds upon which this behaviour is based include:

- Sex or gender, and sexual harassment (note sexual harassment is dealt with in the Sexual Harassment in the Workplace Policy);
- Marital status, pregnancy, potential pregnancy, parental status and family responsibility;
- Sexual preference, sexuality or gender identity;
- Disability, impairment or handicap.
- Race, colour, national or ethnic origin, nationality, ethnicity, descent or ancestry, immigration;
- Age;
- Religious or political belief or activity;
- Trade union activity;
- Personal association with or relation to any person who is identified on the basis of any of the above attributes.

PROCEDURES

Procedures for Reporting and Investigating Complaints or Allegations of Sexual Harassment

Unlawful direct or indirect discrimination and associated harassment in any form will not be tolerated by AMY Nominees. Any behaviour by staff constituting discrimination or harassment may result in disciplinary action including potential termination of employment.

Staff who feel that they have been the victim of discrimination or harassment in the workplace should lodge an informal or formal complaint using the Employee Grievance Policy & Procedures. The issue will then be managed, and investigated as necessary, in accordance with that policy. Volunteers or Contractors would not use the Workplace Grievance form but may be requested to put any complaint in writing.

Name:	Bill Ryan	Position:	General Manager
Signature:		Date:	22 June 2020
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