

Equal Employment Opportunity and Diversity

Golden Brown Cleaning Services members support equal opportunity in employment and are committed to complying with the intent of legislation through non-discriminatory employment practices.

GBCS members support the belief that all employees must be treated with respect, fairness and provided with natural justice.

GBCS members value and respect the diversity of its workforce and aim to provide an environment that encourages job satisfaction whilst encouraging the potential of each individual.

Commitment

GBCS members shall:

- Seek to recruit and appoint the most competent person for the job. Assessment shall include skills, qualifications, competencies, abilities, prior work performance and motivation;
- Treat employees on the basis of merit rather than on the basis of irrelevant characteristics such as race, age, size, sex, or other physical attributes;
- Provide a workplace for employees and sub-contractors that is free of harassment and discrimination;
- Treat complaints of harassment or discrimination seriously, confidentially, impartially and in a timely manner; and
- Shall ensure due process is followed in the management and resolution of any complaint.

Signed _____ Date _____

Equal Employment Opportunity

Equal Employment Opportunity is the treatment of people in a fairly and equitably. It means providing, communicating and promoting a working environment free from discrimination and harassment.

Discrimination

Direct discrimination is an action that excludes or significantly reduces a person, or a group of people from a benefit or opportunity.

Indirect discrimination is the result of workplace rules, practices and decisions that has an adverse effect on a group of employees or an individual, reducing a benefit or opportunity. Practices may appear fair but are, in fact, discriminatory in their outcome.

Harassment (General)

Harassment is any unwelcome behaviour or conduct that may intimidate, humiliate or offend person or persons.

Sexual Harassment

Sexual harassment is any unwelcome, uninvited behaviour or conduct of a sexual nature that intimidates, humiliates or offends another person or persons.

Examples: Harassment and discrimination that may result in a claim includes any of the following:

- Race (including colour, nationality, national extraction, social origin, ethnic, and vilification)
- Sex and Sexual harassment
- Marital status
- Pregnancy
- Family Responsibilities such as – status as a parent or carer
- Disability (including mental, physical, intellectual or psychiatric)
- HIV/AIDS
- Religion
- Political views, belief or activity
- Age
- Criminal record
- Sexual preference/Sexual orientation
- Trade union activity

Bullying

Bullying is repeated treatment of a person by another or others in the workplace which may be considered unreasonable and inappropriate workplace practice.

Example of bullying include

- Yelling, screaming, abusive language
- Continually criticising or belittling someone

- Isolating, or ignoring an employee
- Undermining work performance
- Restricting vital information and resources that are required to do a job

Legal Liability for All Forms of Discrimination Harassment and Bullying

Vicarious liability where the company is responsible for the actions of its employees (including managers and supervisors) in relation to discrimination, harassment, victimisation and vilification even if it does not know the inappropriate behaviour is occurring. This affects employees and clients.

Accessory liability when an employee encourages, authorises, causes, instructs, induces, aides or permits an individual to commit an act of harassment or discrimination against another employee.

Direct/personal liability where an employee is held directly and personally liable for acts of discrimination or harassment against another employee.

Company Responsibility

GBCS takes responsibility for:

- Ensuring that employees are aware of the company policy and behaviour expected in the work place;
- Ensuring effective and appropriate procedures are in place for the resolution of complaints and that these are known by employees; and
- Taking appropriate disciplinary action against persons found to have harassed or discriminated against another employee

Employee Responsibility

Employees have a responsibility to treat all employees, contractors, clients and other workplace participants with respect and free from discriminatory behaviour. Employees are legally responsible for their own discriminatory behaviour.

Manager Responsibility

Managers shall be accountable for their own actions and also those of their workplace subordinates.

The manager shall ensure employees are aware of EEO principles and practices and act in a non-discriminatory and non-harassing manner.

The manager must handle complaints sensitively and take early corrective action to deal with discriminatory, harassing or bullying behaviour.

Complaints Procedure

A staff member with a harassment or discrimination complaint shall follow the practice as described:

Step 1: INFORMAL

Try to resolve the matter directly with the other party involved. The Equal Opportunity contact officer is available to provide assistance on a confidential basis in the process

Step 2: INFORMAL

If the matter is unable to be resolved with the help of the Equal Opportunity contact officer, it must be referred to a senior manager or Director for assistance in resolving the matter informally

Step 3: FORMAL

Where a formal complaint is made an investigation of the alleged incident(s) shall be carried out and documented. Witnesses may be called upon as part of the investigation

Step 4: LEGAL

If at any stage during the grievance procedure the complainant is not satisfied with the company's actions they may choose to take their matter to the State Equal Opportunity Tribunal or the Human Rights and Equal Opportunity Commission. This is a last resort

Resolution Options

A: If a *complaint is substantiated*, the outcomes may include:

- An apology (either/both verbal/in writing);
- An undertaking that the behaviour will cease;
- Formal counselling for the harasser/discriminator;
- Disciplinary action – including a warning or dismissal
- Education and training
- Notifying the police (This is up to the complaint, not the company)

B: If a *complaint is not substantiated*, the outcomes may include:

- Explaining reasons for the decision
- Advising the complainant of their right to take the matter to external organisations or jurisdictions.
- Monitoring the situation to ensure there is no further victimisation.
- Remind all staff of the company standards of behaviour

C: If after investigation, *the complaint is found to be false/frivolous*:

- Disciplinary action may be taken against the person who made the complaint
- Termination of employment may occur
- Counselling/training may be required.