

# STANDARD OPERATIONAL POLICY AND PROCEDURES



<b>TOPIC</b>	Equal Employment Opportunity – SOPP 35.13		
<b>RESPONSIBILITY</b>	Human Resources		
<b>AUTHORISATION</b>	Chief Executive		
<b>SIGNED</b>	<i>Andrew Freeman</i>	<b>DATE</b>	8/05/2019
<b>VERSION</b>	1.7	<b>LAST REVIEWED</b>	May 2019
<b>EFFECTIVE</b>	October 2002	<b>NEXT REVIEW</b>	March 2021

## 1. PURPOSE

At EGHS, we are committed to ensuring a workplace free of discrimination and harassment. This commitment is based, in part, on the need to ensure that our organisation complies with equal opportunity laws. We are also committed to providing a safe and pleasant working environment for all employees and encouraging good working relationships between employees.

## 2. DEFINITION

**Equal Employment Opportunity (EEO)** - set of laws protecting the principle that every employee has the right to be treated fairly regardless of such factors as set out under the direct discrimination definition.

## 3. POLICY

EGHS will endeavour to ensure that in the application of all the services policies, practices and procedures, no discrimination takes place and that all employees enjoy equal access to opportunities within the service. The basis of employment decisions is the individual merit of employees.

EGHS will also endeavour to ensure that no sexual, racial or other harassment occurs in the workplace.

EGHS is committed to achieving the following Equal Employment Opportunity (EEO) objectives:

- to ensure all employees are treated fairly
- to fully utilise and develop the potential of every employee
- to keep all policies and procedures consistent with EEO principles
- to augment employee morale and motivation by increasing staff confidence in the fairness of our human resource practices and access to employment opportunities
- to ensure achievement of our objectives through our EEO program which includes the training of staff on EEO and related issues



## What is Equal Employment Opportunity?

Equal employment opportunity, or EEO, means the absence of discrimination or less favourable treatment in employment based on an attribute, such as a person's sex, age, race, disability, etc – in other words, a 'fair go' for all employees.

The following grounds of discrimination apply in Victoria under Federal and State laws:

- sex
- marital status
- pregnancy or potential pregnancy
- race, colour, nationality, ethnic or national origin
- impairment/disability (past, present or future)
- parental status
- lawful religious belief or activity
- lawful political belief or activity
- age
- industrial activity
- lawful sexual activity
- physical features
- carer status
- breastfeeding
- gender identity
- sexual orientation

## 4. CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES ACT 2006

The [Charter of Human Rights and Responsibilities Act 2006](#) (the Charter) is a Victorian law that sets out the basic rights, freedoms and responsibilities of all people in Victoria. It is about the relationship between government and the people it serves.

The Charter requires public authorities, such as Victorian state and local government departments and agencies, and people delivering services on behalf of government, to act consistently with the human rights in the Charter.

It is unlawful to act in a way that is incompatible with a human right or, in making a decision, to fail to give proper consideration to a relevant human right.

The rights listed in the Charter include the right to life and protection from cruel, inhuman or degrading treatment. This latter right includes that a person must not be subject to medical or scientific experimentation without his or her free full and informed consent.

It also includes freedom from forced labour, the right to privacy, reputation, freedom of thought, religion and belief, the right of peaceful assembly and freedom of association, cultural rights and the right to liberty and security of the person.

If a person seeks relief or a remedy in respect of an act or decision on the basis that it was unlawful, that person may seek additional relief or remedy on a ground of unlawfulness arising because of the Charter.

The Equal Opportunity Commission may intervene in, and may be joined as a party to, any proceeding before a court or tribunal in which a question of law arises that relates to the application of the Charter, or with respect to the interpretation of a statutory provision in accordance with the Charter.

**5. RELATED DOCUMENTS**

[Serious Misconduct, Harassment, Sexual Harassment, Bullying - SOPP 35.18](#)  
[Recruitment & Selection - SOPP 35.20](#)

**6. REFERENCES**

Victorian Equal Opportunity Act (1995)

[Charter of Human Rights and Responsibilities Act 2006](#) (*the Charter*)

Federal Disability Discrimination Act (1992)

Aged Care Quality Standards – Standard 8

Charter of Human Rights & Responsibilities Act (2006)

National Safety and Quality Health Service Standards – Standard One