



1. Intent of Policy

This policy is intended to

- demonstrate management and staff commitment to the principles of equal employment opportunity (EEO)
- ensure staff and the community understand the principles of EEO and their application
- ensure that the progress of the EEO Management Plan is communicated effectively to employees, target groups and the community
- acknowledge the importance of training in EEO policies
- Provide community leadership in the area of EEO.

Relevant Statutory Requirements specific to this policy;

- **State**
 - Chapter 11 Part 4 Local Government Act 1993 (NSW)
 - Section 355, 403 & 428 Local Government Act 1993(NSW)
 - Anti Discrimination Act 1977
- **Commonwealth**
 - Age Discrimination Act 2004
 - Disability Discrimination Act 1992
 - Human Rights and Equal Opportunity Commission Act 1986
 - Sex Discrimination Act, 1984
 - Racial Discrimination Act 1975
 - Work Health & Safety Act 2011
 - Workplace Gender Equity Act 2012

2. Definitions

Discrimination refers to unequal treatment or opportunities.

Unlawful discrimination refers to discrimination on any of the grounds specified by either the NSW Local Government Act (1993) or the NSW Anti-discrimination Act (1977) and subsequent amendments, or the Commonwealth Sex discrimination Act (1984, the Racial Discrimination Act (1975), the Disability Discrimination Act (1992), Age Discrimination Act (2004), Human Rights and Equal Opportunity Commission Act (1986), Work Health & Safety Act (2011), Workplace Gender Equity Act (2012).

Direct discrimination is treating someone unfairly or unequally based on personal characteristics or characteristics (actual or presumed) of a particular group or category of people to which they belong.

Indirect discrimination is where the application of a workplace practice, procedure, policy, system, rule or requirement that is the same for everyone has an unequal or disproportionate effect or result on particular groups of people

Equal Employment Opportunity is based on the merit principle and is a right to fair and unbiased conduct, practices and decisions in all employment related activities.

Merit Principles – people are to be assessed according to their skills, abilities, qualifications, experience and standard of work performance relevant to the duties of the nominated position or training and development opportunity and disregarding any personal characteristics which are irrelevant to the position or training and development opportunity.

Affirmative Action is taking positive steps to overcome or remedy past disadvantage and prevent future disadvantage. It is a way of gaining equal employment opportunity for target groups.

3. Scope of Policy

This policy applies to all Oberon Council employees.

4. Guidelines

Equal Employment Opportunity (EEO) is about ensuring that all employees have equal access to the opportunities that are available at work by making sure that workplaces are free from all forms of unlawful discrimination and harassment. EEO is an outcome, not just a process.

The following guidelines detail how Oberon Council will eliminate and ensure the absence of discrimination in employment on the grounds of sex, pregnancy, race or ethno-religious background, marital status, disability, homosexuality, transgender, parental status and/or age.

1. The elected Council will adopt an EEO Management Plan/Program that sets out the desired outcomes, actions to achieve outcomes, who is responsible and the target date for completion and meets all other requirements of Section 345 of the Local Government Act.
2. Council's Management Plan will include programs to be undertaken by the council to implement its equal employment opportunity plan (Section 403, Local Government Act, 1993).
3. Responsibility for the implementation of the EEO management plan will rest with the General Manager (Section 335, Local Government Act, 1993). The General Manager may also appoint or nominate officers to undertake particular EEO projects.
4. Responsibility for the day-to-day co-ordination of EEO activities and the execution of the management plans will rest with the Human Resource Manager. The Human Resource Manager will include in Council's Annual Report a statement of the activities undertaken by the council during that year to implement its equal employment opportunity management plan

5. Changes to this policy will be considered by the Consultative Committee and their recommendations sought prior to Council consideration and adoption.
- Oberon Council considers unlawful discrimination and harassment as unacceptable forms of behaviour, which will not be tolerated under any circumstances.
 - All employees are to observe the principles of Equal Employment Opportunity. All employees and customers are to be treated equally and fairly according to anti-discrimination guidelines.
 - Council's Recruitment, Selection, Promotion, training and Development, Conditions of Employment, Separation and General Human Resource policies and practices are to incorporate equal opportunity and eliminate discrimination on the grounds of sex, pregnancy, race or ethno-religious background, marital status, disability, homosexuality, transgender, parental status and/or age.
 - Staff selection for any job, training or development opportunity is to be based on merit using job related criteria and a fair and unbiased assessment system.
 - Elected members involved in senior staff selection are to receive training in EEO principles and practices.
 - Employees involved in staff selection are to receive training in EEO principles and practices.
 - Council's EEO Management Plan strategies and actions are to be implemented and reported on by nominated responsible officers.
 - Action is taken to identify and eliminate barriers to equal opportunity for target groups specified in Council's EEO plan
 - All supervisors are to be responsible for taking action to prevent or eliminate harassment.
 - All employees have the right to fair employment assessment and treatment at Council.
 - Job requirements are defined so that no irrelevant criteria are applied or considered.

Approving Authority	Oberon Council
Contact	Human Resources Coordinator
Approval	Ordinary Council Meeting, 15 June 2010 Item B13, resolution 20.
Approval	Ordinary Council Meeting, 19 December 2017, Resolution 17 191217
Revision Date	December 2019
Issue Date to Staff	December 2017