



Equal Employment Opportunity Management Plan 2018-2021

Corporate Document

Version: 1 / ECM: Document Set ID: 5473114

Adopted by: General Manager on 28 June 2018

Ownership: Human Resources

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Introduction

The Mosman Council Equal Employment Opportunity (EEO) Plan 2018-2021 has been prepared in accordance with Equal Employment Opportunity legislation requiring Council to take appropriate action to eliminate discrimination and promote equal opportunity for persons in designated groups in relation to employment matters.

Scope

The EEO Management Plan applies to all staff, as all staff are obliged to follow non-discriminatory practice in the workplace. Council, being the responsible employer, is legally accountable for discrimination in employment matters.

Legislative Framework

Legislation which supports the requirement for EEO in the workplace includes:

Legislation	Areas of Concern
<i>Local Government Act 1993</i>	Equity in the employment relationship
<i>Racial Discrimination Act (Comm) 1975</i>	Race, colour, national or ethnic origin, family
<i>Sex Discrimination Act (Comm) 1984</i>	Sex, marital status, pregnancy, sexual harassment
<i>Disability Discrimination Act (Comm) 1992</i>	Disability includes physical, sensory, intellectual and psychiatric impairment, mental illness, and presence in the body of a disease causing organism
<i>Anti-Discrimination Act (NSW) 1977</i>	Race, sex, marital status, physical impairment, intellectual impairment, homosexuality and compulsory retirement based on age
<i>Disability Inclusion Act 2014</i>	Acknowledge people with a disability have same human rights as other members of the community and the State and community have a responsibility to facilitate the exercise of those rights.

Definitions

Affirmative Action - the method of achieving equal employment opportunity for target groups and consists of programs designed to overcome the effects of past discrimination

Designated groups - means any of the following class of persons

- Members of the Aboriginal race of Australia or persons who are descendants of indigenous inhabitants of the Torres Strait Islands
- Persons who have migrated to Australia and whose first language is not English, and the children of such persons
- Persons with a physical or mental disability

Disability - in relation to a person, includes a long-term physical, psychiatric, intellectual or sensory impairment that, in interaction with various barriers, may hinder the person's full and effective participation in the community on an equal basis with others

Discrimination - Refers to unequal treatment or opportunities. Discrimination may be direct, indirect or systemic:

- *Direct Discrimination* - is any action which specifically excludes a person or a group of people from a benefit or opportunity, or significantly reduces their chances of obtaining it due to a personal characteristic, irrelevant to the situation, being applied as a barrier
- *Indirect Discrimination* - this is the outcome of rules, practices and decisions which appear to treat people equally and to be neutral, however have an adverse outcome for a group or an individual thus reducing a benefit or opportunity. Practices appear fair in form but are discriminatory in outcome
- *Systemic Discrimination* – these are rules or practices which result in different patterns of access to different jobs and different access to benefits or services. It is the result of both direct and indirect discrimination

EEO Management Plan – Is a statement of objectives and actions to achieve Council's overall strategy for equal employment in the workplace

Equal Employment Opportunity (EEO) - is the principle which ensures that all employees and potential employees are treated equitably and fairly, regardless of their race, sex, marital status, age, physical or intellectual impairment or sexual preference. EEO describes programs designed to ensure that all workers are given an equal chance when they apply for employment, promotion or training

Harassment - is any unwelcome or uninvited behaviour or conduct directed at another person that makes them feel offended, intimidated or humiliated. Harassment becomes unlawful when it is based in whole or part on any of the grounds for discrimination e.g. sex, sexual preference, race, disability or religion. Harassment may or may not be intended to hurt another person or cause offence, however always does (intent is irrelevant under law). It can be caused by one person or a group of people. When a person experiences a particular behaviour, the way that person perceives the behaviour is the important thing

Merit - assessing each person's skills and abilities against the needs of the job, and disregarding personal characteristics (e.g. sex or race) which are irrelevant to the job

Corporate Practice Statement

Mosman Council is committed to the principles of EEO. It aims to provide a work environment that fosters fairness, equity, respect for social and cultural diversity, and is free from unlawful discrimination, harassment and vilification as determined by the legislation.

In fulfilling this commitment, Council will:

- Foster an organisational culture which recognises and respects the diversity in the social and cultural backgrounds of all staff and customers
- Provide equal opportunity by removing barriers to participation or progression in employment
- Safeguard merit based systems of transparency so that decisions are made without bias
- Provide training to create an environment that promotes and supports transparent decision making
- Strive to ensure fair outcomes in all areas of employment, including recruitment, training and development, promotion, transfer, supervision and management of staff, access to information and conditions of employment

Responsibilities

The overall responsibility for monitoring the effectiveness of the corporate practice statement and this plan for implementing an ongoing program of action to make the corporate practice fully operative is vested in Council's management.

However, Council recognises that equal opportunity is the responsibility of everyone in the Council, and as such will ensure that advice on equal opportunity matters is available on an ongoing basis to all staff

All Council staff are responsible for EEO. All Directors, Managers and Team Leaders have specific EEO responsibilities which are included in their position descriptions

The management of the EEO function within Council is primarily the responsibility of the Manager Human Resources. Enquiries for EEO matters can be directed to the Human Resources team

All Council Staff (including Directors, Managers and Team Leaders) are responsible for:

- treating all work colleagues equally and in a non-discriminatory manner, and with consideration and respect at all times
- promoting harmonious working relationships with other members of staff in all circumstances
- participating in EEO training and programs including providing information for EEO surveys and/or collection of EEO data
- understanding their rights and responsibilities in the workplace
- being aware of Council's policies and plans in respect of EEO

Directors and Managers (in addition to the above):

- managing and monitoring work areas to ensure that all employees are treated with respect and work areas are free of harassment, bullying and discriminatory behaviour
- promoting the aims and objectives of Council's EEO Management Plan, Policy and associated practices and procedures
- implementing and monitoring strategies and action plans included in the EEO Management Plan
- identifying EEO needs relating to the work area under their supervision
- ensuring that all new staff attend Council induction training and all staff under their supervision receive equal access to employment and training opportunities subject to job requirements
- ensuring recruitment and selection procedures are not discriminatory

General Manager

In accordance with the Act Section 345 (2), it is the function of the General Manager to implement Council's Equal Employment Opportunity Plan observing:

- Council's EEO obligations and compliance under the *Local Government Act 1993* and other relevant legislation; and
- the ongoing monitoring, review and update of the EEO Management Plan for its continued effectiveness

Manager Human Resources

Oversees the:

- provision of EEO information to Council staff
- identification of EEO training to meet Council's EEO goals
- evaluation of EEO training and other data, and recording of statistics

Strategies

Council will implement the following EEO Strategies:

1. Communication and Awareness – Council will raise awareness of EEO principles and practices with Council staff, members of the public and prospective employees by ensuring easy access to EEO related information and promoting EEO principles through training, policies and practices in the workplace (see Action Plan 1 - Annexure 1)
2. Policy and Practices - Council will ensure that its policies and corporate practices support the application of EEO principles (see Action Plan 2 - Annexure 2)
3. Appointment, Selection and Recruitment Process - Council's appointment, selection and recruitment processes will be in accordance with EEO principles (see Action Plan 3 - Annexure 3)

Related Information

- Equal Employment Opportunity (EEO) Corporate Practice Statement
- Anti-Discrimination Regulation 2014

Contact

Enquiries should be directed to the Manager Human Resources on 9978 4012.

Review

Every four years unless otherwise directed by the General Manager.

Amendments

Date	Amendment	Reference
5 August 2016	Policy Statement replaced by Corporate Practice Statement	Doc. Set ID: 4951937
28 June 2018	Updated Plan for 2018-2021	Doc. Set ID: 5473114

Action Plan 1 – Communication and Awareness

Objective - Mosman Council will raise awareness of EEO principles and corporate practices with Council staff, members of the public and prospective employees by ensuring easy access to EEO related information and promoting EEO principles through training, policies and corporate practices in the workplace.

Actions	Target	Responsibility	Performance Measures
Promote Council as an EEO employer by ensuring that EEO statements are included in all job advertisements and EEO information	Members of the public	Human Resources	Information available on website and in job advertisements
Ensure access to EEO information by providing information (where relevant) on Council's intranet and Council's information management system (ECM), noticeboards, website and publications	All Council staff	Human Resources Information Technology Communications	Information available in various formats to staff
Review and monitor Council printed and digital publications to ensure compliance with EEO principles	Council staff	Human Resources Communications	Publications comply with EEO principles
Include EEO in induction training for new staff	New Council staff	Human Resources Managers	Training delivered for all new staff

Action Plan 2 – Policy, Practices, Evaluation and Reporting

Objective - Mosman Council will ensure that its policies and corporate practices support the application of EEO principles.

Actions	Target	Responsibility	Performance Measures
Regularly review Council’s personnel policies and corporate practices to ensure that EEO principles are included and applied	Council staff	Human Resources Directors/Managers	Policies and corporate practices reviewed and updated (if required)
Council committees and working parties should include representation from Council staff from EEO designated groups, where possible	Council staff	Human Resources Directors/Managers	EEO target group status of committee members
Include EEO responsibilities are included in all job descriptions	Council staff	Human Resources	All position descriptions (100 %) contain EEO responsibilities
Handle disputes arising from EEO related issues such as harassment and discrimination in accordance with relevant personnel policies and settle within the operational work area by Managers and Directors	Council staff	Human Resources Directors/Managers	Grievances are acknowledged within 24 hours, with investigation of complaint commencing within 48 hours
Annually report on EEO progress and activities in Council’s Annual Report	Members of public	Human Resources	Annual Review

Actions	Target	Responsibility	Performance Measures
Conduct disability awareness sessions for Council staff, particularly staff with high interaction with community	Council staff	Human Resources Community Services	Incorporated within Mosman Council Disability Inclusion Plan
Review and monitor accessibility to Council facilities and parking and make recommendations to address barriers or obstacles	Council staff	Human Resources Engineering Community Services WHS Committee	Incorporated into WHS Site Inspections
Make reasonable physical workplace adjustment (where possible) for roles involving staff with disabilities	Council staff	Human Resources	Job adjustment reviewed as required
Conduct cross cultural and diversity training for Council staff to improve understanding of cultural issues relevant to Mosman Community	Council staff	Human Resources	On an as needs basis
Maintain a list of languages spoken by staff who can assist other Council employees in providing a service to members of the public from a culturally diverse background	Customer service, library and community services staff	Human Resources	Maintenance of Staff language register

Action Plan 3 – Appointment, Selection and Recruitment Process

Objective - Council’s appointment, selection and recruitment processes are in accordance with EEO principles.

Actions	Target	Responsibility	Performance Measures
Review Council’s Recruitment Policies and procedures to ensure compliance with EEO principles	All staff	Human Resources	Policies reviewed
Ensure all staff involved with recruitment and selection processes are trained in EEO principles and interview/selection processes.	Staff involved with selection processes	Human Resources	Panel members have attended training
Ensure that staff acting in higher positions are selected in accordance with EEO principles and Council’s Higher Duties Policy and Corporate Practices	All staff	Human Resources	Compliance with EEO audited routinely