



# **Equal Employment Opportunity Management Plan 2022-2026**

Corporate Document

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2023

Ownership: Human Resources

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## Introduction

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Mosman Council's Equal Employment Opportunity (EEO) Management Plan 2022-2026 sets out council's commitment to providing a workplace that is free from discrimination and harassment and provide equal employment opportunities to current and prospective employees. The implementation of this plan will continue to support initiatives that ensure Mosman Council has a diverse and engaged workforce in order to provide the best possible service to our community.

## Scope

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The Equal Employment Opportunity Management Plan applies to all employees, volunteers and contractors.

## Legislative Framework

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

- *Age Discrimination Act 2004 (Comm)*
- *Anti-Discrimination Act (NSW) 1977*
- *Australian Human Rights Commission Act 1986 (Comm)*
- *Disability Discrimination Act (Comm) 1992*
- *Disability Inclusion Act 2014*
- *Local Government Act 1993*
- *Racial Discrimination Act (Comm) 1975*
- *Sex Discrimination Act (Comm) 1984*
- *Workplace Gender Equality Act 2012 (Comm)*

## Definitions

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

**Protected attributes** – for the purpose of this management plan, the protected attributes as defined by law include:

- race (including colour, nationality, national extraction, or social origin)
- sex
- sexual orientation
- gender identity, intersex status
- age
- physical, mental or intellectual disability
- marital or relationship status
- family or carer's responsibilities
- pregnancy or breastfeeding
- religion
- political opinion
- trade union membership or activity

**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. 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

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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

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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 complete Council's 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
21 February 2023	Updated Plan for 2022-2026 replacing designated groups with protected attributes	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, interview invitations and EEO information	Members of the public	Human Resources	Information available on website and in job advertisements; interview invitations include opportunity to ask for support and access requirements
Ensure access to EEO information by providing information (where relevant) on Council's online Human Resources Portal 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 human resources 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 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 human resources 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	EEO progress is reported on in Council’s Annual Report



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's Disability Inclusion Action 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 Property and Works WHS Committee	Incorporated into WHS Site Inspections
Make reasonable physical workplace adjustment (where possible) for roles involving staff with disabilities	Council staff	Human Resources	Workplace adjustment requests reviewed and provided 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	Training delivered 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 related procedures to ensure compliance with EEO principles	All staff	Human Resources	Policies and procedures reviewed and adjusted on an as needs basis to reflect EEO best practices
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