

# Equal Employment Opportunity Policy

<b>Policy title</b>	Equal Employment Opportunity
<b>Purpose</b>	This Policy outlines how the Tourette Syndrome Association of Australia (TSAA) complies with all of its equal employment opportunity obligations under the relevant legislation.
<b>Statement of Commitment</b>	<p>The TSAA recognises that equal employment opportunity is a matter of employment obligation, social justice and legal responsibility. It also recognises that prohibiting discriminatory policies and procedures is sound management practice.</p> <p>This policy has been designed to facilitate the creation of a workplace culture that maximises organisational performance through employment decisions. These decisions will be based on real business needs without regard to non-relevant criteria or distinctions, and will ensure that all decisions relating to employment issues are based on merit.</p>
<b>Scope</b>	This policy applies to the recruitment, appointment, development and training, and performance assessment of employees and volunteers. For the purposes of this policy, "employment" refers to both paid employees and unpaid volunteers.
<b>Responsibilities</b>	<p>It is the responsibility of the <b>TSAA Committee</b> to ensure that:</p> <ul style="list-style-type: none"> <li>• all volunteers and employees understand and are committed to the principles and legislation relating to equal opportunity and applying it in the workplace;</li> <li>• employment decisions relating to appointment, promotion, performance management, and career development are determined according to individual merit and the individual's inherent ability to carry out the job;</li> <li>• the organisation has a workplace culture that encourages equal employment opportunity; and</li> <li>• sets an example by their own behaviour.</li> </ul> <p>It is the responsibility of the <b>President</b> to ensure that:</p> <ul style="list-style-type: none"> <li>• all managers, supervisors, volunteers and employees are aware of, and understand their obligations, responsibilities and rights in relation to equal employment opportunity;</li> <li>• all managers, supervisors, volunteers and employees are committed to operating in accordance with the equal opportunity laws in the workplace;</li> <li>• any matter which does not comply with the principles of equal employment opportunity are identified and addressed as promptly and sensitively as possible;</li> <li>• immediate and appropriate steps are taken to minimise or eliminate unlawful harassment, discrimination, and bullying in the workplace; and</li> <li>• ongoing support and guidance is provided to all volunteers and employees in relation to equal employment opportunity principles</li> </ul>

	<p>and practice in the workplace.</p> <p>It is the responsibility of <b>all employees, contractors and volunteers</b> to ensure that they:</p> <ul style="list-style-type: none"> <li>• comply with this policy and treat all colleagues, members and customers with respect and professionalism without regard to non-relevant criteria or distinctions;</li> <li>• refrain from engaging in discriminatory or harassing behaviour; and</li> <li>• inform their supervisor or the President if they believe that they (or someone else) has been treated unfairly.</li> </ul>
<p><b>Definitions</b></p>	<p><b>Committee</b> means the office bearers and ordinary committee members elected by TSAA members at the Annual General Meeting, or appointed by the Committee in the case of vacancies.</p> <p><b>Discrimination</b> occurs if a person treats, or proposes to treat, a person with an attribute unfavourably because of that attribute. It can also occur if a person imposes, or proposes to impose, a requirement, condition or practice that has, or is likely to have, the effect of disadvantaging persons with an attribute; and that is not reasonable.</p> <p><b>Equal Employment Opportunity</b> consists of ensuring that all employees are given equal access to training, promotion, appointment or any other employment related issue without regard to any factor not related to their competency and ability to perform their duties.</p> <p><b>Victimisation</b> means subjecting, or threatening to subject, a person to any detriment because they have:</p> <ul style="list-style-type: none"> <li>• asserted their rights under equal opportunity law;</li> <li>• made a complaint;</li> <li>• helped someone else make a complaint; or</li> <li>• refused to do something because it would be discrimination, sexual harassment or victimisation.</li> </ul>
<p><b>Relevant legislation and standards</b></p>	<p><b>Commonwealth of Australia:</b></p> <ul style="list-style-type: none"> <li>• <i>Disability Discrimination Act 1992</i></li> <li>• <i>Age Discrimination Act 2004</i></li> <li>• <i>Australian Human Rights Commission Act 1986</i></li> <li>• <i>Racial Discrimination Act 1975</i></li> <li>• <i>Sex Discrimination Act 1984</i></li> <li>• <i>Australian Human Rights Commission "Guidelines for the targeted recruitment of people with disability"</i></li> </ul> <p><b>Victoria:</b></p> <ul style="list-style-type: none"> <li>• <i>Equal Opportunity Act 2010</i></li> </ul> <p><b>New South Wales:</b></p> <ul style="list-style-type: none"> <li>• <i>Anti-Discrimination Act 1977</i></li> </ul> <p><b>Australian Capital Territory:</b></p> <ul style="list-style-type: none"> <li>• <i>Discrimination Act 1991</i></li> </ul> <p><b>Queensland:</b></p>

	<ul style="list-style-type: none"> <li>• <i>Anti-Discrimination Act 1991</i></li> </ul> <p><b>Northern Territory:</b></p> <ul style="list-style-type: none"> <li>• <i>Anti-Discrimination Act 1992</i></li> </ul> <p><b>Western Australia:</b></p> <ul style="list-style-type: none"> <li>• <i>Equal Opportunity Act 1984</i></li> </ul> <p><b>South Australia:</b></p> <ul style="list-style-type: none"> <li>• <i>Equal Opportunity Act 1984</i></li> </ul> <p><b>Tasmania:</b></p> <ul style="list-style-type: none"> <li>• <i>Anti-Discrimination Act 1998</i></li> </ul>
<b>Related organisational policies and procedures</b>	<p>The following policies, procedures and strategies work together to support equal employment opportunity across all of our operations:</p> <ul style="list-style-type: none"> <li>• <i>TSAA Workplace discrimination and harassment policy</i></li> <li>• <i>TSAA Targeted Recruitment Strategy</i></li> <li>• <i>TSAA Performance and Disciplinary Action Procedure</i></li> </ul>
<b>Access to the policy</b>	<p>This policy can be accessed from the <b>Policies</b> section of TSAA website: <a href="http://www.tourette.org.au">www.tourette.org.au</a></p>
<b>Policy status and review</b>	<p>This policy was approved on 31/07/2023 by the Committee.</p> <p>The Committee will review this policy <b>at least every two years</b>. We also review relevant practices and policies in response to any incidents or 'near misses' . Findings from reviews will be reported to the people involved in our organisation and also inform our approach to continuous improvement of our policies. Reviews are overseen by the Committee and will be informed by consultation with members, volunteers and staff.</p>

## Policy Detail

The TSAA is an equal opportunity employer and will provide equality in employment for all people employed or seeking employment. Every person will be given a fair and equitable chance to compete for appointment, promotion or transfer, and to pursue their career as effectively as others. Employment decisions relating to appointment, promotion and career development will be determined according to individual merit and competence.

Consistent with this, the TSAA does not condone any form of unlawful discrimination or vilification, including that which relates to:

- gender;
- pregnancy;
- potential pregnancy;
- marital/domestic status;
- disability;
- race, colour, national extraction, social origin, descent, and ethnic, ethno-religious or national origin;

- age;
- family responsibilities, family status, status as a parent or carer;
- racial classification;
- sexuality;
- HIV/AIDS vilification;
- religious belief or activity;
- political belief or activity;
- industrial activity;
- employer association activity;
- trade union activity;
- physical features;
- breastfeeding;
- LGBTQIA+ identity/status;
- profession, trade, occupation or calling;
- medical record; and
- criminal record.

In all cases no factors other than performance and competence are to be used as the basis for performance assessment, training and development opportunities and promotions.

### Targeted recruitment of people with a disability

This policy does not exclude the TSAA Committee from undertaking a targeted recruitment strategy that solely targets employment of people with disability. This is a form of 'special measure' that makes such a targeted campaign lawful under the Disability Discrimination Act 1992 (Cth) (Disability Discrimination Act) and state and territory equal opportunity or anti-discrimination legislation. The Australian Human Rights Commission has developed guidelines for the targeted recruitment of people with disability, which the TSAA will use as the basis for a targeted recruitment strategy.

### Making a complaint

Employees or volunteers who believe they are being treated unfairly as a result of discrimination should promptly notify their supervisor or the TSAA President.

Should a complaint of discrimination or harassment be made, it will be investigated in a confidential and procedurally fair manner. If proven, the person responsible will be disciplined. In serious cases, this may involve dismissal. Complaints against another employee or volunteer will be handled as per the TSAA Performance and Disciplinary Action Procedure.

## Document History

<b>Version No.</b>	<b>Date</b>	<b>Author</b>	<b>Description</b>
0.1	26/07/2023	Sandra Gleeson	First draft for Committee approval.
0.2	31/07/2023	Sandra Gleeson	Updates as per HE feedback.
1.0	31/07/2023	Sandra Gleeson	Committee approval via email. Final approved version.

