



Australian Government

Australian Technical College - Spencer Gulf & Outback

EQUAL OPPORTUNITY POLICY

1. INTRODUCTION

Equal Opportunity is concerned with fair treatment.

Equal Opportunity is a positive way of describing the absence of discrimination and harassment. People are provided with equal opportunity if they are not discriminated against or harassed because of irrelevant characteristics such as age, sex, race, sexuality, disability, marital status or pregnancy.

Equal opportunity laws oblige people not to do certain acts, and provide a remedy for individuals when the unlawful acts are done.

Equal opportunity laws also allow special initiatives to overcome the results of long term discrimination suffered by certain groups.

2. STATEMENT OF COMMITMENT

The management of the Australian Technical College - Spencer Gulf & Outback have a firm commitment to Equal Opportunity principles and will ensure that no discriminatory policies, practices or procedures exist in any aspect of employment:

When enrolling students in the College.

When co-ordinating and negotiating work placement and school based apprenticeships with industry.

When offering or providing education and/or training services.

When advertising or accepting advertisements.

When providing services to our clients. 'Clients' in the context of this policy refer to students, parents, industry partners, contractors and other members of the wider College community.

In addition, harassment (that is, annoying or pestering) of any type will not be tolerated.

3. THE LAW

The South Australian Equal Opportunity Act 1984 focuses on discrimination on the grounds of:

Sex (that is, whether a person is male or female).

Sexuality (that is, whether a person is homosexual, heterosexual, bisexual or transsexual).

Marital Status (that is, whether a person is single, married, widowed, divorced, separated, or living in a de facto relationship).

Pregnancy.

Race (that is, a person's country of birth, ancestry, colour of skin, or nationality).

Physical Disability (that is, the loss or malfunctioning or malformation of any part of the body).

Intellectual Impairment (that is, the loss or imperfect development of mental faculties resulting in reduced intellectual capacity).

Age (which covers all ages).

Discrimination on any of the grounds listed above is unlawful if it occurs in any of the following areas of public life:

Employment (which includes all aspects of employment, and all types of employees).

Provision of goods or services (which includes dealings with businesses, trades, professions and governments)

Education (at all levels)

Accommodation (of any sort, and while seeking it or being provided with it)

Clubs and Associations (in the sorts of membership and the sorts of benefits offered)

Conferral of qualifications that are needed for employment

Sale of land

Advertising that indicates an intention to break the law.

Also made unlawful by the Equal Opportunity Act are sexual harassment and victimization.

Sexual harassment is behaviour:

- That has a sexual element to it
- Is unwelcome by the person it is directed at
- Makes that person feel (with reason) humiliated or offended or intimidated.

Victimization means treating someone unfairly because they have acted on the rights given them by equal opportunity law, or because they have supported someone else who acted on those rights.

4. DISCRIMINATION

Unlawful discrimination means treating someone differently and less favourably because of one of the grounds spelled out in law. That is, in South Australia, on the grounds of sex, sexuality, marital status, pregnancy, race, disability or age.

Discrimination need not be direct or open. It can be indirect and harder to detect because it is built into the structure of an organization, or into policies or practices or the "way things are done".

Indirect discrimination happens when there is a requirement that at first sight seems to treat everyone equally, but which in fact has an unfavourable effect on one group of people. For example, to say that only people over 180cms tall could apply for a job would have an unfavourable effect on women and some ethnic groups, and would be unlawful indirect discrimination on the grounds of sex and race unless it could be proved that the job could only be carried out by someone over 180cms tall.

5. RIGHTS AND RESPONSIBILITIES

The Equal Opportunities Act 1984 gives rights and responsibilities to employers, employees and clients.

Employees have the right to work in an environment free of discrimination and harassment.

Employees have the responsibility not to discriminate against or harass other employees, or clients.

Employers have the responsibility to ensure that the workplace and the services given to clients are free of discrimination and harassment. Employers – and

managers and supervisors – have a legal responsibility to take all reasonable steps to make sure this happens. This Policy is one of the steps taken by the Australian Technical College – Spencer Gulf & Outback.

All employees will be made aware of this Policy, and will be expected to adhere to it. All managers and supervisors will be expected to implement it.

6. WHAT THIS MEANS IN PRACTICE

As an employer, the Australian Technical College – Spencer Gulf & Outback will ensure there is no discrimination:

When recruiting and selecting staff.

In policies, practices and procedures (including unwritten ones).

In terms and conditions of work.

In training, promotion and transfer.

In the methods and reasons for dismissal or retrenchment.

In addition, sexual or other harassment will not be tolerated.

As a service provider, the Australian Technical College – Spencer Gulf & Outback will ensure that there is no discrimination:

When people are applying for the service.

In the way the service is delivered.

7. COMPLAINTS OF DISCRIMINATION

Complaints of discrimination can be made by contacting the Principal of the College.

Any complaints will be dealt with confidentially, quickly, seriously, and in an unbiased manner.

In addition, any person has the right at any time to contact the Equal Opportunity Commission for information or advice, or to lodge a complaint of discrimination.

8. CONTACT DETAILS

Contact details for the Equal Opportunity Commission are as follows:

Equal Opportunity Commission
Level 2, 45 Pirie Street
ADELAIDE SA 5000

Phone: (08) 8207 1977
Free Call: 1800 188 163

Note: A complaint must be lodged with the Equal Opportunity Commission within 6 months of the last act of discrimination.

The absence of discrimination and harassment leads to a more stable, more contented and therefore more productive workforce; and the needs of clients will only be met in a satisfactory manner if service is provided without discrimination and harassment.

Signed:

A handwritten signature in blue ink that reads "Damien Fidd". The signature is written in a cursive style.

Date ratified: August 2007

Date to be Reviewed: June 2009