



Anti-Discrimination Policy

The following statement of policy on Anti-Discrimination acknowledges its importance and intrinsic relevance to the management of people.

Transition Recruitment & Labour Hire is committed to taking reasonable steps to ensure a workplace free of all forms of discrimination. It aims for equal opportunities for all Staff, Apprentices, Trainees, Contractors and Visitors

This Anti-Discrimination policy is intended to ensure that there is a shared understanding amongst all of Transition Recruitment & Labour Hire's employees, contractors, of our expectations in regards to acceptable and appropriate behavior in the workplace.

Transition Recruitment & Labour Hire's Anti-Discrimination Policy is a commitment to ensure that all personal practices are conducted in a manner that secures fair and equal treatment for all Staff, Apprentices, Trainees, Contractors and Visitors

Demonstrated Performance & Capability as the basis for Promotion, Development and Recruitment

Our principles ensure that candidates are selected on the basis that they have the skills, experience and qualifications required to perform the position. Those with the abilities, skills, qualifications, and experience that are required for a particular job will have an equal opportunity of being considered for the position, along with the ability to demonstrate a commitment to the company values. The successful candidate selected for a job will be the person who best meets the inherent requirements of the position. Selection criteria should be made explicit and may include the opportunity for career development and potential for further promotion beyond that position.

There will be equal opportunity of access to appropriate training and development opportunities.

Access to Employment Information

All employees will have access to information about conditions and benefits as they relate to their employment.

Access to Entitlements

All employees will have equal access to the benefits and entitlements pertaining to positions held.

Anti-Discrimination

All employees of Transition Recruitment & Labour Hire are entitled to work in an environment which is free from discrimination.

The Equal Opportunity Act 2010(Vic) prohibits unlawful discrimination in the form of direct and indirect discrimination. Discrimination is also unlawful under federal legislation, including the *Age Discrimination Act 2004(Cth)*, *Sex Discrimination Act 1984(Cth)*; *Racial Discrimination Act 1975 (Cth)*; *Disability Discrimination Act 1992(Cth)*; *Human Rights and Equal Opportunity Commission Act 1986(Cth)*; and the *Fair Work Act 2009(Cth)* which may change from time to time.

What is Discrimination?

Discrimination is treating, or proposing to treat, someone unfavourably because of a personal characteristic protected by the law (as listed below). This includes bullying someone because of a protected characteristic.

Protected characteristics in Victoria include:

- Age
- Breastfeeding
- Employment activity
- Gender identity
- Impairment
- Industrial activity / inactivity
- Lawful sexual activity
- Marital status
- Parental status or status as a carer
- Physical features
- Political belief or activity
- Pregnancy
- Race
- Religious belief or activity
- Sex
- Sexual orientation
- Personal association (whether as a relative or otherwise) with a person who is identified by reference to any of the above characteristics.

Discrimination can be defined in two ways – direct and indirect discrimination:

Direct Discrimination – occurs when a person treats, or proposes to treat a person with one of the above attributes or personal characteristics unfavorably because of that attribute.

Indirect Discrimination – occurs when a person imposes, or proposes to impose, a requirement, condition or practice that has, or likely to have, the effect of disadvantaging persons with an attribute and that is not reasonable.

Workplace discrimination can occur in:

- recruiting and selecting staff
- terms, conditions and benefits offered as part of employment
- who receives training and what sort of training is offered
- who is considered and selected for transfer, promotion, retrenchment or dismissal
- any other unfavourable treatment including harassment.

It is important to note that from a legal perspective it is irrelevant whether or not the discrimination was intended.

Racial and religious vilification

The *Racial and Religious Tolerance Act 2001* makes it against the law to vilify a person or group of people because of their race or religion.

What is racial or religious vilification?

Vilification is behaviour that incites hatred, serious contempt for, or revulsion or severe ridicule of a person or group of people because of their race or religion.

Behaviour that is likely to be seen as racial or religious vilification

Behaviour that could be seen as vilification includes:

- speaking about a person's race or religion in a way that could make other people hate or ridicule them
- publishing claims that a racial or religious group is involved in serious crimes without any proof
- repeated and serious spoken or physical abuse about the race or religion of another person
- encouraging violence against people who belong to a particular race or religion, or damaging their property
- encouraging people to hate a racial or religious group using flyers, stickers, posters, a speech or publication, or using websites or email.

It is also against the law to give permission or help someone to vilify others.

Behaviour that is unlikely to be seen as racial or religious vilification

Behaviour that is not likely would not be seen as vilification includes:

- being critical of a religion or debating racial or religious ideas in a way that does not encourage others to hate racial or religious groups
- actions that offend people of a particular race or religion, but do not encourage others to hate, disrespect or abuse racial or religious groups.

Comments, jokes or other acts related to the race or religion of a person may not be seen as vilification, but they could still be the basis for a complaint of discrimination if they take place in one of the areas of public life covered by the *Equal Opportunity Act 2010*.

Are there any exceptions to the law?

The Racial and Religious Tolerance Act 2001 includes some exceptions. This means that behaviour that is likely to be seen as vilification may not be against the law in particular circumstances.

This includes where a person can show that their conduct:

- was reasonable, done in good faith and undertaken for discussion, reporting or as part of an artistic work
- was for a genuine academic, artistic, religious or scientific purpose, or any purpose in the public interest
- was meant to be private, that is, seen and heard only by them.

Implementation of Anti-Discrimination Policy

It is the policy of Transition Recruitment & Labour Hire to avoid all forms of discrimination. In doing so, the support of all employees and contractors is sought in identifying and rectifying practices, attitudes and traditions which lead to discrimination.

Each Manager is responsible for the success of the organization's Anti-Discrimination policy.

Anti-Discrimination Summary:

Discrimination is not only unacceptable; it is unlawful pursuant to the relevant legislation.

This Policy addresses the requirements of the National Standards for Group Training Organisations. The Policy has been developed with consideration of access and equity principles and legislative requirements.