

## EQUAL OPPORTUNITY POLICY

Policy number	RPHA 003	Approved by Board on	29 September 2016
Drafted by	E Macdonald	Scheduled review date	To remain compliant with legislation
Responsible person	Executive Officer		

RPH Australia believes Equal Opportunity can deliver advantages to our business.

Treating people fairly has a positive impact on board members, staff, volunteers and clients, and enhances our reputation.

Equal Opportunity principles are in line with our aim to get the best from our people and give them the greatest opportunity to do their work well.

All Board members and staff of RPH Australia are covered by Equal Opportunity law and by this policy.

### 1. Equal Opportunity

Equal Opportunity means fairly treating its board members and staff, volunteers and clients

Fair treatment is:

- treating people as individuals without making judgments based on irrelevant personal characteristics
- creating a work environment free from discrimination, harassment, bullying and victimisation
- allowing all board members and staff to work to their full potential
- making decisions based on merit.

### 2. Direct and Indirect Discrimination

Unlawful discrimination is unfairly treating people because of their particular personal characteristics or because they belong to a certain group.

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Discrimination can be direct or indirect. Indirect discrimination is treatment which appears to be equal but is unfair on certain people. For example: a requirement for a job is that all applicants have ten years' experience in the field. (A young person could be well qualified but is ineligible for the job.) To be unlawful it must also be unreasonable. It is unlawful to unfairly treat people because of their:

age;  
pregnancy;  
sex;  
association with child;  
chosen gender;  
caring responsibilities;  
race;  
identity of spouse;  
disability;  
religious appearance or dress;  
sexuality;  
political opinion;  
marital or domestic partnership status;  
religious belief;  
social origin;  
irrelevant criminal record ; and,  
trade union activity

It is unlawful to unfairly treat people in employment, education, providing goods and services, accommodation, clubs and associations, granting qualifications, advertising or selling land.

Sometimes discriminating behaviors are referred to as bullying. Bullying is behavior which makes people feel offended, afraid or humiliated and in the circumstances it is reasonable to feel that way.

Bullying behavior relating to age, sex, chosen gender, race, disability, sexuality, marital or domestic partnership status, pregnancy, association with child, caring responsibilities, identity of spouse, religious appearance or dress, political opinion, religion, social origin, irrelevant criminal record or trade union activity is unlawful.

Legitimate comment on performance or work related behavior is not unfair treatment. Managers can give full and frank feedback in a constructive and reasonable way.

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### 3. Sexual Harassment

Sexual harassment is sexual behavior which makes people feel offended, afraid or humiliated and in the circumstances, it is reasonable to feel that way.

Both men and women can sexually harass or be harassed.

Sexual harassment is determined from the point of view of the person feeling harassed.

It is how the behavior is received not how it is intended that counts.

Sexual harassment can be:

- unwelcome touching or kissing
- comments or jokes, leering or staring
- sexual pictures, objects, emails, text messages or literature
- direct or implied propositions, or requests for dates
- questions about sexual activity.

Mutual attraction or friendship with consent is not sexual harassment.

### 4. Victimisation

Victimisation is unfairly treating people for complaining or helping others to complain, either within our organisation or to the Equal Opportunity Commission.

Unlawful victimisation is unfair treatment for complaints about discrimination or sexual harassment.

### 5. Statement of Commitment

RPH Australia commits to fair treatment in our policies, procedures or practices in:

- employment – recruiting, selecting, terms and conditions, training, promotion
- offering training opportunities to members, staff and volunteers

### 6. Rights and Responsibilities

Discrimination, sexual harassment and victimisation will not be tolerated

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Equal Opportunity law gives rights and responsibilities to employees, current and potential, and to employers.

RPH Australia board members and staff have:

- the right for employment decisions to be made on merit
- the right not to be discriminated against, sexually harassed or victimised at their workplace
- the right to be protected by their employers from these behaviors
- the right to complain
- the right to work in an environment free of discrimination and sexual harassment
- the responsibility not to discriminate against, sexually harass or victimise other board members or staff
- the responsibility to be familiar with Equal Opportunity policies and complaint procedures
- the right to report to management if they are being harassed by anyone in the course of their work.

Customers or clients have:

- the right not be discriminated against, sexually harassed or victimised by the providers of goods and services
- a responsibility not to harass the providers of goods and services the right not to be discriminated against, sexually harassed or victimised at work
- the right to be protected by their employers from these behaviors the right to complain
- the responsibility not to discriminate against, sexually harass or victimise

Employers have:

- the right to control, direct and monitor work performance
- the right to give legitimate comment on performance or work related behavior
- the responsibility to ensure that the workplace and goods and services offered are free from discrimination, sexual harassment and victimisation
- the responsibility to take all reasonable steps to prevent these behaviors
- the responsibility to respond quickly, seriously and effectively to any complaints.

### 7. Our Practice

RPH Australia has an Equal Opportunity Policy which applies to all.

The Chair of the Board has the responsibility for implementing this policy.

The Chair has the responsibility to communicate the policy to board members and staff and ensure it is followed.

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The Chair, Board members and staff have the responsibility to be familiar with this policy and follow it.

### 8. Complaints

The of Chair of the Board has ultimate responsibility for implementing this policy.

Any complaints about policy breaches will be dealt with quickly, seriously and confidentially.

In the first instance contact the Chair of the Board, who will;

- hear your complaint
- give you information on policies and procedures
- discuss options to resolve the problem
- refer you for more help if needed

Anyone making a complaint or helping someone else to complain about unlawful discrimination or harassment is protected from being victimised for complaining.

Anyone found to have breached this policy or the law, or to have made a false or malicious complaint, will be disciplined. Discipline may include demotion, suspension or dismissal.

I support and endorse this Equal Opportunity Policy.

At any time, you have the right to contact an external agency for advice or help. Below are details for contacting the Australian Human Rights Commission:

#### Address

Level 3, 175 Pitt Street  
SYDNEY NSW 2000

Telephone: (02) 9284 9600

National Information Service: 1300 656 419

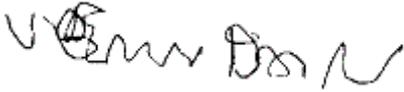
General enquiries and publications: 1300 369 711

TTY: 1800 620 241 Fax: (02) 9284 9611

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### Authorisation



Vaughn Bennison  
Chair of the Board of Management  
RPH Australia

Date of approval by the Board of RPH Australia, 29 September 2016

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**Acceptance**

I (name).....of (address) .....

.....

confirm that I have read and understand the Equal Opportunity policy and I agree to operate within these principles.

Name:

Signature:

Date: