

# Equal Employment Opportunity (EEO) Policy

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**Reference number:** POL 085  
**Approval date:** 17 October 2022  
**Policy owner:** General Manager  
**Next review:** September 2029

Wagga Wagga City Council (Council) is committed to the principles of equal employment opportunity (EEO) to ensure all Council employees (including prospective Council employees), have equal access to employment opportunities based on merit and that access to equal employment is free of discrimination or harassment.

The Equal Employment Opportunity (EEO) Policy is supported by Council's Equal Employment Opportunity (EEO) Management Plan, which is developed in accordance with the Local Government Act 1993 to eliminate and ensure the absence of discrimination on specified grounds and to promote equal opportunity for women, members of racial minorities and persons with disabilities within Council.

## Purpose

The purpose of this Policy is to:

1. Eliminate and ensure the absence of discrimination or harassment in employment;
2. Promote equal employment opportunity for all;
3. Foster a culture that values diversity and inclusion;
4. Remove barriers to participation and progression in employment and training;
5. Encourage innovation and collaboration through different ways of working; and
6. Ensure Council meets its legislative and statutory obligations in relation to equal employment opportunity and anti-discrimination.

## Scope

This Policy applies to all full-time, part-time, casual, temporary, fixed-term and maximum-term Council employees and includes apprentices, trainees, labour hire employees, students on work experience, volunteers and Councillors.

This Policy also applies to contracted service providers delivering services, either on behalf of, or in conjunction with, Council.

## Policy Provisions

### Statement of Policy

Equal employment opportunity (EEO) is the right to be considered for a job, training opportunity, or other benefit, for which a person is skilled or qualified. Selection must be accurate, fair, accountable and systematic, and appointments or promotions should be based solely on merit.

Council's Equal Employment Opportunity (EEO) Management Plan details the programs developed to achieve the integration of equity and diversity, and equal employment opportunity principles into all aspects of employment.

Council is committed to:

- a) All employment practices based on merit of the individual against specific job requirements;
- b) A workplace free from discrimination and harassment;
- c) An organisational culture which supports mutual respect and equality in the workplace;
- d) A workplace which values and supports diversity and equity at all levels; and
- e) A workplace that fosters and values an inclusive and culturally sensitive work environment.

### Complaints Management

Complaints relating to the EEO Policy will be referred to the People & Culture Division to action in accordance with provisions of the Local Government (State) Award 2023 (as amended), Council's Staff Grievance and Dispute Resolution Operating Standard and other relevant policies, procedures and legislation.

## Responsibilities

### General Manager

It is the responsibility of the General Manager to:

- a) Ensure appropriate systems, processes, policies and procedures are in place to eliminate and ensure the absence of discrimination or harassment in employment.

### Directors, Managers and Supervisors

It is the responsibility of Directors, Managers and Supervisors to:

- a) Promote and ensure compliance with equal employment opportunity and anti-discrimination legislation, policies and associated procedures.

- b) Report any allegations or breaches to the General Manager or the People & Culture Division.

### **Council Employees**

It is the responsibility of all Council employees to:

- a) Understand and comply with equal employment opportunity and anti-discrimination legislation, policies and associated procedures.
- b) Notify their supervisor and/or the People & Culture Division of any allegations or breaches.

### **People & Culture Division**

It is the responsibility of the People & Culture Division to:

- a) Review and update Council's EEO Policy and EEO Management Plan ensuring they comply with relevant legislation.
- b) Provide advice, training and support to all Council employees.
- c) Ensure recruitment and selection practices, and access to training and internal progression opportunities are conducted in accordance with the principles of equal employment opportunity and relevant policies, procedures and legislation.
- d) Ensure systems and processes are being complied with for detecting and responding to reports of discrimination or harassment.

### **Failure to Comply**

A failure to comply with this Policy and associated procedures will be dealt with in accordance with disciplinary procedures under the NSW Local Government (State) Award 2023 (as amended), except where summary dismissal is appropriate.

### **Reporting Requirements**

Annual EEO data and outcomes are reported in Council's Equal Employment Opportunity Management Plan and Annual Report.

### **Legislative Context**

- Age Discrimination Act 2004
- Anti-Discrimination Act 1977
- Australian Human Rights Commission Act 1986
- Disability Discrimination Act 1992
- Equal Employment Opportunity Act 1987
- Industrial Relations Act 1996
- Local Government Act 1993
- Local Government (State) Award 2023
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984
- Work Health & Safety Act 2011
- Workplace Relations Act 1996

## Related Documents

- CS.WHS.35 Preventing and Responding to Bullying Procedure
- OPS-PC-017 Preventing and Responding to Workplace Harassment and Sexual Harassment Operating Standard
- Code of Conduct
- Equal Employment Opportunity (EEO) Management Plan
- Work Health & Safety Policy (POL 080)
- Recruitment Operating Standard
- Staff Grievance and Dispute Resolution Operating Standard
- Workplace Equity Strategy

## Definitions

Term	Definition
Contracted Service Provider	An organisation or entity contracted to provide goods, services or programs on behalf of, or in conjunction with, Council where that entity has been engaged as a result of informal or formal procurement processes such as a Request for Quotations (RFQs), Tenders, Expressions of Interests (EOIs), and one-off or standing purchase orders.
Council Employee	Any person engaged in work for Council in any of the following capacities: <ul style="list-style-type: none"> <li>• full time, part time, casual, temporary, fixed-term, maximum term employees;</li> <li>• apprentices or trainees;</li> <li>• labour hire employees;</li> <li>• work experience students;</li> <li>• volunteers; and</li> <li>• for the purposes of this policy, Councillors.</li> </ul>
Disability Discrimination	Refers to unfair treatment on the grounds of a person having, or the perception of a person having, a disability.
Discrimination	Discrimination is unfair treatment. Discrimination may be direct, indirect or systemic. Harassment is also a form of discrimination.  Discrimination can be on grounds of age, disability, race (including colour, national or ethnic origin or immigrant status), sex, pregnancy, marital or relationship status, family responsibilities or breastfeeding, sexual orientation, gender identity or intersex status or political, religious or other affiliation.  Direct – 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 e.g. refusing to interview an applicant based on their race.

Term	Definition
	<p>Indirect – where there is a rule, procedure or policy that appears to treat everyone equally, but has an unequal or disproportionate result on particular groups.</p> <p>Systemic – 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.</p>
Equal Employment Opportunity	Is the principle that everyone should have equal access to employment opportunities based on merit.
Harassment	<p>Any form of behaviour that:</p> <ul style="list-style-type: none"> <li>• is not wanted by the person;</li> <li>• offends, humiliates or intimidates the person; and</li> <li>• creates a hostile environment.</li> </ul>
Racial Discrimination	Refers to unfair treatment on the grounds of a person's race, or characteristic of a person's race.
Sexual Discrimination	Refers to unfair treatment on the grounds of a person's sex, or any characteristic of a person's sex. Sex discrimination also covers discrimination on the grounds of marital status and pregnancy and includes sexual harassment.
Target Groups	<p>Groups who have been identified as experiencing high levels of discrimination and disadvantage in the workplace and for whom EEO strategies are developed to address these disadvantages.</p> <p>The Local Government Act (1993) currently identifies target groups as:</p> <ul style="list-style-type: none"> <li>• women;</li> <li>• members from racial minorities; and</li> <li>• persons with disabilities.</li> </ul> <p>Members of racial minorities are generally people of culturally and linguistically diverse backgrounds; and people of First Nations' heritage.</p>

## Revision History

Revision number	Council resolution	Council meeting date
1	Res No: 93/732	24 May 1993
2	Res No: 99/242	22 February 1999
3	Res No: 00/1155	25 September 2000

Revision number	Council resolution	Council meeting date
4	Res No: 03/412	26 May 2003
5	Res No: 04/243	23 August 2004
6	Res No: 09/077	27 July 2009
7	Res No: 11/117.4	25 May 2011
8	E-Team	30 April 2013
9	Res No: 13/224.1	26 August 2013
10	Res No. 15/096	24 April 2015
11	Res No: 17/279	28 August 2017
12	Res No: 22/301	5 September 2022
13	Res No: 22/354	17 October 2022
14	Res No: XXXX	XXXXXX