



Equal Employment Opportunity

Policy and Management Plan

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1. A MESSAGE FROM THE GENERAL MANAGER

I am pleased to endorse Bathurst Regional Council's Equal Employment Opportunity (EEO) Management Plan.

Bathurst Regional Council is committed to providing a workplace that is free from discrimination and harassment and provides equal employment opportunities for current and prospective employees.

This includes ensuring that the talents and resources of Council employees are fully utilised and that no employee or job applicant receives less favourable treatment on the grounds of race (including colour, nationality and ethnic or national origin), gender, marital status, pregnancy, physical and intellectual impairment, sexual preference, or age by conditions or requirements which cannot be shown to be relevant to performance.

Council views EEO as good management practice. Treating people equitably and recognising that each person contributes something vital to the organisation assists employees in realising their full potential and enhances Council's efficiency and service delivery.

Bathurst Regional Council's firm commitment to Equal Employment Opportunity is reflected in this EEO Management Plan.

D J Sherley
GENERAL MANAGER

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2. POLICY STATEMENT

Bathurst Regional Council aims to provide an environment of equal employment opportunity in its workplace. Council believes that EEO creates a more harmonious and productive workplace, which results in better services to the community.

Equal Employment Opportunity at Bathurst Regional Council is about:

- fair practices in the workplace
- management decisions made without bias
- recognition and respect for the social and cultural backgrounds of all staff and customers
- employment practices which produce staff satisfaction, commitment to the job and the delivery of quality services to ratepayers and residents
- improved productivity by guaranteeing:
 - the person with the most merit is recruited or promoted
 - skilled staff are retained
 - training and development are linked to employee and Council needs
 - an efficient workplace free of discrimination and harassment
 - reduced staff turnover and stress

Council will particularly promote EEO for members of EEO target groups specified in the NSW Local Government Act:

- Women
- People of Non-English Speaking background
- People of Aboriginal or Torres Strait Islander descent
- People with a physical disability

3. COUNCIL'S OBLIGATIONS

Bathurst Regional Council has a legal obligation to ensure its workplaces are free from discrimination and harassment. The following laws state this requirement:

- Anti-Discrimination Act (NSW) 1977 - this legislation specifies that Council is “to eliminate discrimination or harassment in employment” on the grounds of race, sex, marital status, physical impairment, intellectual impairment and homosexuality and compulsory age retirement.
- Local Government Act (NSW) 1993 - Section 344 of this legislation

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states that Council is “to promote equal employment opportunity for women, members of racial minorities and physically handicapped persons in councils”. In accordance with Section 345 of this Act, Council is also obliged to “prepare and implement an equal employment opportunity management plan”.

- Council also has a moral obligation to ensure its staff are not subjected to other forms of harassment. All employees are expected to treat each other with consideration and respect at all times.

Other laws stating the requirement for EEO in the workplace are:

- Race Discrimination Act 1975
- Sex Discrimination Act 1984
- Disability Discrimination Act 1992
- Human Rights and Equal Opportunity Commission Act 1992
- Equal Opportunity for Women in the Workplace Act 1999

4. DEFINITIONS

Equal Employment Opportunity (EEO) - is the principle which ensures that all employees and potential employees are treated equitably and fairly, regardless of their race, sex, marital status, age, physical or intellectual impairment or sexual preference. EEO means that all decisions on a person's employment are made on merit.

Merit - means assessing each person's skills and abilities against the needs of the job, and disregarding personal characteristic (e.g. sex or race) which are irrelevant to the job. Merit recognises experience gained both inside and outside formal employment.

Discrimination - refers to unequal treatment or opportunities. Discrimination may be direct, indirect or systemic:

- **Direct Discrimination** occurs where people are treated differently because different criteria are unnecessarily applied.
- **Indirect Discrimination** occurs when policies, rules and practices which appear neutral or impartial adversely affect a group or individual, thus reducing opportunities (e.g. height requirements for certain jobs, no female toilets at certain worksites, no disabled persons' facilities).
- **Systemic Discrimination** is 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.

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Harassment - any unwelcome, offensive comment or action concerning a person's race, colour, language, accent, ethnic origin, marital status, pregnancy, disability, political or religious conviction. Harassment is behaviour towards another employee which is intimidating or embarrassing and adversely affects the work environment.

Affirmative Action - is the method of achieving equal employment opportunity for target groups and consists of programs designed to overcome the effects of past discrimination. Past discrimination has formed barriers which exclude target groups from having access to equal employment opportunity. Affirmative action seeks to address the effects of past disadvantages and prevent future disadvantages.

Target Groups - EEO target groups specified in the NSW Local Government Act are:

- Women
- People of Non-English Speaking background
- People of Aboriginal or Torres Strait Islander descent
- People with a physical disability

Non-English Speaking Background (NESB) - refers to people who were born in a country where English is not the main language spoken, or to people born in Australia with one or both parents NESB.

Aboriginal or Torres Strait Islander - is a person of Aboriginal or Torres Strait Islander descent who identifies as Aboriginal or Islander and is accepted as such by the Aboriginal or Islander community.

Physical Impairment - is any defect or disturbance in the structure or functioning of a person's body.

Intellectual Impairment - is any defect or disturbance of the functioning of a person's brain. This may result in learning problems.

Psychiatric Impairment - is any condition which impairs a person's thought processes, perception of reality, emotions or judgement, or which results in disturbed behaviour.

5. OBJECTIVES

This EEO Management Plan identifies objectives Council wishes to achieve in 10 Key Result Areas to ensure it is acting under EEO principles.

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Key Result Areas and objectives:

- **Policies and Procedures:** All Council policies and procedures conform with EEO principles.
- **Communication and Awareness Raising:** All managers and employees understand EEO principles and their responsibilities and rights in relation to EEO.
- **Data Collection:** Comprehensive and accurate EEO statistical data is collected and reported upon.
- **Personnel Practices: Recruitment and Selection.** All recruitment and selection policies, procedures and practices conform with EEO principles and Council employs the best person for the job, based on merit, on every occasion.
- **Personnel Practices: Training and Development.** All staff have equal access to, and are encouraged to take advantage of, training and development opportunities relevant to their needs.
- **Personnel Practices: Promotion, Transfer and Higher Duties.** Opportunities for career development through promotion, transfer, and acting in a higher position are available to all staff and based on merit.
- **Personnel Practices: Conditions of Service.** All employees are aware of their conditions of service and are treated in a fair and consistent manner in relation to employment matters
- **Harassment:** Bathurst Regional Council is a workplace free from harassment and discrimination.
- **EEO Target Groups:** Council's staff profile reflects the representation of EEO target groups in the community. Members of EEO target groups have equitable access to opportunities for employment, training and development, promotion, transfer and higher duties.
- **Implementation and Evaluation:** EEO Management Plan is successfully implemented, effectively evaluated, and periodically reviewed.

For each Key Result Area, specific strategies have been devised to facilitate achievement of the stated objective and responsibility for each strategy assigned to a Council officer or officers. Measurable Key Performance Indicators have been identified to allow assessment of whether the objective has in fact been achieved.

6. EEO STAFF CONTACTS

EEO Staff Contacts have a sound knowledge of equal employment opportunity matters, including the handling of EEO grievances. If staff have any enquiries regarding EEO issues they should contact:

- Director of Corporate Services
- Human Resources Manager
- Human Resources/Training Officer
- or their Supervisors

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7. RESPONSIBILITY –

The overall responsibility for monitoring the effectiveness of this policy and for implementing an on-going program of action to make the policy fully operational lies with Management. However, Council recognises that EEO is the responsibility of everyone in the Council, and as such will ensure that advice on EEO matters is available on an on-going basis to all staff.

The co-ordination of the EEO function within Council is primarily the responsibility of the Human Resources Section.

The **Human Resources Section** is responsible for:

- the maintenance of EEO statistics
- the distribution and maintenance of the EEO Management Plan
- the provision of EEO information to Department Heads, following completion of compilation of the previous year's employee survey information
- ensuring EEO Management plans are in accordance with the Local Government Act (NSW) 1993, the Local Government (State) Award 1997, Council's Human Resources Policy and the Anti Discrimination Act (NSW) 1977
- the identification of EEO training to meet Council's EEO goals
- the evaluation of EEO training and recording of statistics
- ensuring that Council meets its EEO obligations under the Local Government Act (NSW) 1993

Other people within Council have responsibilities for ensuring the implementation of EEO. These people include Directors, Section Managers, Supervisors, Overseers, Gangers and Individual Employees.

Directors and Department Heads are responsible for:

- treating all work colleagues equally and in a non-discriminatory manner
- promoting the aims and objectives of this policy and associated practices and procedures
- the identification of EEO needs
- consideration of amendments to the EEO Management Plan
- ensuring that staff of the division participate in training required by legislation
- ensuring that Section Managers fulfil their responsibilities in regards to EEO

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- undertaking EEO training provided by Council

Section Managers are responsible for:

- treating all work colleagues equally and in a non-discriminatory manner
- the identification of departmental EEO needs
- consideration of amendments to the EEO Management Plan, and making suggestions where appropriate
- ensuring that staff of the department are acting in a non-discriminatory manner, free of harassment
- ensuring that all staff treat each other with consideration and respect at all times
- ensuring that staff of the department are aware of Council's EEO Plan
- ensuring that all new staff of the department are inducted into the department and (permanent staff) attend Council induction training
- ensuring that all new staff of the department have equal access to employment and training opportunities subject to individual, department and corporate priorities; and
- ensuring recruitment and selection procedures within their department/section are not discriminatory
- ensuring that supervisors and overseers fulfil their responsibilities in regards to EEO
- undertaking EEO training provided by Council

Supervisors/Overseers are responsible for:

- ensuring that all staff treat each other with consideration and respect at all times
- treating all work colleagues equally and in a non-discriminatory manner
- ensuring that all new staff who they supervise are provided with adequate induction training
- ensuring that all staff who they supervise have equal access to employment and training opportunities subject to individual, department and corporate priorities
- ensuring that all staff who they supervise treat each other in a non-discriminatory manner, free of harassment
- ensuring that gangers and all individual employees whom they supervise/oversee fulfil their responsibilities in regards to EEO
- undertaking EEO training provided by Council

Gangers are responsible for:

- ensuring that all staff treat each other with consideration and respect at

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all times

- treating all work colleagues equally and in a non-discriminatory manner
- making recommendations to Supervisors of appropriate EEO needs for staff in their gang
- ensuring they provide harmonious working relationships among staff
- being aware of what to do if they or another member of staff feel harassed
- being aware of their rights and responsibilities under the law
- being aware of Council's policies in respect of EEO
- undertaking EEO training provided by Council

Individual Employees are responsible for:

- treating all work colleagues equally and in a non-discriminatory manner, and with consideration and respect at all times.
- promoting harmonious working relationships with other members of staff in all circumstances
- completion of EEO surveys and forwarding of these forms to the Human Resources Section
- being aware of what to do if they feel harassed
- being aware of their rights and responsibilities under the law
- being aware of Council's policies in respect of EEO
- undertaking EEO training provided by Council

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KEY RESULT AREA 1: POLICIES AND PROCEDURES

Objective: All Council policies and procedures conform with EEO principles.

Strategies	Responsibility	Key Performance Indicators
Review all existing Council policies and procedures to ensure they conform with EEO principles.	Human Resources/Training Officer Human Resources Manager	<ul style="list-style-type: none"> • All policies and procedures conform with EEO principles • No complaints are received regarding HR advice not meeting EEO principles
Ensure all new policies and procedures conform with EEO principles.	Human Resources/Training Officer Human Resources Manager	
HR advice to managers, supervisors and staff on Council policies and procedures supports the application of EEO principles.	Human Resources Manager Human Resources/Training Officer	

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KEY RESULT AREA 2: COMMUNICATION AND AWARENESS RAISING

Objective: All managers and employees understand EEO principles and their responsibilities and rights in relation to EEO.

Strategies	Responsibility	Key Performance Indicators
Place EEO Policy and Management Plan on Bathurst Regional Council intranet and web site.	Human Resources/Training Officer	<ul style="list-style-type: none"> • Job descriptions of all managers and supervisors include EEO responsibilities
EEO responsibilities are included in job descriptions of all managers and supervisors.	Section Managers	<ul style="list-style-type: none"> • All staff attend Induction within two months of commencement with Council
All new managers/supervisors receive a copy of EEO Policy and Management Plan and are briefed as to their responsibilities at their Section orientation.	Section Managers	<ul style="list-style-type: none"> • All new managers and supervisors attend “EEO for Managers and Supervisors” training within twelve months of commencement
Human Resources Section’s Induction presentation includes information on EEO, Discrimination and Harassment. All staff attend Induction within two months of commencement with Council.	Human Resources/Training Officer	<ul style="list-style-type: none"> • All new non-managerial staff attend “EEO for Non-Supervisors” training within twelve months of commencement
All new managers and supervisors attend “EEO for Managers and Supervisors” training, conducted by Anti-Discrimination Board, within twelve months of commencement.	Human Resources/Training Officer	<ul style="list-style-type: none"> • Articles on EEO included in Staff Newsletter at least four times a year

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Strategies	Responsibility	Key Performance Indicators
All new non-managerial staff attend "EEO for Non-Supervisors" training, conducted by Anti-Discrimination Board, within twelve months of commencement.	Human Resources/Training Officer	
Include articles on EEO in Staff Newsletter at least four times a year.	Human Resources/Training Officer	
Display posters focusing on EEO principles in all Council workplaces.	Human Resources/Training Officer	

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KEY RESULT AREA 3: DATA COLLECTION

Objective: Comprehensive and accurate EEO statistical data is collected and reported upon.

Strategies	Responsibility	Key Performance Indicator/s
All new employees asked to complete EEO survey upon commencement	Payroll Clerk	<ul style="list-style-type: none">• Response rate to EEO data collection is at least 80 per cent
Data on EEO breakdowns compiled annually for comparison with previous year for Annual Report.	Human Resources/Training Officer	<ul style="list-style-type: none">• EEO breakdown data presented graphically and analysed for Annual Report.

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KEY RESULT AREA 4: PERSONNEL PRACTICES: RECRUITMENT AND SELECTION

Objective: All recruitment and selection policies, procedures and practices conform with EEO principles and Council employs the best person for the job, based on merit, on every occasion.

Strategies	Responsibility	Key Performance Indicators
Recruitment and Selection policy clearly outlines procedures for screening, interviewing and appointment which conform with EEO principles.	Human Resources Manager	<ul style="list-style-type: none"> • 100% of advertisements meet specified EEO standards • All managers, supervisors and other staff likely to be involved in selection committees are trained in “Recruitment and Selection Techniques” • No complaints of unfair recruitment practices received from panel members or applicants
All advertisements for vacant positions abide by the following: <ul style="list-style-type: none"> • Brief statement of EEO policy • Non-discriminatory use of language, occupational titles and graphics • Accurate statement of duties • No unnecessary qualifications or pre-requisites • Essential and desirable selection criteria are related to the position description 	Section Managers	
Application forms seek only position-related information.	Human Resources/Training Officer	
Selection committees have sufficient skills, are fully aware of, and implement EEO principles.	Selection Committee Convenor	

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Strategies	Responsibility	Key Performance Indicators
All members of the selection committee are involved in screening, interviewing and selection.	Selection Committee Convenor	
When female applicants are being interviewed, at least one member of the selection committee is female.	Selection Committee Convenor	
All records of interviews are filed in the Records Section for required period of time.	Selection Committee Convenor	

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KEY RESULT AREA 5: PERSONNEL PRACTICES: TRAINING AND DEVELOPMENT

Objective: All staff have equal access to, and are encouraged to take advantage of, training and development opportunities relevant to their needs.

Strategies	Responsibility	Key Performance Indicators
Complete Training and Development Policy and Procedures.	Human Resources/Training Officer	<ul style="list-style-type: none"> • Training Plan established for each individual staff member • EEO target groups represented in training • No complaints received regarding unfair access to training and development opportunities
Review Departmental Training Plans and report inadequacies relating to access to training opportunities for staff.	Human Resources/Training Officer	
Managers/ supervisors encourage staff to apply for appropriate personal development activities.	Section Managers/Supervisors	
Monitor the participation rates of EEO target groups in training.	Human Resources/Training Officer	

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KEY RESULT AREA 6: PERSONNEL PRACTICES: PROMOTION, TRANSFER AND HIGHER DUTIES

Objective: Opportunities for career development through promotion, transfer, and acting in a higher position are available to all staff and based on merit.

Strategies	Responsibility	Key Performance Indicators
Advertise all vacant positions.	Section Managers	<ul style="list-style-type: none"> • 100% of positions advertised on staff intranet and on weekly "Positions Vacant" document circulated to all Council workplaces • No complaints received regarding unfair treatment in opportunities for promotion, transfer and acting in higher duties • Monitor and evaluate higher duties opportunities and specifically assess the participation of EEO target group members
Develop staff awareness of career opportunities through each individual's Training Plan discussion during annual performance appraisal.	Section Managers	
Ensure selection of staff for promotion, transfer and higher duties is based on merit.	Section Managers	

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KEY RESULT AREA 7: PERSONNEL PRACTICES: CONDITIONS OF SERVICE

Objective: All employees are aware of their conditions of service and are treated in a fair and consistent manner in relation to employment matters.

Strategies	Responsibility	Key Performance Indicators
All letters of employment offer include a copy of Council's Staff Information Booklet, Code of Conduct, and OHS Policy. Staff are required to sign agreement to these conditions of service in accepting employment with Bathurst Regional Council.	Human Resources Secretary	<ul style="list-style-type: none"> • All letters of employment offer include a copy of Council's Staff Information Booklet, Code of Conduct, and OHS Policy. • All staff attend Induction within two months of commencement with Council
All new staff attend Induction program where conditions of service are verbally explained within two months of commencement.	Human Resources/Training Officer	<ul style="list-style-type: none"> • No complaints are received relating to unfair conditions, practices, policies and procedures.
Job evaluation and performance appraisal policies, procedures and practices ensure employees are paid fairly and equitably.	Human Resources Manager	
Part-time and job-sharing applications are invited and are reviewed and discussed on each application's merit.	Section Managers/Department Heads	
Staff who need assistance or increased flexibility of conditions or hours of work due to caring responsibilities are accommodated as far as practicable.	Section Managers/Department Heads	

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Strategies	Responsibility	Key Performance Indicators
Exit interview process is undertaken and EEO issues are included.	Human Resources Manager	

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KEY RESULT AREA 8: HARASSMENT

Objective: Bathurst Regional Council is a workplace free from harassment and discrimination.

Strategies	Responsibility	Key Performance Indicators
Draft Harassment Policy and Procedure.	Human Resources Manager	
Upon completion of Harassment Policy and Procedure, conduct information sessions on same for all staff.	Human Resources Manager	<ul style="list-style-type: none"> • All new managers and supervisors attend “EEO for Managers and Supervisors” training within twelve months of commencement
Communicate Harassment Policy and Procedure to all new staff at Induction.	Human Resources Manager	<ul style="list-style-type: none"> • All new non-managerial staff attend “EEO for Non-Supervisors” training within twelve months of commencement
All managers and supervisors attend “EEO for Managers and Supervisors” training, conducted by Anti-Discrimination Board, within twelve months of commencement.	Human Resources/Training Officer	<ul style="list-style-type: none"> • All staff are aware that harassment is unacceptable in the workplace and will lead to disciplinary action
All non-managerial staff attend “EEO for Non-Supervisors” training, conducted by Anti-Discrimination Board, within twelve months of commencement.	Human Resources/Training Officer	<ul style="list-style-type: none"> • All directors, managers, and supervisors attend specific grievance handling training
All directors, managers, and supervisors attend specific grievance handling training.	Human Resources/Training Officer	<ul style="list-style-type: none"> • All substantiated claims of harassment are handled in accordance with Harassment Policy and Procedure

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KEY RESULT AREA 9: EEO TARGET GROUPS

Objective: Council's staff profile reflects the representation of EEO target groups in the community. Members of EEO target groups have equitable access to opportunities for employment, training and development, promotion, transfer and higher duties.

Strategies	Responsibility	Key Performance Indicators
Review the percentage of Council staff from EEO target groups (women, people of non-english speaking background (NESB), people of Aboriginal or Torres Strait Islander descent, people with a physical disability) compared with representation in the local community.	Human Resources/Training Officer	<ul style="list-style-type: none"> • Council's workforce reflects the diversity of the community in relation to EEO target groups - women, people of non-english speaking background (NESB), people of Aboriginal or Torres Strait Islander descent, people with a physical disability
Review the number of women in management positions to determine if women are proportionally represented.	Human Resources/Training Officer	<ul style="list-style-type: none"> • Women are proportionally represented in management positions at Council
Develop strategies to encourage women to apply for identified non-traditional roles where they are currently under-represented.	Human Resources/Training Officer	<ul style="list-style-type: none"> • NESB and indigenous people are retained within Council's workforce - turnover of indigenous staff is less than 10%
Access federal and state government funding initiatives (e.g. Indigenous Employment Program, Elsa Dixon Aboriginal Employment Program) which focus on increasing the participation of indigenous staff in Council's workforce.	Human Resources/Training Officer	<ul style="list-style-type: none"> • Council complies with legislative requirements as specified in the "Disability Discrimination Act" 1992 • No complaints are received regarding inequitable access to opportunities for

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Strategies	Responsibility	Key Performance Indicators
Assign new NESB and indigenous staff an appropriate “mentor” to assist their integration into the workforce.	Section Managers	employment, training and development, promotion, transfer and higher duties from members of EEO target groups
Review legislative requirements as specified in the “Disability Discrimination Act” 1992.	Human Resources Manager	
Investigate the need for any alterations or renovations within existing Council buildings and facilities necessary to accommodate the needs of people with disabilities.	Section Manager Risk/OHS Coordinator	
Carry out work site modifications to accommodate the needs of individual employees with physical disabilities.	Section Manager	
Monitor access to opportunities for employment, training and development, promotion, transfer and higher duties for members of EEO target groups.	Human Resources/Training Officer	

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KEY RESULT AREA 10: IMPLEMENTATION AND EVALUATION

Objective: EEO Management Plan is successfully implemented, effectively evaluated, and periodically reviewed.

Strategies	Responsibility	Key Performance Indicators
Staff with particular responsibilities in respect of implementation of the EEO Management Plan are identified and their responsibilities communicated to them.	Human Resources/Training Officer	<ul style="list-style-type: none"> • All staff with particular responsibilities identified in EEO Management Plan are aware of their responsibilities • Council's annual Management Plan and Budget identifies adequate funds for EEO training • EEO Management Plan reported on in Council's Annual Report
Sufficient staff time and adequate funds provided annually for training, equipment and initiatives identified in the EEO Management Plan.	General Manager Senior Management Managers	
Performance against Key Performance Indicators evaluated annually and reported in Council's Annual Report.	Human Resources/Training Officer	
EEO Management Plan reviewed and amendments considered by Senior Management periodically, at least biannually.	Human Resources/Training Officer Senior Management	