



## **Anti-Discrimination Policy**

## 1. Policy Validity Statement

- 1.1 If this document has passed its review date (as shown above), this document may be invalid. The user must ensure that they are using the most current version of the document before relying on the contents of this document.

## 2. Purpose

- 2.1 The purpose of this policy is to explain the standard of behaviour expected of employees and to outline the Society's policy on discriminatory behaviour.

## 3. Scope

- 3.1 This policy applies to all QLS staff.

## 4. References

- 4.1 *Anti Discrimination Act 1991 (Qld)*  
4.2 *Racial Discrimination Act 1975 (Cth)*  
4.3 *Sex Discrimination Act 1984 (Cth)*  
4.4 *Human Rights & Equal Opportunity Commission Act 1986 (Cth)*  
4.5 *Disability Discrimination Act 1992 (Cth)*  
4.6 *Age Discrimination Act 2004 (Cth)*  
4.7 QLS Grievance Policy

## 5. Definitions

### 5.1 Discrimination

Discrimination can be either direct discrimination or indirect discrimination.

Direct discrimination occurs where a person is treated less favourably than another person in the same or similar circumstances for the substantial reason of their having or being perceived as having any of the following attributes: age, parental or carer's status, impairment, gender identity, industrial activity, marital status, physical features, political belief/activity, pregnancy, breast feeding, race, religious belief/activity, sex, lawful sexual activity, profession trade occupation or calling, irrelevant medical record, irrelevant criminal record or personal association with someone who has one or more of the above attributes.

Indirect discrimination occurs when an unreasonable requirement, condition or practice is imposed that persons with one or more of the above attributes cannot comply with, whereas most persons without the attribute can comply.

### 5.2 Victimisation

Victimisation occurs when a person subjects another person to detriment (or threatens to do so) because they have made, intend to make or have helped someone else make a complaint, or refused to do an act in contravention of this policy or because they've provided information about a complaint. It also includes acting to a person's detriment because they have agreed to be a witness.

### 5.3 Vilification

Vilification occurs when a person incites hatred towards, serious contempt for or severe ridicule of a person or group of persons on the ground of their race, religion, sexuality or gender identity, colour, nationality, descent, ethnicity, ethno-religious status, national origin, homosexuality, HIV or aids status or trans-gender status, disability, sexual orientation or lawful sexual activity.

## 6. Policy

- 6.1 QLS is committed to creating a working environment free from discrimination and where all employees are treated equally with dignity, courtesy and respect. QLS aims to do this by:

- Developing a diverse workforce, and conducting business, staffing procedures and internal systems with the absence of discrimination
- Including contemporary principles of workforce diversity in the company's policies protecting everyone from the presence of discrimination
- Creating an environment free from discrimination and vilification where all employees are treated with dignity, courtesy and respect
- Providing an effective procedure for complaints based on the principles of natural justice

- Handling conflict arising from discrimination effectively
- Setting standards of acceptable behaviour for all employees
- Providing all workers with discrimination awareness training to ensure that employees know their rights and responsibilities
- Treating all complaints in a fair, timely and confidential manner
- Protecting people from any victimisation or reprisals
- Encouraging the reporting of behaviour which breaches this policy
- Regularly reviewing this policy, the complaint handling procedures and training needs.

Discrimination is against the law and will not be tolerated by QLS under any circumstances. This includes discrimination in the workplace or in any work-related context such as conferences, work functions and business trips.

Vilification is also unlawful and will not be tolerated.

The recruitment, status and advancement of employees at QLS is based on the competence, experience and qualifications of the people involved and decisions must be made free from any form of discrimination, including decisions regarding any of the following:

- Recruiting and selecting employees
- The 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.

Prompt action will be taken by QLS to ensure any discriminatory behaviour within the workplace ceases.

## 6.2 Responsibilities

All employees are required to undertake anti discrimination awareness training as part of their orientation to the company and at other times during their employment to ensure understanding of and compliance with this policy.

Managers have a responsibility to:

- Monitor the working environment to ensure that acceptable standards of conduct are observed at all times. If Managers observe discrimination or vilification in the workplace, they should take appropriate steps in response to ensure the behaviour stops and is appropriately dealt with
- Model appropriate behaviour themselves, including ensuring they do not engage in conduct in breach this policy
- Ensure employees and other relevant persons understand this policy
- Treat all complaints seriously and take appropriate action in response to complaints.

All employees of the company have a responsibility to:

- Ensure that they do not engage in any discriminatory behaviour, vilification or otherwise breach this policy
- Report any incidences of discrimination or vilification in the workplace
- Offer support to anyone who is being discriminated against or vilified and let them know where they can get help and advice (they should not however approach the person complained against)
- Maintain complete confidentiality of information and cooperate during the investigation of a complaint.

## 7. Procedure

### 7.1 Persons who believe they have been discriminated against should contact the Human Resources team to discuss the range of options available to deal with the matter.

There are a number of options available to employees for dealing with discrimination ranging from dealing with the matter individually to making a formal complaint. These options are outlined in the QLS Grievance Policy.

All complaints of discrimination and vilification will be treated seriously, promptly, confidentially and impartially.

Employees will not be disadvantaged in their employment conditions or opportunities as a result of lodging a complaint.

Where discrimination or vilification has been substantiated, or where disciplinary action resulted, the records will be placed on the personnel file of the person complained against.

Where discrimination or vilification has not been substantiated the records will not be placed on the personnel file of the person complained against but rather they will be held centrally by the Human Resources team.

There is the potential for defamation action to be brought by the person accused of discrimination or vilification. Accordingly, it is important for the person complaining of the conduct to maintain confidentiality and only speak to those persons about the complaint who need to be involved.

Vexatious claims of discrimination or vilification may result in disciplinary action.

**Victimisation**

Victimisation is against the law and will not be tolerated by QLS under any circumstances. If a complaint of victimisation is made it will be dealt with in accordance with the complaints procedure set out in this policy.

**8. Endorsement**

- 8.1 QLS is committed to this policy and its implementation. Failure of any employee to comply with this policy may result in disciplinary action which may be summary dismissal.