POLICY

The Board of Hays International College Pty Ltd (the Board) (HIC) is committed to providing an employment environment that supports anti-discrimination legislation and which recognises and positively promotes a discrimination free workplace.

RELEVANT LEGISLATION

Disability Discrimination Act 1992 Cwlth
Human Rights and Equal Opportunity Commission Act 1986 Cwlth
Racial Discrimination Act 1975 Cwlth
Sex Discrimination Act 1984 Cwlth
Equal Opportunity Act 1995 Vic
Public Administration Act 2004 Vic
Racial and Religious Tolerance Act 2001 Vic
The Age Discrimination Act 2004 Cwlth
The Equal Opportunity Act 1995
Makes it unlawful to discriminate against a person on a basis of the following attributes:

- age
- breastfeeding
- gender identity
- impairment
- industrial activity
- employment activity
- 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 attributes;

Prohibits direct or indirect discrimination

Direct discrimination occurs if a person treats, or proposes to treat, someone with an attribute less favourably than the person treats or would treat someone without that attribute, or with a different attribute, in the same or similar circumstances.

Indirect discrimination occurs if a person imposes, or proposes to impose, a requirement, condition or practice

- that someone with an attribute does not or cannot comply with; and
- that a higher proportion of people without that attribute, or with a different attribute, do or can comply with; and
- that is not reasonable;

Promotes the accommodation of responsibilities as a parent or carer for employees;
Makes it unlawful to sexually harass a person;
Promotes equality of opportunity between persons of different sex, age, marital status, race and the other specified attributes;
Provides redress for those who have been subjected to discrimination.

The Victorian Racial and Religious Tolerance Act 2001 and the various Commonwealth Acts provide similar prohibitions against discrimination in their respective areas.
The principles of public sector employment and conduct are established through the Public Administration Act 2004. The public sector employment principles provide that:

- employment decisions are based on merit;
- employees are treated fairly and reasonably;
- equal employment opportunity is provided;
- employees have reasonable avenues of redress against unfair or unreasonable treatment.

The public sector conduct principles require all public sector employees to:

- act impartially;
- act with integrity and avoid any real or apparent conflict of interest;
- accept accountability for results;
- provide a responsive service.

The Benefits of a Discrimination Free Workplace

Observance of the Victorian Equal Opportunity Act 1995 and the public sector employment and conduct principles will ensure that:

- all HIC employees and all applicants for positions at HIC are treated according to their skills, qualifications and capabilities
- a clearly articulated staff selection process based upon the principles of equal access and equity is applied;
- anti-discrimination principles are maintained throughout an employee's employment with HIC;
- a discrimination free workplace is maintained at HIC.

The Board will:

- develop policies and procedures that eliminate direct, indirect and systemic discrimination, allow for diversity in the workforce and ensure fair treatment of individuals;
- document policies and procedures and ensure that they are made available to all staff.

Action to Take If You Believe You Have Been Discriminated Against

If you believe you have been discriminated against you should seek advice from the Director of Studies or the Director of Administration or Student Services. It is their role to:

- provide advice on whether discrimination may have occurred;
- advise you on appropriate action to take;
- where appropriate, arrange for an investigation of the matter following discussion with and the approval of the CEO.
Action That Will Result If You Discriminate Against Others

If it is proved that you have discriminated against a person, whether an employee, student or visitor, disciplinary action will be taken against you.

Penalties up to termination of employment will be applied subject to the seriousness of the discrimination.

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