



# Equal Opportunity Policy

IPAR is an equal opportunity (EO) employer and treats all employees, potential employees, clients, and customers fairly and equitably. IPAR is committed to embracing diversity and we seek to establish and sustain a workforce that values the differences among people.

## Our Commitment to our Employees

All employees have a right to work in an environment free of discrimination, harassment, victimisation and bullying. As such, any action that is deemed to constitute discrimination, harassment, victimisation or bullying is contrary to IPAR Policy and will result in appropriate disciplinary action.

Our goal is to recruit individuals with the best strengths, ideas and talents in the communities we serve. All employees and applicants for employment shall be treated and evaluated according to their job-related skills, qualifications, abilities, aptitudes and future potential. Employment shall be offered and provided on a non-discriminatory basis.

IPAR is committed to dealing with all EO matters quickly, fairly and with confidentiality. IPAR is also committed to protecting employees against the possibility of any victimisation in association with EO matters.

## Our Commitment to our Clients

This Policy is guided by international human rights standards, as encompassed in: The Universal Declaration of Human Rights; The International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; and The International Labour Organization's Declaration of Fundamental Principles and Rights at Work.

## What is Discrimination?

Under federal and state legislation unlawful discrimination occurs when someone, or a group of people, is treated less favourably than another person or group because of their:

- race;
- colour;
- gender, gender identity or preference
- national or ethnic origin;
- sexual orientation;
- pregnancy or marital status;
- age;
- disability;
- religion;
- sexual preference;
- political beliefs and activity
- membership of a trade union activity;
- or some other characteristic specified under anti-discrimination or human rights legislation.
- (as defined in the Racial Discrimination Act 1975, Sex Discrimination Act 1984, Disability Discrimination Act 1992, Age Discrimination Act 2004, Human Rights and Equal Opportunity Act 1986 and the Victorian Equal Opportunity Act 1995)

Discrimination can be based on either a person's actual attribute or an attribute that that person is merely perceived or assumed to have.



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Discrimination does not need to be intentional or deliberate.

There are two commonly recognised categories of discrimination, direct and indirect.

- **Direct discrimination** occurs if a person treats or proposes to treat someone who has an actual or perceived attribute less favourably than that person would treat someone who does not have this attribute.

The attribute does not need to be the sole or dominant reason for the less favourable treatment, as long as it is a significant reason.

Direct discrimination involves:

- applying an assumption or prejudice instead of considering a person's real attributes, capacities, knowledge, understanding or skills;
  - 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, because a personal characteristic irrelevant to the situation is applied as a barrier;
  - assumed, stereo-typed differences between groups of people.
- **Indirect discrimination** involves:  
Applying seemingly fair rules, practices or procedures (which "appear to treat people equally") but which actually "impact unfairly" on a group of people and there is no reasonable basis for the rule, practice or procedure. Then, it is the assumption of fairness that constitutes the discrimination.

## What is Harassment?

Unlawful harassment occurs when someone is made to feel intimidated, insulted or humiliated because of their race, colour, national or ethnic origin; sex; disability; sexual preference; or some other characteristic specified under anti-discrimination or human rights legislation. It can also happen if someone is working in a 'hostile' or intimidating environment.

Harassment can include (but is not limited to) behaviour such as:

- telling insulting jokes about particular racial groups;
- sending explicit or sexually suggestive emails;
- displaying offensive or pornographic posters or screen savers;
- making derogatory comments or taunts about someone's race or religion;
- asking intrusive questions about someone's personal life, including their sex life;
- humiliating comments or action about a person's disability, such as insults.

If the behaviour is uninvited and unwelcome, the intention behind the behaviour is irrelevant. The determining factor is how the behaviour was perceived and experienced by the recipient. Whether the behaviour was offensive, humiliating or intimidating is determined by whether a reasonable person would have anticipated that the behaviour would have this effect.

## What is Sexual Harassment?

Sexual harassment is an:

- unwelcome sexual advance;
- unwelcome request for sexual favours; or
- other unwelcome conduct of a sexual nature,
- that makes a person feel offended, humiliated and/or intimidated, where a reasonable person would anticipate that reaction in the circumstances.

Sexual harassment may occur in a single incident or a series of incidents. The harassment may be subtle and implicit rather than explicit. Sexual harassment in the workplace can take various forms. It can involve (but is not limited to):

- staring, leering or unwelcome touching;
- suggestive comments or jokes;
- sexually explicit pictures, posters or conversations;



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- unwanted invitations to go out on dates;
- requests for sex;
- intrusive questions or remarks about a person's private life or body;
- unnecessary familiarity, such as deliberately brushing up against a person;
- insults or taunts based on sex;
- sexually explicit physical contact such as kissing, pinching or patting;
- sexually explicit emails, text messages or screen savers.

Sexual harassment is prohibited in all work-related activity - at the workplace during working hours and at work-related activities such as training courses, conferences, work functions and office Christmas parties.

A working environment or workplace culture that is sexually 'hostile' will also amount to unlawful sexual harassment. Some of the factors which may indicate a potentially hostile environment include the display of obscene or pornographic materials, general sexual banter, crude conversation or innuendo and offensive jokes.

Some types of sexual harassment may also be offences under criminal law.

## What is Bullying?

Workplace bullying is repeated, unreasonable behaviour directed toward an individual or a group that is offensive, intimidating, degrading or humiliating.

Where repeated, or occurring as a pattern of behaviour, the following types of behaviour may be considered bullying:

- verbal abuse and/or physical violence;
- psychological harassment;
- excluding or isolating individuals;
- intimidation;
- deliberately sabotaging or impeding work performance;
- deliberately interfering with mail and/or other communications;
- tempering with personal effects or work equipment;
- assigning meaningless tasks unrelated to the job.

Isolated or one-off incidents of bullying behaviour are also inappropriate and may constitute misconduct, depending on circumstances.

Bullying is not:

- feedback provided by your manager about your performance;
- formal or informal performance management or disciplinary action;
- directions regarding work and the way work is to be carried out, if done in a reasonable way.

## What is Victimisation?

IPAR endeavours to eliminate all discrimination, harassment or bullying and protect individuals against victimisation.

An individual is victimised if he or she is threatened with, or subjected to, any form of detriment. Protection extends to those who:

- intend to make a complaint;
- make a complaint;
- intend to provide information as a witness;
- provide information as a witness;
- support an individual who intends to make a complaint;
- support an individual who has made a complaint; or
- are believed to have done any of the above.



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## Employee Responsibilities

All employees must ensure that they comply with IPAR's Equal Opportunity Policy and with appropriate legislation. It is the responsibility of every employee not to participate in discriminatory, harassing, victimising or bullying behaviour within the workplace.

All employees are expected to treat other employees with courtesy and sensitivity, and treat those with whom they deal equitably as a condition of employment. This applies to all workplace participants (permanent, full or part-time, temporary, casual, contract and work experience).

This Policy applies to all aspects of employment (recruitment, overtime, training, leave etc.) and in all situations which relate to an employee's employment responsibilities (outside of standard working hours at social gatherings, training, conferences, client entertainment etc.)

All staff must take all reasonable steps to:

- prevent discrimination, harassment and workplace bullying; and
- prevent victimisation associated with the reporting of these offences.

## What to do if you have an EO Matter or Concern?

All employees are encouraged to object to discrimination, harassment, victimising or bullying and may cite this policy in support of their objection.

The Equal Opportunity Grievance Procedure located on IPAR's Intranet provides a clear and confidential structure for managing your EO matter or concern.

All reports of discrimination, bullying or harassment will be:

- taken seriously
- managed promptly and fairly in accordance with natural justice principles
- treated with sensitivity and confidentiality

Whether or not complainants initially use IPAR's Equal Opportunity Grievance Procedure, you may choose to proceed to take complaints of discrimination or discriminatory harassment to the FairWork Ombudsman, Commonwealth Human Rights and Equal Opportunity Commission or relevant state/territory Equal Opportunity Commission. In such cases IPAR will offer cooperation with the Commission.

Complainants will be advised that whilst seeking redress through internal resolution procedures they continue to have recourse to outside avenues of complaint, and that these avenues may be subject to time limits. Should an external complaint be pursued, IPAR procedures would be suspended or terminated.



**David Sagar**  
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