



1. ORGANISATIONAL STATEMENT

Recognising that individuals have different qualities, skills, perspectives and experiences, MEGT is committed to creating an inclusive workplace, building a diverse workforce and valuing and using our employees’ diverse range of skills and experiences to improve workplace relationships and strengthen our business.

The purpose of MEGT’s Equal Opportunity & Diversity Policy is to:

- provide the framework for an inclusive environment that promotes equal opportunity and diversity for employees, apprentices, trainees and students of MEGT;
- ensure that all employees are educated in the prevention of inappropriate workplace behaviours.

MEGT aims to provide an environment where all employees are valued and treated with respect. Each employee has the right to work without the distress caused by harassment, discrimination, bullying or other inappropriate workplace behaviour.

MEGT does not accept inappropriate workplace behaviour by any employee at any time. Discrimination and harassment in any form can have an adverse effect on individuals as well as the operation of MEGT. Discrimination results in poor staffing decisions, undermines working relationships, lowers morale and ultimately impacts on the delivery and quality of MEGT services.

2. SCOPE

This policy applies to all staff employed by MEGT (Australia) Ltd including sessional, contract and casual staff, and apprentices and trainees.

3. DEFINITIONS

3.1 Bullying

Bullying is unreasonable and repeated behaviour that intimidates, degrades or humiliates another person, and creates a risk to health and safety. This behaviour can be verbal, physical, in writing or online and includes actions such as publicly humiliating someone, verbal abuse and spreading malicious rumours or gossip.

In certain circumstances, interactions outside the workplace, in person or via social media, may also constitute workplace bullying. Refer to MEGT’s [Anti-Bullying Policy and Procedure](#).

3.2 Criminal conduct

The following forms of more serious inappropriate behaviour may also constitute a criminal offence:

- stalking
- sexual assault
- indecent exposure
- physical molestation or assault
- requests for sexual activity under threat.

3.3 Discrimination

Discrimination can be direct or indirect. Direct discrimination occurs when a person is treated less favourably than another person because of characteristics protected by law (refer to 3.9).

Indirect discrimination occurs when there is a workplace policy or practice that disadvantages a person due to characteristics protected by law (refer to 3.9) and this policy or practice is not reasonable.

3.4 Diversity

Effective workforce diversity is based on understanding that everyone is different, respecting and valuing these differences, and using them positively to benefit the team and the business.

3.5 Equal Opportunity

Equal opportunity is the practice which ensures that all employees and potential employees are treated equitably and fairly, regardless of any differences e.g. race, gender, marital status, age, physical or intellectual ability, sexual preference, etc.

Treating people equitably does not mean treating all people the same; sometimes things need to be done differently to ensure that someone receives fair treatment.

3.6 Harassment

Harassment is any uninvited or unwelcome behaviour that is reasonably likely to offend, humiliate or intimidate another person, and which is based on personal characteristics protected by law (refer to 3.9).

Sex-based harassment is behaviour of a sexual nature that involves uninvited or unwelcome behaviour that reasonably causes a person to feel offended, humiliated or intimidated.

3.7 Inappropriate workplace behaviour

Behaviour such as harassment, discrimination, sex-based harassment and bullying are inappropriate in the workplace and are not accepted by MEGT at any time. Some types of inappropriate behaviour may be unlawful and may lead to disciplinary action including possible termination of employment.

3.8 Merit

Merit-based staffing decisions such as selection for positions and staff development activities are based on the overall skills and abilities of the individual and the organisation's needs, and are not influenced by personal characteristics which are irrelevant to the decision.

3.9 Personal characteristics

It is unlawful to discriminate or harass a person or group of people on the basis of the following attributes or personal characteristics:

- age
- carer and parental status
- disability (physical, sensory and intellectual disability; medical conditions; mental, psychological and learning disabilities; and work-related injuries)
- employment activity (e.g. voicing concern about entitlements)
- gender

- gender identity, lawful sexual activity and sexual orientation
- industrial activity (e.g being a member of, or participating in lawful activities, of an industrial organisation)
- marital status
- physical features
- political belief or activity
- pregnancy, potential pregnancy or breastfeeding
- race (colour, nationality, ethnicity and ethnic origin)
- spent convictions
- religious belief or activity
- personal association with someone who has, or is assumed to have, one of these personal characteristics.

3.10 Victimisation

Victimisation includes subjecting a person to less favourable treatment, abusing them, altering their employment conditions to their detriment, or dismissing them because:

- the person has made, or proposes to make, a report about bullying or inappropriate behaviour or inappropriate material
- has provided information or documents
- has attended a conference in relation to a report of bullying or inappropriate behaviour
- has supported someone lodging a report
- has spoken about bullying or inappropriate behaviour.

Victimisation of any employee involved in an equal opportunity complaint will not be tolerated.

4. POLICY PRINCIPLES

4.1 MEGT is committed to achieving fair and equitable employment practices throughout the organisation, including:

- merit-based recruitment, selection and promotion practices
- access for all employees to training and development
- grievance handling procedures.

4.2 MEGT is also committed to ensuring that:

- its workplace policies, procedures and decisions are fair and equitable
- all employees are valued and respected and have opportunities to achieve their full potential.

4.3 In delivering this policy and our commitment to diversity, MEGT will:

- communicate this Equal Opportunity & Diversity Policy to all employees
- ensure that all employees have equal access to employment opportunities
- treat all employees fairly and with respect
- encourage and facilitate opportunities for groups of people who are recognised under Equal Opportunity-related legislation
- review MEGT's employment practices to respond flexibly to the changing needs of employees.

- 4.4 MEGT's Code of Conduct and the Unacceptable Workplace Behaviour Guideline provides guidance on acceptable standards of behaviour for employee conduct while working towards achieving MEGT's goals.

5. PROCEDURE

To support this policy, MEGT has developed comprehensive supporting procedures. Due to the variables that can arise in harassment and discrimination complaints, MEGT has established both an informal and formal issue resolution and complaints process.

5.1 Informal issue resolution and complaints process

MEGT's informal issue resolution and complaints process focusses on resolving complaints rather than determining factual proof or substantiation of a complaint. Informal ways of dealing with inappropriate workplace behaviour complaints include:

- self-help
- intervention
- mediation
- general re-education.

MEGT's [Grievance Procedure](#) should be used where there is an action that adversely affects employees, apprentices, trainees or contractors.

5.2 Formal issue resolution and complaints process

MEGT's formal issue resolution and complaints process looks at whether a complaint can be substantiated, or at least whether the two parties can be brought together to try to reach a satisfactory resolution.

Formal action usually results in an equal opportunity or Work Health & Safety investigation, as detailed in MEGT's [Grievance Procedure](#).

5.3 Equal Opportunity Contact Officers

MEGT has a national network of Equal Opportunity (EO) Contact Officers who are available to assist employees with equal opportunity and gender equality concerns. The EO Contact Officers are MEGT employees who are trained to provide other employees with information on MEGT's Equal Opportunity & Diversity Policy and procedures. They can also provide support to employees responding to discrimination, harassment – including sex-based harassment - or bullying in the workplace.

MEGT's EO Contact Officers have access to information about complaint resolution options within MEGT and provide support to employees in making informed decisions about how best to address the grievances.

Equal Opportunity Contact Officers do not investigate complaints. Local managers, Field Officers and People & Safety employees may investigate complaints in line with MEGT's [Grievance Procedure](#).

6. RESPONSIBILITIES

6.1 People & Safety

The General Manager People & Safety or a People & Safety employee designated by the General Manager People & Safety is to develop, review, issue and monitor the effectiveness of this policy.

6.2 Managers

Managers and supervisors are required to:

- model appropriate standards of behaviour
- take steps to educate and make employees aware of their obligations under this policy and the law
- intervene promptly and appropriately when they become aware of inappropriate workplace behaviour
- assist employees in informal resolution of complaints
- seriously evaluate requests for flexible employment conditions.

6.3 Employees

Employees are required to:

- abide by the standards of behaviour outlined in this policy
- offer prompt support or referral to the victims of any discrimination, harassment or bullying they witness
- avoid gossip and respect the confidentiality of the complaint resolution procedures.

7. RELATED DOCUMENTS

The following MEGT documents support this Equal Opportunity & Diversity Policy:

- Anti-Bullying Policy and Procedure
- Employee Code of Conduct
- Grievance Procedure
- Health and Safety Issue Resolution Procedure
- Indigenous Australians Policy
- IT and Telecommunications Policy
- Privacy Policy
- Recruitment and Selection Policy and Procedure
- Unacceptable Workplace Behaviour Guideline
- Work Health and Safety Policy.

8. BREACH OF POLICY

Breaches of the Equal Opportunity & Diversity Policy are not acceptable by any employee and will be responded to promptly. Serious breaches of this policy may result in dismissal.

9. RELATED LEGISLATION

The following legislation should be considered in conjunction with this policy:

- State/territory Equal Opportunity Acts e.g. Equal Opportunity Act 2010 (Victoria)
- Age Discrimination Act 2004 (Commonwealth)
- Australian Human Rights Commission Act 1986 (Commonwealth)
- Disability Discrimination Act 1992 (Commonwealth)



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- Fair Work Act 2009 (Commonwealth)
- Occupational Health and Safety Act 2004 (Victoria)
- Racial Discrimination Act 1975 (Commonwealth)
- Sex Discrimination Act 1984 (Commonwealth)
- Work Health and Safety Act 2011 (Commonwealth)
- Workplace Gender Equality Act 2012 (Commonwealth).

10. COMMUNICATION

This policy is available on the MEGT Intranet and will be explained to new employees at induction.

11. REVIEW

This policy will be reviewed every two years or sooner if requested by management.



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| Position: General Manager – People & Safety | Position: Chief Executive Officer | |
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