



## EQUAL EMPLOYMENT OPPORTUNITY (EEO) POLICY AND MANAGEMENT PLAN

Working DRAFT

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Version 10

<b>Document Title:</b>	CINSW Equal Employment Opportunity (EEO) Policy and Action Plan
<b>Summary:</b>	This document establishes the CINSW policy with respect to EEO and the Institute's EEO Management Plan as required down the relevant legislation.
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<b>Relevant References:</b>	??
<b>Main Legislative Implications:</b>	<ul style="list-style-type: none"> <li>➤ <i>Anti Discrimination Act NSW 1977.</i></li> <li>➤ <i>The Annual Reports (Statutory Bodies) Act/Regulation 1984</i> – which requires the CINSW to report on the implementation of EEO in its Annual Report.</li> <li>➤ <i>The Office of the Director of Equal Opportunity in Public Employment (ODEOPE)</i> – with respect to the annual collection of statistical information regarding the employment status and levels of people from the four EEO groups.</li> </ul>
<b>Applicable Delegations of Authority:</b>	??
<b>Related CINSW Policy</b>	None.

*Cancer Institute NSW*

*Equal Employment Opportunity (EEO) Policy and Management Plan*

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## EEO POLICY STATEMENT

The Cancer Institute NSW is committed to the principles of Equal Employment Opportunity (EEO), whereby our workplace is one where employees are treated fairly and with equity. We respect and accommodate difference where possible and we do not tolerate discrimination or harassment.

Our workplace rules, policies, practices and behaviours are fair, are based on the application of the merit principle, and do not disadvantage people because they belong to particular groups.

**EEO groups** are people who may be affected by past or continuing disadvantage or discrimination in employment. These groups are:

- women;
- Aboriginal people and Torres Strait Islanders;
- members of racial, ethnic, and ethno-religious minority groups; and
- people with a disability.

## DISCRIMINATION

CINSW recognises that it is unlawful against the law to discriminate against individuals within the workplace or an applicant for an advertised position within the CINSW on the basis of person or a job applicant because of:

- age;
- sex;
- pregnancy;
- disability (includes past, present or possible future disability);
- race, colour, ethnic or ethno-religious background, descent or nationality;
- marital status;
- carer's responsibilities;
- homosexuality, or
- transgender.

CINSW will not condone any form of indirect discrimination or discriminatory practice in the workplace whereby a requirement has unequal effect or result for some people because they belong to a particular EEO group.

**CINSW believes that the application of EEO principles in our workplace will lead to:**

- a diverse and skilled workforce;
- improved employment access and participation by EEO groups;
- a workplace culture displaying fair workplace practices and behaviours;
- a more productive workplace;
- improved efficiency of staff and better services to clients through the selection of the best applicants for positions;
- retention of skilled staff;
- improved opportunity for career /professional development;
- improved quality of work; and

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- services which are responsive to the needs of our diverse community.

In order to achieve these outcomes, all staff, including managers and supervisors have both particular responsibilities and rights under our policy, as outlined below.

## RIGHTS AND RESPONSIBILITIES OF STAFF

### **Rights – all staff are entitled to:**

- a workplace that is free from unlawful discrimination, ~~and~~ harassment and bullying;
- fair practices and behaviour in the workplace;
- competitive merit-based selection processes for recruitment or promotion;
- training and development that enables you to be productive in your work and to pursue your chosen career path;
- equal access to benefits and conditions including flexible working arrangements;
- fair allocation of workloads, and
- fair processes to deal with work-related complaints and grievances.

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### **Responsibilities – all staff are expected (required) to:**

- work to the best of your ability and provide quality service to customers and colleagues;
- recognise and respect the skills and talents of other staff members;
- act to prevent harassment, discrimination and bullying against others in the workplace;
- respect cultural and social differences among their colleagues and customers, and treat people fairly (not discriminate against, harass or bully them).

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## RIGHTS AND RESPONSIBILITIES OF MANAGERS AND SUPERVISORS

Managers and supervisors have the same rights and responsibilities as staff members. They also have the responsibility to:

- take steps to ensure that all work practices and behaviours are fair in the workplace, including fair allocation of workloads;
- ensure the work environment is free from bullying and from all forms of unlawful discrimination and harassment;
- provide employees with information and resources to enable them to carry out their work;
- consult employees about decisions that affect them;
- provide all employees with equal opportunity to apply for available jobs, higher duties, job rotation schemes and flexible working arrangements;
- ensure selection processes are transparent and the methods used are consistent;
- provide all employees with equal access to fair, prompt and confidential processes to deal with complaints and grievances;
- give employees equal access to relevant training and development opportunities;

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- identify special training and development needs of EEO group members in the team and help them gain access to training and development opportunities, and
- participate in learning opportunities and seek feedback to help in managing staff effectively.

Managers and supervisors are also accountable for achieving specific EEO outcomes at CINSW as outlined in the EEO Management Plan.

## ACCOUNTABILITY

CINSW will ensure that the workplace complies with the following relevant legislation and award:

- *NSW Anti-Discrimination Act 1977*;
- *Industrial Relations Act 1996*; and
- *Health Employees Conditions of Employment (State) Award*.

In addition, the CINSW will comply with the requirement under Part 9A of the *NSW Anti-Discrimination Act 1977* to:

- plan and implement EEO and report on the progress and achievements of our EEO program;
- provide statistics in our annual reports to the NSW Parliament, and
- provide annual reports to the Director of Equal Opportunity in Public Employment.

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## FROM POLICY TO PRACTICE: EEO MANAGEMENT PLAN

### A) ALL EMPLOYEES OF THE CINSW WILL BE SELECTED ON THE BASIS OF MERIT.

Merit is defined as the match between:

- the nature of the duties of the position, and
- the abilities, qualifications, experience, standard of work performance and personal qualities of those persons that are relevant to the performance of those duties.

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During recruitment, the person whose application best meets the criteria for the position will be selected.

Training in recruitment and selection policy, procedure and practice will be provided to staff whom have responsibility for this function.

### B) STAFF WILL HAVE OPPORTUNITIES TO ACT IN MORE HIGHLY GRADED POSITIONS, TO INCREASE THEIR SKILLS AND PROVIDE ON THE JOB LEARNING AND DEVELOPMENT EXPERIENCE.

When a supervisor or manager is absent for an extended period more than five days, an opportunity to act in that person's position will be made available to more junior staff. This will occur through direct appointment for short periods, or through competitive selection, where the projected period of leave of the supervisor is to be greater than six weeks.

An internal expression of interest will be circulated to all staff inviting them to act in the role on a temporary basis. Temporary appointments will be merit based.

### C) TRAINING AND DEVELOPMENT OPPORTUNITIES WILL BE PROVIDED FOR STAFF.

All staff are eligible to nominate for training opportunities which are both relevant to the position that they hold and their future career development within the CINSW.

Staff may apply to take study time in accordance with s.41 of the *Health Employees Conditions of Employment (State) Award*.

### D) STAFF HAVE ACCESS TO FLEXIBLE WORKING ARRANGEMENTS, WHERE POSSIBLE, WHICH WILL ENABLE THEM TO FULFIL THEIR FAMILY AND COMMUNITY RESPONSIBILITIES.

Staff have access to the following flexible working arrangements, subject to negotiation with their supervisor or manager and written agreement defining the nature of the arrangement and time periods:

- Maternity leave and adoption leave, in accordance with s.40 of the *Health Employees Conditions of Employment (State) Award*;
- Variations in hours of attendance to accommodate family responsibilities;
- Personal/Carer's Leave, Family and Community Services Leave in accordance with *Health Department Circular No 97/11*, as amended from time to time;
- Part-time work, in accordance with the *Health Employees Conditions of Employment (State) Award*;
- Job sharing for limited periods, where appropriate arrangements are feasible and this can be accommodated satisfactorily by the unit concerned;
- ~~Teleworking, in accordance with s.33 of the Health Employees Conditions of Employment (State) Award; and~~
- Leave to observe religious requirements, in accordance with *Premier's Dept Circular 2005-01 - Accessing Leave Entitlements and Flexible Work Hours Arrangements to Observe*.

## E) GRIEVANCE HANDLING

Staff with grievances will have these addressed so that contentious issues are identified, dealt with and the workplace remains productive. The Dispute Resolution procedures outlined in s.26 the *Health Employees Conditions of Employment (State) Award* will be used to deal with any grievances raised by staff.

## F) DISCRIMINATION AND HARASSMENT

The CINSW workplace is free from the debilitating effects of discrimination and harassment. The provisions of the NSW Health policy: *Freedom from Harassment*, first issued in 1997 and re-issued in April, 2005, form the basis for the CINSW policy on Discrimination and Harassment.



## APPENDIX 1

### IMPLEMENTATION ISSUES

The following implementation issues will need to be considered:

- The EEO Policy and Management Plan needs to be adopted by the Board and Senior Management for implementation within CINSW.
- Following adoption, staff should be made aware of the requirements of the EEO Policy and Management Plan.
- A report will need to be included in the CINSW Annual Report as required by the *Annual Reports Regulation (Statutory Bodies) 2000*, Schedule 1, Clause 15 viz:

#### ***Equal Employment Opportunity***

*A statement setting out the equal employment opportunity achievements of the statutory body during the reporting year and the key equal employment opportunity strategies proposed by the statutory body for the following year. Statistical information for the reporting year of such kind, and set out in such form, as is determined by the Secretary of the Treasury.*

- Statistical reports should be provided on EEO group employment to the Office of the Director of Equal Opportunity in Public Employment (ODEOPE) as notified and required by that Office.