DISCRIMINATION

# 1.0 INTRODUCTION AND PURPOSE

1.1 The Trustees of the Archdiocese of Canberra & Goulburn (Archdiocese) seek to provide equal opportunity in employment, irrespective of factors which are not related to the job. The Archdiocese also recognises the benefits to individuals and the organisation of a diverse workforce. As such, the Archdiocese expects employees to behave consistently with its values and to treat each other with respect and without bias.

1.2 As a Catholic organisation, however, the Archdiocese will have regard to a person’s suitability to work within the Catholic environment and their ability and willingness to support the teachings of the Catholic Church and Catholic values.

1. **SCOPE**

2.1 This Policy applies to all personnel of the Archdiocese including employees, volunteers, religious and contractors.

**3.0 POLICY DETAILS**

* 1. **3.1 Unlawful Discrimination in the Workplace**

Unlawful discrimination occurs in the workplace when a person is treated less favourably in employment than other employees because of their:

* + Disability
  + Race
  + Age
  + Sex including Pregnancy, Marital Status, Family/Carer’s Responsibilities
  + Religion

This list is not exhaustive.

As well as being against the law, unlawful discrimination in the workplace is also against Archdiocesan policies and values.

* *As a Catholic organisation, however, the Archdiocese**reserves the right to have regard to a person’s suitability to work within the Catholic environment and their ability and willingness to support the teachings of the Catholic Church and Catholic values. It is critical that Catholic organisations are able to attract and retain personnel who respect the teachings and practice of the Catholic faith.*
  1. **3.2 Examples of Unlawful Discrimination within the Workplace**
  + Refusing to employ someone because of their age;
  + terminating someone’s employment because of their family responsibilities;
  + not promoting someone because of their disability despite being able to undertake the duties of the position.
  1. **3.3 Harassment in the Workplace**

## Workplace harassment is any type of behaviour in the workplace that is:

* + Unwelcome;
  + targets a person because of their disability, race, age, or sex; and
  + would offend, humiliate or intimidate a reasonable person.

Workplace harassment usually consists of a pattern of unwelcome behaviour. However, it can consist of just one act where this is of a serious nature. Also, there is no requirement that the harasser intended to offend or harm in order for an action to be considered harassment. Some forms of harassment are also criminal offences. Workplace harassment, and in particular sexual harassment, does not include behaviour which is consensual, welcome and reciprocated.

* 1. **3.4 Examples of Workplace Harassment**

|  |  |
| --- | --- |
| **Verbal** | **Non-Verbal** |
| Sexist or racist jokes | Suggestive looks or stares |
| Comments of a sexual nature | Offensive hand or body gestures |
| Repeated unwelcome invitations | Sexually explicit emails or posters |
| Imitating someone’s accent | Invading someone’s personal space |

### Workplace Bullying

Bullying is any type of behaviour that:

* + Harms, intimidates, threatens, victimises, undermines, offends, degrades or humiliates an employee; and,
  + potentially places an employee’s health, safety or welfare at risk.

Bullying generally consists of a pattern of unwelcome behaviour and is almost always deliberate.

**3.6 Examples of Workplace Bullying**

|  |  |
| --- | --- |
| **Physical** | **Psychological** |
| Swearing | Silent treatment |
| Shouting | Assigning meaningless tasks unrelated to the position |
| Slamming doors | Deliberately withholding information that is vital to effective work performance |

## 3.7 Your Responsibility as an Employee

If you discriminate, harass or bully, you can be held responsible for your actions under the law.

## 3.8 Grievance Procedure

## *Please refer to the Archdiocesan Grievance Policy.*

**4.0 BREACH OF THE POLICY**

4.1 Proven breaches to this Policy by you can result in, but is not limited to, any one or more of the following:

* Disciplinary action
* Dismissal
* Notification to an external agency
* Criminal charges

Contractors who engage in unacceptable behaviour may have their contract or engagement with the Archdiocese terminated or not renewed.

***NB.*** *This Policy is not intended to impose obligations or responsibilities on the employer, its managers or employees beyond those set out in legislation. To avoid doubt, any provisions in this Policy that impose any such obligations or responsibilities on the employer, its managers or employees which go beyond those set out in legislation have no effect and are null and void.*