Equal Opportunity and Diversity
Equal Opportunity at Flinders

Commonwealth Legislation

- Racial Discrimination Act 1975
- Sex Discrimination Act 1984
- Australian Human Rights Commission Act 1986
- Disability Discrimination Act 1992
- Equal Opportunity for Women in the Workplace Act (EOWW) 1999
- Age Discrimination Act 2004
- Fair Work Act 2009

State Legislation

- Equal Opportunity Act 1984
- Racial Vilification Act 1996

Flinders’ Equal Opportunity Policy
Status, beliefs, characteristics? (grounds)
Status, beliefs, characteristics

- sex / gender
- sexual orientation
- pregnancy
- breastfeeding
- marital or domestic partnership status
- caring responsibilities
- social origin

- identity of spouse or domestic partner
- disability
- race or ethnic origin
- age
- political opinion
- religious conviction
- religious appearance or dress
“My two work colleagues constantly misinterpret my words and actions, spend a lot of time during the working hours making comprehensive notes about me, and complain about me to my manager. No matter what I do, they always find something to pick on. Because of this, I have been feeling very stressed out, down and depressed, I often get emotional, I lost my confidence, and I do not know who to ask for help anymore.”
Background

- Comparatively new employee (continuing)
- New manager
  - Supportive and sought HR assistance
- Spoke to Union
  - Also supportive, but suggested transfer a difficult option and encouraged her to apply for other jobs
- Applied for other jobs, but unsuccessful, which increased anxiety and depression
- Physical discomfort (air-conditioning/glare on computer)
- Overt behaviour of colleagues stopped, but subtle exclusion and unpleasant behaviours continued
- Sought Employee Assistance Program help
Harassment

• Any form of behaviour that takes place in circumstances in which a reasonable person should have anticipated the possibility that the person, or group of people would be offended, humiliated or intimidated, and

• Is related to one or more of the status, beliefs or characteristics (grounds)
Sexual Harassment

- Is *unwelcome* sexual conduct which makes a person feel offended, humiliated and/or intimidated
- Whether the behaviour is unwelcome is a *subjective* test: how the conduct was perceived and experienced by the recipient rather than the intention behind it
  
e.g. unwelcome touching, hugging, kissing; staring or leering; suggestive comments or jokes; can be via texts, emails etc
Bullying

Persistent or ongoing behaviours directed towards an individual or group that a reasonable person, having regard to the circumstances, would find offensive, intimidating, humiliating or threatening and that potentially or actually affects health and wellbeing.

Cyber bullying is common.
Supervisor responsibilities

• Take all *reasonable* steps to prevent discrimination, harassment & bullying

  - **Exercise leadership** to maintain and promote a safe environment

  - **Take appropriate action** to remedy a situation that is noticed by you or brought to your attention
Support and Information

- Equal Opportunity Contact Officers
- Manager, Equal Opportunity and Diversity
- Student Equal Opportunity Advisor
- Disability Advisors
- HR Client Services
- Supervisor
- Employee Assistance Program (EAP)
- EO Online: online training
EO Online

Module 1: all staff to complete
Module 2: Supervisors and Managers

To enter: http://eoonline.uow.edu.au

Contact equal.opportunity@flinders.edu.au for a username and password if you are not at Bedford Park campus