



Australian Alpine Training Institute

EQUAL OPPORTUNITY POLICY

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The Australian Alpine Training Institute is committed to preventing unlawful discrimination, sexual harassment, victimisation and vilification in its workplaces. It is also committed to preventing bullying.

Each of The Australian Alpine Training Institute's workplace participants is required to ensure that they do not unlawfully discriminate, harass, victimise, vilify or bully any other workplace participant.

For the purposes of this policy, a workplace participant is:

- All employees of The Australian Alpine Training Institute (including non-permanents);
- Contractors to The Australian Alpine Training Institute;
- Applicants for jobs with The Australian Alpine Training Institute; and
- People who work in the same workplace but for a different employer.

A failure to comply with this Equal Opportunity Policy may result in disciplinary action up to and including dismissal.

It is the responsibility of all The Australian Alpine Training Institute management and staff to treat all workplace participants and equipment with courtesy and respect and to behave in accordance with this policy.

The Australian Alpine Training Institute supports the concept of equal opportunity in employment and is committed to a program, which will ensure compliance with the relevant legislation.

The Australian Alpine Training Institute believes all workplace participants should be treated with respect and fairness and that everyone will be afforded justice. The Australian Alpine Training Institute values and respects the diversity of its workforce. The Company believes that diversity creates a competitive advantage and enhances employee participation.

POLICY OBJECTIVES

The objectives of the Equal Opportunity Policy are to:

- Ensure a work environment free from discrimination, harassment, victimisation and vilification for all workplace participants;
- Ensure that bullying does not occur;
- Provide a procedure for dealing with complaints of discrimination, harassment, victimisation, vilification or bullying if they occur;
- Provide information to all workplace participants in relation to their rights and responsibilities concerning discrimination, harassment, victimisation

and vilification in the workplace; and

- Ensure that employment is based on the principle of merit and that employees are not treated less favourably on the basis of an irrelevant characteristic during the course of employment.

WHAT SITUATIONS ARE COVERED BY THIS POLICY?

This policy aims to prevent discrimination, harassment, victimisation and vilification in the workplace. This can occur:

- During recruitment;
- In the course of employment at any location;
- In the termination of employment; and
- At work related functions (e.g. Christmas party);

Further, when using labour hire or temporary staff The Australian Alpine Training Institute will request that the agencies being used apply non-discriminatory screening and interviewing processes to ensure selection is from a diverse pool of candidates. This ensures The Australian Alpine Training Institute employs the best person for the position.

WHAT IS UNLAWFUL DISCRIMINATION?

Discrimination happens when one person is treated less favourably than other people because of that person's race, sex, physical disability or other characteristics. It is a breach of this Policy to discriminate against a workplace participant because of a characteristic as follows:

- Sex
- Pregnancy or potential pregnancy
- Race, nationality or ethnic origin
- Marital status
- Family responsibilities and status as a parent or carer
- Physical Impairment, *Disability Discrimination Act 1992 (D.D.A.)*
- Age
- Sexuality/sexual orientation
- Transgender or gender identity
- Trade union activity
- Religion opinion
- Political opinion
- Medical record
- Irrelevant criminal record
- Physical features
- Breast feeding in the work place

- Lawful sexual activity
- Association with a person who has such characteristics

This prohibits discrimination in all areas related to employment, including:

- Recruitment
- Terms and conditions of employment;
- Access to promotion, transfer or training or other employment benefits;
- Unfavourable treatment;
- Termination
- Commission agents;
- Contract workers; and
- Casual and part-time workers.

The Australian Alpine Training Institute aims to provide equal opportunity for all workplace participants and to comply with all anti-discrimination laws.

Discrimination by one workplace participant against another will not be tolerated. A workplace participant who discriminates against another may be subject to disciplinary action up to and including dismissal.

Discrimination can occur either directly or indirectly.

Direct discrimination is 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. That is, a person, (or group of people) is treated less favourably because they possess a characteristic listed as a reason for discrimination, e.g. age, sex, race, disability or marital status.

Indirect discrimination occurs when an action, policy or practice appears to treat people equally, but actually disadvantages a person or group of people, and those people are disadvantaged because of their sex or their race or one of the other prohibited grounds of discrimination.

Indirect discrimination occurs where there is a requirement, rule, policy, practice or procedure that is the same for everyone but has an unequal effect on particular groups. This type of requirement is likely to be indirect discrimination unless the requirement is reasonable in all the circumstances.

WHAT IS SEXUAL HARASSMENT?

Sexual Harassment is defined as any uninvited, unwelcome behaviour of a sexual nature involving written, visual or physical affront against another person. Sexual

harassment may include:

- Requests for sexual favours;
- Leering, unwanted physical contact, wolf-whistles, obscene gestures or noises;
- Persistent requests for a social "date";
- Sending or displaying to other workplace participants pornographic pictures or jokes by email;
- Comments or questions about a person's sex life;
- Offensive posters, pictures or graffiti;
- Sexual jokes, sexually suggestive telephone calls;

Sexual harassment within the Company will not be tolerated and any workplace participant who sexually harasses another will be subject to disciplinary act including dismissal.

WHAT IS VICTIMISATION?

Victimisation is the term used to describe any paybacks, retribution or intimidation associated with a discrimination or harassment complaint. Victimisation refers not only to intimidation of complainants or potential complaints, but also to the alleged harasser or discriminator, witnesses, supporters and those resolving or investigating any complaints.

The Australian Alpine Training Institute will take all reasonable steps to ensure victimisation does not occur. Workplace participants found guilty of victimisation will be subject to disciplinary action up to and including dismissal.

WHAT IS VILIFICATION?

Vilification is a public act which incites, encourages or urges others to hate, have serious contempt for, or severely ridicule, a person, or group of people because they are (or thought to be) members of a particular group. Acceptable forms of lawful free speech will not include any form of vilification. Any workplace participant that vilifies another workplace participant will be subject to disciplinary action up to and including dismissal.

BULLYING

Workplace participants are expected to treat each other with dignity and respect. The Australian Alpine Training Institute values individual differences and expects that all workplace participants will work together.

Bullying is inappropriate behaviour aimed to demean and humiliate workplace participants, either as individuals or as a group. Examples of bullying behaviour include:

- Manipulation;
- Intimidation;
- Belittling remarks;
- Persistent criticisms, nit picking or fault finding;
- Verbal and/or physical abuse;
- Isolation from colleagues;
- Withholding information; or
- Setting unrealistic targets.

Although bullying may not be specifically in breach of anti-discrimination laws, a workplace participant who bullies a fellow workplace participant may be subject to disciplinary action up to and including dismissal.

WHY IS THE Australian Alpine Training Institute INVOLVED?

Anti-discrimination laws and vilification laws place obligations on The Australian Alpine Training Institute to ensure that it prevents:

- Discrimination
- Harassment
- Victimisation; and
- Vilification

Primarily, the person who discriminates, harasses, victimises or vilifies is liable for their actions. However, The Australian Alpine Training Institute may be held vicariously liable for the actions of its employees unless it has taken "all reasonable steps" to prevent the discrimination, harassment, victimisation or vilification.

RELEVANT LEGISLATION

The Australian Alpine Training Institute and its workplace participants are subject in Victoria, to the following pieces of legislation applying to harassment, discrimination and equal opportunity in the workplace.

- Racial Discrimination Act 1975 (Cth)
- Sex Discrimination Act 1984 (Cth)
- Disability Discrimination Act 1992 (Cth)
- Human Rights and Equal Opportunity Commission Act 1986 (Cth)
- Equal Opportunity for Women in the Workplace Act 1999 (Cth)
- Equal Opportunity Act 1995 (Vic)

- Anti- Discrimination Act 1997
- Spent Criminal Records Act 1991 (NSW)
- Workplace Relations Act (Cth)
- Industrial Relations Act 1996 (NSW)

WHAT IS THE “COMPLAINT HANDLING SYSTEM”?

The Complaint Handling Policy sets out the procedure to be followed if a workplace participant wants to make a formal or informal complaint of discrimination, harassment, victimisation, vilification or bullying. The following procedure will be followed:

- All complaints should be made to the General Manager. The workplace participant is encouraged to resolve the difficulty with the staff member in question.
- If a resolution cannot be reached the next step is to lodge a Notice of Complaint in writing with the General Manager who will contact the workplace participant within 24 hours.
- Where complaints cannot be resolved internally, The Australian Alpine Training Institute will advise the workplace participant of the appropriate legal body where they can seek further assistance.

The Australian Alpine Training Institute will carry out the complaint handling process as quickly as possible given the individual circumstances of the complaint.

WHAT IS THE AUSTRALIAN ALPINE TRAINING INSTITUTE'S POLICY ON CONFIDENTIALITY IN ITS COMPLAINT HANDLING SYSTEM?

A conflict often arises when people want to make complaints but do not want the people about whom they are complaining to know. On the other hand, it is difficult for an employer to take action against an alleged discriminator/harasser unless it can put full details of the complaint to them.

The Australian Alpine Training Institute wants to prevent any discrimination, harassment, victimisation, vilification or bullying occurring and to stop any discriminatory, harassing, victimising, vilifying or bullying conduct. It also wants to give workplace participants an opportunity to discuss any issues impartially and confidentially, otherwise workplace participants may not feel free to seek assistance or obtain information.

The Australian Alpine Training Institute also has legal obligations outside anti-discrimination laws to ensure a safe workplace and a safe system of work.

In trying to balance these competing considerations, The Australian Alpine

Training Institute will so far as is possible respect a wish for confidentiality. For example, The Australian Alpine Training Institute may not take specific action against the alleged discriminator/harasser because the substance of the allegations cannot be established and procedural fairness cannot be afforded. In these types of situations, The Australian Alpine Training Institute would only be able to take general preventative action and monitor the situation.

However, there will be times when this may not be possible and due to the nature of the complaint The Australian Alpine Training Institute may be required to act on the information provided.