



## Equal Opportunity /Fair Treatment Policy

BLH Engineering & Construction Pty Ltd believes Equal Opportunity can deliver advantages to our business and workplace.

Treating people fairly has a positive impact on staff and customers and enhances our reputation as an employer of choice.

Equal Opportunity principles are in line with our aim to get the best from our people and give them the greatest opportunity to do their work well.

All employees and people working on our premises, and our clients / customers are covered by Equal Opportunity law and by this policy.

### **1. Equal Opportunity**

Equal Opportunity means fairly treating employees and customers.

Fair treatment is treating people as individuals without making judgments based on irrelevant personal characteristics creating a work environment free from discrimination, harassment, bullying and victimisation allowing all employees to work to their fullest potential making decisions based on merit.

### **2. Direct and Indirect Discrimination**

Unlawful discrimination is unfairly treating people because of their particular personal characteristics or because they belong to a certain group.

Discrimination occurs where members of one group of people are denied opportunities to develop their capabilities and are denied equal rewards for equal capabilities.

Discrimination can be direct or indirect. Direct discrimination occurs where individuals are explicitly denied conditions and rights due to personal characteristics. Indirect discrimination is treatment, which appears to be equal, but is unfair on certain people. Indirect discrimination occurs where rights and equality are not explicitly denied but conditions are such that certain groups are denied access. To be unlawful it must also be unreasonable.

It is unlawful to unfairly treat people because of their age, sex, race, disability, sexuality, marital status or pregnancy. It is unlawful to unfairly treat people in employment, education, providing goods and services, accommodation, clubs and associations, granting qualifications, advertising or selling land.

Sometimes discriminating behaviours are referred to as bullying. Bullying is behaviour, which makes people feel offended, afraid or humiliated, and in the circumstances it is reasonable to feel that way.

Bullying behaviour relating to age, sex, race, disability, sexuality, marital status or pregnancy, is unlawful.

Legitimate comment on performance or work related behaviour is not unfair treatment. Managers can give full and frank feedback in a constructive and sensitive way.



### **3. Sexual Harassment**

Sexual harassment is behaviour which makes people feel offended, afraid or humiliated, and in the circumstances, it is reasonable to feel that way.

Both men and women can sexually harass or be harassed.

Sexual harassment is determined from the point of view of the person feeling harassed. It is how the behaviour is received not how it is intended.

*Sexual harassment can be:*

- unwelcome touching or kissing;
- comments or jokes, leering or staring;
- sexual pictures, objects, emails, text messages or literature;
- direct or implied propositions, or requests for date's;
- questions about sexual activity.

Mutual attraction or friendship with consent is not sexual harassment.

### **4. Victimisation**

Victimisation is unfairly treating people for complaining or helping others to complain, either within our organisation or to the Equal Opportunity Commission.

Unlawful victimisation is unfair treatment for complaints about discrimination or sexual harassment.

### **5. Statement of Commitment**

BLH Engineering & Construction commits to fair treatment in our policies, procedures or practices in:

- employment recruiting, selecting, terms and conditions, training, promotion and transfer, termination;
- providing goods and services;
- offering or providing education;
- offering or providing accommodation.

Discrimination, sexual harassment and victimisation will not be tolerated.

### **6. Rights and Responsibilities**

Equal Opportunity law gives rights and responsibilities to employees, current and potential, and to employers.

**Employees have:**

- the right for employment decisions to be made on merit;
- the right not to be discriminated against, sexually harassed or victimized at work;
- the right to be protected by their employers from these behaviours;
- the right to complain;
- the right to work in an environment free of discrimination and sexual harassment;
- the responsibility not to discriminate against, sexually harass or victimise other employees or clients;
- the responsibility to be familiar with Equal Opportunity policies and complaint procedures.



**Customers or clients have:**

- the right not be discriminated against, sexually harassed or victimised by the providers of goods and services.

**Employers have:**

- the right to control, direct and monitor work performance;
- the right to give legitimate comment on performance or work related behaviour;
- the responsibility to ensure that the workplace and goods and services offered are free from discrimination, sexual harassment and victimisation;
- the responsibility to take all reasonable steps to prevent these behaviours;
- the responsibility to respond quickly, seriously and effectively to any complaints.

**7. Our Practice**

BLH Engineering & Construction Pty Ltd has an Equal Opportunity Policy which applies to all.

The Business Administration Manager has the responsibility for implementing this policy.

Managers and supervisors have the responsibility to communicate the policy to employees and ensure it is followed.

Employees have the responsibility to be familiar with this policy and follow it.

Copies of this policy can be obtained from the intranet / human resources department and/or management.

**8. Complaints**

As Managing Director I have the ultimate responsibility for implementing this policy.

Any complaints about policy breaches will be dealt with quickly, seriously and confidentially.

In the first instance contact the direct supervisor. They are able to hear your complaint, give you information on policies and procedures, discuss options to resolve the problem and refer you for more help if needed.

In most cases, the person making the complaint will guide any further action.

If there is a risk to any employee's health or safety at work, action will be taken by management.

For further confidential help, contact the Business Administration Manager on 03 6383 4333.

At any time you have the right to contact an external agency for advice or help.  
Equal Opportunity Commission in your state:

Website      [www.eoc.sa.gov.au](http://www.eoc.sa.gov.au) - South Australia  
                  [www.eoc.vic.gov.au](http://www.eoc.vic.gov.au) - Victoria  
                  [www.equalopportunity.wa.gov.au](http://www.equalopportunity.wa.gov.au) - Western Australia  
                  [www.hreoc.gov.au](http://www.hreoc.gov.au)

Anyone making a complaint or helping someone else to complain is protected from being victimised for complaining.



BLH Engineering and Construction Pty Ltd  
BLH-COR-POL-0048

Anyone found to have breached this policy or the law, or to have made a false or malicious complaint, will be disciplined.

Discipline may include demotion, suspension or dismissal.

***I support and endorse this Equal Opportunity Policy.***

Signature: \_\_\_\_\_

Name: Shane Gill

Position: Managing Director

Date: \_\_\_\_\_