

Monash University Policy

Policy Title	Equal Opportunity Policy
Date Effective	07-July-2015
Review Date	07-July-2018
Policy Owner	Chief Human Resources Officer and Executive Director, Campus Community
Category	Operational
Version Number	2.1
Content Enquiries	adm-PolicyBank@monash.edu
Scope	Staff, students, visitors and contractors at the Australian and international campuses, sites and centres of Monash University. The Equal Opportunity Policy applies to the activities of Monash University and to Monash controlled entities who adopt the policy.
Purpose	This policy demonstrates Monash University's commitment to promoting equal opportunity in employment, education, accommodation, service delivery and sport in accordance with universal principles of equity, fairness and social justice and in accordance with anti-discrimination laws.
POLICY STATEMENT	

As a leading Australian university with an international reputation for innovation and excellence in teaching and research, Monash recognises that honesty, fairness, mutual respect and the responsible exercise of power are fundamental to achieving equity for all.

The University strives, through a process of continuous improvement, to fully integrate equal opportunity principles into all aspects of its activities through its decision-making and planning processes.

Monash University is committed to providing staff, students, contractors and visitors with an environment free from all forms of unlawful discrimination, harassment, vilification and victimisation. This will be achieved by:

- requiring all staff, students, contractors and visitors to ensure their conduct complies with the equity principles outlined in this policy and supporting procedures and the [University's Ethics Statement](#); providing an inclusive and flexible environment for students and staff by identifying and removing any remaining systemic barriers to equitable access and participation;
- using non-discriminatory, inclusive language and practices;
- developing plans and facilitating programs to successfully increase access and promote success for designated under-represented groups in order to overcome disadvantage;
- ensuring that all Monash University students and staff are provided access to benefits and services in an equitable manner, including assistance to reasonably accommodate a person's disability;
- developing and promoting processes that support the systematic implementation, monitoring, reporting and management of equal opportunity; and
- providing effective mechanisms to resolve complaints of unlawful discrimination, harassment, vilification and victimisation.

Staff, students, contractors and visitors are required to comply with all procedures made under this policy applicable to their position.

Where an individual seeks resolution of a complaint that is appropriate to be handled by the University, but

which is about subject matter not covered by any of the supporting procedures, the complaint should be referred to Ethical Conduct Queries for determination of an appropriate dispute resolution process having regard to the nature of the complaint, which process will be implemented by the head of the relevant functional area.

Supporting Procedures	Gender Representation on Decision-Making Bodies Procedures (Australia Only)
Responsibility for implementation	
Status	Revised
Approval Body	Name: Chief Operating Officer and Senior Vice-President (Administration) Date: 07-July-2015
Endorsement Body	
Definitions	<p>Discrimination: Discrimination: is treating or proposing to treat, an individual unfavourably because they have a protected attribute. Discrimination can be direct or indirect: a) Direct discrimination can occur when a person or group is treated less favourably than another person or group in a similar situation, because of a protected attribute. b) Indirect discrimination involves imposing a requirement, condition or practice that operates to disadvantage a person with a protected attribute, and it is not reasonable.</p> <p>Harassment: is unwelcome conduct that might reasonably cause a person to be offended, humiliated or intimidated because they have a protected attribute. Harassment can also happen if someone is working in a 'hostile' - or intimidating - environment. The behaviours can be overt or subtle, verbal, non-verbal or physical.</p> <p>Protected attribute: means an attribute protected under anti-discrimination legislation:</p> <ul style="list-style-type: none"> a) physical or mental disability, disease, impairment or injury, including work- related injury; b) race, colour, descent, national identity, national origin, or ethnic or ethno- religious background; c) age; d) parental status or status as a carer or family responsibilities; e) pregnancy or potential pregnancy and breastfeeding; f) marital status or relationship status; g) political belief or activity or lack of activity; h) industrial activity, such as being a member of a trade union or student association, or lack of activity; i) religious belief or activity; i) physical features; j) sex, sexual orientation, gender identity, lawful sexual activity or intersex status, including gay, lesbian, bisexual, transsexual, transgender, queer and heterosexual; k) an association with someone who has, or is assumed to have, one of these characteristics;

	<p>m) an expression of concern about, the provision of employment entitlements;</p> <p>n) any other attributes protected under anti-discrimination laws as amended from time to time.</p> <p>Vilification: is any form of conduct that incites hatred against, serious contempt for, or revulsion or severe ridicule of a person or group of people because of their race or religion. Such conduct can be a single event or series of events over a period. It may include the use of internet, Facebook, Twitter and e-mail to publish or transmit statements.</p> <p>Victimisation: is any detriment suffered because a person has made or been involved in the expression of a concern or making of a complaint in good faith</p>
Legislation Mandating Compliance	<p>Students and staff need to be aware that conduct in breach of this policy and its related procedures may also breach laws in the jurisdiction and lead to criminal or civil legal proceedings and remedies or penalties for which they may be personally liable.</p> <p>Australia:</p> <p>Equal Opportunity Act 2010 (Victoria)</p> <p>Charter of Human Rights and Responsibilities Act (2006) (Victoria)</p> <p>Racial and Religious Tolerance Act 2001 (Victoria)</p> <p>Australian Human Rights Commission Act 1986 (Commonwealth)</p> <p>Racial Discrimination Act 1975 (Commonwealth)</p> <p>Sex Discrimination Act 1984 (Commonwealth)</p> <p>Disability Discrimination Act 1992 (Commonwealth)</p> <p>Age Discrimination Act (2004) (Commonwealth)</p> <p>Fair Work Act 2009 (Commonwealth)</p> <p>Workplace Gender Equality Act 2012 (Commonwealth)</p> <p>Malaysia:</p> <p>Employment Act 1955</p> <p>Industrial Relations Act 1967</p> <p>Persons with Disabilities Act 2008</p>
Related Policies	<p>Staff with Disability: Requesting Reasonable Workplace Adjustments procedure</p> <p>Resolution of Unacceptable Behaviour in the Workplace procedure</p>
Related Documents	<p>Monash University Ethics Statement</p> <p>Monash University Social Inclusion Strategy</p> <p>Monash Mobility</p> <p>Focus Monash: Strategic Plan 2015-2020</p> <p>Monash Disability Resources for Staff</p> <p>Related ILO Conventions and Covenants</p> <p>Code of Practice on the Prevention and Eradication of Sexual Harassment in the Workplace (The Code) - Malaysia</p>