

# EQUAL OPPORTUNITY POLICY

## SCOPE

Staff, students, visitors and contractors at the Australian and international campuses, sites and centres of the University.

The Equal Opportunity Policy applies to the activities of Monash University and to University controlled entities who adopt the policy.

## POLICY STATEMENT

This policy demonstrates the University's commitment to promoting equal opportunity in employment, education, service delivery, provision of accommodation, and sport in accordance with universal principles of equity, fairness and social justice and in accordance with anti-discrimination laws.

We are committed to equal opportunity in employment, education, service delivery, provision of accommodation, and sport.

Students and staff are encouraged to bring their capabilities, approaches, experiences and ideas, which reflect our diverse and inclusive community and world.

The University environment in which you engage should be without fear of discrimination, harassment or bullying, where all students, staff and others participating in our community are treated with dignity, courtesy and respect.

To create the professional and supportive environment where you can thrive in, we prohibit all forms of unlawful discrimination, harassment (including sexual harassment), vilification and victimisation. These will not be tolerated.

We strive to ensure our policies, procedures and practices incorporate the principles of equal opportunity. They reflect:

- the fair treatment of individuals without making judgments based on personal attributes which are protected under the [Equal Opportunity Act 2010](#) (Part 2, s.6);
- that all our participants in our community are entitled to work, study and be in an environment which is free from unlawful discrimination, harassment, vilification and victimisation;
- our [Ethics Statement](#); and
- equal access to benefits and services by students and staff, including assistance to reasonably accommodate a person's disability.

We encourage everyone to seek advice and support when they feel they have been treated unfairly, or when they have experienced or witnessed concerning behaviour.

We have policies and procedures for the effective resolution of complaints, including how to make a report of concerning behaviour, which are detailed within the [Human Resources procedures](#) and student conduct rules and may be accessed via the [Safer Community Unit](#) or the Manager, Ethical Conduct.

We treat any breach of our policies or procedures seriously. We encourage reporting of concerns about non-compliance and will manage compliance in accordance with the applicable Enterprise Agreement, student conduct rules or contract terms.

## DEFINITIONS

<p><b>Discrimination</b></p>	<p>Treating or proposing to treat an individual unfavourably because they have a protected attribute. Discrimination can be direct or indirect:</p> <ul style="list-style-type: none"> <li>• 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;</li> <li>• Indirect discrimination involves imposing a requirement, condition or practice that operates to disadvantage a person with a protected attribute, and it is not reasonable.</li> </ul>
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Enterprise Agreement	<p>The Enterprise Agreement means the:</p> <ul style="list-style-type: none"> <li>• <a href="#">Monash University Enterprise Agreement (Academic &amp; Professional Staff) 2019</a> or the</li> <li>• <a href="#">Trades and Services staff (Building and Metal Trades staff) 2009</a> or the</li> <li>• <a href="#">Trades and Services staff (Catering and Retail, Cleaning and Caretaking, and Miscellaneous services staff) 2005</a></li> </ul> <p>as applicable to the staff member in accordance with their contract of employment.</p>
Harassment	<p>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 an environment permeated by conduct or activities that make it hostile, or intimidating. The behaviour can be overt or subtle, verbal, non-verbal or physical.</p>
Protected attribute	<p>It is against the law to discriminate because of a protected attribute, which includes:</p> <ul style="list-style-type: none"> <li>- age;</li> <li>- carer and parental status;</li> <li>- disability;</li> <li>- employment activity;</li> <li>- gender identity (which includes gender expression);</li> <li>- industrial activity;</li> <li>- Intersex status;</li> <li>- lawful sexual activity and sexual orientation;</li> <li>- marital status or relationship status;</li> <li>- physical features;</li> <li>- political belief or activity;</li> <li>- pregnancy and breastfeeding;</li> <li>- race;</li> <li>- religious belief or activity;</li> <li>- sex;</li> <li>- expunged homosexual conviction; or</li> <li>- personal association with someone who has, or is assumed to have, one of these personal characteristics</li> </ul>
Student Conduct Rules	<p>Refers to the:</p> <ul style="list-style-type: none"> <li>• <a href="#">Student Charter</a></li> <li>• <a href="#">Monash University Statute, Section 16</a></li> <li>• <a href="#">Monash University Council Regulations, Part 7</a></li> </ul>
Victimisation	<p>Subjecting a person to negative treatment because they have:</p> <ul style="list-style-type: none"> <li>• asserted their rights under equal opportunity law</li> <li>• made a complaint under equal opportunity law</li> <li>• helped someone else make such a complaint; and refused to do something because it would be discrimination, sexual harassment or victimisation.</li> </ul>
Vilification	<p>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>

## GOVERNANCE

Supporting procedures	<ul style="list-style-type: none"> <li>• <a href="#">Behaviours in the Workplace</a></li> <li>• <a href="#">Mandatory compliance training</a></li> <li>• <a href="#">Privacy</a></li> <li>• <a href="#">Resolution of unacceptable behaviour in the workplace</a></li> <li>• <a href="#">Staff /student relationships</a></li> </ul>
Supporting schedules	
Associated policies	<ul style="list-style-type: none"> <li>• All <a href="#">University policies</a></li> </ul>
Policy owner	Director, Workplace Relations

Legislation mandating compliance	<p><b>Federal Legislation</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Age Discrimination Act 2004</a></li> <li>• <a href="#">Australian Human Rights Commission Act 1986</a></li> <li>• <a href="#">Disability Discrimination Act 1992</a></li> <li>• <a href="#">Racial Discrimination Act 1975</a></li> <li>• <a href="#">Sex Discrimination Act 1984</a></li> <li>• <a href="#">Fair Work Act 2009</a></li> </ul> <p><b>Victorian Legislation</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Equal Opportunity Act 2010</a></li> <li>• <a href="#">Racial and Religious Tolerance Act 2001 (VIC)</a></li> </ul>
Category	Human Resources
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Endorsement	Chief Human Resources Officer
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