

Equal Employment Opportunity Plan



Berrigan Shire 2020

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Introduction

The Berrigan Shire, and surrounding LGAs are diversely populated. People come from a wide range of ethnic and cultural backgrounds, with different religious beliefs, sexual orientation, disability, family responsibilities, socio-economic backgrounds, life and work experiences. Berrigan Shire Council is committed to capturing the talents, knowledge, skills and expertise of this wide ranging community to meet its workforce needs and to create a culture and work environment where this diversity is encouraged and celebrated.

This is the Berrigan Shire Council's Equal Employment Opportunity Plan (EEOP), which builds on Council's previous Equal Employment Opportunity Management Plan, and is developed to meet the requirements of the *Local Government Act 1993* (the 'Act') S344-345, and to complement Council's *Active Ageing & Disability Inclusion Strategy and Action Plan*, and *Berrigan Shire 2027: Workforce Management and Development Plan 2017-2021*.

This EEOP expands on the objectives identified in previous plans, incorporates the principles of workplace inclusion and diversity, and addresses the objectives of the *Berrigan Shire 2027: Workforce Management and Development Plan 2017-2021*.

Purpose

The purpose of this EEOP is to expand on Council's existing practices promoting equal employment opportunity, by committing to embed further, the principles of inclusivity and diversity into the workplace. By embedding these principles, we mirror the objectives for our community as outlined in the *Active Ageing and Disability Inclusion Framework* of:

1. Disabled residents and older people leading active and rewarding lives as valued members of the community;
2. A whole of Council response to liveability and inclusion ensuring that individuals and carers using Council services make decisions which support, irrespective of cognitive, physical, or sensory impairment and at all ages the economic independence and social wellbeing of disabled and older residents.

The EEOP will also identify additional opportunities and outline actions for our entire workforce to adopt, that will support the development and growth of our workplace culture. The Council's aim is to promote an enviable workplace culture, rich in respect and acceptance which also reflects the values of our community.

Definitions

Disability, under the *Disability Discrimination Act 1992*, is defined as:

- The total or partial loss of the person's bodily or mental functions; or
- Total or partial loss of a part of the body; or
- The presence in the body of organisms causing disease or illness; or
- The presence in the body of organisms capable of causing disease or illness; or
- The malfunction, malformation or disfigurement of a part of the person's body; or
- A disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or
- A disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgement or that results in disturbed behavior, and

includes a disability that:

- Presently exists; or
- Previously existed but no longer exists or
- May exist in the future (including because of a genetic predisposition to that disability); or
- Is imputed to a person

It also includes behavior that is a symptom or manifestation of the disability.

Diversity, according to the Diversity Council of Australia refers to the mix of people in an organization, that is, all the differences between people in how they identify in relation to their:

- Social Identity e.g. Aboriginal and/or Torres Strait Islander background, age caring responsibilities, cultural background, disability status, gender, religious affiliation, sexual orientation, gender identity, intersex status, and socio-economic background.
- Professional Identity e.g. profession, education, work experiences, organizational level, functional area, division/department, and location.

Equal Employment Opportunity (EEO) means equitable access to jobs and benefits and services for all employees and prospective employees in the workplace. EEO aims to ensure fair and equitable outcomes in all areas of employment which relate to recruitment, selection, access to information, supervision and management.

EEO is about:

- Fair practices in the workplace;
- Management decisions being made without bias;
- Recognition and respect for the social and cultural backgrounds of all staff and customers;
- Employment practices which produce staff satisfaction, commitment to the job and delivery of quality services to customers;
- Improving productivity by guaranteeing that:

- Skilled staff are retained
- Training and development are linked to employee needs and customer needs; and
- The workplace is efficient and free from harassment and discrimination.

Inclusion, according to the Diversity Council of Australia refers to getting the mix of people in an organization to work together to improve performance and wellbeing. Inclusion in a workplace is achieved when a diversity of people (e.g. ages, cultural backgrounds, genders, perspectives) feel that they are :

- Respected for who they are and able to be themselves
- Connected to their colleagues and feel they belong
- Contributing their perspectives and talents to the workplace; and
- Progressing in their career at work (i.e. have equal access to opportunities and resources)

Legislative Requirements

Under the Act, Council is required to report on EEO in the Annual Report. The purpose of this is to demonstrate how Council is achieving the objectives of the Act, which are:

- To eliminate and ensure the absence of discrimination in employment on the grounds of race, sex, marital or domestic status and disability in Councils, and
- To promote equal employment opportunity for women, members of racial minorities, and persons with disabilities.

In addition to the Act, additional legislation that supports the requirements of EEO in the workplace include:

Legislation	Areas of concern
Racial Discrimination Act (Cwlth) 1975	<i>Race, colour, national or ethnic origin, family responsibilities</i>
Age Discrimination Act (Cwlth) 2004	<i>Discrimination in employment, education, etc.</i>
Sex Discrimination Act (Cwlth) 1984	<i>Sex, marital status, pregnancy, sexual harassment</i>
Disability Discrimination Act (Cwlth) 1992	<i>Disability includes physical, sensory, intellectual and psychiatric impairment, mental illness and presence in the body of a disease-causing organism.</i>
Australian Human Rights Commission Act (Cwlth) 1986	<i>Race, colour, sex, religion, political opinion, national extraction, social origin, age, medical record, criminal record, marital or relationship status, impairment, mental/intellectual or psychiatric disability, physical disability, nationality, sexual orientation, and trade union activity or imputation of one of the above grounds.</i>
Anti-Discrimination Act (NSW) 1977	<i>Race (including colour), nationality, descent and ethnicity, ethno-religious or national origin, sex, sexuality, age, marital or domestic status, pregnancy, parenthood, breastfeeding, disability, physical impairment, intellectual impairment, homosexuality, transgender, carer.</i>

Workforce Profiling

In comparison to other government sectors in New South Wales, local government has a lower percentage of women¹. This is prominent in fulltime employment within Rural and Rural Remote Councils, and was seen primarily in engineering, plant operation, labouring and construction positions.

Females generally have greater representation in occupations such as office management and administration.

Berrigan Shire Council is representative of this data. As of 1st June, 2020, males made up 74% of Council's staff. Of the 26% of female staff, positions held included management roles in finance, risk, economic development, town planning, social and strategic planning, and library, as well as administrative and library assistant positions.

Whilst administration positions within Council, which were historically an area of female bias (LGNSW, 2018), had expanded to include males, there was no female representation in engineering, construction or labouring.

¹ Local Government Workforce and Future Skills Report New South Wales, September, 2018 comparison by gender, full time and part time, and urban or rural and rural remote Councils. Information obtained during Local Government Skills Shortage Survey 2017.

Integrating Equal Employment Opportunity Principles

Whilst Council has a legal obligation to address EEO principles, we are also progressing towards a more integrated approach. We are expanding our strategic actions to include diversity as part of workforce development, and as a reflection of our community's expectations.

Increasingly, Council as a service provider is expected to remain abreast of new developments, address community needs particularly in the sphere of accessibility to Council facilities and services, and accordingly make adjustments. We expect the same of our business community.

As an organisation, we need to mirror those expectations. We need to look for ways to diversify and accommodate our workforce. According to the NSW Public Service Commission, "a diverse workforce increases the recruitment pool and overall capability, and encourages innovation" (NSW Public Service, 2012).

Key Strategies

The key strategies for Council to achieve compliance with the Act, and to promote workforce diversity are:

- *Have representation in Council's workforce of people from EEO groups;*
- *Review appointment, promotion and job transfer policies and procedures to ensure they conform with EEO principles;*
- *Review conditions of employment practices to ensure they conform with EEO principles;*
- *Prevent discrimination, bullying and harassment of our workers;*
- *Review learning and development policies and practices to ensure they conform with EEO principles and to increase participation in staff training and development opportunities by EEO target group members.*

Outcomes

As part of Council's workforce planning, it is imperative that we align our actions to our outcomes. As part of integrating EEO principles, we need to ensure that the actions in the *Workforce Development and Management Plan* are aligned to our EEOP outcomes.

Those outcomes are:

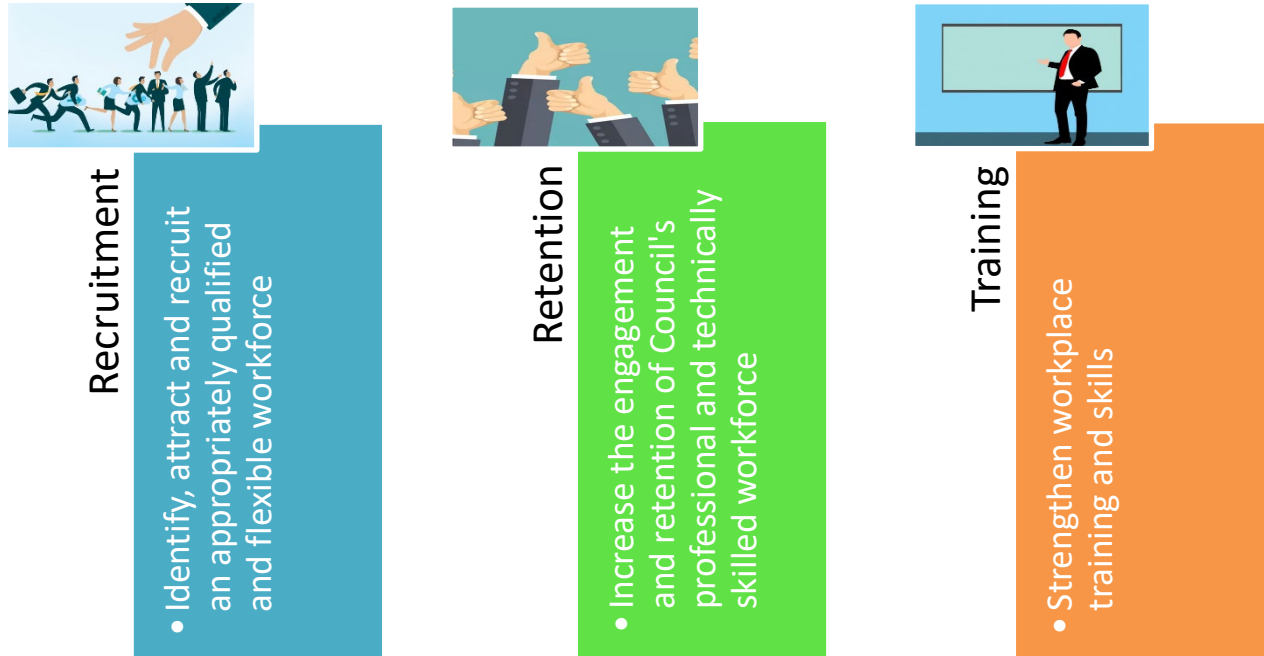
- 1. Increased awareness of equal employment opportunity principles including strategies for work groups to achieve workforce diversity;**
- 2. Workplaces are free from employment practices that are biased or discriminate unlawfully against employees;**
- 3. The organisational culture values diversity and the work environment is free from racial and sexual harassment.**



Evidence suggests that diversity can have a significant impact on business outcomes if the skills of different groups are better utilised (NSW Public Service, 2012)

Workforce Development and Management Plan

Under the three pillars of workforce development; attraction/recruitment, retention, and training; outlined in the *Workforce Development and Management Plan*, objectives have been identified as follows:



Each workforce development objective has an identified action. Not all workforce development actions lend themselves to incorporating EEO principles, but where this is possible, those identified workforce development actions will have an EEO action associated.

These EEO actions are designed to achieve our outcomes, complement what the Council is trying to accomplish in workforce development, and to embed the principles of diversity and inclusion.

EEOP Strategic Actions



Recruitment					
Workforce Development Plan Objective	EEO Strategy	EEO Action	Result	Measuring the Outcome	Responsibility
Identify, attract and recruit an appropriately and flexible workforce	Have representation in Council's workforce of people from EEO groups	Expand the promotion of services within the Shire to attract employees including: <ul style="list-style-type: none"> Disability support services; Childcare; Access to facilities And promote Council as an Equal Employment Opportunity employer.	Access to a wider range of potential employees;	Review of vacancies and appointment statistics including assessing advertising mediums used, and wording	ERM/HRSO
		Continue to explore the recruitment of migrant workers; Explore the options of establishing a regular program of accommodating workers on a limited tenure basis.	Representation of EEO Groups within Council's workforce; Difficult professional positions filled with qualified applicants		



Retention					
Workforce Development Issue	EEO Strategy	EEO Action	Result	Measuring the Outcome	Responsibility
Increase the engagement and retention of Council's professional and technically skilled workforce	Review appointment, promotion and job transfer policies and procedures to ensure they conform with EEO principles	Design and implement a job shadowing program to encourage staff from EEO groups, and work experience students, to participate as part of their development;	Career opportunities made available for internal staff including:	Participation in job shadowing program; Requests for training	ERM/HRSO
		Hold career development programs specifically for female staff to assist in developing their careers and recognise their potential.	<ul style="list-style-type: none"> Job succession; Participation by female staff in training and awareness programs 	Numbers of female staff taking up program opportunities	ERM/HRSO
		Review positions, and remove barriers to promoting members of EEO target groups.	Position descriptions for outdoor staff are reviewed with female applicants encouraged to apply	No. of female staff employed in outdoor positions	DTS
		Review positions and opportunities for EEO groups, including: <ul style="list-style-type: none"> Job share arrangements for new parents; Job redesign for workers as they age. 	Job-share arrangements in place.	No. of job share positions in place.	DCS/DTS
	Review conditions of employment practices to ensure they conform with EEO principles	Review current practices, renegotiate conditions if appropriate, and establish formal policies and procedures based on EEO principles for each of the following: <ul style="list-style-type: none"> Tenure Part-time work 	Workforce plan developed identifying activities suitable for ageing workers	Plan in place; No. of workers employed under the plan.	ERM/HRSO DCS/DTS
			Procedures for HR Manual in place under IMS	No. of staff employed in accordance with procedures.	ERM/HRSO

Retention					
Workforce Development Issue	EEO Strategy	EEO Action	Result	Measuring the Outcome	Responsibility
		<ul style="list-style-type: none"> Exit interview Job share arrangements 			
	Prevent discrimination, bullying and harassment of our workers	<p>Review Council policies and procedures to ensure they remain compliant and demonstrate best practice.</p> <p>Issue documentation to all staff including policies, procedures and guidelines.</p>	<p>Policy reviewed and adopted;</p> <p>Procedures updated for HR Manual;</p> <p>Information disseminated to all staff.</p>	<p>Complaints dealt with expediently under procedures;</p> <p>Feedback sought from staff.</p>	ERM/DCS



Training					
Workforce Development Issue	EEO Strategy	EEO Action	Result	Measuring the Outcome	Responsibility
Strengthen workplace training and skills.	Review learning and development policies and practices to ensure they conform with EEO principles and to increase participation in staff training and development opportunities by EEO target group members.	Ensure that effective EEO awareness courses are available for: <ul style="list-style-type: none"> Management and Overseers HR and payroll staff Staff involved in the induction process 	Increased awareness of the benefits of workplace diversity and inclusion.	No. of staff completed training.	ERM/HRSO
		Ensure learning and development opportunities are inclusive and accessible, specifically tailoring programs to assist older workers.	Increased number of staff participating in training programs	No. of older staff completing training.	ERM/HRSO
		Provide flexible training options for all staff particularly in consideration of carer and parental responsibilities.	Training opportunities expanded to allow: <ul style="list-style-type: none"> Training in place (time put aside each working day); On-line training modes 	No. of staff completing training	ERM/HRSO Managers
		Provide training on bullying and harassment in the workplace to all staff.	Increased awareness of bullying and harassment obligations	No. of staff completing training; No. of complaints	ERM/HRSO

References

Local Government Act 1993

Berrigan Shire Council (2017) *Active Ageing & Disability Inclusion Strategy and Action Plan*

Berrigan Shire Council (2019) *Berrigan Shire 2027: Workforce Management and Development Plan 2017-2021*

Local Government NSW (2018) *Local Government Workforce and Future Skills Report New South Wales*

NSW Public Service, C. (2012). *Promoting Workforce Diversity*. www.psc.nsw.gov.au.