



Discrimination and Sexual Harassment Policy

Date: May 2018

Review Due: May 2019

Amanda Kate Kinesiology is committed to creating a work environment which is free from discrimination and sexual harassment and where all members of staff, clients and visitors are treated with dignity, care and respect. Please find following our policy on discrimination and sexual harassment which is regularly updated.

This policy applies to all interactions with customers, clients and colleagues in the clinic and off-site.

Equal Opportunity and Discrimination

Amanda Kate Kinesiology believes that all workers, clients and volunteers should be able to be in an environment free from discrimination, victimization, sexual harassment, vilification and the seeking of unnecessary information on which discrimination might be based. We consider these behaviours unacceptable and they will not be tolerated.

Staff Responsibility

All staff contribute to the working environment and have a responsibility to help create a discrimination free and inclusive workplace with a healthy culture.

Legislation

Under the Victorian Equal Opportunity Act 2010 (VIC) there may be no discrimination on the basis of age, breastfeeding, disability, employment activity, gender identity, industrial action, lawful sexual activity, marital status, parental status or status as a carer, physical features, political belief or activity, pregnancy, race (including colour, nationality, ethnicity and ethnic origin), religious belief or activity, sex, sexual orientation, and association with someone who has, or is assumed to have, any of these personal characteristics.

This extends to but is not limited to discrimination in employment, partnerships, firms, qualifying bodies, industrial organisations, education, provision of goods and services, disposal of land, accommodation (including alteration of accommodation), clubs, sport and local government.

The law also protects against seeking information against which discrimination may be based, victimisation because someone has made a complaint and any other discrimination or vilification based on social, criminal or medical records.

What is Discrimination?

Direct Discrimination is when someone is treated differently because of a protected attribute or singled out for discrimination through direct means such as jokes and negative stereotypes.

Indirect Discrimination is when something such as a rule or requirement appears to be neutral and the same for everyone but disadvantages someone because of their attributes.



What is Sexual Harassment?

Sexual harassment is any type of unwanted sexual attention which may offend, humiliate or intimidate the other person. It can be experienced by all genders. Sexual harassment is against the law no matter wherever or whenever it occurs and Amanda Kate Kinesiology will not tolerate any sexual harassment in the workplace or in any work-related context. Sexual harassment does not need to be continuous to be against the law.

Vicarious Liability

Under the Act, the person who vilifies, discriminates against, victimizes, sexually harasses or asks for unnecessary information can be liable for the illegal behavior as well as their employer, Amanda Kate Kinesiology, unless Amanda Kate Kinesiology can show we have taken reasonable steps to prevent it.

What should you do?

If you are discriminated against, sexually harassed, vilified or are asked for unnecessary information, you may choose one of the below actions that feels most comfortable for you and more than one if you choose:

Support and Counselling – Amanda Kate Kinesiology provides confidential assistance in the form of wellbeing support and professional counselling and encourages staff to seek help. Please phone Amanda on 0468 361 747 if you require assistance in this matter.

Getting more information before taking action – Contact the Amanda Kate of Amanda Kate Kinesiology for more information on 0468 361 747. You can also make an **internal complaint** which will be handled confidentially and impartially and will be investigated promptly with recommendations for the next steps if you should wish to take it further. You may also contact your professional association for advice.

Self-help – you can approach the person yourself and attempt to come to an agreement on the issue.

External Complaint – You may ring the Victorian Equal Opportunity and Human Rights Commission on 1300 292 153 to lodge an external complaint.

All policies are reviewed every two to three years and are distributed to staff. Should the need arise, translation of documents will be arranged.

Amanda Kate Kinesiology is committed to creating a workplace which is inclusive and safe for all staff. You will not be disadvantaged in your employment conditions or opportunities as a result of registering a complaint.