



# EQUAL OPPORTUNITIES POLICY



## **Equal Opportunities Policy**

Green Piling Ltd observes its statutory rights in ensuring equal opportunities in the workplace. Green Piling Ltd is committed to ensuring that all employees are made aware of their statutory rights to equal opportunities at work by actively promoting equal opportunities. It aims to provide a workplace with equality of opportunity and which is free from any form of discrimination, victimisation or harassment by ensuring that individuals receive treatment that is fair and equitable and consistent with their aptitudes, potential skills and abilities. The company is committed to making the full use of the talents and resources of all its employees.

Differences in individuals are valued and respected.

Green Piling Ltd is committed to the fair and equal treatment of job applicants, employees, contractors, suppliers, agency workers, visitors and customers. This policy applies to all employment practices including and not limited to recruitment and selection, promotion, training and development, working conditions, pay and benefits and termination of employment processes.

Green Piling Ltd is opposed to any form of less favourable treatment or financial reward through direct or indirect discrimination, harassment or victimisation on the grounds of sex, pregnancy, age, disability, race, creed, colour, ethnic or national origin, community background, nationality or citizenship, civil partnership relationships, religious beliefs, marital or parental status, political opinions, part-time or fixed-term status, gender or gender orientation and membership or nonmembership of a trade union. Green Piling Ltd will not discriminate against anyone who has a spent conviction under the Rehabilitation of Offenders Act 1974.

This policy must be read in conjunction with the company Harassment, Bullying and Victimisation Policy and the company Disability Policy.

### **Definition of Discrimination**

There are two types of discrimination. They are direct and indirect.

Direct discrimination occurs when an individual is or would be treated less favourably on the grounds of his or her sex, race, ethnic origin, etc, than an individual of the opposite sex, different race or ethnic origin, etc.

Examples include:

- Refusal to employ someone because of their sex.
- Refusal to interview a gay person.
- Denying employment opportunities.
- Keeping offensive material in the workplace.
- Unfair allocation of work.
- Making racist, sexist, ageist and or disability related jokes.

Indirect discrimination occurs when an employer applies a requirement or a condition which seems nothing to do with someone's sex, age, etc, but after closer examination it puts people of a particular sex, age, etc, at a disadvantage.

Examples include:

- Employing people who are over 6 foot. Women would be disadvantaged here as fewer women than men would satisfy the requirement.
- Seeking only Spanish individuals to speak Spanish when the job does not require verbal communication of the Spanish language.
- Advertising a job that must be undertaken full time and not part time. Women would be disadvantaged here as more women than men work part-time hours.

### **Harassment at Work**

Green Piling Ltd is committed to providing a working environment free from sexual, racial, religious, disability and any other harassment or bullying or victimisation. Green Piling Ltd will ensure that no harassment or bullying or victimisation at work is overlooked or condoned whatever the motivation.

Harassment distinguishes unwelcome or unwanted or offensive behaviour/conduct from friendly behaviour/conduct or attention that is welcome and mutual. Harassment, bullying and victimisation is conduct that is unwanted by the recipient which infringes their dignity and persists after the recipient has made it clear that it is regarded as offensive, although a single offensive act can amount to harassment if it is so serious as to be obviously offensive towards the recipient.

Any form of harassment is a potential disciplinary matter.

- Sexual Harassment

Sexual harassment is behaviour that is unsolicited and offensive to the recipient. It is also unwanted sexual advances in a work related social environment.

- Racial Harassment

Racial harassment is behaviour that is hostile or is an expression on racial grounds or is abusive and/or threatening.

### **Bullying**

Bullying is vindictive, cruel, malicious or humiliating behaviour towards one or more individuals. Bullying is likely to result in a breach of mutual trust and confidence.

Examples of harassment include:

- Unwanted sexual attention;
- Intimidation;
- Racial jokes;
- Offensive names;
- Threatening words and/or behaviours;
- Unwelcome physical contact or closeness;
- Using managerial status as a weapon;
- Physical and verbal abuse.

This list is not exhaustive.

## **Legal**

The policy will be implemented in accordance with the legal obligations in employment under the:

- Equal Pay Acts 1970 & 1984
- Rehabilitation of Offenders Act 1974
- Sex Discrimination Act 1975
- Race Relations Act 1976
- Disability Discrimination Act 1995
- Employment Rights Act 1996
- Human Rights Act 1998
- Civil Partnership Act 2004
- Employment Equality (Age) Regulations 2006
- Fixed Term Workers (Prevention of Less Favourable Treatment) Regulations 2002
- Part Time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- Employment Equality (Sexual Orientation) Regulations 2003
- Sex Discrimination (Gender Reassignment) Regulations 1999
- Employment Equality (Religion or Belief) Regulations 2003
- Fair Employment and Treatment Order (Northern Ireland) 1998

To achieve this policy the following responsibilities will be actioned:

## **Management**

It is the responsibility of the management to:

- Ensure that this policy is communicated to all employees at the commencement of their employment and at regular intervals thereafter.
- Ensure that this policy is adhered to.
- Set an example by demonstrating non-discriminatory behaviour on a daily basis.
- Ensure that all employees are treated with respect and dignity.
- Challenge and eliminate any form of discrimination.
- Ensure that any complaint of discrimination is taken seriously.
- Ensure that any complaint is thoroughly investigated.
- Ensure the protection of any employee who makes a complaint of discrimination or harassment or bullying or victimisation.
- Ensure any breaches in this policy are fully investigated and disciplinary action is implemented where appropriate. This may include dismissal and criminal prosecution.
- Ensure that any vindictive or vexatious complaints of discrimination, harassment, bullying or victimisation are dealt with under the company disciplinary procedure.
- Adhere to the disability policy and discuss reasonable adjustments with the employee who notifies the company that they have a disability.
- Ensure all employment vacancies are widely communicated to ensure that it reaches all sections of the community and a wide variety of individuals of both sexes, all ages and people with different ethnic backgrounds.

- Ensure that no recruitment literature implies a preference to one group of applicants unless there is a genuine occupational reason which limits the post to a particular group, in which case this must be clearly stated.
- Ensure recruitment and selection decisions are based upon fair and objective criteria.
- Ensure job applicants are given clear and accurate information about employment opportunities in order that they are able to assess their own suitability for the employment position.
- Ensure job descriptions and specifications include only the requirements that are essential or desirable for the vacancy.
- Ensure that all applicants for employment positions are given a fair chance to describe and demonstrate their ability to do the job during the selection process.
- Ensure any individual with a disability (who has notified the company of their disability) is provided with the reasonable assistance necessary to enable them to attend an interview / assessment centre, etc.
- Ensure that no employee or candidate applying for an employment position is impeded by conditions or requirements, which cannot be shown as just or fair within the business operations. Employees will be selected according to their ability to do their job using objective criteria.
- Ensure that all employees receive harassment and bullying training.
- Ensure all employees receive training to enable them to improve their performance, to achieve the work standards and the company targets.
- Ensure a meeting is held with employees who notify the company of their disability in order to discuss reasonable adjustments.
- Ensure promotion and transfer opportunities, access to benefits and facilities are not unreasonably limited to able bodied employees.
- Ensure that disabled employees are given the opportunity to participate fully in workplace training and development.

### **Employees**

It is the responsibility of the employees to:

- Ensure compliance with the policy at all times.
- Attend equal opportunities and harassment and bullying training provided by the company.
- Ensure that all fellow employees, suppliers, job applicants, contractors, agency workers, visitors or clients and other persons working in or visiting the workplace are treated with respect and dignity.
- Not ignore any acts of discrimination, harassment or bullying thinking that it will go away.
- Tell an employee who is behaving in a discriminatory, harassing or bullying manner that their behaviour is unacceptable and unwanted and that they should stop and/or;
- Write to an employee who is behaving in a discriminatory, harassing or bullying manner that their behaviour is unacceptable and unwanted and that they should stop and/or;

- Report any acts of discrimination, harassment, bullying or victimisation immediately to their manager.
- Not discriminate against other employees.
- Not induce or attempt to induce other employees to practice unlawful discrimination.
- Not victimise fellow employees who have made allegations or complaints of discrimination.
- Assist management with any investigations related to discrimination and/or harassment and/or victimisation.
- Discuss with their manager any adjustments necessary in their work where they have a disability.

### **Complaint Handling**

Any employee who feels that they have been treated unfairly may wish to make it clear to the person responsible for the discrimination and/or harassment that their behaviour is unacceptable; alternatively they should speak to their manager. An investigation will be conducted into the complaint and it will be treated seriously, sensitively, impartially and confidentially and handled promptly. No employee will be penalised for bringing a complaint under this policy as long as it is made in good faith. In the event that the complaint is not resolved or is not resolved to the employee's satisfaction the employee must raise the matter formally via the company grievance procedure.

Where the employee remains dissatisfied the employee has the right to appeal through the grievance procedure.

Any employee who is falsely accused of discriminatory conduct may raise the matter under the company grievance procedure. The employee found to have made the false accusation will be subject to disciplinary action which may constitute gross misconduct.

**Management of the Policy:**

The directors of the company have overall responsibility to ensure that this policy is fair and meets the legislative requirements in force. Through a programme of induction, training, education and the provision of information this policy will be made known to managers & supervisors, employees and job applicants. Managers are accountable for implementing the policy and bringing it to the attention of their employees.

The company will strive to ensure that employees are aware of their individual and collective responsibilities under the equal opportunities policy. Employees are responsible for their behaviour at work and those who refuse to observe and implement their individual and collective responsibilities and/or who breach the policy may be disciplined under the disciplinary procedures; which may result in their summary dismissal from the company. Breaching the policy and therefore discriminating or harassing another individual may also be unlawful.

Equal opportunities legislation covers many areas, however, all the legislation protects any candidate applying for employment with the company and any employee from discrimination. Any employee who feels that they have been treated unfairly in connection with this policy may wish to raise the matter in the first instance with their manager. In the event that the matter is not resolved or is not resolved to the employee's satisfaction the employee must raise the matter formally via the company grievance procedure.

This policy does not form part of the employee's terms and conditions of employment.

Any query regarding this policy should be made to David Green.

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Name of Managing Director: David Green

Signature:



Date: 27th March 2007

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I confirm I have read and understand this policy.

Employee Name:

Signature:

Date:

Kindly return the signed copy to your manager.