



# EQUAL OPPORTUNITIES POLICY



## **Equal Opportunities Policy**

Green Piling Ltd observes its statutory rights in ensuring equal opportunities in the workplace. The company is committed to ensuring that all employees are made aware of their statutory rights to equal treatment 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, bullying or harassment by ensuring that individuals receive treatment that is fair and equitable and consistent with their aptitudes, 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.

The company 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.

The company is opposed to any form of less favourable treatment or financial reward through direct, or indirect discrimination and discrimination by association\*, harassment, bullying 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 non-membership of a trade union. The company 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.

\*Discrimination by association means for example an employee who is associated with a person who is disabled, is of a certain ethnic group, etc, may claim direct discrimination if this occurs as a result of the employee's association with the individual.

### Definition of Discrimination

There are two types of discrimination, 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.

### 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
- Trade Union and Labour Relations (Consolidation) Act 1992
- Employment Relations Act 1999 & 2004
- Employment Act 2002
- Data Protection Act 1998
- Employment Rights Act 1996
- Human Rights Act 1998
- Civil Partnership Act 2004
- Equality Act 2006
- Work and Families Act 2006
- Employment Equality (Age Discrimination) Regulations 2006
- Fixed Term Employees (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
- Gender Reassignment Act 2004
- Employment Equality (Religion or Belief) Regulations 2003
- Transfer of Undertakings (Protection of employment) Regulations 2006
- 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 the harassment, bullying and victimisation policy is communicated to employees in conjunction with this policy.
- ❑ Ensure that this policy is adhered to.
- ❑ Demonstrate 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.
- ❑ 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 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, all religions 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 position 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 equality and diversity 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 a 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 equality and diversity training provided by the company.
- ❑ Ensure that all fellow employees, suppliers, job applicants, contracts, 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 thinking that it will go away.
- ❑ Tell an employee who is behaving in a discriminatory manner notifying him/her that his/her behaviour is unacceptable and unwanted and that s/he should stop and/or;
- ❑ Write to an employee who is behaving in a discriminatory manner that their behaviour is unacceptable and unwanted and that they should stop and/or;
- ❑ Report any acts of discrimination 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.
- ❑ 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 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 include dismissal.

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 dismissal from the company. Breaching the policy and therefore discriminating 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 who works for the company 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: 24<sup>th</sup> August 2009

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Employee confirmation

I confirm that I have read and fully understood this policy and note that any violation of the policy may result in disciplinary action being taken against me in accordance with the company's disciplinary policy which may result in my dismissal.

Employee Name:

Signature:

Date:

Kindly return the signed copy to your manager.