

Equal Opportunity & Anti-Discrimination Policy

For Australian Small & Medium Enterprises

Template Version 1.0 | June 2026

Important Notice

This template is provided as a general guide only. It should be customised to suit your specific business needs and reviewed to ensure compliance with all applicable federal, state, and territory anti-discrimination legislation.

1. Policy Statement

[Company Name] is committed to providing a workplace that is free from discrimination, harassment, and victimisation. We believe that all employees and job applicants should be treated fairly and with dignity, regardless of their personal characteristics.

We are committed to making employment decisions based on merit, and to providing equal opportunities for all employees to reach their full potential.

2. Purpose

The purpose of this policy is to:

- Ensure compliance with anti-discrimination legislation
- Promote a diverse and inclusive workplace
- Prevent discrimination, harassment, and victimisation
- Provide clear guidance on rights and responsibilities
- Establish processes for addressing complaints

3. Legal Framework

This policy operates within the following legislative framework:

- Fair Work Act 2009 (Cth) – General Protections
- Age Discrimination Act 2004 (Cth)
- Disability Discrimination Act 1992 (Cth)
- Racial Discrimination Act 1975 (Cth)
- Sex Discrimination Act 1984 (Cth)
- Australian Human Rights Commission Act 1986 (Cth)
- Relevant state and territory anti-discrimination legislation

4. Scope

This policy applies to:

- All employees (permanent, casual, temporary, and fixed-term)
- Job applicants and candidates
- Contractors and consultants
- Volunteers
- Work experience participants

It covers all aspects of employment including:

- Recruitment and selection
- Terms and conditions of employment
- Training and development opportunities
- Promotion and transfer
- Performance management
- Termination of employment

5. Protected Attributes

Under Australian law, it is unlawful to discriminate against a person because of their:

- Age
- Disability (including physical, intellectual, psychiatric, sensory, and learning disabilities)
- Race, colour, descent, national or ethnic origin, or immigrant status
- Sex, gender identity, or intersex status
- Sexual orientation
- Marital or relationship status
- Pregnancy or potential pregnancy
- Breastfeeding
- Family or carer responsibilities
- Religion or religious belief
- Political opinion
- Social origin
- Trade union membership or activity
- Criminal record (in some circumstances)

Note: Additional attributes may be protected under state and territory legislation.

6. Types of Discrimination

6.1 Direct Discrimination

Direct discrimination occurs when a person is treated less favourably than another person because of a protected attribute. For example, not hiring someone because of their age or disability.

6.2 Indirect Discrimination

Indirect discrimination occurs when a requirement, condition, or practice that appears neutral has a disproportionate negative impact on people with a protected attribute, and is not reasonable in the circumstances. For example, requiring all employees to work on Saturdays may indirectly discriminate against people whose religion requires them to observe the Sabbath.

6.3 Harassment

Harassment is unwelcome conduct related to a protected attribute that a reasonable person would anticipate might offend, humiliate, or intimidate. This includes sexual harassment, racial harassment, and harassment based on other protected attributes.

6.4 Victimisation

Victimisation occurs when a person is treated unfairly because they have made a complaint, helped someone else make a complaint, or intend to make a complaint about discrimination or harassment.

7. Our Commitments

7.1 Recruitment and Selection

- Job advertisements will be free from discriminatory language
- Selection criteria will be based on genuine job requirements
- Interview questions will focus on ability to perform the role
- Reasonable adjustments will be made for candidates with disabilities

7.2 Employment

- All employees will have access to the same terms and conditions
- Decisions about pay, promotions, and training will be based on merit
- Reasonable adjustments will be made for employees with disabilities
- Flexible work arrangements will be considered fairly

7.3 Workplace Culture

- We will promote diversity and inclusion
- We will not tolerate discriminatory behaviour or language
- Training on equal opportunity will be provided
- This policy will be communicated to all employees

8. Reasonable Adjustments

[Company Name] will make reasonable adjustments to enable employees and job applicants with disabilities to perform their role and participate fully in the workplace. Adjustments may include:

- Modified equipment or assistive technology
- Changes to work practices or duties
- Flexible working hours
- Physical modifications to the workplace
- Additional training or support

Employees requiring adjustments should discuss their needs with their manager or HR.

9. Responsibilities

All Employees

- Treat colleagues and others with respect and fairness
- Comply with this policy and anti-discrimination laws
- Report any discrimination, harassment, or victimisation
- Participate in training and education

Managers and Supervisors

- Model appropriate behaviour
- Make decisions based on merit
- Address concerns promptly and appropriately
- Ensure team members understand this policy
- Support employees seeking reasonable adjustments

HR Department

- Provide guidance on policy interpretation
- Manage complaints fairly and confidentially
- Coordinate training and awareness programs
- Review policy and practices regularly

10. Complaints and Resolution

If you believe you have been discriminated against, harassed, or victimised:

- Raise the issue directly with the person (if comfortable and appropriate)
- Report to your manager or supervisor
- Contact HR to make a formal complaint
- Seek assistance from a union representative (if applicable)

All complaints will be:

- Taken seriously
- Investigated promptly and impartially
- Treated confidentially (to the extent possible)
- Resolved fairly

Employees will not be victimised for making a genuine complaint in good faith.

11. Consequences

Breaches of this policy may result in disciplinary action, up to and including termination of employment. The response will depend on the nature and severity of the breach.

Employees may also face personal liability under anti-discrimination legislation.

12. External Complaints

Employees also have the right to lodge complaints with external bodies including:

- Australian Human Rights Commission: 1300 656 419
- Fair Work Commission: 1300 799 675
- State or territory anti-discrimination bodies
- WorkSafe (for related safety concerns)

13. Review

This policy will be reviewed annually or when there are changes to relevant legislation.

Employee Acknowledgement

I acknowledge that I have read and understood [Company Name]'s Equal Opportunity & Anti-Discrimination Policy. I agree to comply with this policy and to treat all colleagues with fairness and respect.

Employee Name: _____

Signature: _____

Date: _____