

Equal Opportunity and Anti-Discrimination Policy

1. Purpose

To ensure that people are treated as individuals, respected for their unique attributes and not excluded, harassed or bullied in any way, through unconscious bias, stereotypes or unlawful actions that may form the basis of discrimination, harassment, vilification or victimisation. The International Dzogchen Community of Namgyalgar (IDCN) will not condone or tolerate victimisation, vilification, bullying, discrimination or harassment.

2. Scope

This policy applies to all staff and representatives including Gakyil, contractors, chapters and volunteers and covers all work-related functions and activities.

3. Policy Statement

The International Dzogchen Community of Namgyalgar is committed to a diverse workforce and ensuring that all our workplaces are free from discrimination and harassment. As such the IDCN is an equal opportunity employer of staff and volunteers, committed to providing a safe environment where all people are treated fairly and with dignity. Equal opportunity at the IDCN is about:

- freedom from discrimination and harassment
- merit selection focusing on essential job requirements for volunteers and paid staff
- respect for diversity
- good people management

These form the core elements of the IDCNs Equal Opportunity and Anti-Discrimination Policy. They recognise and value the diversity of our community, enable the attraction of the best skills from a wide talent pool and ensure that everyone can realise their potential within the organisation.

The policy is underpinned by the IDCN's commitment to respect, protect and promote human rights for all, regardless of race, religion, ethnicity, indigeneity, disability, age, displacement, caste, gender, gender identity, sexuality, sexual orientation, poverty, class, or socio-economic status.

4. Principles

While it is not possible to cover every situation that we may face, there are certain basic principles and values to which all of us should adhere.

Be Equitable.

We welcome and support people of all backgrounds and identities. This includes, but is not limited to members of any sexual orientation, gender identity and expression, race, ethnicity, culture, national origin, social and economic class, educational level, colour, immigration status, sex, age, size, family status, political belief, and religion, and physical ability.

Be Considerate.

We all depend on each other to produce the best effort and intention we can. Your decisions will affect guests, retreatants and colleagues, and you should take those consequences into account when making decisions.

Be Respectful.

We will not all agree all the time, but disagreement is no excuse for disrespectful behaviour. We will all experience frustration from time to time, but we cannot allow that frustration to transform into personal attacks of others. An environment where people feel uncomfortable or threatened is not a productive, spiritual, or creative one. Under no circumstance shall a conflict or disagreement be voiced, expressed in body language, or discussed in front of or with retreatants or visitors.

Choose your words carefully.

Always conduct yourself professionally. Be kind to others. Use Right Speech, which has four aspects:

- Abstain from false speech; do not tell lies or deceive.
- Do not slander others or speak in a way that causes disharmony or enmity.
- Abstain from rude, impolite, or abusive language.

Do not indulge in idle talk or gossip. Do not insult or put down others. Be respectful towards all program participants, teachers, instructors and the teachings.

Make Differences Into Strengths.

We can find strength in diversity. Different people have different perspectives on issues and that can be valuable for solving problems or generating new ideas. When we disagree, try to understand why. Differences of opinion and disagreements are normal. What is important is that we resolve disagreements and differing views constructively and kindly. Being unable to understand why someone holds a viewpoint doesn't mean that they are wrong. We all make mistakes and blaming each other does not promote a positive outcome. Instead, focus on resolving issues and learning from mistakes and finding growth from mistakes and conflict.

Behaviour in the Workplace

We are expected to conduct ourselves in a professional, kind and ethical manner with other members and with any other individuals with whom we have contact on behalf of the IDCN. To this end, it is important that we do not insult or put down others or engage in unnecessary gossip or discursive speech. The IDCN strives to create and maintain an environment free of discrimination and harassment and expects that staff who are subject to this, or witness this, to make a timely report to enable the IDCN to investigate and correct any behaviour which may be a violation of this policy. Staff who report harassment or discrimination will not be subjected to any form of retaliation.

5. Definitions

The following definitions apply for the purposes of this policy:

3a. Discrimination

Discrimination in employment occurs when one person is treated less favourably than someone else is treated, or would be treated, in the same or similar circumstances, because that person has a particular attribute. Discrimination does not have to be calculated, intentional or even conscious.

There are two types of discrimination:

- direct discrimination; and
- indirect discrimination.

Direct discrimination occurs when someone is treated unfavourably because of a personal characteristic that is protected under Victorian and/or federal anti-discrimination law. Protected attributes include:

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| • age | • lawful sexual activity |
| • pregnancy | • marital status |
| • breastfeeding | • parental status |
| • career status | • physical features |
| • disability | • sexual orientation |
| • gender identity | • political activity/belief |
| • industrial activity | • race |
| • indigeneity | • religious activity/belief |

Indirect Discrimination occurs where a requirement, condition or practice appears to be neutral but has, or is likely to have, a discriminatory impact on a person with one of the protected attributes listed above and is not reasonable in the circumstances.

3b. Harassment

Harassment is any uninvited, unwelcome or unreciprocated behaviour that offends, humiliates or embarrasses another person where a reasonable person would expect this to be the effect of the behaviour. It does not matter whether or not it was intended to humiliate, embarrass or offend the person.

Harassment on any basis is prohibited and may be against the law if it is associated with one or more of the grounds listed above (Discrimination). It can consist of bullying, disability harassment or racial or religious vilification. Harassment need not be repeated or continuous; a single incident can amount to harassment. However, reasonable management action, taken in a reasonable way in connection with a worker's employment, is not harassment.

Sexual harassment is covered within The IDCNs Preventing Sexual Exploitation, Abuse and Harassment (PSEAH) policy.

3c. Bullying

Bullying at work occurs when:

- a person or a group of people repeatedly behaves unreasonably towards a worker or a group of workers at work and
- the behaviour creates a risk to health and safety.

Bullying does not include reasonable management action carried out in a reasonable manner.

If someone is being bullied because of a personal characteristic protected by equal opportunity law, it is a form of discrimination. Bullying can take many forms, including jokes, teasing, nicknames, emails, pictures, text messages, social isolation or ignoring people, or unfair work practices.

Behaviour that may constitute bullying include:

- sarcasm and other forms of demeaning language
- threats, abuse or shouting
- coercion

- isolation
- inappropriate blaming
- ganging up
- constant unconstructive criticism
- deliberately withholding information or equipment that a person needs to do their job or
- access their entitlements
- unreasonable refusal of requests for leave, training or other workplace benefits.

3d. Victimisation

It is unlawful for a person to subject or to threaten to subject another person to any detriment because the other person, or someone associated with the other person, has made an allegation or complaint of discrimination or harassment on the basis of a protected attribute and/or asserted their rights under this Policy or other relevant legislation.

3e. Vilification

Vilification is when a person engages in conduct that incites hatred towards, serious contempt for, or revulsion or severe ridicule of, a person or group of people on the basis of race or religion. This can occur through a single act or a number of acts over a period of time.

6. Legislation

Equal opportunity is a requirement under both State and Commonwealth legislation.

In Queensland, you are entitled to be treated fairly and not judged by your sex, race, age or religion, whether you have an impairment or hold certain political beliefs. The law that prohibits discrimination, sexual harassment, vilification and victimisation is the [*Anti-Discrimination Act 1991*](#) (Qld).

In addition, the [*Industrial Relations Act 2016*](#) (Qld) (the Act) provides for a [*general protection*](#) from workplace discrimination and gives the [*Queensland Industrial Relations Commission*](#) (QIRC) exclusive jurisdiction to hear work-related matters under the *Anti-Discrimination Act 1991* after they have been investigated and referred to QIRC by the [*Anti-Discrimination Commission Queensland*](#) (ADCQ).

At the Commonwealth level, there is a range of legislation which provides for equal opportunity, including the **Fair Work Act 2009 (Cth)**, the **Racial Discrimination Act 1975 (Cth)**, the **Sex Discrimination Act 1984 (Cth)**, the **Disability Discrimination Act 1992 (Cth)** and the **Age Discrimination Act 2004 (Cth)**. Both Commonwealth and state-based equal opportunity legislation apply to the organisation as an employer and to The IDCN employees. Similar legislation is also in place in the countries where we work. To avoid confusion, All The IDCN offices and staff in all the countries where we hold activities, will abide by this policy and associated Australian legislation, regardless of location.

Those found to have engaged in such conduct might be counselled, warned or disciplined. Severe or repeated breaches can lead to formal discipline up to and including dismissal. In the event of a policy breach, reporting will follow the mechanisms outlined in the IDCNs Complaints and Dispute Resolution Policy.

Retaliation or victimisation of an employee who raises an issue or makes a complaint is prohibited. The IDCN has provisions for employee support through the IDCN Employee Assistance Program.

7. Reasonable Adjustments

Both Commonwealth and state-based legislation require employers to make reasonable adjustments for employees with a disability. A range of factors must be considered in determining whether an adjustment is reasonable, including:

- the person's circumstances, including the nature of their disability
- the nature of the employee's role or the role that is being offered
- the nature of the adjustment required to accommodate the persons disability
- the financial circumstances of the employer
- the size and nature of the workplace
- the effect on the workplace of making the adjustment, including the financial impact, the number of persons who would benefit or be disadvantaged by doing so, and the impact on efficiency and productivity and, if applicable, on customer service of doing so;
- the consequences for the person or employee of not making the adjustment and the consequences for the employer of making the adjustment.

8. Related Documents

1. [Complaints & Dispute Resolution Policy](#)
2. [Complaints & Dispute Resolution Procedure](#)
3. [Reporting Form](#)
4. [Privacy Policy](#)
5. [Code of Conduct](#)
6. [Prevention of Sexual Exploitation and Harassment Policy \(PSEAH\)](#)
7. [Child Protection Policy](#)
8. [Whistleblowing Policy](#)

9. Version Control

The **IDCN** will review and update this policy every three(3) years, unless changes are required earlier, to ensure relevance and applicability.

	Written by:	Approved by:	Next Review Date:
Person	Eleanor Loudon	The IDCN Gakyil	3/9/206
Date:	21/7/2023	3/9/2023	