

Policy on Discrimination in Employment

Re-endorsed by Annual Conference 2016

The NSW Nurses and Midwives' Association recognises that:

- All individuals have the right to participate in the workforce irrespective of their age, race/ethnicity, gender (including pregnancy), sexual orientation, religion and/or disability. This right is protected by legislation.
- All employers are required to create a workplace that is free from discrimination and harassment. These responsibilities are set out in a range of state and federal laws which help protect people from unlawful behaviour, including the requirement for employers to implement processes for dealing with complaints of discrimination.
- Anti-discrimination legislation is supported and administered by agencies with the authority to investigate and resolve matters of alleged discrimination. As not all complaints of discrimination are able to be resolved via internal workplace processes, complainants have the right to lodge complaints directly with the appropriate agencies, including the NSW Anti-Discrimination Board and/or the Australian Human Rights Commission.

The NSW Nurses and Midwives' Association adopts the policy that:

1. Legislation must protect workers from direct or indirect discrimination in the course of their employment and must also support the right of employees to belong to and participate in trade union activities.
2. Legislation must be supported by educational activities which aim to voluntarily eliminate discrimination through the promotion of community understanding about the forms of discrimination and the requirement to avoid discriminatory acts or practices.
3. The union movement must play an active part on all levels to eliminate direct or indirect discrimination in employment and to support and promote anti-discrimination legislation.
4. Legislative change which compromises the rights of employees to freedom from discrimination and harassment in the workplace should be universally opposed.

Note:

This policy should be read with reference to the following legislation:

Anti-Discrimination Act (NSW) 1977

Age Discrimination Act 2004

Disability Discrimination Act 1992

Australian Human Rights Commission Act 1986

Race Discrimination Act 1975

Sex Discrimination Act 1984

