



**NEW SOUTH WALES NURSES AND MIDWIVES' ASSOCIATION**  
**AUSTRALIAN NURSING AND MIDWIFERY FEDERATION NEW SOUTH WALES BRANCH**



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# **POLICY ON DISCRIMINATION IN EMPLOYMENT**

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**Re-Endorsed by Annual Conference 2019**

**NSW Nurses and Midwives' Association**  
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# Policy on Discrimination in Employment

## 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, marital or domestic status, religion and/or disability. This right is protected by legislation.
- All employers are required to create a workplace that is free from direct and indirect 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 fair processes for dealing with complaints of discrimination.
- Anti-discrimination legislation is supported and applied by agencies with the authority to investigate and resolve matters of alleged discrimination. As not all complaints of discrimination are able to be resolved through 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.
- Disadvantage and bias can have a cumulative effect over time and become incorporated in the structures and processes of an agency or organisation in the form of organisational/institutional discrimination.

## THE NSW NURSES AND MIDWIVES ASSOCIATION ADOPTS THE POLICY THAT:

1. Currently euthanasia is illegal in Australia. Registered nurses, enrolled nurses and registered midwives are required by both the law and their professional codes of practice and ethics, to practice within the law. 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 eliminate discrimination through education about the forms of discrimination, the requirement to avoid discriminatory acts or practices and avenues for redress from 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, procedural and policy change which compromises the rights of employees to freedom from discrimination and harassment in the workplace should be universally opposed.



5. In order to minimise the prevalence of structural/institutional discrimination, organisations and agencies should facilitate employment and appointment of individuals from a broad range of experiences to ensure diverse representation in decision making.

## NOTE

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

*Anti-Discrimination Act (NSW) 1977*

*Age Discrimination Act 2004*

*Australian Human Rights Commission Act 1986*

*Australian Human Rights Regulations 1989*

*Disability Discrimination Act 1992*

*Fair Work Act 2009*

*Racial Discrimination Act 1975*

*Sex Discrimination Act 1984*