

- (a) the consequences of failure to comply with the term; and
- (b) the cost of alternative terms; and
- (c) the financial circumstances of the person who imposes, or proposes to impose, the term.

- (3) It is not necessary that the person imposing, or proposing to impose, the term is aware of the indirect discrimination.

**References**

Brisbane Catholic Education. (2008). *Code of Conduct*. Brisbane: Brisbane Catholic Education.

Brisbane Catholic Education. (2003). *Policy, procedures and guidelines for the prevention and elimination of sexual harassment – Schools*. Brisbane: Brisbane Catholic Education.

Brisbane Catholic Education. (2003). *Policy, procedures and guidelines for the prevention and elimination of sexual harassment*. Brisbane: Brisbane Catholic Education.

Brisbane Catholic Education. (2003). *Policy, procedures and guidelines for the prevention and elimination of workplace bullying and harassment – Schools*. Brisbane: Brisbane Catholic Education.

Brisbane Catholic Education. (2003). *Policy, procedures and guidelines for the prevention and elimination of workplace bullying and harassment*. Brisbane: Brisbane Catholic Education.

Brisbane Catholic Education. (2003). *Position Statement: Employment of indigenous people*. Brisbane. Brisbane Catholic Education.

Catholic Education Council. (2009). *Employment of staff policy*. Brisbane. Catholic Education Council Archdiocese of Brisbane.

Paul VI. (1965). *Gaudium et spes, Second Vatican Council*. New South Wales: St Pauls Publication.

**Legislation**

*Anti-Discrimination Act 1991 (Qld)*.

*Disability Discrimination Act 1992 (C'wlth)*.

*Equal Opportunity for Women in the Workplace Act 1999 (C'wlth)*.

*Human Rights and Equal Opportunity Commission Act 1986 (C'wlth)*.

*Racial Discrimination Act 1975 (C'wlth)*.

*Racial Hatred Act 1996 (C'wlth)*.

*Sex Discrimination Act 1984 (C'wlth)*.

*Workplace Relations Act 1996 (C'wlth)*.



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Archdiocese of Brisbane  
Catholic Education Council

# Equal Opportunity POLICY

JUNE 2010

## Policy Statement FOR BRISBANE CATHOLIC EDUCATION SCHOOLS





## FOREWORD

This revised policy statement reflects the Archdiocese of Brisbane's ongoing commitment the principles of equal opportunity for all staff employed by Catholic education.

*Everyone has the right of economic initiative; everyone should make legitimate use of his talents to contribute to the abundance that will benefit all and to harvest the just fruits of his labour. He should seek to observe regulations issues by legitimate authority of the sake of the common good.*

(Catechism of the Catholic Church. par.242, 1994)

As they enact this policy our Education Vicariate will continue to manage the employment of qualified and dedicated staff who share in the educational ministry of the Church in the Archdiocese.

At all times Catholic education will be committed to the formation, implementation and monitoring of just and equitable employment practices that uphold the dignity of the worker and protect the right of both the employer and employee.

Pope John XXIII wrote,

*Work, in as much as it is an expression of the human person, can by no means be regarded as a mere commodity.... its remuneration is not to be thought of in terms of merchandise, but rather according to the laws of justice and equity.*

(Mater et Magistra, par. 18).

This policy statement has been developed through a consultative process involving school officers, classroom teachers, school principals, senior administration staff, clergy, parents and other stakeholders.

I commend this policy statement to those involved in Catholic schooling in this Archdiocese. I have no doubt that through the implementation of this policy our commitment to promote justice, equity, the dignity of the human person and mutual respect among all who work in the Catholic education mission of the Archdiocese.

Sincerely in Christ,

**Most Rev John Bathersby DD**  
ARCHBISHOP OF BRISBANE  
April 2010

## EQUAL OPPORTUNITY POLICY

We are committed to equal opportunity in employment and in workplace practices for all current and prospective staff of Catholic Education in the Archdiocese of Brisbane within the framework of our Catholic faith tradition.

### INTRODUCTION

This policy addresses Catholic Education's commitment to provide equal opportunity to all staff who engage in our education ministry.

### RATIONALE

The Catholic Church has a rich tradition of social teaching on justice, equality and human rights. Belief in the God-given dignity of each person lies at the heart of its social teaching tradition. For Christian communities this belief underpins all relationships and structures.

The Second Vatican Council stated "*the basic equality of all must receive increasingly greater recognition.*" "*With respect to the fundamental rights of the person, every type of discrimination..., is to be overcome and eradicated as contrary to God's intent.*" (Gaudium et Spes 1965 (29))

The Vision Statement for Catholic Education challenges us to promote inclusive practices that enable us to nurture the gifts and potential of each person.

Under Federal and State legislation, employers have an obligation to promote equal opportunity and subject to genuine occupational requirements, address any form of discrimination in the workplace. Meeting these obligations is achieved through a framework of policies, procedures and practices that will foster equality with consistency and justice.

### CONSEQUENCES

Brisbane Catholic Education will:

- implement equal opportunity in the workplace
- develop, implement and review policies and procedures consistent with equal opportunity principles in relation to recruitment and employment matters
- provide training and development on recruitment and employment policies and procedures to all staff

- ensure equitable access to career development activities for all staff
- address all complaints of breaches of recruitment and employment policies in accordance with Catholic Education's procedures
- develop and implement a workplace program in accordance with the Equal Opportunity for Women in the Workplace Act (1999)
- report in relation to the workplace program in accordance with the Equal Opportunity for Women in the Workplace Act (1999).

### GLOSSARY

s.10 Anti-Discrimination Act 1991 (Qld)

- (1) **Direct discrimination** on the basis of an attribute happens if a person treats, or proposes to treat, a person with an attribute less favourably than another person without the attribute is or would be treated in circumstances that are the same or not materially different.
- (2) It is not necessary that the person who discriminates considers the treatment is less favourable.
- (3) The person's motive for discriminating is irrelevant.

s.11 Anti-Discrimination Act 1991 (Qld)

- (1) Indirect discrimination on the basis of an attribute happens if a person imposes, or proposes to impose, a term--
  - (a) with which a person with an attribute does not or is not able to comply; and
  - (b) with which a higher proportion of people without the attribute comply or are able to comply; and
  - (c) that is not reasonable.
- (2) Whether a term is reasonable depends on all the relevant circumstances of the case, including, for example--