

# Equal Employment Opportunity, Anti-Discrimination and Harassment Policy

Draft 1  
Date: 25 October  
Version 4

Words:  
Grade level:  
Reading ease:

# Draft

October 2009



Papua New Guinea  
Department of Education

Published in 2009 by the Department of Education

© Copyright 2009, Department of Education, Papua New Guinea

All rights reserved.

### **Acknowledgements**

Secretary of Education, Dr Joseph Pagelio, for his initiation and support of this policy.

HROD Division for leading the development of this policy and DoE staff who participated and contributed to the development of this policy.

Production of this policy supported by AusAID through the Education Capacity Building Program.



**Australian Government**  
**AusAID**

## Contents

Contents .....	3
Foreword.....	4
Aims of the policy .....	5
The values and guiding principles of the policy .....	5
Introduction .....	7
Who must follow this policy? .....	7
Key terms and definitions that are used in this policy: .....	8
Statement about Guidance to the Policy .....	11
1.0 The responsibilities of the Department of Education .....	11
2.0 Human Resource and Organisation Development (HROD) .....	12
3.0 Policy, Planning and Research (PPR) Division .....	12
4.0 Responsibilities of Managers and Supervisors ..	<b>Error! Bookmark not defined.</b>
5.0 The Responsibilities of Employees .....	<b>Error! Bookmark not defined.</b>
What to do if you experience discriminatory behaviour or sexual, emotional or physical harassment? .....	13
The legal and policy basis of the DoE EEO policy is derived from the following:...	15
Protection from Victimisation.....	15
EEO, Discrimination & Harassment Complaint Form.....	16
Glossary and acronyms .....	18

## Foreword

### Secretary's Message

The first National Goal and Directive Principle of the Constitution declares that every person is to be dynamically involved in the process of freeing themselves from all forms of domination or oppression.

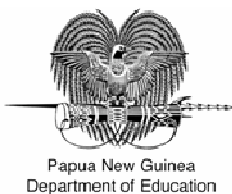
Section 55 of the Constitution states that all citizens have the same rights, privileges, obligations and duties irrespective of race, tribe and place of origin, political opinion, colour, creed, religion or sex.

In response to the Constitution and the National Education Plan 2005-2014 the Department of Education has put into place this Equal Employment Opportunity (EEO) policy, which aims to maintain a workplace free from discrimination and harassment. The DoE opposes direct and indirect discrimination. All employment related decisions must be based on merit. Discrimination, harassment and retaliation in any form will not be tolerated.

By preventing discrimination, promoting equity and ensuring accountability the Department aims to fully utilise staff resources and increase productivity and job satisfaction. All employees regardless of position are responsible for maintaining a work environment free of discrimination and harassment and every member of the DoE shall demonstrate a positive attitude towards the implementation of the EEO, Anti-Harassment and Discrimination Policy.



**Dr Joseph Pagelio**  
**Secretary for Education**



## Aims of the policy

The aims of this Equal Employment Opportunity (EEO) Anti-Discrimination & Harassment Policy are to ensure that all:

1. DoE employees or potential employees do not suffer unfair discrimination or harassment in the workplace.
2. Individuals and groups within the DoE work in an environment where all decisions are free of discrimination, where they have equal opportunity based on relevant abilities and merit.
3. Employees are encouraged to take positive action towards promoting equal opportunity throughout the organisation.

## The values and guiding principles of the policy

The EEO, Anti-Discrimination and Harassment Policy operates under a set of values and guiding principles that serve to help navigate, build and sustain a culture of openness, gender equity and fairness in the DoE workplace.

The DoE encourages a work environment where the following values underpin the provision of equal opportunity. This includes access to a quality education<sup>1</sup> and an educational environment free of discrimination and harassment. This policy applies to all employees who govern, manage and administer the work of the DoE.

The DoE encourages an environment where all employees demonstrate the values of:



---

<sup>1</sup> Refer to the Gender Equity in Education Policy, 2003.

## The Department of Education EEO, Anti-Discrimination & Harassment Policy

---

The following guiding principles set an expectation where all DoE employees will:

- Principle 1** Promote and uphold a work environment where everyone is treated with respect, dignity and fairness.
- Principle 2** Uphold the highest level of integrity as individuals, with colleagues, and in the work of the Department of Education
- Principle 3** Share responsibility for maintaining a workplace that is free from all forms of harassment, oppression and discriminatory behaviours and practices
- Principle 4** Be encouraged and empowered to choose and pursue their own career path and access to opportunities for recruitment, selection, promotion, transfer, professional development opportunities
- Principle 5** Demonstrate and promote respect for cultural and social diversity. Value and accept that others have a right to different perspectives and opinions. This includes demonstrating an appreciation for diversity in language, culture, spiritual, religious and customary beliefs, social structures and geographic locations
- Principle 6** Challenge traditions that conflict with EEO practices of the 21<sup>st</sup> century while maintaining respect for local cultural, ethnic and social diversity.
- Principle 7** Ensure that employees do not unlawfully discriminate against or harass other employees, potential employees or students and are treated fairly in decisions regarding disciplinary procedures.
- Principle 8** Have all workplace grievances addressed promptly, confidentially and transparently by their supervisor or other authorized person

## **Introduction**

The DoE is committed to promoting equal employment opportunities and a workplace that is free of all forms of discrimination and harassment. Equal opportunity means that all staff experience fairness, impartiality and equal access to all career initiatives in the DoE.

The DoE commitment to equal opportunity promotes an inclusive work environment that values and accepts the diverse cultural and social backgrounds of its staff.

This EEO, Anti-Discrimination & Harassment Policy is consistent with the DoE's pursuit of excellence. This policy is underpinned by a set of values and key guiding principles in the building of a community of all employees in education.

## **Background**

The National Education Plan 2005 - 2014 directs that the DoE must develop and implement an EEO policy that governs the practice and behaviours of its employees.

The DoE acknowledges that current barriers to equal employment opportunity must be eliminated from the workplace and in the recruitment and selection of potential employees.

The DoE has a desire to build a workplace and culture that is free of discrimination and harassment and offers equal opportunity to all its employees. The introduction of this Policy will provide the necessary framework and guidelines to achieve such a workplace now and into the future.

## **Consultation**

There has been wide consultation to develop this Policy which included the development of a working group with representation from Human Resources and Organisational Development (HROD) staff, other holders of related DoE policy and wide distribution of draft papers to key stakeholders and DoE Divisions including Policy Planning and Research.

DoE Coordination, Communication and Legal Services (CCLS) Division undertook a review of the content of the Policy to ensure it met appropriate legislative requirements. The Policy was considered, supported and endorsed by the DoE TMT.

## **Who must follow this policy?**

The Policy covers all employees of the Department of Education.

In their duties as an employee of the DoE this policy is open to all those bodies or agencies with whom DoE employees interact during the course of their employment.

Provincial Education Boards (PEB) may choose to adopt this policy for Provincial Education Officers.

## Key terms and definitions that are used in this policy:

### What does EEO mean to the DoE?





- EEO means that all employees of the DoE are treated on their merits, without regard to race, age, sex, relationship status such as "wantok" bias or any other factor not applicable to the position.
- EEO means that all DoE employees are valued according to how well they perform their duties and on their ability to maintain the DoE standards of service.
- EEO means the DoE is committed to challenging all forms of discrimination and prejudice and that it will take corrective action with the aim of eliminating unfair disadvantage from all aspects of the work environment.

### What does EEO mean for DoE employees?

- The DoE believes that all employees should be able to work in an environment that is free of:
  - prejudice,
  - discrimination,
  - victimisation,
  - sexual harassment and,
  - vilification (openly attempting to defame another)
- The DoE will assist members of under-represented groups overcome past or present discrimination, and provide a supportive and open organisational culture in which all staff are able to reach their full potential.
- The DoE considers any discriminatory behaviour as unacceptable in the workplace and this behaviour will not be tolerated under any circumstances. Such behaviour will result in disciplinary action that may include termination of employment.

### What is workplace discrimination?

Discrimination occurs when someone is treated unfavourably because of a certain attribute. Discrimination may involve some or all of the following:

-  Making offensive 'jokes' about another worker's clan, ethnic background, colour, sex or disability
-  Expressing negative stereotypes about particular groups e.g. "married women shouldn't be working."
-  Judging someone on their political or religious beliefs rather than their work performance
-  Using selection processes based on irrelevant attributes such as ethnic or clan group, age, sex or disability rather than on knowledge, skills and merit.



## The Department of Education EEO, Anti-Discrimination and Harassment Policy

The DoE and its employees will strive to create a workplace that is free from discrimination against any potential or existing employees, regardless of a person's:

- Political opinion
- Race, ethnicity or nationality
- Cultural or social beliefs such as; religious, spiritual, traditional or customary beliefs
- Colour
- Marital status
- Pregnancy or judging the impacts of potential pregnancy on decisions
- Breastfeeding
- Sex
- Gender identity<sup>2</sup>
- Age or other circumstances
- Health or physical disability or impairment
- Physical features
- Medical record
- HIV status<sup>3</sup>
- Family responsibilities
- Trade Union membership
- Reserve disciplinary forces i.e. police

### Workplace harassment

Workplace harassment incorporates sexual harassment, physical harassment and bullying. The DoE will not tolerate any form of harassment that includes, but is not limited to:

- sexual harassment;
- racial harassment;
- religious harassment
- disability harassment;
- bullying;
- HIV status and,
- workplace violence.

### What is sexual harassment?

Sexual harassment incorporates a range of unwelcome, unsolicited and non-reciprocated behaviour. This behaviour may constitute deliberate or unintentional verbal or physical conduct of a sexual nature. It includes actions that a person finds offensive, such as:

- Intrusive questions asked at employment interview
- Lewd comments, dirty jokes (including by email) or foul language
- Physical contact, including touching, kissing, patting or pinching
- Requests or sexual favors or attempts at sexual intercourse
- Sexual intercourse under threat of job loss
- Sexual assault or rape
- Verbal abuse of a sexual nature
- Graphic or suggestive comments about an individual's dress, body, or private life
- Gender based insults or taunting
- Visual displays in the workplace of derogatory objects, pictures, calendars, offensive screen savers or emails
- Asking employees or co-workers questions about their sex life
- Offering rewards for sex
- Sexually explicit conversation
- Unwelcome remarks about a person's sex or private life
- Verbal or written statements of a sexual nature either made to directly to a person or in their presence
- Suggestive comments about a person's appearance
- Inappropriate, offensive or nuisance telephone calls, letters or emails
- Suggestive or inappropriate clothing
- Requiring hugs and or kisses from employees or co-workers

---

<sup>2</sup> this includes "tom boys" & "girly girls" (geli-geli's)

<sup>3</sup> is covered by the HAMP Act which provides protection against discrimination for HIV positive persons

The DoE considers sexual harassment an unacceptable form of behaviour that will not be tolerated under any circumstances, whether the employee is at work, or in any work-related context such as conferences, work functions and duty travel.

Any form of sexual harassment will result in disciplinary action and may also be a criminal offence. The DoE promotes confidentiality and an environment that encourages employees to report concerns of harassment and discrimination without fear or retribution.

The DoE acknowledges that mutual friendships and relationships may develop at the workplace which are a private matter and do not constitute sexual harassment. However, these consensual relationships do not entitle any form of sexual behaviour in the workplace. This behaviour is deemed unacceptable and will result in disciplinary action.

### **Bullying and physical harassment**

The DoE considers bullying and physical harassment an unacceptable form of behaviour that will not be tolerated under any circumstances. Bullying and physical harassment includes, but is not limited to, circumstances where:

- A manager or supervisor who uses a management style that is harsh which involves shouting, constant criticism or humiliation of an employee or group of employees in private or in front of others.
- Less favourable treatment of an employee as a result of behaviour including, bullying or intimidation, taking negative advantage of employees such as the playing of practical jokes or forcing an employee to undertake demeaning tasks.
- An employee that engages in behaviour that is verbally or physically threatening to his or her peers or managers.
- A manager, supervisor or employee involved in, or who causes, any forms of physical or verbal abuse or violence against women.

## **Statement about Guidance to the Policy**

### **Roles & Responsibilities**

#### **1.0 The Responsibilities of Employees**

DoE employees must ensure that they:

1. Have an obligation to apply EEO principles in all aspects of their work. This means understanding, respecting and applying the organisation's EEO, Anti-Discrimination and Harassment policy
2. Respect and accept that others have a right to hold different perspectives and opinions to their own
3. Are sensitive to the feelings of others
4. Respect the rights, dignity and worth of all employees regardless of their ability, gender or cultural background
5. Share responsibility for maintaining a workplace that is free from discriminatory behaviour and practices
6. Raise any concerns that they may have about inappropriate conduct in accordance with this policy
7. Offer support to other employees who are being harassed and let them know where they can get help and advice
8. Attempt (wherever practical) to amicably resolve any personal harassment or discrimination matter with the employee/s or manager/s involved prior to notifying their managers or the Human Resource and Organisational Development Manager
9. Any instance of discrimination or harassment will be treated as a disciplinary offence, which may lead to disciplinary action up to and including summary dismissal

#### **2.0 Responsibilities of Managers and Supervisors**

All managers and supervisors are responsible for the promotion and ongoing effective management of EEO across the DoE through personal leadership and demonstrating commitment to EEO principles and goals.

Executive and senior staff members have accountabilities for the implementation of this policy within their area of responsibility. As such, all managers, branch heads and supervisors must:

1. Ensure that all employees are aware of their rights and responsibilities in relation to EEO and Anti-Discrimination and Harassment Policy by promoting and communicating this policy
2. Recruit, promote, train, develop and transfer employees on the basis of merit and performance, free from any discriminatory assumptions
3. Ensure that all staff management practices treat employees equitably, consistently and without bias in all aspects of their employment in the DoE
4. Model appropriate professional behaviour and implement work practices, policies and strategies to eliminate discriminatory behaviour from the workplace
5. Be approachable, listen to concerns, provide confidential advice and information to employees, and take appropriate and prompt action to resolve issues relating to EEO or discrimination within the workplace including investigating any grievances or complaints that an employee may lodge
6. Monitor the working environment to ensure that acceptable standards of conduct are observed

7. Communicating possible breaches of the Policy promptly to Staff Support Services (SSS)

### **3.0 Human Resource and Organisational Development (HROD)**

The Staff Support Services (SSS) Branch that sits within the HROD Division is responsible for the administration of this policy. This includes:

- Guidance and counselling to affected staff
- Reporting breaches of the Policy
- Initiating investigations
- Reporting investigations to the NDoE Disciplinary Committee

The training branch has responsibility to ensure training and understanding of the EEO, Anti-Discrimination and Harassment Policy at induction and awareness raising for current and prospective NDoE employees.

HROD Division will review and make amendments to the EEO, Anti-Discrimination and Harassment policy as a result of changes to legislation, aligned policies and workplace practice.

The NDoE Disciplinary Committee is responsible for:

1. Advising the Secretary on the outcomes and recommendations of an investigation into breaches of this policy
2. Decisions regarding disciplinary action and where required, the committee can make recommendations on appropriate penalties
3. Ensuring that the internal processes leading to the determination of disciplinary charges are fair, just and without discrimination and completed quickly

For further information regarding NDoE Disciplinary Committee roles, responsibilities and composition please refer to the DoE Disciplinary Policy and Procedures for Public Service Employees (October, 2007).

### **4.0 Policy, Planning and Research (PPR) Division**

PPR is responsible for the development and ongoing monitoring and evaluation of this policy to ensure compliance with other DoE policies and practice.

### **5.0 The responsibilities of the Department of Education**

The DoE will ensure that all line managers are sufficiently trained in effectively managing workplace discrimination and harassment, and are conversant and up-to-date with the EEO, Anti-Discrimination and Harassment Policy aims, principles and implementation.

The DoE will ensure that its EEO, Anti-Discrimination and Harassment Policy is displayed in a prominent location at all sites and is effectively communicated to, and understood by all employees.

As part of its standard Induction Program, the DoE will ensure that all new employees are advised of the DoE EEO, Anti-Discrimination and Harassment Policy, the standards expected of them, and the procedures for making a complaint.

## **What to do if you experience discriminatory behaviour or sexual, emotional or physical harassment?**

Any employee who believes that they have been subject to actions or words that may be discriminatory or that constitute unwelcome sexual, emotional or physical harassment should act upon such discrimination as soon as possible.

It is important to record in writing the events, times, locations and actions. Refer to the EEO, Anti-Discrimination & Harassment Complaint Form to follow.

The employee with a complaint can take an informal or a formal process of resolving it. To ensure that the complaint is resolved advice can be sought from:

- (a) One's immediate supervisor/manager
- (b) HROD Manager
- (c) The Staff Welfare and Discipline Officer or the
- (d) Staff Support Services Branch manager
- (e) The Trade Union

**The informal process allows parties** to make informed decisions where Staff Support Services (SSS) branch can assist them to resolve the issues through mediation. In the first instance the aggrieved employee should, wherever practical, attempt to amicably resolve the matter with the employee/s or manager/s involved.

The process will involve the complainant seeking advice and support from SSS or the employee's immediate supervisor.

Advice and support will be given to the complainant by the supervisor. Following this, the person causing the problem will be approached with a view to achieving an amicable agreement between all parties.

Where the alleged discrimination or unwelcome sexual, emotional or physical harassment involves the employee's direct manager and it is not practical for them to directly resolve the matter, the complainant shall immediately notify either their division manager or the HROD manager who, with the employee's approval, will endeavour to investigate and resolve the matter on an informal basis.

**Refer to page 17 for the flowchart detailing the complaint process for alleged breaches of the EEO, Anti-Discrimination & Harassment Policy.**

Where an amicable resolution cannot be achieved as outlined above, the employee shall be encouraged to lodge a confidential formal written complaint with their Divisional Manager or the SSS. This formal written complaint shall include the names of individuals concerned, details of the incident(s) and the names of any witnesses present.

When a complaint has been formally lodged, the SSS will pursue an objective, confidential and thorough investigation that includes:

- Clarifying the details of what took place and ensuring that all necessary information is obtained
- Identifying the outcomes the complainant is seeking
- Discussing the complaint made with the person/s accused of discrimination or harassment
- Helping to clarify whether the behaviour actually constituted discrimination or harassment

- Discussing with the complainant their legal rights, including lodging a formal complaint with the relevant tribunal

Once a formal complaint has been received:

- The Committee may charge the respondent and demand an explanation on the matter being reported within 7 days of receiving notification of the complaint
- Upon receiving the response to the complaint the SSS will refer the matter to the Disciplinary Committee who will deliberate on the appropriate action to be taken
- For the employee reporting the complaint the DoE will ensure that appropriate counseling and mediation is provided where applicable.

The SSS will ensure a timely and appropriate resolution of the investigation is reached and communicated to all parties involved.

No further action will proceed if the matter is resolved at this level.

### **The NDoE Disciplinary Committee**

The NDoE Disciplinary Committee will:

- (a) confirm and ascertain the report received;
- (b) collect and analyse facts if required;
- (c) decide whether or not the complaint is substantiated;
- (d) deal with it and if not possible; then
- (e) refer to the Secretary, with recommendations.

### **The Secretary of Education**

The Secretary will:

- (a) make decisions based on the recommendation and advise parties concerned; or
- (b) refer to the Committee for further information, and or legal office for advice; and
- (c) refer to relevant authority to institute appropriate action.

### **Appeal**

The complainant and or the offender may appeal the decision to the next hierarchy of this policy management structure within 30 days of the decision being served on them,

**Comment [R11]:** Which is what exactly? The Secretary?

A response shall be made within thirty (30) days.

### **Other Avenues for Complaint**

If the complainant is not satisfied with the action or inaction of the DoE, one can seek advice or assistance from other bodies such as:

- (a) the Courts;
- (b) Industrial and Employee Relationship Division of the Department of Personal Management;
- (c) the Ombudsman Commission on human rights issues;
- (d) the Department of Labour and Employment; and
- (e) Individual and Community Rights Advocacy Forum (ICRAF)
- (f) The Trade Union

### **Confidentiality**

All matters are to be treated as confidential information and will only be divulged on a need to know basis and upon consent. Any disclosure of information warrants disciplinary action.

**The legal and policy basis of the DoE EEO policy is derived from the following:**

- (a) Constitution of Papua New Guinea
- (b) The Public Service Management Act & The General Orders
- (c) National Education Plan 2005-2014
- (d) The Gender Equity in Education Policy (2003)
- (e) HIV/AIDS Policy for the National Education System (2005)
- (f) HIV and AIDS Management and Prevention (HAMP) Act (2003)
- (g) Department of Education Discipline Policy and Procedures (October 2007)
- (h) Department of Education Recruitment and Selection Policy (2006)
- (i) Department of Education ICT Policy (2004)

**Affirmative Action Strategies**

Affirmative action strategies may be implemented to redress past discriminatory practices. Such strategies may be employed to allow groups who may have been disadvantaged in the past to gain increased access to opportunities. These strategies do not disadvantage any staff members and may include but are not limited to:

1. Setting targets to ensure that previously disadvantaged groups are able to:
  - Attend training courses, acknowledging that they need to be informed with sufficient notice to properly submit applications.
  - Multi-skill in order to allow them access to diverse duties in the organisation.
2. Setting targets to ensure that there is:
  - Proportional employment of members from all provinces within the DoE
  - Proportional training attendance by members from all provinces within the DoE
  - Increased recruitment of women, acknowledging that they are underrepresented within the DoE
  - Fair representation on decision-making bodies. Given that females are underrepresented in higher-level decision-making positions, provisions for women's participation in decision-making bodies should be applied.
3. Where targets as detailed above are not met an explanation must be provided to the EEO

**Protection from Victimisation**

The DoE will take necessary disciplinary action against anyone who victimises or retaliates against an employee who has:

- (a) complained of harassment;
- (b) told another that his or her actions are offensive and unwanted; or
- (c) brought an harassment concern to the attention of management, or
- (d) Being a truthful witness to harassment or participated in an investigation

## EEO, Anti-Discrimination & Harassment Complaint Form

This form is designed to assist in the process of capturing and reporting the details of a complaint in relation to a breach of the EEO, Anti-Discrimination and Harassment Policy & Procedures.

Details of Person completing the Form:

Name			Position Title and Location:	
Relationship to Complainant (If completing report of behalf of complainant):				
Contact details:	Work Phone:		Email:	
	Mobile:		Fax:	
	Address if applicable:			

Complainant details

Name			Position Title and Location:	
Contact details:	Work Phone:		Email:	
	Mobile:		Fax:	
	Address if applicable:			
Type of Complaint: (tick appropriate box)				
		<input type="checkbox"/> Discrimination	<input type="checkbox"/> Harassment	<input type="checkbox"/>
Nature of Complaint: (Write a brief description of the behaviour that was felt to be unacceptable and in breach of the EEO, Discrimination and Harassment Policy)				

Details of the person who is the alleged offender (if known):

Name			Position Title and Location:	
Contact details:	Work Phone:		Email:	
	Mobile:		Fax:	
	Address if applicable:			

Details of Complainant's immediate manager (or step manager if immediate manager is alleged offender):

Name			Position Title and Location:	
Contact details:	Work Phone:		Email:	
	Mobile:		Fax:	

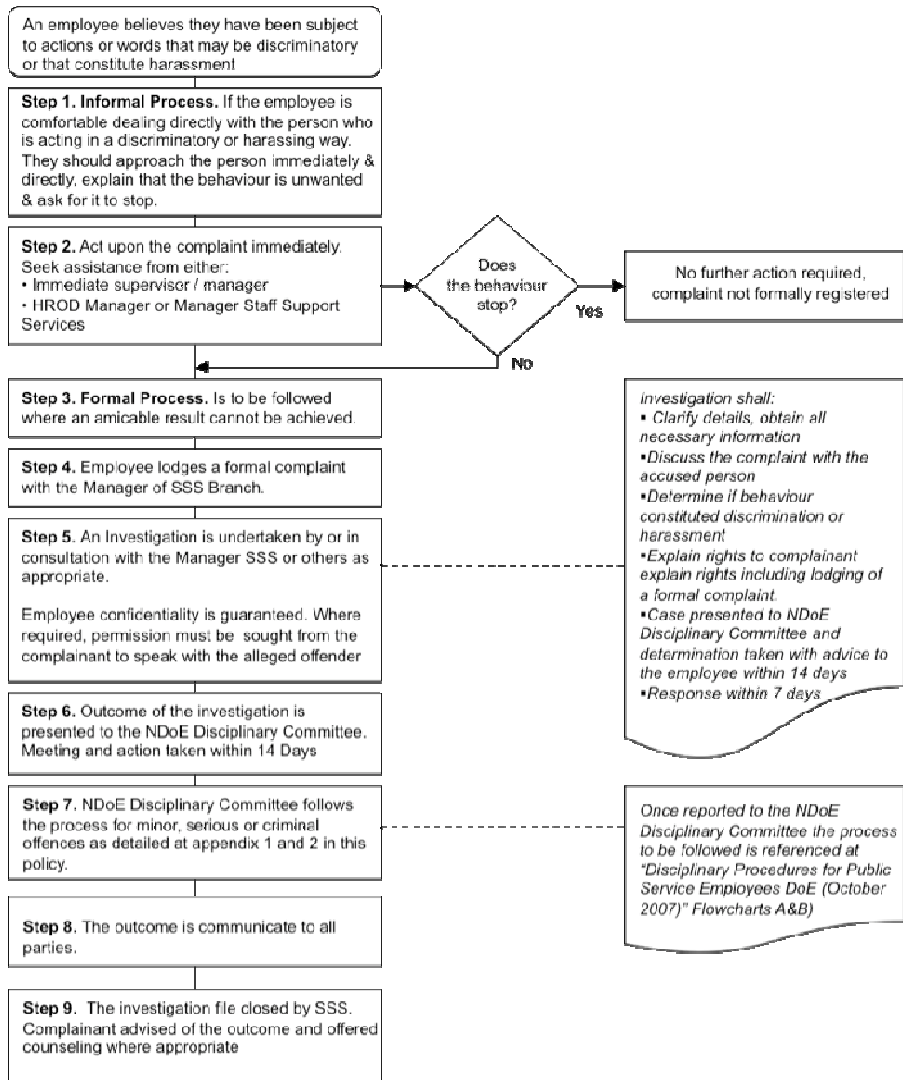
Provide a brief summary describing the unwanted behaviour.

Consider: When, Where, the type of offence, how often, details of the offence, witnesses, etc.

Name: \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_



Complaint Process for alleged breaches of the EEO, Anti-Discrimination & Harassment Policy



## Glossary and acronyms

### **Affirmative Action**

Means taking actions to reduce unfair work practices and to promote gender equality and equity in all aspects of employment.

### **Complainant**

Refers to an employee who has been offended by another employee through act of unethical work behaviours, such as discrimination, harassment and bullying.

### **Discrimination**

Unlawful discrimination can occur when someone, or a group of people, is treated less favorably than another person or group because of a specified attribute such as their race, colour, national or ethnic origin, sex, pregnancy, breastfeeding, relationship status, career status, age, disability, sexuality, union affiliation, religious or political conviction or any other characteristic specified.

### **Direct Discrimination**

Direct discrimination occurs when a person or group is specifically excluded from an employment or education opportunity because of a personal characteristic such as sex, age, disability or race. Direct discrimination is the result of the beliefs or stereotypical attitudes some people may have about the characteristic and behaviour of members of a group. For example refusing to interview an applicant because of their age, or deciding not to enrol a student on the basis of their disability yet meets course requirements.

### **Employee**

Refers to all staff employed by the Department of Education, including consultants, casuals, volunteers and prospective employees.

### **Equal Employment Opportunity**

Means that everyone is given equal opportunity in accessing jobs, training, promotion and other development opportunities.

### **Gender Equality**

Means women and men have equal value, equal rights and equal opportunities to participate in every aspect of life, at every level of society.

### **Gender Equity**

Refers to fairness in the access to benefits for women and men, equity is the vehicle to achieve equality.

### **Harassment**

Mean any unwanted or uninvited behaviour that is offensive, intimidating and humiliating. In this policy harassment includes but not limited to race, religion, sex, disability and bullying.

### **Indirect discrimination**

Indirect discrimination occurs when employment and educational requirements conditions or practices are applied to people equally and appear to be neutral but their requirements, conditions or practices significantly reduce the change of members of some groups specified in human rights legislation to obtain and education or employment opportunity.

**Racial harassment**

Means harassment experienced by those who are noticeably different have an accent, or who identify with a particular culture. Racial harassment may include jokes about food preferences or social customs, or comments or materials that put down or stereotype people because of their race.

**Religious harassment**

Refers to those people who identify with a belief or non-belief may experience religious harassment from behaviour such as jokes about religious practices; or unwelcome comments or materials that stereotype or belittle people because of their religious beliefs or non-beliefs.

**Respondent**

Refers to an officer or a staff member whom a complaint has been laid and is alleged to have caused an offence or humiliated a complainant.

**Sexual harassment**

Means where a person makes an unwelcome sexual advance or requests for sexual favours for promises or purposes of other benefits.

**Special measures**

Special measures enable actions to be implemented to advance substantive equality for individuals who belong to groups that have experienced past disadvantage because of laws and rules, stereotypes and attitudes.

**Victim**

Means a person who has been harassed and or discriminated.

**Victimisation**

Refers to an officer or staff member who has been affected because he or she has formally made an allegation or complaint of discrimination, harassment or unacceptable workplace behaviour.

**Workplace Bullying**

Refers to any unreasonable and oppressive behaviour directed at an officer or staff that may create a risk to the physical and psychological wellbeing.

**Policy development**

Developed by the Human Resources and Organisation Development Division,  
Department of Education.

Final draft completed 25<sup>th</sup> August 2009  
Review date XXXXXXXX

If you would like additional copies of this policy, please contact:

Mr Otto Loh, Manager, HROD Division,  
Department of Education,  
Fincorp Haus  
P.O. Box 446  
Waigani, NCD, Papua New Guinea

Tel. +675 301 3391  
Email: [Otto\\_Loh@educationpng.gov.pg](mailto:Otto_Loh@educationpng.gov.pg)

**Policy review date**

August 2014