

NEMBC Policy

Human Rights, Multiculturalism, Diversity and Equal Opportunity

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1 Overview

Policy Statement and Code of Ethics

NEMBC is committed to human rights, equal opportunity and multiculturalism and diversity in every aspect of its operation.

NEMBC has a strong history of embracing cultural diversity through respectful and supportive environments where difference is valued and celebrated, and tolerance and understanding is practised. The NEMBC has always identified the needs of young people, women and representation and support for ethnic groups; those established communities and new and emerging communities.

The issues to support this policy are clearly outlined in the NEMBC's constitutional objectives from these relevant key points:

- To promote and represent the interests of ethnic and multicultural community broadcasters throughout Australia in Radio, Television and other electronic media.
- To advance the development of a harmonious multicultural society in Australia through broadcasting and to promote racial and religious harmony in Australia.

- To prevent discrimination on the basis of race, gender, religious and political affiliation and other forms of discrimination or distinction.
- To promote access and equity in community broadcasting.
- To foster positive relations amongst the Members of the Council.
- To promote principles of community independent media and programming diversity reflective of ethnic and multicultural views.

NEMBC recognises the need for an open and inclusive culture where diversity is valued and the social and cultural backgrounds of all members and staff are respected and celebrated. Diversity can contribute to the creation of a productive environment in which the talents of staff are utilised and organisational goals are met. A diverse workforce can broaden workplace knowledge and experience, enhance service delivery and generate new ideas and insights.

The NEMBC promotes a work environment that is free from discrimination and harassment, and where individuals are treated with fairness, respect, equality and dignity.

IN doing this the NEMBC recognised the following Legislation.

2 Legislation

The NEMBC's work and policy is underpinned by the various legislation including the following Acts:

Commonwealth Racial and Religious Tolerance Act 2001 and the Charter of Human Rights and Responsibilities Act 2006. This legislation is in addition to Commonwealth and State anti discrimination law. For further information, see HRWeb: Equal Opportunity, Discrimination and Harassment.

- Commonwealth [Racial Discrimination Act 1975](#)
- Commonwealth [Sex Discrimination Act 1984](#)
- Commonwealth [Australian Human Rights Commission Act 1986](#)
- Commonwealth [Disability Discrimination Act 1992](#)
- Commonwealth [Disability Standards for Education 2005](#)
- Commonwealth [Racial Hatred Act 1995](#)
- Commonwealth [Workplace Gender Equality Act 2012](#)
- Commonwealth [Age Discrimination Act 2004](#)
- Commonwealth [Fair Work Act 2009](#)

The federal Parliament has passed a number of laws which aim to protect people from certain kinds of discrimination in public life and from breaches of their human rights by Commonwealth departments and agencies.

The Australian Human Rights Commission has statutory responsibilities under these laws. We have the authority to investigate and conciliate [complaints](#) of alleged discrimination and

human rights breaches lodged under these laws.

Age Discrimination Act 2004

The [Age Discrimination Act 2004](#) helps to ensure that people are not treated less favourably on the ground of age in various areas of public life including:

- employment
- provision of goods and services
- education
- administration of Commonwealth laws and programs

The Act also provides for positive discrimination – that is, actions which assist people of a particular age who experience a disadvantage because of their age. It also provides for exemptions in the following areas:

- superannuation
- migration, taxation and social security laws
- state laws and other Commonwealth laws
- some health programmes.

For further information: [All about age discrimination.](#)

Disability Discrimination Act 1992

The [Disability Discrimination Act 1992](#) has as its major objectives to

- eliminate discrimination against people with disabilities
- promote community acceptance of the principle that people with disabilities have the same fundamental rights as all members of the community, and
- ensure as far as practicable that people with disabilities have the same rights to equality before the law as other people in the community.

For further information visit [Disability Rights.](#)

Australian Human Rights Commission Act 1986

The [Australian Human Rights Commission Act 1986](#) (formerly called the *Human Rights and Equal Opportunity Commission Act 1986*). established the Human Rights and Equal Opportunity Commission (now known as the Australian Human Rights Commission) and gives it functions in relation to the following international instruments:

- [International Covenant on Civil and Political Rights](#) (ICCPR)
- [Convention Concerning Discrimination in Respect of Employment and Occupation](#) (ILO 111)
- [Convention on the Rights of Persons with Disabilities](#)

- [Convention on the Rights of the Child](#)
- [Declaration of the Rights of the Child](#)
- [Declaration on the Rights of Disabled Persons](#)
- [Declaration on the Rights of Mentally Retarded Persons](#), and
- [Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief](#).

In addition, the Aboriginal and Torres Strait Islander Social Justice Commissioner has specific functions under the *AHRC Act* and the *Native Title Act, 1993* to monitor the human rights of Indigenous people.

For further information: [The Australian Human Rights Commission \(information sheet\)](#).

Australian Human Rights Commission Regulations 1989 (Cth)

Section 3(1) of the *Australian Human Rights Commission Act 1986* (Cth) defines discrimination. The Australian Human Rights Regulations 1989 (Cth) lists additional grounds which will constitute discrimination under the Act.

Racial Discrimination Act 1975

The [Racial Discrimination Act 1975](#) gives effect to Australia's obligations under the International Convention on the Elimination of All Forms of Racial Discrimination. Its major objectives are to

- promote equality before the law for all persons, regardless of their race, colour or national or ethnic origin, and
- make discrimination against people on the basis of their race, colour, descent or national or ethnic origin unlawful.

For further information: [Race Discrimination](#).

Sex Discrimination Act 1984

The [Sex Discrimination Act 1984](#) gives effect to Australia's obligations under the Convention on the Elimination of All Forms of Discrimination Against Women and certain aspects of the International Labour Organisation (ILO) Convention 156. Its major objectives are to

- promote equality between men and women
- eliminate discrimination on the basis of sex, marital status or pregnancy and, with respect to dismissals, family responsibilities, and
- eliminate sexual harassment at work, in educational institutions, in the provision of goods and services, in the provision of accommodation and the delivery of Commonwealth programs.

For further information: [Sex Discrimination](#).

3 NEMBC Organisation Framework and Workplace Policy

The NEMBC is committed to the organisation reflecting the diversity of the sector that it represents.

The NEMBC by definition as a multicultural organisation has a legacy that is highly accountable to diversity, human rights and multiculturalism. The NEMBC is a membership organisation with Ethnic community broadcasters as its membership base.

It's the open and democratic model of participation that allows for elections and for members from a broad range of backgrounds are represented and there is a youth and women's standing committees that provide opportunities for youth and women into decision making positions.

The NEMBC Constitution makes sure that the board and committees are broadcasters as a 'member' must be a community radio broadcaster. This allows for authentic membership participation and governance of the organisation.

Board *co-option* also allows accountability for state and cultural representation and includes regional and new and emerging communities.

The NEMBC employment process has established practises to advertise and encourage workplace diversity. Screening processes and interviews encourage and ensure that employees are culturally competent or culturally heritage.

3.1 Definitions

Diversity

Diversity encompasses acceptance, respect and recognition of individual differences such as background, skills, talents and perspectives, as well as characteristics that are protected under equal opportunity legislation and refers to: language, ethnicity, culture, race, nationality, geographical location, age, gender, youth, physical and mental ability, sexual orientation, economic status, faith, , education, and family/marital status. It also refers to diverse ways of thinking and working and perspective and experience.

Equal Employment Opportunity

Equal Employment Opportunity ensures that everyone has equal access to available employment by ensuring that workplaces are free from discrimination and harassment. This includes ensuring workplace rules, policies, practices and behaviours are fair and do not directly or indirectly discriminate unlawfully.

Equal Opportunity/Diversity Groups (EO/Diversity Groups)

EO/Diversity Groups are those groups identified by the Director of Equal Opportunity in Public Employment for improved representation and distribution in the public sector workforce. These are women, people with disabilities, Aboriginal and Torres Strait Islander people, people from culturally diverse backgrounds (CALD) and youth. The NEMBC has identified mature age employees as another priority group requiring specific strategies to retain within the workforce. The NEMBC also considers the LGBTI community.

Racial harassment

Racial harassment occurs if a person is threatened, abused, insulted or taunted based upon a person's race or a characteristic belonging to, or generally believed to belong to, a particular race including colour, ethnic background or origin

Sexual harassment

Sexual harassment occurs when a person makes an unwelcome sexual advance or request for sexual favours or engages in unwelcome conduct of a sexual nature.

Substantive equality

Substantive equality involves achieving equitable outcomes as well as equal opportunity. It takes into account the effects of past discrimination and it recognises that rights, entitlements, opportunities and access are not equally distributed throughout society. Substantive equality recognises that equal or the same application of rules for certain groups can have unequal results.

Victimisation

Victimisation includes threatening, harassing or punishing a person in any way because they have objected about the discriminatory manner in which they have been treated. It also applies to anyone who has made a complaint, or intends making a complaint.

3.2 Measurable and Accountability

The NEMBC will strive to maintain the level of diversity, respect and fairness with the organisation by:

- Being true to multiculturalism and that different ethnic and cultural groups are represented
- Continuing to maintain a high level of gender equality
- Support and encourage youth and new and emerging communities
- Keep and enhance a broad range of skills and experience

- Recognition of Employment Awards that are measurable to skills sets
- Foster a culture of fairness and accountability and trust.

Accountability

The NEMBC will continue as a membership organisation that allows for democratic and participatory processes.

The NEMBC board is responsible for the governance and direction of this policy.

The Executive Officer and the board are responsible for the workforce employment and performance of staff.

The NEMBC will review and produce a multicultural diversity annual audit of its organisation and work place practises to ensure its standards are maintained and enhanced.

This policy will be reviewed and updated to meet contemporary organisational standards.

4 Dispute Avoidance, Solution and Grievance Procedure

The NEMBC has a Dispute Avoidance and Grievance Procedure for any disputes that occur within the organisation. This dispute mechanism is in line with Fair Work Australian standards for staff and is for members within the organisation.

The NEMBC values its members and welcomes feedback on the quality of its services.

Our Service Values

- To treat people with courtesy and respect
- To understand their needs
- To act on commitments as quickly as possible
- To evaluate our service, by asking the service user, for feedback
- To value privacy

Our Service Approach

- Be approachable and professional
- Provide information on the services we offer.
- Follow up on service commitments that we make
- Ensure there is access to our services between 9.00am and 5 pm Monday to Friday (except public holidays).
- Be punctual for meetings and appointments
- Respond quickly and efficiently to requests for services

- Try to provide an alternative and follow through on possible avenues for helping if we are unable to comply with a request
- Listen to opinions and suggestions
- Arrange a qualified interpreter, if you do not speak English.
- Arrange access to the National Relay Service if you are hearing and speech impaired.

Complaints Procedure: The NEMBC aims to provide the best possible service; however, we recognise that from time to time things do go wrong, either through miscommunications or for some other reason. If any problems do arise, we would like you to bring it to our attention so we can deal with your complaint quickly and courteously.

Complaints or feedback about the NEMBCs service can be made by filling in the complaint/feedback form on our website.