



IRISH CONGRESS OF TRADE UNIONS

EQUAL OPPORTUNITY POLICY

Congress is an Equal Opportunity Employer and as such Congress Management will rigorously observe the principles and actively pursue the objectives set out in the discharge of their responsibilities so that this policy is fully implemented.

This equal opportunities policy incorporates all equality legislation in the Republic of Ireland and Northern Ireland. It is the policy of Congress that any changes in such legislation are taken to be automatically incorporated in its equality policy.

Any reference to 'equality grounds' shall be taken to include all the following grounds:

Gender (to include trans gender)

Marital or family status

Religious belief or political opinion

Disability

Race or Ethnic Origin

Nationality

Sexual Orientation

Age

Membership of the Traveller Community

Congress is opposed to all forms of unlawful and unfair discrimination. Employees and job applicants will be treated fairly and selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability.

The equal opportunities policy will help all employees to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the organisation. It will include where necessary taking lawful positive/affirmative action.

Any act which contravenes the equal opportunity policy and practice will be regarded as gross misconduct and could lead to disciplinary action including dismissal being taken against an employee in breach of the procedure.

Implementation

The Advocacy & General Services Director has specific responsibility for the effective implementation of this policy. Management and all other Line Managers have responsibilities and it is expected that all employees abide by the policy and help create the equality environment, which is its objective. In order to implement this policy, Congress will ensure that:

- 1.** The policy is communicated to all employees through induction training and made known to job applicants.
- 2.** Line Managers are aware of their responsibilities through appropriate training.
- 3.** Staff involved in assessing candidates for recruitment or promotion will be trained in non-discriminatory recruitment and selection techniques
- 4.** Consultation will take place with recognised trade unions / employee representatives on the implementation of this policy and any amendments to practice.

Affirmative Action

Where appropriate, lawful positive action measures such as special encouragement in advertisements or special training will be developed. These measures are available to us in certain circumstances, for example where there is an under-representation of a particular group in specific areas of work.

Monitoring and Review

The provision of equality of opportunity between women and men will be monitored through the collection and analysis of statistical data on the community background, ethnic background, gender, age, sexual orientation, marital status, status as a disabled person of all employees and job applicants. Congress will also monitor the workforce composition and undertake periodic reviews as required by Article 55 of the Fair Employment and Treatment (Northern Ireland) Order 1998 and the Employment Equality Act 1998. Progress on the implementation of this policy and any equal opportunities and affirmative/positive action

programmes will be reviewed annually in consultation with staff representatives/recognised trade unions.

Congress will monitor and review its equal opportunities policy with regard to provision of equal treatment e.g. hierarchical structures amongst all staff.

Complaints

Employees who believe that they have suffered any form of discrimination, harassment or victimisation are entitled to raise the matter through the agreed procedures. (See Harassment Policy and Procedures). All complaints of discrimination will be dealt with seriously, promptly and confidentially.

These internal procedures do not replace or detract from the right of the employees to pursue complaints under any relevant legislation in either jurisdiction.

Every effort will be made to ensure that employees making complaints will not be victimised. Any complaint of victimisation will be dealt with seriously, promptly and confidentially. Victimisation will result in disciplinary action and may warrant dismissal.

Direct Discrimination

Direct discrimination occurs when a person is treated less favourably than another is on any of the equality grounds listed.

Indirect Discrimination

Indirect discrimination can occur when a requirement or condition, which cannot be justified on grounds other than any of the equality grounds, is applied equally but has the effect in practice of disadvantaging a considerably higher proportion of persons in one or other of the above groups.

Disability Discrimination

Disability Discrimination occurs when, for a reason related to his/her disability, a disabled person is treated less favourably than other people are and this treatment cannot be justified. It also occurs when an employer fails to comply with the duty to make a reasonable adjustment in relation to the disabled person, and if the failure cannot be justified. An employer cannot justify less favourable treatment if, by making a reasonable adjustment, it would remove the reason for the treatment.

Victimisation

Victimisation occurs when a person is treated less favourably than another because that person has, for example, asserted rights under any of the discrimination laws or has helped another person to assert such rights or given information to the relevant statutory body, or because it is suspected that the person might do any of these things

Complaints

In Northern Ireland complaints on any of the grounds, apart from equal pay and fair employment, should be lodged with the Industrial Tribunal within three months from the date of the alleged act of discrimination. In the Republic of Ireland complaints on any of the grounds, apart from equal pay or fair employment, should be lodged with the Equality Authority within six months of the alleged act of discrimination.

In Northern Ireland complaints on the ground of equal pay can be lodged at any time during the course of the person's employment or within six months of leaving the employment. In the Republic, complaints on the grounds of equal pay can be lodged within three years before or three years after a specific date.

In Northern Ireland complaints to a Fair Employment Tribunal must be lodged within three months from which a complainant first knew, or might reasonably have known, of the alleged act of discrimination or within six months from the date when the alleged act occurred, whichever is earlier. In the Republic complaints to the Equality Authority must be within six months of the last alleged act of the discrimination.