



OFFICE of the STATE SERVICE COMMISSIONER

## COMMISSIONER'S DIRECTION NO. 3

# **Workplace Diversity**

Operative Date: 1 May 2002

## **APPLICATION**

This Direction is to apply to all employees and officers within all Agencies.

## **PURPOSE**

The purpose of this Direction is to assist all State Service Agencies in making arrangements to provide for a State Service that is free from discrimination and harassment and that utilises the diversity of the community it serves in accordance with the State Service Principles (section 7, *State Service Act 2000*).

## **DIRECTIVE**

### **1. Powers exercised by the employer**

- (a) A Head of Agency must put in place measures to:
  - (i) help provide a workplace free from all forms of discrimination and harassment, whether direct or indirect (s 7(c)) in a manner consistent with all Tasmanian and Commonwealth law;
  - (ii) recognise and utilise the diversity available in the workplace and the community it serves (s7(1)(c));
  - (iii) promote equity in the workplace (s 7(1)(l)); and
  - (iv) provide a reasonable opportunity to members of the community to apply for State Service employment(s 7(1)(k)).
- (b) A Head of Agency is encouraged to assist employees to balance their work, family and other caring responsibilities effectively by developing mutually beneficial practices through the provision of a fair, flexible, safe and rewarding workplace (s 7(1)(i)).

### **2. Measures for workplace diversity programs**

A Head of Agency must develop and implement a workplace diversity program to assist in giving effect to the State Service Principles (s34(1)(h)) as outlined in Commissioner's Direction No 2-2001.

A workplace diversity program must include measures directed at ensuring that:

- (a) all Tasmanian and Commonwealth anti-discrimination laws are complied with in all activities of the Agency;
- (b) employment decisions in the Agency are made taking into account the diversity of the community, the organisational and business goals of the Agency and the skills required to perform the relevant duties;

- (c) the diverse backgrounds of State Service officers and employees are effectively utilised, taking into account the organisational and business goals of the Agency and the skills required to perform the relevant duties;
- (d) a workplace diversity program is in place which ensures that people from diverse groups have access to recruitment, promotion, career development and mobility opportunities as required under section 34(1)(h) of the Act; and
- (e) officers and employees are supported in balancing their work and family responsibilities.

Officers and employees must:

- (a) take all reasonable steps to prevent discrimination towards officers, employees and members of the public in the activities of the Agency; and
- (b) help to ensure effective compliance with above requirements.

### **3. A copy of the workplace diversity program must be given to the Commissioner**

- (a) As soon as practicable after establishing a workplace diversity program for an Agency, the Head of Agency must give a copy of the program to the Commissioner.
- (b) If the Head of Agency alters or revises the workplace diversity program in any significant way, the Head of Agency must, as soon as practicable after revising the program, give a copy of the revised program to the Commissioner.

### **4. Evaluation and assessment of a workplace diversity program**

- (a) A Head of Agency must:
  - (i) develop a set of performance indicators to evaluate the effectiveness and outcomes of the Agency's workplace diversity program; and
  - (ii) evaluate and report on the employment policies and practices of the Agency including details of and statistical information (where applicable) relating to workplace diversity programs (*State Service Regulations 2000* 9(b)).
- (a) A Head of Agency must give the Commissioner the information the Commissioner requires to enable the Commissioner to:
  - (i) evaluate and make an assessment of the effectiveness of Agencies' workplace diversity programs; and
  - (ii) make the assessment for the purpose of the Commissioner's report under section 23.

**5. Review of a workplace diversity program**

A Head of Agency must review the Agency's workplace diversity program at least once every four years. The review must ensure that the workplace diversity program continues to:

- (a) assist in giving effect to the State Service Principles; and
- (b) achieve the outcomes mentioned in clause 2 (Measures for workplace diversity programs).

**6. Measures to eliminate employment-related disadvantage**

A Head of Agency must ensure that measures are taken to eliminate employment-related disadvantage in either gaining employment or developing full potential as an employee on the basis of gender, race, disability, sexuality, age, linguistic or cultural background, or being an indigenous Australian.

Issued by authority of the State Service Commissioner pursuant to Section 20(1) of the *State Service Act 2000*

Date: May 2002

STATE SERVICE COMMISSIONER