

# Human Rights, Diversity and Inclusion Policy



## 1. Purpose

This policy affirms AFAO's commitment to human rights, diversity and inclusion and describes how AFAO promotes and embeds these attributes in its work.

## 2. Responsibilities

All staff and volunteers are required to comply with this policy.

## 3. Application of policy

This policy applies fully to AFAO's operations, including its international activities and the AFAO Foundation. References in this policy to AFAO include the AFAO Foundation.

Where this policy is contradicted by contractual obligations to funders, the contractual obligations must be adhered to. Exceptions to such obligations should be sought from funders prior to entering into contracts and any substantive areas of difference must be drawn to the attention of the Chief Executive Officer.

## 4. AFAO's vision for human rights and diversity

AFAO's values are described in our Strategic plan and include:

- acknowledgement of the special place of Aboriginal and Torres Strait Islander people as the first Australians and respect for communities' traditions, views and ways of life
- respect for the dignity of all people
- respect for and valuing of diversity
- the protection and promotion of the human rights of all communities
- empowerment of our communities and support for their ownership and self-determined control of their health and lives
- harm reduction
- being accountable and responsive to the communities we are part of, work with, represent and serve.

AFAO respects, protects and promotes humans rights for all, regardless of race, religion, ethnicity, indigeneity, disability, age, displacement, caste, gender, gender identity, sexuality, sexual orientation, poverty, class or socio-economic status.

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Acknowledging and valuing diversity is central to AFAO's work. We recognise and value the diversity of the communities we work with and for and who constitute AFAO's members. These include people living with HIV, gay, lesbian, bisexual, trans and gender diverse and intersex people, sex workers, people who use drugs, people from culturally and linguistically diverse backgrounds and Aboriginal and Torres Strait Islander people.

AFAO recognises the lessons of HIV and AIDS – that this is the most social of diseases and that responding effectively to HIV requires an expansive vision and approach, encompassing human rights, social justice and addressing intersecting issues of poverty, disadvantage, marginality and criminalisation, broader health issues and their determinants, and the health and social systems within which policy responses to HIV are embedded.

AFAO recognises and values the diversity of its staff and volunteers and the broader HIV community workforce that constitutes our movement to end HIV transmission and promote the health and wellbeing of our communities.

In valuing diversity, AFAO is committed to protecting its staff and volunteers from discrimination, harassment, bullying and other unlawful behaviour because of their sexual orientation, gender identity, sex characteristics or disability.

## 5. Approach

AFAO celebrates diversity in all its forms as a core value and strength. Valuing diversity is valuing the differences and uniqueness of all people, including skill, knowledge, experiences and perspectives across a diversity of demographic characteristics such as age, gender, gender identity, sexual orientation, intersex status, religion, national origin or social origin.

Diversity can be recognised by personal characteristics such as disability, medical condition, carers' responsibilities, pregnancy or potential pregnancy and any other characteristic of an individual.

AFAO strives for an inclusive workplace that values the diversity of its staff, volunteers and partners. AFAO upholds the right of every employee or volunteer to be treated with respect and fairness whilst performing their work, fair and equitable treatment and a workplace free of discrimination, harassment, bullying and other unlawful behaviour.

## 6. Dimensions

AFAO is diverse. AFAO believes the array of perspectives that result from diversity promotes innovation, flexibility and adaptability in our work. To promote a diverse workforce and provide an inclusive workplace, AFAO is committed to seeking out and retaining the finest talent across diverse backgrounds, recognising that each employee brings their own unique capabilities, experiences and characteristics to their work. This diversity is valuable at all levels of the organisation and across all the work we do.

Some personal characteristics are protected against discrimination through Australia's state and federal legislation. AFAO complies with the following statutory requirements with regard to unlawful discrimination and vilification:

- *the NSW Anti-Discrimination Act 1977*
- *the Racial Discrimination Act 1975*
- *the Sex Discrimination Act 1984*
- *the Disability Discrimination Act 1992*
- *the Equal Opportunity for Women in the Workplace Act 1999*
- *the Age Discrimination Act 2004*

- *the Workplace Relations Act 1996.*

Grounds for unlawful discrimination and harassment are:

- age
- compulsory retirement from employment
- disability
- HIV status
- homosexuality (actual or presumed)
- marital status
- political affiliation, views or beliefs
- pregnancy or potential pregnancy
- race (including colour, descent, ethnicity, ethno-religious or national origin, nationality and immigration)
- faith, religious affiliation, views or beliefs
- responsibilities as a carer
- sex, sexual harassment
- transgender
- actual or imputed characteristics of any of the attributes listed above
- association with a person identified by reference to any of the attributes listed above.

It is also unlawful to terminate employment on any of the grounds listed above, on the grounds of temporary absence from work because of injury or illness, membership or non-membership of a union, participation in union activities and absence from work during parental leave.

Discrimination and harassment are not just unlawful during working hours or in the workplace itself and not only between co-workers. These behaviours are unlawful in any work-related context, including conferences, work functions, office parties and business or field trips and include interactions with contractors and communities. These behaviours are also unlawful when they occur away from the workplace but are a culmination or extension of events in the workplace.

AFAO believes in treating all people with respect and dignity. We strive to create and foster a supportive and understanding environment in which all individuals realise their maximum potential, regarding of their differences. We are committed to supporting our people to do the best job possible.

### **6.1 Sexual Orientation, Gender Identity and Intersex Status**

AFAO acknowledges that people of diverse sexual orientation, gender identities and intersex status have similar needs, but they are not the same. Each group within the LGBTI rainbow family has unique and differing, as well as overlapping needs. This policy acknowledges the specificities of each individual's needs and steers away from a generalised approach.

AFAO ensures that anyone who identifies as a particular gender can access spaces that are comfortable for their gender expression and identity. AFAO also honours and supports peoples' right to sexual expression, intimacy and relationships.

AFAO recognises gender equality and equity for women and girls as foundational to its work. AFAO seeks to prioritise the participation and inclusion of women through meaningful involvement and consultative feedback in its

international work. This includes from women and civil society representing their interests.

## 6.2 Disability Inclusion

AFAO is committed to access and inclusion for people with disabilities, including those who have long term physical, mental, intellectual or sensory impairments which, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others.

AFAO strives to ensure its physical premises are accessible.

## 7. Compliance

AFAO aims to:

- create a working environment free from discrimination and harassment and where all members of staff are treated with dignity, courtesy and respect
- implement training and awareness raising to ensure all employees know their rights and responsibilities
- provide an effective procedure for complaints based on the principles of procedural fairness
- treat all complaints in a sensitive, fair, timely and confidential manner
- guarantee protection from any victimisation or reprisals
- encourage the reporting of behaviour that breaches AFAO's sexual harassment policy
- promote appropriate standards of conduct at all times.

## 8. Complaint procedure

In valuing diversity, AFAO encourages its staff, volunteers and partners to take an active role in preventing discrimination and harassment on the basis of diverse gender identities, sexual orientation or disability status.

AFAO's Feedback and Complaints Policy and AFAO's Equal Employment Opportunity, Bullying and Harassment Policy provide guidance on the handling of concerns and complaints.

## 9. Breach of this policy

Any staff member or volunteer who is found to have breached this policy may be subject to disciplinary action, up to and including termination of employment or volunteer engagement.