

Discrimination and equal opportunity policy



Presented by Maplecroft, April 2010

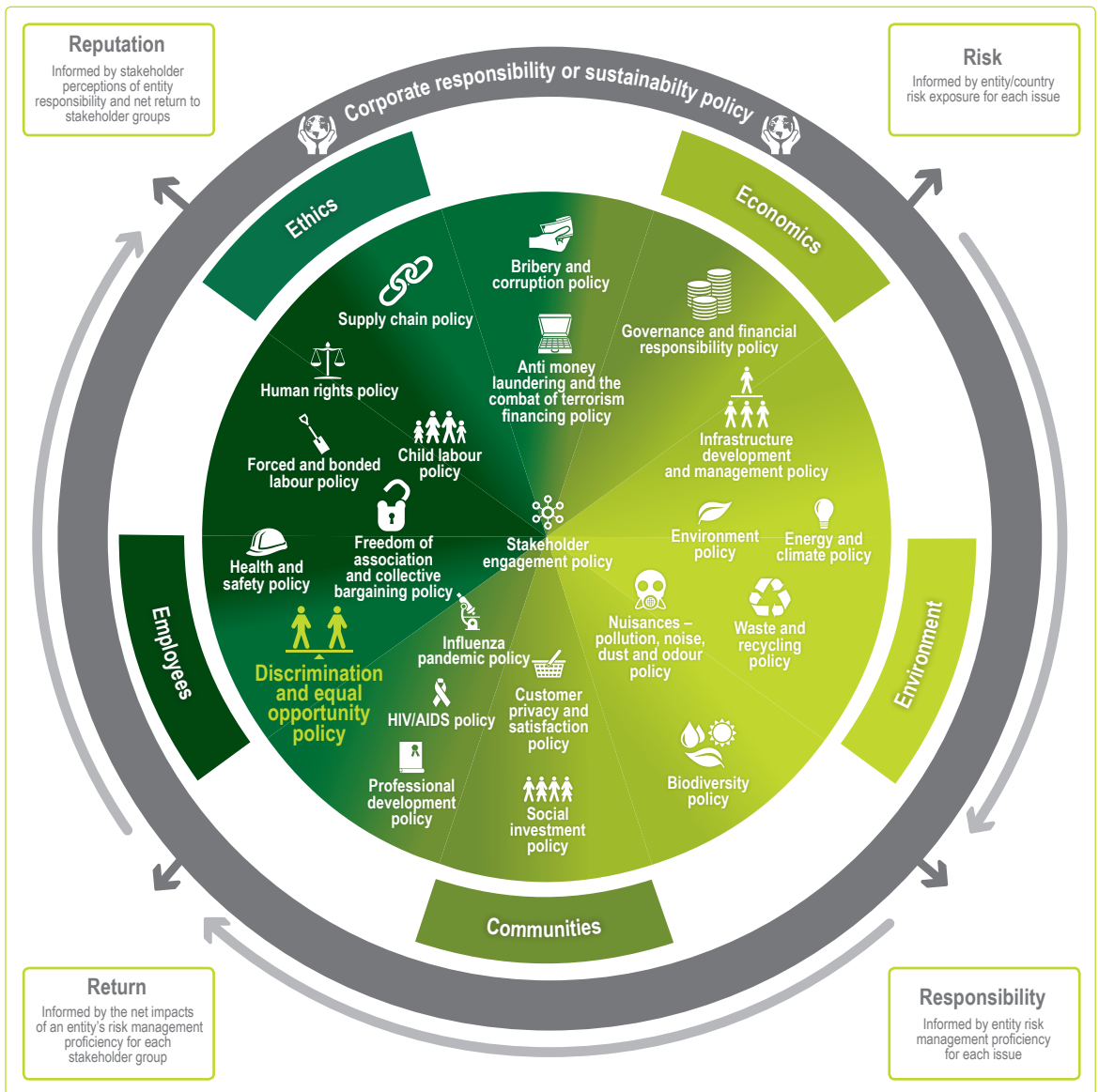
For further information see www.global-risks.com



Discrimination and equal opportunity policy

Global Reporting Initiative
 SA8000
 ISO14001
 FTSE4Good
 Dow Jones Sustainability Index
 Equator Principles
 OHSAS18001

Figure 1: Our policy categorisation continuum



Within the policy categorisation continuum a corporate responsibility or sustainability policy forms the top-level commitment statement for an entity. Underlying this, there are issue specific policies that can be located within the categories of ethics, economics, environment, communities and employees, or as issues that cut across more than one category. Implementation of policy supports risk, responsibility, return and reputation:

- an entity's risk arises from the risk exposure of that entity and the country in which it operates to issues
- the responsibility of the entity at managing risks proficiently for stakeholder groups provides a return in the form of contribution to society
- proficiency at managing these risks is indicative of the responsibility of the entity
- the perceived responsibility of the entity and its contribution to society influences the reputation of that entity.



Discrimination and equal opportunity policy

Global Reporting Initiative
SA8000

ISO14001
FTSE4Good

Dow Jones Sustainability Index
Equator Principles
OHSAS18001

Policies are statements that oblige and guide a company (entity) and its employees to behave in a particular way and that demonstrate to stakeholders the commitments the company has made. In our suite of policies, each document consists of two chapters.

The first chapter is the adoptable policy itself. This includes best practice policy elements in the following areas:

- An introduction section that outlines the scope, aims and objectives of the policy.
- An implementation section that includes:
 - » a statement of high-level company commitments relating to the subject of the policy
 - » specific content requirements to ensure complete attainment of the above high-level commitments
 - » monitoring and reporting requirements for evaluating the impact and effectiveness of the policy
 - » communication and awareness mechanisms to ensure relevant stakeholders understand the policy and the business implications of not adhering to it
 - » management requirements to ensure policy implementation, integration into business practice, auditing and policy review.
- A responsibilities section that details where responsibility for implementing the policy rests within the company, including the signature of the Chief Executive as a sign of top level commitment to the issue.

The second chapter provides guidance, background resources and insight into effective policy implementation. This includes:

- Information on how to implement the policy as part of a management system and details of other Maplecroft tools available to assist in this process.
- Policy development and adoption information.
- Resources, including links to key websites, example policies of other businesses and definitions of key terms.

Policy contents

Adoptable policy	3
1 Introduction	3
2 Implementation.....	4
2.1 Commitments	4
2.2 Discrimination.....	4
2.3 Equal opportunity	5
2.4 Harassment.....	5
2.5 Disciplinary Action	6
2.6 Monitoring and reporting	6
2.7 Communication	6
2.8 Management	7
3 Responsibilities.....	7
Guidance	8
Policy development and adoption.....	8
Best practice.....	9
Example policies.....	9
Key terms	9

Throughout the policy, elements that reflect the requirements of recognised standards and principles are indicated using icons. A key to these icons can be found within the guidance section.



Discrimination and equal opportunity policy

Global Reporting Initiative

SA8000

ISO14001

FTSE4Good

Dow Jones Sustainability Index

Equator Principles

OHSAS18001

1 Introduction

Discrimination in the workplace can not be tolerated, it is destructive and promotes inequalities. “The entity” respects and supports the rights of employees to equal opportunities in a work environment that does not discriminate on grounds of race, caste, national origin, religion, age, disability, gender, marital/parental status, sexual orientation, falling ill, becoming pregnant, HIV status, migrant status, union membership, being a worker representative or having political affiliation – or any other criteria that are unlawful at any level of “the entity”.

“The entity” is firmly committed to creating strong business growth, which is not achieved at the expense of the environment, quality of life or social equity. ☺

The aim of this policy is to ensure that “the entity” has activities in place to prevent discrimination and promote equal opportunity within the workplace, enriching the diversity, rights and morale of employees and enhancing the organisation’s relations and reputation. ☺

The objective of the policy is to set out the ways in which “the entity” will:

- prevent discrimination
- promote equal opportunity and diversity
- deal with harassment and disciplinary action.

This policy encourages the development and implementation of responsible business.



Discrimination and equal opportunity policy

Global Reporting Initiative

SA8000

ISO14001

FTSE4Good

Dow Jones Sustainability Index

Equator Principles

OHSAS18001

2 Implementation

2.1 Commitments

Illustrating a commitment to non-discrimination and promotion of equal opportunities and diversity the entity will:

- Comply with national law on non-discrimination.
- Comply with national law on equal opportunities and diversity promotion.
- Put in place confidential complaints and grievance processes (including those for human rights), with access to the information available only on a need-to-know basis. [HR9]
- Put mechanisms in place for determining employee satisfaction.

2.2 Discrimination

Recognising the destructive impacts of discrimination within the workplace “the entity” will:

- Not engage in or support discrimination, by a supervisor, manager or any other employee: [HR4]
 - » in hiring, termination, remuneration, training, promotion or retirement
 - » on the grounds of race, caste, national origin, religion, age, disability, gender, marital/parental status, sexual orientation, falling ill, becoming pregnant, HIV status, migrant status, union membership, being a worker representative or political affiliation – or any other criteria that are unlawful at any level of the entity.
- Not interfere with, and ensure that employees are free to exercise/observe, tenets or practices, or to meet needs relating to, race, caste, national origin, religion, age, disability, gender, marital/parental status, sexual orientation, HIV status, migrant status, membership of union or worker representative bodies or political affiliation.
- Not tolerate discrimination by a supplier or subcontractor.
- Encourage local employment where local laws promote local linkages.



Discrimination and equal opportunity policy

SA8000	ISO14001	Dow Jones Sustainability Index
Global Reporting Initiative	FTSE4Good	Equator Principles
	OHSAS18001	

2.3 Equal opportunity

Understanding the importance of being a fair employer promoting equal opportunities and diversity “the entity” will:

- Aim to be an equal opportunity employer, and value diversity in the workforce. Ensure equal opportunity covers all aspects of employment from vacancy advertising, selection recruitment and training to conditions of service, advancement, reasons for termination of employment and retirement. ✓✧♻️ [LA10]
- Remain committed to addressing the protection and promotion of diversity within the workforce and, where required by international law, have in place a relevant diversity action plan. ✓✧♻️ [LA13]
- Ensure management and development opportunities are open to everyone on merit. ✓✧♻️ [LA10]
- Job description and personnel/payroll records should be free of discriminatory requirements/language.
- Ensure that on vacancy advertising:
 - » vacancies will be advertised simultaneously internally and externally
 - » steps will be taken to ensure that knowledge of vacancies reaches underrepresented and disadvantaged groups internally and externally
 - » all vacancy advertisements will include an appropriate short statement on equal opportunity
 - » where possible, vacancies will be notified to groups with significant minority representation (e.g. minority press/media, colleges, etc.)
 - » relocation options and opportunities in other countries will be explained.
- Ensure that on selection and recruitment:
 - » selection criteria will be kept under constant review to ensure that they are justifiable as essential for performance of the job
 - » where possible, more than one person should be involved in the selection procedure
 - » all those involved in the selection procedure should have received training in equal opportunities
 - » where possible, women, minorities and disabled people will be involved in the selection process
 - » reasons for selection/rejection of applicants must be recorded.
- Ensure that in taking positive action:
 - » under-represented groups will be encouraged to apply for training/employment opportunities
 - » while actual recruitment will be strictly on merit, wherever possible special training will be provided for underrepresented groups to prepare them to compete on genuinely equal terms
 - » efforts will be made to identify and remove unnecessary or unjustifiable barriers to employment for underrepresented groups
 - » wherever possible, appropriate facilities and conditions of service will be provided to meet the needs of disadvantaged and/or underrepresented groups. Conditions could for example include flexible working time, childcare support, job sharing or career breaks.
- Develop and maintain grievance and disciplinary procedures to be applied equally.

2.4 Harassment

Illustrating a zero-tolerance approach to harassment “the entity” will:

- Prohibit any form of harassment, inside or outside the workplace (if relevant to work), by supervisors, workers or suppliers, and all offensive conduct (physical or verbal) that threatens human dignity and worker morale, and which interferes with a positive and productive work environment.
- Prohibit behaviour, language or gestures that are sexually coercive, threatening, abusive or exploitative ✓✧. Examples include:
 - » actual or attempted physical assaults of a sexual nature
 - » unwelcome intentional physical contact
 - » slurs, jokes or degrading comments, using sexually degrading words to describe an individual, or suggestive or offensive remarks
 - » unwelcome sexual attention, advances or flirtations
 - » the display of sexually suggestive pictures or objects or emailing of such pictures
 - » overt or subtle pressure for sexual favours (e.g. implying or threatening that co-operation by a worker will have any effect on his or her employment, job assignment, pay, promotion, condition of employment or future job opportunities).



Discrimination and equal opportunity policy

Global Reporting Initiative

SA8000

ISO14001

FTSE4Good

Dow Jones Sustainability Index

Equator Principles

OHSAS18001

2.5 Disciplinary action

Taking appropriate disciplinary action when relevant “the entity” will:

- Investigate any allegations of breaches of the policy promptly and thoroughly.
- Take disciplinary action against any employee engaging in discrimination or harassment or retaliation including suspension, demotion or termination of employment.
- Keep a record of all disciplinary action. ✓
- Develop procedures for making appeals against disciplinary action.
- Ensure that no employee will be retaliated against for reporting breaches of the policy (although disciplinary action will be taken against those who make false allegations or who do not report incidents).

2.6 Monitoring and reporting

Continually evaluating our performance and progress the “entity” will:

- Identify key performance indicators to measure progress with discrimination and equal opportunity issues. ♻️
- Report on progress with discrimination and equal opportunity issues including measures taken to contribute to the elimination of such labour and progress with key performance indicators through an annual publicly available report. 🌱
- Regularly analyse the operation of the policy (for example, through examining personnel records) and appropriate follow-up action taken to eliminate unlawful direct and indirect discrimination, and to promote equality of opportunity.
- Ensure that:
 - » records are kept on the breakdown of the workforce in order to assess the effective operation of the policy, including employees’ and applicants’ gender, racial origins and disability 🌱 [LA1, LA2, LA13]
 - » this information is not used for any other purpose and will remain confidential (although employees will be able to check/correct their own record of these details, where necessary).

2.7 Communication

Supporting stakeholder collaboration as part of successful implementation “the entity” will:

- Effectively communicate the policy and associated guidance and procedures to personnel and other interested parties. ✓
- Provide all new employees with a copy of the policy, and provide formal training on the policy, either as part of the employee induction process or as part of an apprenticeship scheme. ✓ ♻️
- Provide employees with regular training and awareness building covering the issues in this policy in order to foster an awareness of shared responsibility and accountability. ✓ ♻️
- Seek to make existing employees aware of the issues covered in this policy. ✓ ♻️
- State clearly how this policy relates to other policies in “the entity”. ✓
- Display the policy publicly and prominently. 🌱 ✓
- Have a programme in place to identify and engage with community stakeholders. ✓ ♻️ [SO1]
- Engage and work with local communities, NGOs, governments and other stakeholders in order to understand community and social investment issues and develop shared responses. 🌱 ✓
- Engage and report on social investment, projects and achievements in a timely, open and transparent manner that meets the needs of its different stakeholder groups. 🌱
- Make use of multi-stakeholder dialogue and review to ensure its actions and reporting meets the emerging expectations/ requirements of stakeholders. 🌱 ♻️ ✓



Discrimination and equal opportunity policy

Global Reporting Initiative

SA8000

ISO14001

FTSE4Good

Dow Jones Sustainability Index

Equator Principles

OHSAS18001

2.8 Management

Managing the provisions of this policy to work towards successful implementation “the entity” will:

- View this policy and associated guidance as ‘living documents’ to be reviewed by the Board on an annual basis, drawing from ongoing stakeholder consultation. ✓
- Ensure all elements of this policy are managed as integral parts of its business and planning. This will include ensuring that estimates of the costs of present and expected actions are included in the preparation of investment plans, risk reviews and annual accounts. ✪
- Maintain a management system that aims to integrate discrimination, equal opportunity and diversity issues into its decision-making and risks review processes. ✓
- Develop procedures and guidelines to facilitate policy implementation and empower management to ensure policy aims are met. ✓ ✪
- Put in place a monitoring system to gauge performance against the implementation requirements of this policy and conduct regular audits to evaluate compliance with and the effectiveness of this policy. ✓
- Have in place a procedure for responding to cases in which the policy has not been followed or has been breached. ✓
- Ensure that there is a confidential system for reporting breaches of all elements this policy, limiting involvement to those with a need to know.
- Report the outcomes of audits, including details of corrective action plans annually to its supervisory board or governing body to promote continuous improvement. ✓
- Where relevant, attain external verification of the audit process against SA8001 as the foundation from which to improve. ✓

3 Responsibilities

- A senior member of “the entity” will be responsible for the effective implementation of this policy across all operations owned or managed by “the entity”. The senior member will also be responsible for reporting to the Board and external stakeholders about performance with respect to policy implementation. ✓ ✪ ✪
- All employees have an important role in assisting “the entity” in successful implementation of the principles of this policy.

Chief Executive’s Signature _____



Guidance

Policy development and adoption

This generic adoptable policy is rooted in international and national law and the best practice policies of global companies. Throughout the policy, elements that reflect the requirements

of recognised standards, instruments and international best practice principles are indicated using the following icons:

Key



The **Global Reporting Initiative** (GRI – G3 indicators version 3) are marked with a star '★' and identified with the relevant indicator numbers of the Sustainability Reporting Guidelines. They will therefore help entities prepare for reporting in conformance with GRI.



The **SA8000** Social Accountability standard are marked with a tick '✓'. These policy elements are reflective of those one would expect a professionally trained SA8000 auditor to inquire into during the audit/certification process. They will therefore help entities prepare for conformance with SA8000.



The **ISO14001** Environmental Management System (EMS) standard are marked with a club '♣'. These policy elements are reflective of those one would expect a professionally trained ISO14001 auditor to inquire into during the audit/certification process. They will therefore help entities prepare for conformance with ISO14001.



The **FTSE4Good** Index Series inclusion criteria are marked with a diamond '◇'. Addressing and capturing data against these issues will help entities prepare the EIRIS questionnaire and further chances of inclusion in the FTSE4Good Index.



The **Dow Jones Sustainability Index** criteria (DJSI World) are marked with a ring '◉'. Addressing and capturing data against these issues will help entities prepare for completion of the SAM questionnaire and further chances of inclusion in the DJSI.



The **Equator Principles** are marked with a half moon '☾'. Working in conformance with these issues will assist entities in complying with the environmental and social project finance conditions of banks that have signed up to the Equator Principles.



The **OHSAS18001** Occupational Health and Safety Management System standard are marked with a '●'. These policy elements are reflective of those one would expect a professionally trained OHSAS18001 auditor to inquire into during the audit/certification process. They will therefore help entities prepare for conformance with OHSAS18001.

Sector specific supplements to this policy are available that will take into account sector best practice standards. Any entity wishing to adopt this policy should review the immediate relevance of policy content to the entity, its core business and impacts. The entity may wish to omit certain clauses as being less relevant. The entity should also refer to its own management framework, business processes and approach to splitting management functions in order to ensure integration of the policy with its own strategy and culture.



Guidance

Best practice

African Charter on Human and Peoples' Rights (ACHPR, 1981) (accessed 2009). Article 2. <http://www1.umn.edu>

American Convention on Human Rights (ACHR, 1969) (accessed 2009). Article 1. <http://www1.umn.edu>

European Convention on Human Rights (ECHR, 1950) (accessed 2009). Article 14. <http://www1.umn.edu>

ILO Convention 100 on Equal Remuneration (1951) (accessed 2009). <http://www1.umn.edu>

ILO Convention 111 on Discrimination (Employment and Occupation) (1958) (accessed 2009). <http://www1.umn.edu>

International Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 1979) (accessed 2009). <http://www1.umn.edu>

International Convention on the Elimination of Racial Discrimination (CERD, 1965) (accessed 2009). <http://www.unhchr.ch>

International Covenant on Civil and Political Rights (ICCPR, 1966) (accessed 2009). Article 26. <http://www.hrweb.org>

International Covenant on Economic, Social and Cultural Rights (ICESCR, 1966) (accessed 2009). Articles 3 and 7. <http://www.unhchr.ch>

UN Global Compact. Ten Principles (2004) (accessed 2009). Principle 6. <http://www.unglobalcompact.org>

Example policies

Aviva (accessed 2009). Equal Opportunity Policy. <http://www.aviva.com/>

BP (accessed 2009). Code of Conduct. <http://www.bp.com>

De Beers Group (accessed 2009). Code of Conduct. <http://www.debeersgroup.com>

EDF Energy (accessed 2009). Equal Opportunities Policy. <http://www.edfenergy.com>

HP (accessed 2009). Nondiscrimination Policy. <http://www.hp.com>

Royal Bank of Scotland (accessed 2009). Managing Diversity Policy. <http://ci.rbs.com>

Standard Life (accessed 2009). Equal opportunity and Equal Treatment Policy. <http://ukgroup.standardlife.com>

The Coca-Cola Company (accessed 2009). Equal Opportunity Policy. <http://www.thecoca-colacompany.com>

Key terms

Discrimination

Discrimination is when people are treated differently because of who they are. This might be for example, because of their race, colour, ethnic origin, religion, sexuality, socioeconomic background, age, gender or HIV/AIDS status. It may occur in any workplace situation, for instance interview, appointment, the promotion process or access to training.

Discrimination can lead to loss of breadth of perspective within organisations through lack of diversity in employees and other stakeholders. For example, it could mean that the skills of people from marginalised groups such as black and ethnic minorities, women and those with disabilities are lost or not fully used.

Equal opportunity

Equal opportunity is about enabling employees to achieve their maximum potential at work. Organisations need to be inclusive and to provide all employees with the same access to employment, promotion, training and personal growth irrespective of gender, age, sexual orientation or ethnicity. Equal opportunity means celebrating the differences or diversity of employees as corporate and workplace assets. It calls for the opening of all occupations to all genders, religions, races, disabilities and social groupings – and for making reasonable accommodations in the workplace to enable this to happen.

Respect for difference and equal opportunity can lead to a balanced workforce with increased productivity, morale and retention of employees. It also creates an environment in which employees can achieve their maximum potential at work.