



Established in 1969 by the constituent parties - THE ELECTRICAL CONTRACTORS' ASSOCIATION OF SCOTLAND (now 'SELECT') and UNITE THE UNION

SCOTTISH JOINT INDUSTRY BOARD FOR THE ELECTRICAL CONTRACTING INDUSTRY

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SJIB Circular 01/2018

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To all SELECT and SJIB Members

Dear Sir/Madam,

Equal Opportunity Policy and Procedure

Equality, diversity and human rights are defining values of the SJIB. In the employment context these values are underpinned and governed by the Equality Act 2010. It is advisable, therefore, for employers to familiarise themselves with the legal obligations enshrined in the Act.

In order to enable Members to meet these obligations in practice, the SJIB National Board has produced and approved at its meeting on 14 December 2017, the attached Equal Opportunities Policy and Procedure.

Members wishing further information should contact the SJIB on 0131 445 9216 or email fiona.cornwall@sjib.org.uk.

Yours faithfully,

Fiona Harper
The Secretary

Pat Rafferty
For UNITE the Union

Alick Smith
For SELECT

Enc.



Equal Opportunities Policy

An Equal Opportunities policy is a statement of a company's commitment to equality and diversity.

Equality in Employment is governed by the Equality Act 2010. It is advisable, therefore, for employers to familiarise themselves with the legal obligations enshrined in the Act. To assist in achieving these obligations, employers should consider having an equal opportunities policy in place.

An Equal Opportunities policy will enable employers to:

- make the best use of the whole workforce
- avoid unlawful discrimination
- improve recruitment and retention
- take action against those who infringe equal opportunities principles

In order to implement an appropriate policy and a relevant procedure, employers should inform all employees that a new policy and procedure is available. Employers should also ensure that all managers and supervisors are trained in how to identify the issues as they arise and how to deal with them under the procedure.

Attached to this guidance is a template policy and procedure which employers may adopt within their company. The policy and procedure details the actions that a company is advised to take to ensure equal treatment and what action may be taken against those who infringe the Equal Opportunities Policy.

The attached policy and procedure may be altered to suit the circumstances and culture of each individual company.

For more information on the Equality Act 2010 and employers responsibilities, click on the link below for an easy to read document.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/85012/easy-read.pdf

(Company name) is committed to supporting, developing and promoting diversity and equality in all of our employment practices and activities. We will not tolerate unfair treatment on the basis of any of the protected characteristics, which are:

- Age
- Disability
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion and Belief
- Sex
- Sexual Orientation

Scope

This policy will apply equally to employees, workers, sub-contracted workers and applicants during the recruitment process.

Aim

As a responsible employer, we will endeavour to avoid unlawful discrimination in all aspects of employment.

Our policy aims to:

- Develop a vibrant company which will benefit from a diverse workforce;
- Encourage the best use of the available talent and experience; and
- Promote a culture which encourages open dialogue.

Our objective is to strive towards a working environment free from harassment, victimisation and bullying where everyone is treated fairly, with dignity and respect.

Direct v Indirect Discrimination

Discrimination can take place in 2 separate forms, direct and indirect.

Direct discrimination by perception is discrimination against someone because he or she is wrongly perceived to have a certain protected characteristic. For example, where an employer believes an employee is gay or of a particular race and treats him or her less favourably as a result.

Indirect Discrimination is when a provision, criteria or a practice within a company is applied to all employees but it may have a detrimental effect on some groups of employees, for example, enforcing a rule that everyone must start work at 7am. This may have a detrimental effect more on female employees than males as statistically more females than males have childcare provisions to consider.

Recruitment

Candidates will be shortlisted based on the merits of their application set against the job specification, person specification and job description which should be drafted in line with this policy and the Code of Best Practice for the Employment of Operatives for SJIB member companies (Sections C2 to C8 of the SJIB Handbook).

Shortlisting should be based on the principles of equality and in line with the aforementioned Code.

Application

No individual shall receive less favourable treatment or consideration either directly or indirectly on the grounds of any of the protected characteristics, or will be disadvantaged by the conditions of employment or requirements of the company that cannot be justified as necessary on operational grounds.

All management, staff and operatives are instructed that:

- There should be no discrimination by any employee on account of a protected characteristic.
- The Company will recruit and set remuneration levels on the basis of merit and ability.
- Opportunities for training, development and promotion shall be on the basis of merit, ability and any role specific requirements.
- All employees have personal responsibility for the practical application of the organisations equal opportunities policy, which extends to the treatment of employees and customers.

- Managers and supervisors involved in the recruitment, selection, promotion and training of employees have particular responsibility for ensuring compliance with this policy.
- Training shall be provided as necessary to ensure that employees understand this policy and have the knowledge and skills necessary to comply with it.
- The company's grievance procedure is available to any employee who believes that they may have been unfairly discriminated against.
- Disciplinary action shall be taken against any employee who is found to have committed an act of unlawful discrimination. Serious Breaches of this policy will be treated as gross misconduct, as will racial or sexual harassment.

Application Forms

Application forms include those questions that are necessary at the initial stages of selection. Therefore:

- All questions on the application form will be relevant and non-discriminatory.
- Application forms shall only include those questions which are essential.
- No discrimination will be made on the basis of postal code or address.

Interviews

Interviews will be conducted by trained personnel. All questions will be strictly relevant to the job. No questions will be asked or assumptions made about the person's personal and domestic circumstances or plans. When the requirements of the job may affect the candidate's personal life (e.g. unsociable hours or extensive travel) this should be discussed objectively with all candidates.

Selection Criteria

Only those qualifications and skills that are important to the job will be established as criteria for selection. They may include qualifications, specific skills and experience, but care should be taken and HR advice should be sought, as this is an area where there is a risk of unknowingly infringing discrimination legislation.

Educational and Professional Qualifications

When assessing educational qualifications no assumptions will be made that qualifications gained overseas are of a lower standard than their UK equivalents.

Raising an Issue

Equal opportunities in the workplace will be achieved by the implementation of the policies and programmes outlined in this policy and the procedure.

As a safeguard, a grievance procedure is available to individual employees who feel that they have received unfair treatment in any aspect of their employment including the recruitment and selection process, or any case of harassment.

An employee with a grievance under this Equal Opportunities Policy shall follow the grievance procedure outlined in either the company grievance procedure or the SJIB National Working Rules. They also have the right to approach the **(name of appropriate person)** for informal, confidential advice prior to invoking the procedure.

Care will be taken to deal effectively and seriously with all grievances.

Equal Opportunities Procedure

With the introduction of an Equal Opportunities policy we are demonstrating our commitment to make full use of the talents and resources of all our employees, and to provide a healthy environment that will encourage good and productive working relations within the company. This procedure describes how our Equal Opportunities Policy is to be applied throughout the company.

Main Objectives of an Equal Opportunities Policy

- To ensure that there is no discrimination on the basis of any of the protected characteristics as detailed in the Equality Act 2010 either directly or indirectly.
- All recruitment and/or promotion shall be strictly on the basis of ability to do the job.

We shall support this policy by:

- Displaying this Equal Opportunities Policy on all noticeboards and issuing all employees with a copy of the policy.
- The SJIB's code of practice document shall be available to all employees through **(Insert name of person or department - probably HR)**. All employees with a particular responsibility for recruitment, selection and promotion shall be supplied with a copy of the policy and provided with any training they may require to ensure that they have the skills and knowledge to comply with this policy.

Recruitment

It is against company policy and against the law to discriminate either directly or indirectly against any of the protected characteristics at any stage of the recruitment process. Only the most suitable person for the job on grounds of experience and qualifications shall be selected.

During recruitment (name of company) will ensure that:

- All jobs are open to all applicants except in the case of a job covered by a genuine occupational qualification (all such cases must be referred to **(INSERT TITLE/FUNCTION – usually a Senior Manager or HR)**)
- No assumptions or pre-judgments are made by recruiters about the suitability of any individual for a particular job.
- No advance decision is made or preference stated regarding the outcome of the recruitment process.
- All applications are given equal consideration.
- No discrimination is made in the terms on which the job is offered.
- All applicants and existing staff are made aware of the Company's policy and procedure on recruitment (or SJIB Code of Good Practice for the Direct Recruitment of Operatives; SJIB Handbook, Section C2)
- Managers are advised and trained on the application of the Company's recruitment policy.

Recruitment publicity must positively encourage applications from all suitably qualified and experienced people. It must be shown that the company offers equal opportunities and should avoid any stereotyping of roles. This is achieved by ensuring that:

- The equal opportunities policy is given to all recruitment and advertising agencies with whom we deal
- In all recruitment and publicity literature (internal and external):
 - Job titles and job content are presented without bias of either gender or race
 - Jobs are described in such a way that no qualified person is deterred from applying
 - There is nothing in either words or illustrations to indicate any role stereotyping.
- Vacancies are advertised in a wide variety of ways to ensure that all groups are informed.

Selection Process

It is vital that the selection process is carried out consistently for all jobs at all levels within the company and that it is seen to be fair and non-discriminatory.

Terms and Conditions

All employees doing equal jobs are to be treated equally with regard to pay and other conditions of their contracts of employment.

Responsibility of Managers and Supervisors

The success of this policy depends on the managers and supervisors at all levels within the Company. They must be aware of what is expected of them by law and by the company, and given continuous training and support.

Raising an Issue

Employees who believe they have been subjected to a detriment in relation to any aspect of this Policy should raise the issue with their Line Manager or **(insert named individual or function)**.

Review

This policy and procedure will be reviewed periodically and updated as appropriate.