

FITZGERALD CONTRACTORS LIMITED

# Equal Opportunities Policy

## Equal Opportunities

Fitzgerald Contractors is committed to providing equal opportunities and to avoiding unlawful discrimination in employment or to customers. This policy is intended to assist the Company to put this commitment into practice. Compliance with this policy should also ensure that employees do not commit unlawful acts of discrimination.

## Equality Act 2010

The Equality Act 2010 came into force on 1st October 2010. The purpose of the Equality Act 2010 is to simplify discrimination legislation and create a more consistent and effective framework, while at the same time extending discrimination protection.

The Act defines direct discrimination as less favourable treatment because of a protected characteristic. The protected characteristics under the Equality Act 2010 are:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation;
- colour;
- nationality; and
- ethnic or national origin

Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is an important aspect of ensuring equal opportunities.

## Customers, suppliers and other people not employed by the Company.

The Company will not discriminate unlawfully against customers using or seeking to use goods, facilities or services provided by the Company. Employees should report any bullying or harassment by customers, suppliers, visitors or others to their manager who will take appropriate action.

## Supervision of Policy

Nick Coley, Managing Director, is charged with the responsibility of monitoring the policies within the Company and has responsibility for all employee training and is fully aware of the Company policy and its recommendations relating to training.

## Training

The Company will provide training in equal opportunities to managers and others likely to be involved in recruitment or other decision making where equal opportunities issues may arise.

**Aims** - The main aim of the Policy is as follows: To make a clear and open statement of our commitment to provide equal opportunity to all.

**Documentation** - All employees have been made aware of and issued with copies of the Employee Handbook and the Company Policy, which are also available on the internal network. It is the company's policy not to discriminate against its workers on the basis of their gender, sexual orientation, marital or civil partner status, gender reassignment, race, religion or belief, colour, nationality, ethnic or national origin, disability or age, pregnancy or trade union membership or the fact that they are a part time worker or fixed term employee. Our workers and applicants for employment shall not be disadvantaged by any policies or conditions of service which can not be justified as necessary for operational purposes.

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The company shall, at all times strive to work within legislative requirements as well as promoting best practice. The company is particularly concerned that equality of opportunity is maintained in the following areas:

- Recruitment and selection;
- Promotion and training;
- Terms of employment, benefits, facilities and services;
- Grievance and disciplinary procedures; and Termination of employment, including redundancies.

The following types of discrimination which in most circumstances are prohibited in law:

**Direct discrimination** - This is treating someone less favourably because of their membership of a protected group. An example of this is paying someone less because of their sex or because they belong to a particular racial group.

**Indirect discrimination** - This is treating people in the same way but in a way which adversely affects the members of a protected group. An example of this is telling everyone that they have to work late at night – although applied to everyone it may adversely affect those employees with childcare responsibilities who tend to be women.

**Disability discrimination** - This is where someone is treated 'unfavourably' because of something linked to their disability, but not because of the disability itself. The disabled person claiming this type of discrimination does not have to compare their treatment to how someone else is treated.

**Victimisation** - this is treating someone less favourably because they have asserted their right not to be discriminated against as a member of a protected group. An example would be an employee claiming that they had been discriminated against on the grounds of their disability and who then, having left their employment is not provided with a reference because they had claimed disability discrimination.

**Harassment** - this is unwanted conduct which has the effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for someone or violating their dignity because they belong to a protected group.

## Your Responsibilities

Every employee is required to assist the Company to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination. Employees can be held personally liable as well as, or instead of, the Company for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence. Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under the Company's disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

## Grievances

If you consider that you may have been unlawfully discriminated against, you may use the Company's grievance procedure to make a complaint. The Company will take any complaint seriously and will seek to resolve any grievance which it upholds. you will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue or made in bad faith.

## Monitoring and Review

Regular reviews will be undertaken to ensure that the company's employment practices are consistent with the fulfilment and aims of this policy.

**Should you require any additional information in equal opportunities within Fitzgerald contractors, please contact the HR department.**

Approved by N Coley  
Managing Director  
(January 2018)

