



# Equal Opportunities and Dignity and Respect at Work Charter

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## Equal Opportunities and Dignity and Respect at Work Charter

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## Purpose

The purpose of this Charter is to demonstrate City of Dublin ETB's commitment to implementing and promoting measures to protect the dignity of employees and to encourage respect for others at work. This is done by creating a work environment free from discrimination, harassment, racism, sexual harassment, bullying and disrespectful behaviour by dealing effectively with any complaints of such conduct, and also by welcoming diversity and promoting employment equality.

City of Dublin ETB believes that embracing equality and diversity in the workplace benefits not just the organisation but also individual employees, departments and our customers/clients. All our employees bring their own background, work style, distinct capabilities, experience and characteristics to their work. We aim to ensure that we utilise the widest range of skills, knowledge and experience in our business while complying with legislation.

As well as treating people with dignity and respect, the organisation strives to create a supportive environment in which all employees can flourish and reach their full potential, regardless of differences, experience or education. Harnessing the wide range of perspectives this diversity brings promotes innovation and helps make us more creative and competitive.

## Scope of this charter

This Charter applies to all employees, contractors, customers, suppliers and visitors to the workplace. This Charter applies during normal working hours in the ETB's premises and also at work related social events, business trips and other work related activities such as training courses or conferences, whether they take place on the ETB's premises or not, and whether or not they take place during normal working hours.

Nothing in this Charter overrules a person's legal and statutory rights.

## Commitment to equality and diversity

The organisation will formulate and implement policies and practices that value diversity, provide equality of opportunity and ensure that no job applicant or employee receives less favourable treatment on any of the nine grounds as listed under the Employment Equality Acts. We will also ensure that other policies and practices reflect our commitment to treating people fairly, promoting an integrated way of working and respecting the dignity of employees at all times.

Managers are expected to promote an integrated workplace and proactively eliminate any potential inequities that may run counter to the organisation's charter.

Our recruitment policies reflect our belief that diversity in all areas, including cultural, generational, language (linguistic) and national backgrounds, is necessary in helping us succeed. The organisation will not discriminate against any prospective employee during the recruitment process. Interviews will be competency-based and carried out objectively and individuals will be judged on merit and their ability to do the job. It is our policy to ensure that as much accommodation as possible is

carried out to facilitate the participation of individuals with special needs in the recruitment process and in the workplace.

Where necessary, performance appraisals and feedback will be carried out in a sensitive, non-discriminatory manner. The organisation will offer equal development and training opportunities to all employees to achieve high standards of performance.

City of Dublin ETB promotes and supports the right to dignity at work. All who work in City of Dublin ETB are treated equally and respected for their individuality and diversity and the organisation will not tolerate discrimination, bullying, sexual harassment, harassment or disrespectful behaviour by one employee or group of employees against another or others for any reason. Lack of respect may be shown in words, conduct, acts or demeanour. The organisation promotes a workplace culture of dignity, respect and openness to diversity, which should be reflected in the actions and behaviour of all employees. Where this does not occur it is regarded as contravening the values of City of Dublin ETB and as such will be treated as a serious disciplinary matter.

CDETБ will make available ongoing relevant training for all staff e.g. in relation to equality, disability, multiculturalism, diversity, etc.

## Respect and dignity at work

All employees have the right to work in an environment that is free from sexual harassment, harassment and bullying and where each individual is valued and respected. Any individual who experiences sexual harassment, harassment or bullying will be supported by the organisation in bringing such unlawful behaviour to a close.

All employees will be expected to comply with this Charter and the bullying and harassment policies; and management will take appropriate measures to ensure that bullying/harassment does not occur. Appropriate disciplinary action, including dismissal for serious offences, will be taken against any employee who violates this Charter

The Charter applies to employees both in the workplace, when working from home and at work-associated events such as meetings, conferences and work-related social events, whether on the premises or off-site.

## Definitions

Workplace bullying is defined as *“repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment which could reasonably be regarded as undermining the individual’s right to dignity at work. An isolated incident of the behaviour described in this definition may be an affront to dignity at work but as a once-off incident is not considered to be bullying.”*

Bullying occurs on more than a single occasion and can include conduct offensive to a reasonable person, for example oral or written slurs, physical contact, gestures, jokes, displaying pictures,

flags/emblems, graffiti or other material that state/imply prejudicial attitudes that are offensive to fellow employees.

Other examples of bullying behaviour include:

- personal insults and name-calling;
- persistent unjustified criticism and sarcasm;
- shouting at staff in public and/or private;
- sneering;
- unfair delegation of duties and responsibilities;
- setting impossible deadlines;
- unnecessary work interference;
- aggression;
- not giving credit for work contribution;
- continuously refusing reasonable requests without good reasons;
- intimidation and threats in general.

Bullying is viewed as extremely serious by the organisation and will not be tolerated, all forms of bullying are prohibited. The organisation has a dedicated policy detailing how a staff member may process a complaint of bullying. A copy is available on our website and also directly from HR.

## Harassment

Harassment on the grounds of gender, civil status, family status, sexual orientation, religious belief, age, disability, race, or membership of the traveller community is defined as *“any unwanted conduct that has the purpose or effect of violating a person’s dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person.”* The unwanted conduct may consist of acts, requests, spoken words, gestures, or the production, display or circulation of written words, pictures or other material.

Harassment may be explicit or implicit; it may be a single incident or occur over a period of time. It may be directed at an individual or at a group. In defining and identifying harassment it is the effect of the behaviour that is relevant not the intent. It is the impact of the behaviour on the person affected that determines whether harassment has occurred. Harassment may be verbal or it may be in writing.

Sexual harassment is *“any form of verbal, non-verbal or physical conduct of a sexual nature that has the purpose or effect of violating a person’s dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person.”* This includes same-sex sexual harassment. The unwanted conduct may consist of acts, requests, spoken words, gestures, or the production, display or circulation of written words, pictures or other material.

Examples of sexual harassment include:

- sexual gestures;
- displaying sexually suggestive objectives, pictures, calendars;
- sending suggestive and pornographic correspondence, including e-mails or text messages;
- unwelcome sexual comments and jokes;
- unwelcome physical conduct, such as pinching, unnecessary touching, etc.

The examples stated in this Charter are not an exhaustive list and the organisation reserves the right to take action against these and other inappropriate behaviours.

Harassment is viewed as extremely serious by the organisation and will not be tolerated, all forms of harassment are prohibited. The organisation has a dedicated policy detailing how a staff member may process a complaint of harassment. A copy is available on our website and also directly from HR.

An allegation of harassment remains an allegation until it is found, following investigation, to be harassment.

Where an employee is found to have engaged in harassment, he/she will be subject to the disciplinary procedure and disciplinary action, as appropriate, up to and including dismissal.

## Discrimination

Discrimination is defined as the treatment of a person in a less favourable way than another person is, has or would have been treated, on any of the nine grounds listed below. Discrimination is also taken to have occurred where one of the nine grounds is imputed to a person, or where a person who is associated with another is treated less favourably than another person would have been by virtue of that association.

City of Dublin ETB values the contribution of all employees and requires every employee to refrain from any type of behaviour which may be interpreted as offending, harassing or discriminating against another/other employees. While not restricted to the grounds listed below, the Charter prevents any form of discrimination based on the following:

- Gender
- Marital status
- Family status
- Sexual orientation
- Religious belief or lack of religious belief
- Age (16+)
- Disability or the nature of disability
- Race, colour, nationality or ethnic or national origins
- Membership or non-membership of the Traveller community.
- sexual assault or rape.

## Lack of respect

Lack of respect is prohibited by the ETB. It can be shown by direct comments, sarcasm, snide remarks, inappropriate jokes or banter towards a colleague. It can arise where colleagues are ignored, overlooked, avoided or shunned without good reason and in a manner likely to be hurtful or disrespectful. Jokes or comments directed at, or referred to, a colleague could be thought amusing by others but may be unpleasant, uncomfortable or hurtful to that colleague.

Respect should be shown to all colleagues. Respect is also earned. By showing respect to others and honouring their personal dignity, a person will, in turn, earn their respect.

## Responsibility of management and staff

All individuals, whether directly employed or contracted by City of Dublin ETB, have a duty and responsibility to uphold the principles of this Charter. While each employee has a responsibility to ensure that harassment, sexual harassment, bullying is prevented, Managers and Trade Union Representatives/Officials have a specific responsibility to promote the provisions of this charter.

## Rights of the parties

This charter guarantees that all complaints will be treated seriously and current nationally agreed ETB procedures for dealing with complaints of Bullying or Harassment/Sexual Harassment will be followed.

An individual is free to make a complaint. He/she will not be victimised for making a complaint. However, if a complaint is found to be false or malicious, disciplinary action will be taken as appropriate, up to and including dismissal.

All parties involved will be treated with respect, and counselling or other appropriate supports may be availed of by either or both parties at any stage in the procedure. The alleged perpetrator of harassment is entitled to representation, a fair and impartial hearing and the right to challenge a claim of harassment.

## Protection against retaliation

Retaliation is a serious violation of this Charter and should be reported immediately. Any staff member found to have retaliated against another for filing a complaint or assisting in an investigation will be subject to disciplinary action.

Staff members are encouraged to contact HR and to obtain copies of agreed policies. HR are available to discuss, in confidence, issues related to this charter and will endeavour to support and provide guidance to those that require it.

**City of Dublin ETB reserves the right to review and amend this Charter as the need arises.**