

Special Measures Policy

HR01-CP



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1. Purpose

To provide advice and set out the arrangements for MacDonnell Regional Council (MRC) to implement special measures in recruitment and selection.

2. Scope

This policy has application across MRC operations.

3. Objectives

The policy has the following objectives:

- 3.1. To provide for the development of a special measures recruitment and selection plan for MRC.
- 3.2. To specifically enhance equality of opportunity for Aboriginal and Torres Strait Islander (Aboriginal) people recruitment into MRC with a specific aim of increasing the percentage of Aboriginal staff employed in the Alice Springs office.
- 3.3. To provide for the defining of specific positions at MRC for which being an Aboriginal person is an occupational requirement or for which special measures recruitment will be in place.

4. Definitions

The following words and corresponding definitions apply specifically to this policy and supporting documents and are provided to support its interpretation and implementation.

Special measure	A special measure is a program, plan or arrangement designed to promote equality of opportunity. Special measures are a form of affirmative action in favour of persons from Equal Employment Opportunity (EEO) groups which have not yet achieved equality in employment, for example Aboriginal and Torres Strait Islander people (Aboriginal). <i>(Source: Commissioner's Guidelines, Special Measures Recruitment & Selection Plan, Office of the Commissioner for Public Employment, NT Government).</i>
Special measure position	A position for employment at MRC which has been designated for recruitment of an Aboriginal person or to preference Aboriginal applicants. The purpose of a special measures position is to target an Aboriginal person for employment in order to support equal opportunity in recruitment related to the position. A special measure position is established under s. 8(1) of the <i>Racial Discrimination Act 1975</i> (Cth) and s.57 of the <i>Anti-Discrimination Act 1996</i> .
Genuine occupational requirement position	For the purpose of this policy a genuine occupational requirement position means a position for which being an Aboriginal person is an occupational requirement. Such designated positions are located in a remote community of MRC and are positions required to deliver or undertake services for the local Aboriginal community. A genuine occupational requirement position is established under s.35 (1)(b)(ii) of the <i>Anti-Discrimination Act 1996</i> .

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5. Statement

It is the aim of this policy to support the creation of equality of opportunity for Aboriginal people in employment at MRC. In particular this policy aims to provide for the targeted recruitment of Aboriginal people in support of the achievement of the MRC 2019-20 Regional Plan key performance indicators of 90% of community based positions filled by Aboriginal staff and 15% of Alice Springs based positions being filled by Aboriginal staff.

This policy reflects the commitment of the MRC to increase Aboriginal employment opportunities and to increase the voice of Aboriginal people in MRC service delivery and operations.

6. Policy Details

- 6.1. A special measures recruitment plan (the plan) is to be maintained by the CEO to support the creation of equality of opportunity for Aboriginal people in employment at MRC. The plan will comprise the following elements:
 - 6.1.1. Statistical data that supports the need for the plan to be in place. This data including the employment levels of Aboriginal staff by MRC location and referenced to the relevant ABS Census data for the location.
 - 6.1.2. The designation of genuine occupational requirement positions for which being an Aboriginal person is an occupational requirement due to the need for the position to provide services to and be accepted by the Aboriginal people within the community being served by MRC. Such positions when advertised will state the following on our Job Website: *“MacDonnell Regional Council considers that being Aboriginal or Torres Strait Islander is a genuine occupational requirement for this position under s.35 (1)(b)(ii) of the Anti-Discrimination Act 1996 (NT)”*. In our recruitment ads the following short form wording will be used *“This position is available for Aboriginal or Torres Strait Islander applicants only”*
 - 6.1.3. The designation of special measures positions for the recruitment of Aboriginal people. Special measures positions will be designated into two categories:
 - 6.1.3.1. Specifically designated positions for which only Aboriginal applicants will be considered. Such position when advertised will state the following on our Job website: *“The filling of this position is intended to constitute a special measure under section 8(1) of the Racial Discrimination Act 1975 (Cth), and s 57 of the Anti-Discrimination Act 1996 (NT). The position is therefore only open to Aboriginal or Torres Strait Islander applicants.”* In our recruitment ads the following short form wording will be used *“This position is available for Aboriginal or Torres Strait Islander applicants only”*.
 - 6.1.3.2. Priority consideration positions for which Aboriginal applicants will be given priority consideration and preference in selection if they meet all essential selection criteria and are suitable at the level of the position. Such position when advertised will state the following: *“The filling of this position is intended to constitute a special measure under section 8(1) of the Racial Discrimination Act 1975 (Cth), and s 57 of the Anti-Discrimination Act 1996 (NT). Aboriginal or Torres Strait Islander applicants will therefore be given priority consideration and preference in selection if they meet all essential selection criteria and are suitable at the level of the position”*. In our recruitment ads the following short form wording will be used *“Aboriginal or Torres Strait Islander applicants are*

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encouraged to apply for this position and will be preferenced in the selection process”.

- 6.1.4. A commitment to the ongoing professional and career development of Aboriginal staff who are recruited by MRC.
- 6.1.5. The special measures recruitment plan will be reviewed annually to monitor progress of the plan and to assess the need for special measures to be in place.

7. Policy Details

Replaces Policy No: (if Applicable)	N/A
Responsible Directorate/Department:	Corporate Services – Human Resources
Approval Date:	13 December 2019
Minutes Reference and Resolution number:	OCM Item #15.7 – Resolution OCM2019-145
Review Cycle:	November 2023 – Review every four (4) years or after changes to relevant legislation.

8. Legislation and References

Related Legislation:	<i>Racial Discrimination Act 1975 (Cth)</i>
	<i>Anti-Discrimination Act 1996</i>
Related Policies:	CP 146 Anti-Discrimination, Bullying and Harassment
	OP 202 Recruitment and Selection
Associated Documents:	Advertising request form

9. Version Control

Version No.	Approval Date	Policy No.	Minutes reference and Resolution number
1.	13 December 2019	HR01-CP	OCM Item #15.7 - OCM2019-145