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## ANTI-DISCRIMINATION POLICY

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**Table of Contents**

- 1. PURPOSE..... 3**
- 2. APPLICATION OF THIS POLICY ..... 3**
- 3. THE POLICY OF BLUEFISH..... 3**
- 4. DEFINITIONS..... 4**
  - 4.1 DISCRIMINATION ..... 4
    - 4.1.1 *Direct discrimination* ..... 4
    - 4.1.2 *Indirect discrimination*..... 4
  - 4.2 INADEQUATE ACCESSIBILITY ..... 4
  - 4.3 SEX, TRANSGENDER IDENTITY OR EXPRESSION, ETHNICITY, DISABILITY, SEXUAL ORIENTATION AND AGE 4
  - 4.4 HARASSMENT ..... 5
  - 4.5 VICTIMISATION..... 5
  - 4.6 GOSSIP..... 5
  - 4.7 MERIT..... 5
- 5. PROCEDURES..... 5**
- 6. CONFIDENTIALITY ..... 6**
- 7. RESPONSIBILITIES ..... 6**
  - 7.1 BLUEFISH UPPER MANAGEMENT ..... 6
  - 7.2 BLUEFISH MANAGERS ..... 6
  - 7.3 BLUEFISH EMPLOYEES ..... 7
- 8. REFERENCES ..... 7**
- 9. CHANGE HISTORY ..... 7**

## 1. PURPOSE

Bluefish is an equal opportunity employer. As such, Bluefish is committed to providing a work environment free from discrimination and harassment that is based on an individual's race, sex, age, religion, disability, color, national origin, military status, marital status, parental status, sexual orientation, or gender identity.

This Anti-Discrimination (AD) policy is intended to implement this commitment.

## 2. APPLICATION OF THIS POLICY

This Anti-Discrimination Policy applies to:

- All employees of Bluefish, including: full-time, part-time or casual, temporary or permanent staff; job candidates; contractors, sub-contractors and volunteers.
- All aspects of employment, recruitment and selection, training and promotion, task allocation and workload
- On-site, off-site or after hours' work, including work-related social functions.

It is a violation of this policy to discriminate against another individual on the basis of his or her race, sex, age, religion, disability, color, national origin, military status, marital status, parental status, sexual orientation, or gender identity/expression.

Violation of this policy may result in disciplinary action up to and including termination.

## 3. THE POLICY OF BLUEFISH

Discrimination of any kind based on an individual's race, sex, age, religion, disability, color, national origin, military status, marital status, parental status, sexual orientation, or gender identity is prohibited.

Bluefish has a zero-tolerance approach to victimisation.

All employees are entitled to:

- Work free from discrimination
- Recruitment and selection decisions based on merit and not affected by irrelevant personal characteristics
- The right to raise issues or to make an enquiry or complaint in a reasonable and respectful manner without being victimised.

## 4. DEFINITIONS

### 4.1 Discrimination

Discrimination is treating, or proposing to treat, someone unfavourably because of a personal characteristic protected by the law, such as sex, age, race or disability. Discrimination can occur directly or indirectly.

#### 4.1.1 Direct discrimination

**Directly**, when a person or group is treated less favourably than another person or group in a similar situation because of a personal characteristic protected by law (see list below).

For example,

- *A worker is harassed and humiliated because of their race*
- *A worker is refused promotion because they are 'too old'*

#### 4.1.2 Indirect discrimination

**Indirectly**, when an unreasonable requirement, condition or practice is imposed that has, or is likely to have, the effect of disadvantaging people with a personal characteristic.

*For example, redundancy is decided based on people who have had a worker's compensation claim rather than on merit.*

## 4.2 Inadequate accessibility

**Inadequate accessibility**: that a person with disability is disadvantaged through a failure to take measures for accessibility to enable the person to come into a situation comparable with that of persons without this disability where such measures are reasonable on the basis of accessibility requirements in laws and other statutes, and with consideration to:

- The financial and practical conditions
- The duration and nature of the relationship or contact between the operator and the individual, and
- Other circumstances of relevance.

## 4.3 Sex, transgender identity or expression, ethnicity, disability, sexual orientation and age

- Sex: that someone is a woman or a man.
- Transgender identity or expression: that someone does not identify herself or himself as a woman or a man or expresses by their manner of dressing or in some other way that they belong to another sex.
- Ethnicity: national or ethnic origin, skin colour or other similar circumstance.
- Disability: permanent physical, mental or intellectual limitation of a person's functional capacity that as a consequence of injury or illness existed at birth, has arisen since then or can be expected to arise.
- Sexual orientation: homosexual, bisexual or heterosexual orientation.
- Age: length of life to date.

## 4.4 Harassment

**Harassment:** conduct that violates a person's dignity and that is associated with one of the grounds of discrimination sex, transgender identity or expression, ethnicity, religion or other belief, disability, sexual orientation or age.

**Sexual harassment:** conduct of a sexual nature that violates someone's dignity.

## 4.5 Victimization

Victimization is subjecting or threatening to subject someone to a detriment because they have asserted their rights under equal opportunity law, made a complaint, helped someone else make a complaint, or refused to do something because it would be discrimination, sexual harassment or victimisation. Victimization is against the law.

It is also victimisation to threaten someone (such as a witness) who may be involved in investigating an equal opportunity concern or complaint.

## 4.6 Gossip

It is unacceptable for staff at Bluefish to talk with other staff members, clients or suppliers about any complaint of discrimination or harassment. Breaching the confidentiality of a formal complaint investigation or inappropriately disclosing personal information obtained in a professional role (for example, as a manager) is a serious breach of this policy and may lead to formal discipline.

## 4.7 Merit

All recruitment and job selection decisions at Bluefish will be based on merit – the skills and abilities of the candidate as measured against the inherent requirements of the position – regardless of personal characteristics.

It is unacceptable and may be against the law to ask job candidates questions, or to in any other way seek information, about their personal characteristics, unless this can be shown to be directly relevant to a genuine requirement of the position.

## 5. PROCEDURES

Any employee who believes he or she has been subjected to, or has witnessed, actions that constitute a violation of this AD Policy promptly must report the matter to management.

The employee may report the matter to his or her manager or to any other manager with whom the employee feels comfortable discussing the matter.

The employee should not wait until the action he or she believes is a violation of this Anti-Discrimination Policy becomes severe or pervasive.

# ANTI-DISCRIMINATION POLICY

Version : 1.0

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Management will timely investigate any report of an alleged violation of this Anti-Discrimination Policy and, where appropriate, take appropriate corrective action.

To the extent possible, Bluefish will protect the confidentiality of allegations of Anti-Discrimination Policy violations and of documents created or obtained that concern an investigation into an allegation of an AD policy violation.

## 6. CONFIDENTIALITY

Bluefish will strive to protect, to the greatest extent possible, the confidentiality of persons reporting discrimination and harassment and of those accused of such conduct. However, Bluefish cannot guarantee complete confidentiality where it would conflict with the Bluefish obligation to investigate meaningfully or take corrective action.

Even when some disclosure of the information or sources is necessary, it will be limited to the extent possible.

Bluefish will, to the extent permitted by law, keep confidential all records of complaints, responses and investigations.

## 7. RESPONSIBILITIES

### 7.1 Bluefish upper management

Bluefish upper management is responsible for:

- Ensuring that discrimination laws, regulations and administrative provisions are followed by all Bluefish employees
- Attending discussions with the Discrimination Ombudsman
- Providing information to Discrimination Ombudsman that is important to conduct its responsibilities

### 7.2 Bluefish managers

All Bluefish managers must:

- Model appropriate standards of behaviour
- Take steps to educate and make staff aware of their obligations under this policy and the law
- Intervene quickly and appropriately when they become aware of inappropriate behaviour
- Act fairly to resolve issues and enforce workplace behavioural standards, making sure relevant parties are heard
- Help staff resolve complaints informally
- Refer formal complaints about breaches of this policy to the appropriate complaint handling officer for investigation
- Ensure staff who raise an issue or make a complaint are not victimised
- Ensure that recruitment decisions are based on merit and that no discriminatory requests for information are made
- Seriously consider requests for flexible work arrangements.

### 7.3 Bluefish employees

All staff must:

- Follow the standards of behaviour outlined in this policy
- Offer support to people who experience discrimination, bullying or sexual harassment, including providing information about how to make a complaint
- Respect the confidentiality of complaint resolution procedures
- Treat everyone with dignity, courtesy and respect.

## 8. REFERENCES

<b>POL-0005</b>	Code of conduct
<b>SFS 2008:567</b>	Diskrimineringslag
<b>SFS 2008:568</b>	Lag om Diskrimineringsombudsmannen
<b>AD 103-1999</b>	Könsdiskriminering
<b>2000/43/EC</b>	of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin
<b>2004/113/EC</b>	of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services
<b>2000/78/EC</b>	of 27 November 2000 establishing a general framework for equal treatment in employment and occupation
<b>2006/54/EC</b>	DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation
<b>SFS 2002:293</b>	Lag om förbud mot diskriminering av deltidsarbetande arbetstagare och arbetstagare med tidsbegränsad anställning

## 9. CHANGE HISTORY

<b>Version</b>	<b>Change History</b>	<b>Reason for change</b>
<b>01</b>	New Policy	New document