



Guide to attracting and hiring a diverse workforce

Developed by the
Disability Champions' Partnership

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 **Queensland** Government

Disclaimer: This resource is intended as a guide only and content of this guide does not constitute legal advice.

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A message from the Premier



Organisations need talented people. And talented people are not always easy to find or to hire in the current job market. Agencies need to consider different ways of recruiting and need to consider recruiting different people to build and to keep a strong workforce.

There are compelling reasons for a diverse workforce:

- The mix of skills, abilities and cultural perspectives helps us understand and respond to the different needs of our clients - Queenslanders.
- Different perspectives and viewpoints can lead to a range of effective solutions or approaches to meet everyday challenges.
- It demonstrates Queensland Government agencies' support for best practice employment policies.

A diverse workforce also meets our legislative obligations supporting employment equity and anti-discrimination.

This Smart State resource has been developed by the Disability Champions' Partnership, which comprises the Departments of Industrial Relations, Housing, Public Works, Queensland Transport and the Office of Public Service Merit and Equity. I commend the partnership's efforts to further decrease employment barriers for people with diverse backgrounds and abilities.

I also endorse this guide for public sector supervisors in offering tips about how to attract and hire a diverse workforce.

A handwritten signature in black ink, which appears to read 'P Beattie'.

Peter Beattie MP
Premier and Minister for Trade



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About this guide



This guide is for Queensland Public Sector staff to ensure equity and diversity are realised in the public sector workforce. This guide is also available online <www.opsme.qld.gov.au>.

Australia has one of the most diverse populations in the world and is a nation built by people from many different backgrounds.

Equity and diversity are important values of the Queensland Government. The Queensland public sector strives to have a diverse workforce, made up of staff who represent the Queensland community that the sector serves.

Workplace **diversity** is about recognising and valuing the varied skills, knowledge, backgrounds and perspectives that people bring to their work. Diversity means more than merely accepting people from different target groups. It means managing and integrating their varied lifestyles, beliefs and needs.

A diverse workforce has people with differences in age, culture, race, religion, marital status, education, language, abilities, and gender.

Queensland's community is diverse. Approximately one in five people has a disability and 17% of Queensland's residents were born overseas. Most of these residents are from the United Kingdom and New Zealand, but there are also a significant number from South Africa, the Philippines, Taiwan, Japan, China, USA, Hong Kong, Fiji, Vietnam and India. About 3.1% of Queensland's population are of Aboriginal or Torres Strait Islander origin. Queensland's residents also include Australian South Sea Islanders.

Equity and equal opportunity in employment is about giving everybody a fair go. It is about decreasing employment barriers for people who may experience disadvantages and hardship, such as **target group members**. These are people with a disability, women, people from non-English speaking backgrounds, Aboriginal and Torres Strait Islander peoples and Australian South Sea Islanders.

All job applicants and workers should be valued and respected, and have the opportunity to demonstrate and develop to their full potential. Equity of treatment for all employees ensures that individuals are treated on their merits, without regard to their background, age, sex, relationship status or any factor not applicable to their work role.

Public sector staff

As a selection panel chair or member, or as a manager, you have responsibility for supporting equity and diversity.

This resource will guide you in:

- actively encouraging a diverse range of applicants
- meeting your legislative obligations, for example adjusting the selection process when it is reasonable or it is not unlawfully discriminating, and
- selecting the best person for the job.

This resource complements agency-specific recruitment and selection; and employment equity policies. It focuses on advice about attracting and hiring people with diverse backgrounds and abilities.

This resource does not constitute legal advice. Human Resource areas of agencies and specialist organisations, like the Anti-Discrimination Commission of Queensland, can provide specific advice and assistance if required. Agencies are expected to comply with contemporary employment equity and anti-discrimination legislation.

Defining the job



The first step in attracting and hiring is to define the vacant job. You need to consider this carefully whether you are re-advertising an existing job or creating a new one.

Filling a vacancy is more than just appointing a person to undertake certain tasks and responsibilities. When defining a job, you should also consider:

- how another person may complement the existing strengths in your team
- how another person may counteract the existing weaknesses in your team
- whether the job's outcomes can be performed in alternative ways, for example part-time or job-share
- how to encourage people, who are traditionally blocked from this job, to apply for this position
- whether an identified or specified position is justified (see below for further information)
- any implications for the role of your agency's workforce plan, and
- the knowledge, skills or abilities that are specifically required by your organisation (such as treating client information sensitively).

These factors should be considered in any vacancy evaluation process.

Identified and specified positions

You can use identified and specified positions to attract and recruit people from specific target groups.

An **identified position** only considers applications from people from a specific target group. It acknowledges that members of that group might be the most meritorious to fill the position.

An **identified position** is positive and legal discrimination. There are exemption provisions in the *Anti-Discrimination Act 1991* which allow an agency to discriminate on the basis of race, age, gender or other attributes which are otherwise unlawful. These are:

- 1 an essential job requirement, for example body searches of women inmates are required by law to be conducted by women
- 2 a service to a target group of the *Anti-Discrimination Act 1991*, and/or
- 3 an EEO measure to address disadvantage in employment.

A **specified position** is open to all. However the required skills, expertise and experience of a specified position are more likely to be fulfilled by a member of a specific target group. For example, Torres Strait Islander applicants may be very suitable for a specified position that requires expert knowledge of Torres Strait Islander culture and demonstrated skill in liaising with Torres Strait Islander people. However, applicants may also include people who are not Torres Strait Islanders.

Writing job descriptions

The content and format of job descriptions may assist in attracting a diverse pool of applicants. Job descriptions:

- provide an overview of a job, which helps people decide whether they want to apply for the vacancy or not, and
- provide information to applicants that will assist them to apply and compete on merit for the job.

When writing job descriptions, you should:

- Use non-discriminatory language.
- Write in plain English.
- Assume your reader knows little about the Queensland Government.
- Market the job and the workplace to make it attractive to people.
- Include an expectation in the job description that the person supports employment equity and diversity.
- Provide adequate information about the job so that applicants know what you are looking for.

Defining the job

You could include the agency's diversity objectives in the advertisement or job description. For example:

- We want to increase the diversity of our workforce to better meet the differing needs of our client needs and to improve equal employment opportunity for our employees.

or

- To deliver the best service to our clients we want a workforce that reflects the diverse community that we serve. We have an ethos that values diversity and the skills, knowledge and experience a diverse workforce brings to our organisation.

You could also advise how applicants notify the chair of the panel about any specific adjustments they may require during the selection process.

Human resources staff in agencies can assist you in defining the position and writing the job description.

Attracting talented applicants to job vacancies



There are easy, cost-effective ways to attract a diverse pool of applicants through advertising. You should consider:

- a. whom you want to attract, and
- b. how you will attract them.

Your agency's Human Resources Policy sets out the minimum advertising requirements. However, some other advertising options include:

- notifying specialist recruitment functions about the vacancy, for example Wal Meta and disability recruitment agencies
- advertising in specialist newspapers or other media, for example Indigenous Radio or 4EB Community Radio
- advertising on university career websites
- advertising on other websites, for example a job seekers' site
- advertising in regional/local newspapers, for example Southwest News.

In considering your advertising campaign, you should:

- consult with the Department of the Premier and Cabinet's advertising guidelines, available on Govnet at www.premiers.govnet.qld.gov.au/policies/ *Your guide to Queensland Government advertising*, and
- consult with TMP Worldwide if you need advice about where and how you should advertise.

Remember that your advertising strategy will need to make the job sound and look attractive to those applicants you specifically want to target.

Attracting talented applicants to job vacancies

Advertising checklist

Have you:

- Considered the wording in the advertisement - the format (written) and the tone (aural)?
- Ensured the advertisement is consistent with the job description?
- Promoted the aspects of the job and the employer that are likely to attract applicants with diverse backgrounds and abilities?
 - For example, these applicants may be attracted to your agency's strong support for equity and diversity evident in its diversity networks, trained harassment and referral officers, confidential employee counselling and opportunities for training, professional development and career development.
- Ensured applicants have access to plain English information about the application and recruitment process, and that this information is available in a range of formats?
- Considered the selection tools you and the panel will use before you advertise?
- Considered alternatives to a written response to selection criteria in order to shortlist applicants on merit?

Selecting the best candidate



You have written the job description according to the job's requirements. You have also tailored the advertising strategy to attract a diverse range of applicants.

You should now consider whether your selection process and selection tools correspond with the job's requirements. This will help:

- you to better assess the person who will be the best in the job, and
- decrease the likelihood that you are unlawfully, either directly or indirectly, discriminating against certain applicants.

Your agency's Human Resources Policy includes some requirements and advice about selection issues such as compilation of the selection panel and the necessary documentation that you are required to keep.

As a selection panel member, you are legally obliged to:

- Base your decisions on merit.
- Not use factors such as gender, race, family responsibility, age, relationship status, pregnancy, impairment, religious or political activity as a basis for selecting a person, unless in specific circumstances allowed by the *Anti-Discrimination Act 1991*.
- Make adjustments to the selection process for applicants – for example, ensuring:
 - applicants can access the interview room
 - interview times take account of applicants' family and caring responsibilities, and
 - all applicants have the same access to selection documentation (such as the list of interview questions).
- Conduct yourself in an ethical manner, including respecting people, and treating people with dignity.

Selecting the best candidate

As a selection panel member, you should also guard against consciously or subconsciously choosing an applicant because of their similarity to your own personality, background and/or experiences.

Selection tools

Selection tools are supposed to help the panel differentiate between candidates on the basis of the requirements of the job. However some selection tools may present barriers to some target groups by their very nature, for example:

- Physical work tests for people with some physical impairments.
- Interviews may discriminate against people with certain sensory or intellectual disability.
- Written applications may discriminate against people whose native language is not English if written communication is not required in the job.
- Some psychological tests may discriminate against people of a certain race, age or educational background.

To **choose** the best selection tools, you should consider:

- What you are trying to assess, for example, a technical qualification or a specific skill, written communication abilities, the “fit” with the team or analytical abilities.
- The time and resources available – long one-on-one interviews can be time-consuming – and consider if you need expert assistance, for example, with administration of psychological tests.
- The number and quality of applicants you are expecting. For example, if you are expecting a large number you might consider shortlisting to a more manageable number based on one essential requirement of the job.

To then **apply** your chosen selection tools, you should consider:

- How you provide an opportunity for applicants to express any specific requirements or requests for reasonable adjustment.
- How you may need to reasonably adjust selection processes for applicants with specific needs:
 - For example, adapting interview times to suit those with caring responsibilities, ensuring a pregnant applicant has a comfortable chair, arranging a deaf/sign interpreter, holding interviews in a room accessible by a wheelchair, allowing a support person or advocate to be present, ensuring materials are available in different formats or allowing the applicant to submit information in an alternative way (such as replacing a written application with a telephone interview).

- Having panel members with diverse backgrounds and/or abilities, who have experience of diversity or who have attended diversity training. The panel should be gender balanced.
- Including a support person in the selection process to prompt an applicant's memory or to talk up an applicant's achievements. This may be relevant for people with a disability or people from particular cultural backgrounds, such as Aboriginal or Torres Strait Islander applicants. The support person may be a friend, family member, or a support professional from a recruitment agency.
- How you can prevent traditional stereotypes of certain groups being upheld during the selection process.
- Using non-discriminatory language.
- Using plain language with no jargon.

You do not have to consider adjustments to the workplace environment until after the panel has assessed applicants on merit.

Communicating with applicants of diverse backgrounds and abilities

Given the focus on interpersonal communication during the selection process, it is important to be aware of some differences in communication style that the panel may misinterpret. For example, some people:

- believe it is respectful to avoid eye contact, whether speaking or listening to another person
- value very concise speech, so may answer "yes" or "no" unless prompted
- speak more slowly or at an unexpected pitch or volume. This does not reflect their intellectual capability. Do not finish people's sentences for them.
- like to retain more personal space around them than other people
- more readily volunteer information than others
- believe it is polite to be very formal with unfamiliar people
- prefer not to refuse a request or reject an idea in a clear and direct way.

The selection panel should be aware of how different communication styles are affecting their assessment of an applicant's merit for a particular job.

Transition to work



New team members are more likely to stay in the job and be productive more quickly if their transition into the team is smooth.

Supervisors should be aware that for some people, the job could be their first, or their first in a public sector environment. Some people may experience culture-shock if work practices are unfamiliar to them.

All employees appreciate a supportive work environment where:

- They are made to feel welcome.
- Colleagues provide time and space for them to settle in.
- There are offers of assistance from within the team.
- They are involved in the team.
- Privacy is respected, dignity preserved and responsibility is entrusted.
- “Difference” is not specifically noted or used to harass, criticise or pry.
- It is easy to establish networks.

Some people may need or appreciate specific adjustments or support to assist their transition to the new team. For example, you may like to consider:

- The value of networks, particularly for Aboriginal and Torres Strait Islander peoples.
- How people of diverse cultural backgrounds manage the expectations of their community or family alongside the expectations of their employer.
- Partnering the new employee with a buddy or mentor, particularly one who is familiar with the workings of the agency.

The formal induction process should include specific information about equity and diversity. The **induction** should include:

1. Information on:
 - equity-related HR policies, such as hours of work, flexible leave, reasonable adjustment, workplace rehabilitation, code of conduct, harassment, anti-discrimination and grievance resolution
 - support networks for target group members
 - equity and diversity management plan, and
 - Queensland Government policies on diversity issues, such as the Carers' Recognition Policy, the Strategic Framework for Disability, the Multicultural Queensland Policy and Women in the Smart State Directions Statement.
2. An opportunity to participate in:
 - the EEO census
 - performance planning
 - training and development
 - a diversity reference group, and
 - career development, such as mentoring.
3. Sources of advice for:
 - career development
 - harassment or discrimination issues
 - personal or professional issues affecting work (Employee Assistance), and
 - equity and diversity issues (for example, reasonable adjustment).

It is good practice to ask new employees if they require any assistance in performing their job, such as training on agency-specific systems or specific flexibilities in their working hours. This gives people an opportunity to request reasonable adjustments to their work environment if they wish. Any adjustments should be made in consultation with the employee.

People are not required to disclose information at work about their race, language, culture or disability. This applies to EEO census forms and conversations in the workplace.

Relevant Commonwealth and State legislation



There is a range of legislation that supports employment equity, ethical behaviour and anti-discrimination which we must abide by. This includes:

- the *Commonwealth Sex Discrimination Act 1984*
- the *Commonwealth Race Discrimination Act 1975*
- the *Commonwealth Affirmative Action (Equal Employment Opportunity for Women) Act 1986*
- the *Commonwealth Disability Discrimination Act 1992*
These Commonwealth Acts are all available online at www.scaleplus.law.gov.au.
- the *Queensland Disability Services Act 1992*
- the *Queensland Anti-Discrimination Act 1991*
- the *Queensland Public Service Act 1996*
- the *Queensland Equal Opportunity in Public Employment Act 1992*
- the *Queensland Industrial Relations Act 1999*
- the *Queensland Public Sector Ethics Act 1992*
- the *Queensland Workplace Health and Safety Act 1995*
These Queensland Acts are all available online at www.legislation.qld.gov.au.

This legislation:

- Describes lawful and unlawful discrimination against people on the basis of personal differences.
- Encourages agencies to undertake specific actions to decrease employment barriers for certain ‘target’ groups, so that these groups can compete equitably on merit for jobs, promotions and other employment benefits. Target groups are women, Aboriginal and Torres Strait Islander people, people with a disability and people from a non-English speaking background.
- Encourages public sector employees to treat colleagues, customers and members of the public fairly and with respect and dignity.

Anti-discrimination legislation makes it possible for individual public sector employees to be held liable for unlawful discrimination, harassment and vilification (defamatory behaviour) in the workplace. This vicarious liability also applies to selection panel members throughout the recruitment and selection process.

Directives

The Office of the Public Service Merit and Equity (OPSME) and the Department of Industrial Relations (DIR) are responsible for developing Directives applicable to State Government entities under relevant legislation. These directives are available online at <www.opsme.qld.gov.au> and <www.dir.qld.gov.au>.

References



- *A guide to working with people of diverse abilities*
produced by the Disability Champions' Partnership
- www.opsme.qld.gov.au/ee
- *Way with words*
- www.disability.qld.gov.au/publications
- The Aboriginal and Torres Strait Islander Public Sector Employment Development Unit
- www.wal-meta.qld.gov.au
- Disability Services Queensland
- www.disability.qld.gov.au
- Office for Women
- www.women.qld.gov.au
- Multicultural Affairs Queensland, including information on productive diversity and cross-cultural training
- www.premiers.qld.gov.au/multicultural
- Queensland Working Women's Service
- www.qwws.org.au

Notes





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