



# A step-by-step guide to preventing discrimination in recruitment<sup>1</sup>

## 1. Deciding on the recruitment process

Employers go about recruiting in different ways. Some may use in-house human resources personnel, others may use a recruitment agent to shortlist the applicants and help select the successful candidate.

### In-house recruitment

If you are using your own staff to recruit to a position, you must make sure they are aware of their obligations under the law and are dedicated to a fair process.

If you do not take reasonable measures to prevent your staff from acting in a discriminatory way, you may be held responsible for their actions, even the fact that it was solely the fault of your human resources employees.

### Recruitment agents

An employer that hires a recruitment agent to shortlist applicants must make sure the agent is aware of their legal obligations when it comes to discrimination.

The same applies if you are a recruitment agent. While many employers are aware of their obligations, some may not be. As such, they may be at risk of unintentionally discriminating in the recruitment process. Because of this, recruitment agents have an important role in educating and reminding employers about their legal obligations.

Recruitment agents must not follow through with discriminatory requests from an employer that relate to a person's age, sex, race, disability or any other characteristics protected under state or federal anti-discrimination laws. If you are a recruitment agent and you receive a discriminatory request from a client, you must inform them that they are acting against the law. Let them know that they are putting themselves and you at risk of receiving complaints of discrimination. Remind the employer that they are unintentionally limiting their options in the job market by not seeking a wider range of applicants.

Describe the key requirements of the job with the employer, not irrelevant personal characteristics. Giving the employer information about what can and cannot be included in a job description is important. Providing the employer with a copy of this booklet may also be useful.

As a recruitment agent, you too can be held responsible for the actions of your staff and consultants. Make sure you provide them all with information and training on equal opportunity principles. This allows you to provide training to your consultants about how to deal with discriminatory requests for certain types of applicants and the consequences of acting on discriminatory instructions from employers.

<sup>1</sup>Based on material provided by the Victorian Equal Opportunity and Human Rights Commission. See <http://www.eohrc.vic.gov.au> for recruitment advice and updates. Contact us at [recruitment@eohrc.vic.gov.au](mailto:recruitment@eohrc.vic.gov.au)



# Preventing Discrimination Complaints A Guide For Supervisors

**James J. McDonald, Jr.**



## **Preventing Discrimination Complaints A Guide For Supervisors:**

*Preventing Discrimination Complaints* Richard Peres, 1979 Supervisors guide to preventing employment discrimination in personnel management in the USA comments on related labour legislation stresses uniform treatment job relatedness and dealing with bias and covers lawful and illegal job standards taking part in dismissal carrying out discipline and performance appraisal evaluations and other employment areas

**Equal Employment Opportunity and Affirmative Action** Floyd D. Weatherspoon, 2018-11-21 First published in 1985 In this remarkable book the author has compiled a large collection of resource material that will be of benefit to the student as well as the practitioner of equal employment and affirmative action EEO AA This book includes a broad scope of information on EEO AA from its infancy and progresses through its rapidly changing and developing stages Indeed this book will be an invaluable asset in easily acquiring and supplementing one's basic knowledge as well as providing a general overview of the subject area Self-development Aids for Supervisors and Middle Managers United States. Office of Personnel Management. Library, 1981 **Personnel Literature**, 1980

*Self-development Aids for Supervisors and Middle Managers*, **The Job Analyzer: BLR's Complete Guide to Analyzing, Evaluating, Pricing & Writing Jobs**, **Equal Opportunity in Employment** United States. Office of Personnel Management. Library, 1979 **The Personnel Administrator**, 1981 Effective Supervision Mike Williams, President, Greater Concepts by Design, LLC, 2018-05-17 Effective Supervision By Mike Williams President Greater Concepts by Design LLC Being a good supervisor requires different skills than being a good worker Mike Williams understands this In Effective Supervision he shares techniques for new supervisors to become effective leaders of a productive team A supervisor needs to be able to plan organize and direct their team while creating and maintaining motivated personnel Williams explains in clear and actionable detail how to develop the skills necessary to become a supervisor Check sheets will help you evaluate your current skills creating a unique training module to help you bring awareness and consistency into your business From hiring staff to communicating expectations to planning policy Williams gives detailed steps on how to move forward in the best possible way for your business Effective supervisors are necessary for their business to survive and thrive With a positive attitude and a willingness to put into practice the lessons from this book you are on your way to becoming an effective supervisor **Personnel Bibliography Series** United States Civil Service Commission. Library, 1960

*Personnel Bibliography Series* United States. Office of Personnel Management. Library, 1979 **FEMA Supervisors' Guide to Equal Employment Opportunity** United States. Federal Emergency Management Agency, 2000 *United States Air Force Supervisory Examination, Etc., Study Guide, Air Force Pamphlet 36-2241, Volume 2, July 1, 2003*, 2003

*Practical Guide Employment Law 2004* BBP, 2004-05-27 The Practical Guide to Employment Law is a comprehensive desk manual for HR managers risk managers and employment lawyers it covers federal employment laws in plain English giving readers the practical information necessary to apply the laws As well as providing readers with essential court cases and tips

for compliance in every chapter the Practical Guide to Employment Law includes a compliance checklist section where readers can learn the various laws that apply to such topics as hiring terminations and benefits it also includes a supervisory training section on several laws including FMLA and ADA Topics covered include the Age Discrimination in Employment Act ADEA the Americans with Disabilities Act ADA COBRA HIPAA Healthcare Continuation Coverage the Drug Free Workplace Act and Drug Testing Employee Polygraph Protection Act of 1988 EPPA Employee Retirement Income Security Act ERISA the Equal Pay Act EPA the Fair Labor Standards Act FLSA the Family Medical Leave Act FMLA the Immigration Reform and Control Act of 1986 IRCA Pregnancy Discrimination Act of 1978 PDA Title VII And The Civil Rights Act of 1991 CRA 91 the Worker Adjustment and Retraining Act WARN the National Labor Relations Act NLRA Plus defamation negligent hiring employee privacy whistle blowing and retaliation wrongful discharge and affirmative action **Equal Employment**

**Opportunity Handbook for NOAA Managers and Supervisors** United States. National Oceanic and Atmospheric Administration. Office for Civil Rights,1986 **Handbook for Professional Managers** Lester R. Bittel,Jackson Eugene Ramsey,Muriel Albers Bittel,1985 **California Employment Law: An Employer's Guide** James J. McDonald,

Jr.,2024-04-16 California Employment Law An Employer s Guide is the go to guide for anyone who must contend with employment law in California as part of their day to day work including employers based outside of California with employees working in the state This valuable reference is comprehensively updated to address new developments in 2021 including new requirements for severance agreements new restrictions on non disparagement agreements expansion of the California Family Rights Act to include parents in law new Cal OSHA penalties for enterprise wide and egregious violations and many more *The Essential Guide to Handling Workplace Harassment & Discrimination* Deborah C. England,2024-09-01 Don t let

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