

Equal opportunity in the medical workforce

2016

The Australian Medical Association (AMA) is committed to advancing equal opportunity in the workplace and training environment for the medical workforce in Australia. It is important that the medical profession and workplace embraces the professional, economic and social contribution of doctors from diverse backgrounds and makes the most of the extensive skills, perspectives and networks that a diverse medical workforce will bring to the medical work and training environment. This will lead to a more productive, responsive and empathetic medical workforce, well equipped to deliver and advocate for the best health outcomes for patients and the broader community.

1. Preamble

- 1.1. The AMA believes that all members of the medical profession are entitled to fairness, impartiality and equal consideration within the medical workplace and training environment. The medical workforce should reflect the diversity of the patients it cares for, and be underpinned by values of professional integrity, respect, and collegiality within the medical workplace and training environment.

2. Equal Opportunity Legislation

- 2.1. Employers should at all times have regard to the relevant legislation in their State, Territory, or Commonwealth jurisdiction. The Federal Government has enacted specific legislation to advance the human rights and equal opportunity of specific groups within Australia as expressed in the Age Discrimination Act 2004, Racial Discrimination Act 1975, Sex Discrimination Act 1984, Human Rights and Equal Opportunity Act 1986, Disability Discrimination Act 1992, the Workplace Gender Equality Act 2012 and the Fair Work Act 2009.

3. Policy statement

- 3.1. The AMA expects medical workplaces and training providers to have in place fair, impartial and transparent policies and practices to provide all doctors and medical students with equal access to employment, education and training opportunities.
- 3.2. Medical workplaces and training providers should promote inclusive work and training environments that value the diversity of backgrounds and perspectives of the medical and wider community and respect doctors from all social and cultural backgrounds.
- 3.3. Organisations should employ staff who model behaviour consistent with promoting equal opportunity in the workplace. The AMA encourages medical workplaces and training providers to identify champions to celebrate and support equal opportunity.
- 3.4. Medical workplaces and training providers should work to enact equal opportunity legislation and policy to eliminate discrimination or harassment on the basis of race; colour; sex; sexual orientation; age; physical or mental disability; marital status; family or carer responsibilities; pregnancy; religion; political opinion; national extraction; and social origin, or any other characteristic otherwise specified in relevant anti-discrimination and equal opportunity legislation.ⁱ

- 3.5. The AMA recognises the current under-representation in leadership positions of women and supports developing targets to address this.
- 3.6. The AMA also supports development of targets to address the current under-representation in the medical workforce, including medical students and those in leadership positions of people who identify as Aboriginal and Torres Strait Islander (ATSI). Increasing the number of doctors who identify as ATSI in the medical workforce is imperative in improving Indigenous health outcomes.ⁱⁱ
- 3.7. Targets to address under-representation should be realistic, continue to be merit-based be accompanied by training and mentoring.

4. In employment and selection

- 4.1. Recruitment, selection and promotion practices should be open, competitive and based on merit.
- 4.2. All employment decisions should be consistent with the principle of equal employment opportunity and be made without bias.
- 4.3. Fair and transparent processes should be applied in assessing the capacity of a person to perform the job related requirements of a position, having regard to the person's knowledge, skills, qualifications and experience and their potential for future development.
- 4.4. While overall merit should be the overriding consideration of any application for appointment or employment, organisations should have in place a range of positive strategies and initiatives to attract doctors from diverse backgrounds to its workplace, profession and speciality.

5. In education and training

- 5.1. Equal opportunity in education includes the principle of selection and assessment of medical students and doctors in training into training programs on merit and job-related qualifications.
- 5.2. Fair and transparent processes should be applied in assessing the capacity of a medical student or doctor in training against specified requirements to apply for, undertake and complete training programs.

6. Under-representation of women in medical leadership positions

- 6.1. Medical workplaces and training providers should develop and implement workplace programs aimed at contributing to equal opportunity for women and men in the medical workplace, report on these programs and develop strategies to address issues such as the under-representation of women in leadership positions in medicine and within certain specialities

7. Equal Opportunity for doctors who identify as Aboriginal and Torres Strait Islander in the medical workplace

- 7.1. Medical workplaces and training providers should develop and implement strategies to encourage participation of doctors who identify as ATSI in the medical workforce and ensure culturally safe work and training environments. This includes providing support and resources

for doctors who identify as ATSI to complete their medical training and/or advance their careers, improving access to mentoring and increasing networking opportunities. Removing the barriers to employment and training of doctors who identify as ATSI, and targeted recruitment, promotion, retention and support strategies, will help to achieve a diverse workforce able to respond to the needs of ATSI people and families.

8. Implementation of equal opportunity

8.1. The AMA expects that workplaces and training providers will:

- 8.1.1. Have contact point/s for employees to discuss any issues relating to equal opportunity.
- 8.1.2. Establish processes for reporting and responding to any complaints including access to appropriate grievance handling procedures (see below).
- 8.1.3. Make sure doctors and doctors in training are aware of policies and processes regarding equal opportunity; this is particularly important at orientation to a new workplace.
- 8.1.4. Provide training for doctors and doctors in training on their rights and responsibilities regarding equal opportunity.
- 8.1.5. Provide doctors and doctors in training with access to training and development, career advancement and mentoring opportunities.
- 8.1.6. Provide unconscious bias training for doctors, doctors in training and staff involved in selection of doctors in training for employment and training positions.
- 8.1.7. Develop other policies that support an organisations commitment to equal opportunity including policy on bullying and harassment, flexible work arrangements, return to work following extended leave, doctors' health and well-being, and cultural safety.

9. Dealing with breaches of equal employment opportunity

- 9.1. Medical workplaces and training providers should take a proactive role in promoting equal opportunity and dealing with unlawful discrimination by:
 - 9.1.1. Providing support to any doctor or doctor in training who experiences discrimination at work or during placement including providing assistance in making use of any internal procedures in place at the site or in accessing external forums.
 - 9.1.2. Actively encouraging the reporting of behaviour that breaches equal employment opportunity policy.
 - 9.1.3. Dealing with complaints in a sensitive, impartial, timely and confidential manner, ensuring that people are treated in a dignified and courteous manner, and are accorded natural justice through the use of procedures that are impartial and open.
 - 9.1.4. Providing access to counselling and employee assistance services.

See also:

AMA Position Statement on Sexual harassment in the medical workplace – 2015

AMA Position Statement on Workplace Bullying and Harassment - 2009. Revised 2015

AMA Submission to the RACS Expert Advisory Group on Discrimination, Bullying and Harassment 2015

AMA Position Statement on Flexibility in Medical Work and Training Practices - 2005. Revised 2015.

AMA Position Statement on Safe work environments - 2015

AMA Position Statement on Health and wellbeing of doctors - 2011

References

Australian National University Policy: Equal opportunity.

Australian Human Rights Commission. Ten steps to create a fair and productive workplace.

AIDA position paper on cultural safety for ATSI doctors, medical students and patients.

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ⁱ FAIR WORK ACT 2009 (NO. 28, 2009)

ⁱⁱ Australian Indigenous Doctors' Association Policy Statement. The role of doctors in closing the gap. Canberra: AIDA, 2016.