

Scarlet Alliance Template for member organisations and projects
**1. Affirmative action in employment –
past and current sex workers**

1. CONTEXT

1.1 This policy is framed; within the context of the World Charter for Prostitutes rights, and Ottawa Charter of Health Promotion. In particular, the policy recognises the sex worker's right to:

- protection from discrimination
- education
- representation
- privacy
- work
- liberty and security of person
- housing, food, social security (including income security), medical assistance and welfare

(Org/project Name) is committed to supporting and promoting these rights

2. AFFIRMATIVE ACTION

2.1 Background

(Name of Organisation/project) is a peer organisation. Throughout the history of the sex industry, there has always been informal peer education between sex workers that occurs in sex industry workplaces. Peer education by sex workers employed by, or volunteering at, sex worker organisations is a more formalised example of these same principles. This model of peer education has been extremely effective, particularly in terms of HIV prevention, as evidenced by sex workers' high levels of sexual health and no recorded case of sex worker to client, or client to sex worker HIV transmission in Australia.

The peer model has been used in the HIV sector in Australia with great success. This model acknowledges that the communities most affected by HIV – positive people, gay and other homosexually active men, injecting drug users and sex workers have traditionally experienced discrimination and legal condemnation and that the involvement of affected communities is paramount to an effective response. When people outside of these communities are recruited as educators, prevention and behaviour change messages are often construed as authoritarian and prohibitionist rather than about health promotion.

2.2 In employment, affirmative action can include:

- measures to ensure equal opportunity of employment
- targeting recruitment and setting quotas for sex workers
- variation to terms and conditions of employment to create a more supportive work environment

2.3 (Org/project name) recognises it has a special responsibility as an employer in relation to sex workers given:

- its origins in and accountability to the communities most affected - sex workers
- its leadership role on sex work issues

- its policy development and advocacy functions for sex workers.

(org/project name) understands it is in a position to model best practice in its employment policy that values peer education and the sex workers unique set of skills and experience.

- 2.4 (org/project name) recognises that the active involvement of sex workers in all aspects of its work is critical to its ability to provide leadership in the community, on sex work issues. The views, perspectives and experience of sex workers need to be recognised and acknowledged in the policies, processes, public positions and activities of (org/project name).
- 2.5 (org/project name) recognises that having sex workers work in the organisation as paid staff or volunteers is important to ensure a clear focus on the issues for sex workers in all its activities. Having sex workers employed can increase (org/project name) accountability to and standing amongst sex workers and the sex industry. It further assists in ensuring services are sensitive to the needs of sex workers and that the policies and public statements of (org/project name) actively acknowledge and reflect a evidence based, non-discriminatory portrayal of sex work and sex workers.

3. BENEFITS FOR SEX WORKERS IN WORKING AT (ORG/PROJECT NAME)

- 3.1 (Org/project name) recognises that in adopting this policy it establishes a number of benefits for sex workers including:
- a workplace in which sex workers can choose to be open about their sex work status
 - a workplace free of discrimination on the basis of occupation, in which the experience of sex work is not only acknowledged, but considered an asset
 - the opportunity to contribute to the advancement of (org/project name) objectives to the benefit of sex workers
 - the opportunity to gain experience and additional skills and thereby improve career prospects

4. A SUMMARY OF THE POLICY

When employing a staff member or a volunteer (name of organisation/project) will seek to employ only people with sex work experience. Quite often, when sex workers contact sex worker organisations, they are seeking support around issues of stigma and marginalisation, or information and other services directly related to their work in the sex industry. Because of those unique service provision requirements, we believe that sex workers needs are best met by others who have worked as sex workers and therefore have knowledge and understanding of the issues faced by our community. Should it be impossible to recruit someone with the required skills for the job who also has sex work experience, (name of org/project) will offer the position to the applicant with sex work experience who bests fits the selection criteria and will invest in training and professional development of the applicant to fulfil the required duties.

In order to employ staff and volunteers with the most relevant and meaningful experiences to inform their work (organisation/project) will give preference to those sex workers most closely linked to the community they will be employed to work with. For example males with sex work experience will be recruited to work with male sex workers, people with street sex work experience will be employed to work with street sex workers etc). (Org/project) also give preference to current sex workers over former sex workers, more recent sex workers over people who have not worked in the sex industry for a long time, people who's sex industry career has been extensive over sex workers who have worked for a shorter time, and local sex work experience, over sex workers with experience only in interstate or overseas sex industries. During the interview process, the (org/project) manager and interview panel

Scarlet Alliance Template for Member organisations and Projects. Affirmative action in employment – past and current sex workers will use their discretion in determining which of the candidates best fulfil this criteria, in addition to possessing the requisite qualities, skills and knowledge appropriate to the position

4.2 Where possible, jobs will be designed, and experience and qualifications requirements set, to maximise the potential for sex workers to apply. However, this should not, in any instance, however compromise the commitment of (org/project name) to providing high quality services to its communities.

5. RECRUITMENT PRACTICES

5.1 (org/project name) will advertise vacancies in media which reach a high proportion of sex workers.

5.2 (org/project name) will state in all job descriptions that sex work experience and a willingness to work with a sensitivity towards sex workers is a criteria.

5.3 Considering sex workers are expected to speak about their sex work experience during an interview (org/project) will ensure that interview panels are made up of peers. In the case of employment of a Executive Director or Manager when it is necessary to include a representative from the auspicing body, parent organisation or funding body panels may include one non sex worker, in which case the applicants will be advised of the make up of the panel. The applicant may be asked to give the details of a referee (someone known to (org/project name) who can verify the person's experience as a sex worker) and/or will be asked questions during the selection process that will enable the selection panel to feel satisfied of the applicants sex work history.

5.4 Recorded convictions or other police contact regarding sex work related offences will not impact on a potential employee's chances of securing work at (org/project name)

6. SKILLS DEVELOPMENT & TRAINING

6.1 All employees of (org/project name) will be supported to broaden experience and gain additional skills through training relevant to their position and the overall needs and capacity of the (org/project name). This may include training conducted within the organisation.

6.2 Training opportunities will also be extended to sex worker volunteers of the (org/project name) wherever possible.

7. EMPLOYMENT PRACTICES

7.1 Employees of (org/project name) will be supported to continue their sex work employment should they choose too.

7.2 As far as possible, TOIL arrangements can be used to cover time needed to attend to family or other commitments including those related to sex work, as with all employees.

7.3 (org/project name) acknowledges that employing sex workers to work within their own communities can cause additional work pressures due to:

- Work and private boundaries becoming blurred
- Working with the same people in different roles
- Dealing with personal issues of the service users of (org/project name) and friends.
- Issues of confidentiality

However, (org/project name) believe the skills, experience and benefits of employing peers far outweighs any possible challenge, and to this end (org/project name) commits to professional development activities that explore these work pressures.

8. CONFIDENTIALITY

As it is necessary for a person to disclose their sex work experience to (org/project name) in order to gain employment (org/project name) recognises this may have confidentiality implications. In response, (org/project name) will ensure the selection panel is committed to maintaining confidentiality about the information in all applications

8.2 To be an effective peer educator it is necessary to be open about your sex work experience with the sex workers that use the service. However (org/project name) understands that sex workers often do not tell even their closest friends and family about their sex work. For this reason (org/project name) will not require any staff member or volunteer to identify as a sex worker to individuals/institutions outside of the sex industry, or in any formal medium, without first discussing it with the staff member/volunteer in question. However, prospective applicants should consider that existing literature distributed by (org/project name) may be specific to staff members backgrounds in sex work.

8.3 The duty of confidentiality can only be waived by the person to whom information relates. The consent of that person must be obtained before the information is disclosed to another.

8.4 (org/project name) does not support non voluntary involuntary disclosure of a person's sex work experience. (org/project name) will supervise, assist, provide peer support and/or access to legal advice when staff and volunteers are working in areas where confidentiality is at risk (i.e.media work)

9. DISCRIMINATION AND HARASSMENT

9.1 Discrimination or harassment of employees or volunteers, or those presumed to be sex workers and employees of (org/project name) is not acceptable and will be dealt with in line with (name of project/org) disciplinary procedures.

10. WORKPLACE EDUCATION

10.1 (org/project name) will provide workplace orientation and education on the implementation of this policy and employee rights and responsibilities to staff and volunteers.

11. GRIEVANCES

11.1 Any (org/project name) employee is entitled to have their grievance about the implementation of this policy heard and dealt with. The procedure is outlined in (org/project name) Terms and Conditions of Employment.