

ANTI-DISCRIMINATION POLICY

SCOPE

This policy applies to all staff and students at the University of Cyberjaya (“University”).

POLICY STATEMENT

The University is committed to promoting an environment that is free from discrimination where all staff and students are treated fairly and equitably and aims to ensure that no staff is discriminated based on any protected characteristic under Malaysian law.

1. GENERAL PRINCIPLES

- 1.1 The University is committed to ensuring that all staff and students are treated equally and fairly, with opportunities for career advancement and development based on merit.
- 1.2 Discrimination of any kind is unacceptable and will be addressed promptly and fairly.
- 1.3 The University values diversity in the workplace and strives to create an environment where different perspectives and experiences are respected and celebrated.

2. DISCRIMINATION

- 2.1 There shall be no discrimination based on the following:
 - age;
 - race, colour, ethnic or national origin
 - gender identity; family status, marital status
 - physical disability;
 - religious beliefs; or
 - pregnancy.
- 2.2 Unlawful discrimination, directly or indirectly occurs when an individual or group is treated unfairly based on a characteristic protected by law.
- 2.3 Direct discrimination happens when someone is treated less favourably because of their sex, age, race, or other unlawful reasons.

Example:

A staff was denied a promotion due to being considered too old for the role, or a woman was not hired because she is pregnant, may become pregnant, or the job has been in the past held by men.

- 2.4 Indirect discrimination occurs when a rule or practice is imposed or proposed that may appear to treat everyone equally but unfairly disadvantages people due to their sex, age, race or other unlawful grounds.

Example:

A supervisor makes all staff start work at 8.00 am. While this seems fair, it disadvantages one staff as this individual needs to care for his/her child before preschool starts at 8.30 am. This could be considered indirect discrimination depending on the situation.

Exceptions

- 2.5 In certain circumstances, discrimination based on a protected attribute may not be unlawful because an exception applies. This includes where an action is based on the inherent requirements of a particular position concern.

Example:

There is a vacancy for a job that requires lifting heavy boxes. The employer states that only candidates who have the physical strength needed for this task will be considered. While this might seem like discrimination, it is lawful if the job requires that level of strength.

3. ROLES AND RESPONSIBILITIES

- 3.1 The University will:
 - 3.1.1 ensure that all practices promote equality, diversity, and non-discrimination;
 - 3.1.2 take all necessary steps to enforce violations of this Policy promptly;
 - 3.1.3 offer regular training on non-discrimination practices to all staff and students;

- 3.1.4 provide support services, such as counseling and mediation to staff and students affected by discrimination.
- 3.2 Group HR
 - 3.2.1 ensure compliance with this Policy and address any violations;
 - 3.2.2 conduct thorough, timely, and impartial investigations into any complaints received from the affected staff and students;
 - 3.2.3 handle all reports and investigations professionally and in confidence;
 - 3.2.4 facilitate access to support services including counseling, mediation, and legal assistance, if necessary.
- 3.3 Supervisors must:
 - 3.3.1 treat all staff without discrimination in all aspects of their work;
 - 3.3.2 take immediate action to address any complaints of discrimination among staff;
 - 3.3.3 act as role models for inclusive behaviour and maintain an open and respectful environment.

4. REPORTING AND HANDLING DISCRIMINATION

- 4.1 Reporting Procedures
 - 4.1.1 Staff and students who experience or witness discrimination should report the incident to their immediate Supervisor (for staff) /Student Experience and Global Engagement Department (“SEGE”) (for students);
 - 4.1.2 Staff or students may also report incidents anonymously if they feel uncomfortable making a direct report.
- 4.2 Supervisor/SEGE will commence the investigation by:
 - 4.2.1 acknowledging receipt of the complaint within three (3) working days;
 - 4.2.2 conducting a preliminary assessment to determine the validity of the complaint and if further investigation is required;
 - 4.2.3 carrying out formal investigation and interviewing the complainant, the accused and witnesses;
 - 4.2.4 maintaining confidentiality on the outcomes of the investigation and will only be shared on a need-to-know basis;
 - 4.2.5 taking appropriate actions upon completion of the investigation which may include disciplinary or other corrective actions; and
 - 4.2.6 notifying the complainant and the accused of the outcome of the investigation.

5. CONSEQUENCES OF DISCRIMINATION

Any staff or student found to have engaged in discriminatory conduct will face disciplinary action, which may include:

- (i) For staff
 - first written warning detailing the improvement required;
 - final written warning if the conduct is sufficiently serious; or
 - formal disciplinary proceedings.
- (ii) For students
 - a written undertaking to be of good conduct and behaviour;
 - first written warning detailing the improvement required; or
 - final written warning.

6. RETALIATION

The University strictly prohibits retaliation against any staff or student who reports discrimination or participates in an investigation.

7. CONFIDENTIALITY

The University will handle all reports with the highest degree of confidentiality and protect all parties involved from retaliation, fostering a safe environment for addressing discriminatory behavior.

8. REVIEW AND REVISION

This policy will be reviewed annually to align with the changes in applicable laws in Malaysia.