

BOMBARDIER

DIVERSITY POLICY

Statement of Intent

Bombardier Transportation (UK) Ltd ("The Company") aims to encourage diversity in employment and opposes all forms of unlawful or unfair discrimination on the grounds of race, nationality, ethnic origin, religion, belief, sex, sexual orientation, marital status, disability, membership/non membership of Trade Unions or any other criteria unrelated to an individual's ability to perform the duties of their position.

The Company believes that it is in its best interests, to ensure that the human resources, talents and skills available throughout the community are considered when employment opportunities arise. To this end, the Company will endeavour to employ a workforce which broadly reflects the local community in which it operates.

The Company aims to ensure that individuals are treated equally and fairly in all aspects of their employment. Decisions on recruitment, selection, training, promotion and career management are to be based solely on objective criteria that are directly related to the decisions being taken.

Procedures have been established in an effort to ensure that this policy operates effectively and it is the duty of every employee to play their part in ensuring its success.

Karen Brown
Senior HR Director, UK
November 2004

DIVERSITY POLICY

1. INTRODUCTION

Bombardier Transportation (UK) Ltd ("The Company") aims to ensure equality of opportunity and diversity in employment.

The Company recognises its obligations under the Race Relations Act, Sex Discrimination Act, Disability Discrimination Act, Employment Equality (Religion or Belief) Regulations, Employment Equality (Sexual Orientation) Regulations and the associated Codes of Practice. The Company supports the spirit and intent of the legislation through its policies and practices. Further details of the applicable legislation are included in Appendix 1 of this policy.

The Company will take action to ensure that employees and job applicants are not accorded less favourable treatment on the grounds of disability, race, nationality, ethnic origin, religion, belief, sex, sexual orientation, marital status, disability, membership/non membership of a trade union or on any other legally prohibited basis.

2. RESPONSIBILITY FOR DIVERSITY

All employees are required to act in accordance with the requirements of this policy and the anti-discrimination legislation. Failure to do so may result in disciplinary action which in some cases could be considered as an act of gross misconduct.

There are various levels of responsibility within the Company for ensuring the full implementation of this policy.

2.1. The Company is responsible for:

- 2.1.1. Ensuring that the appropriate policies are in place to ensure that the Company meets in full its obligations, legal or otherwise, in relation to promotion of diversity and equality of opportunity.
- 2.1.2. Monitoring the policy to ensure its effectiveness and taking corrective action if necessary.
- 2.1.3. Providing an environment where allegations and/or complaints of discrimination and harassment can be properly investigated.

Accountability for ensuring that these responsibilities are fulfilled lies with the UK Human Resources Director

2.2. Managers and Supervisors are responsible for:

- 2.2.1. Adopting employment practices which are consistent with the Company's policies on diversity and equality of opportunity.
- 2.2.2. Ensuring that their staff are aware of their individual responsibilities under the policy.
- 2.2.3. Investigating/reporting any acts of discrimination or harassment and ensuring prompt action in accordance with Company policy.
- 2.2.4. Adopting the individual responsibilities.

2.3. Individuals are responsible for:

- 2.3.1. Cooperating with any measure introduced by management to develop diversity or equality of opportunity.
- 2.3.2. Not taking discriminatory actions or decisions.
- 2.3.3. Not placing pressure on fellow employees to act in a discriminatory manner.
- 2.3.4. Not harassing, abusing or intimidating anyone including fellow staff.
- 2.3.5. Informing management if they suspect discriminatory behaviour or harassment.

3. DIVERSITY IN RECRUITMENT AND SELECTION

It is the Company's policy to recruit and promote solely on the basis of ability to do the job.

This means:

- 3.1. Vacancies will normally be advertised internally.
- 3.2. All selection processes will be based on objective job criteria based on the skills, qualifications, relevant experience and aptitudes to do the job.
- 3.3. Overseas qualifications which are comparable with UK qualifications will be accepted as equivalents.
- 3.4. No applicant shall be disadvantaged by requirements or conditions which are not necessary to the performance of the job.
- 3.5. Where a person has a disability (as defined by Disability Discrimination Act) appropriate consideration will be given as to whether a reasonable adjustment can be made to accommodate the individual's needs.
- 3.6. The recruitment process will be reviewed by the local HR Department to determine its effectiveness in terms of equal opportunities.

4. DIVERSITY IN TRAINING AND DEVELOPMENT

- 4.1. The Company is committed to encouraging everyone to learn.

Job related training will be based on the job requirements and the individual's needs. There will be no conditions attached to access to training which could amount to direct or indirect discrimination.

- 4.2. Where appraisal schemes are in place they will focus on individual performance in relation to the requirements of the job. The identification of development needs will similarly be based on the needs of the business and individual needs and aspirations. Where appropriate, training in equality issues will be included in training related to the conduct of appraisal schemes.

The conduct and outcome of any appraisal should be consistent with the Diversity Policy and should not discriminate directly or indirectly.

5. ADJUSTMENTS FOR DIVERSITY

The Company will endeavour to ensure that no employee or job applicant is placed at a disadvantage by requirements or conditions which cannot be shown to be necessary to satisfactory performance of the job. To this end, the Company will consider making such adjustments that are reasonable and practicable in order to accommodate an individual's disability or to enable an individual to observe their religion or belief.

5.1. Adjustments for Disability

The Company is willing to consider reasonable adjustments to the physical features of the premises and/or employment arrangements to help accommodate employees with disabilities and will make every reasonable effort to retain employees who develop a disability or health problem within the course of their employment.

Employees who are in need of such requirements should make the Company aware of such requirements at the earliest available opportunity (normally at interview, although for existing employees who develop a disability, as soon as the disability and the need for an adjustment comes to light).

The Company may involve the services of the Occupational Health Department and/or external bodies to assess what adjustment is necessary and appropriate in individual circumstances.

5.2. Adjustments for Religious or Belief Observation

The Company will consider providing time and facilities for religious or belief observation in the workplace. If no facilities are obviously available, employees should contact their local Human Resources Department.

The Company will do all that is reasonable and practical to enable employees to observe their religion or belief (e.g. accommodation of dress codes) but will not compromise the Health and Safety of employees or other legislative requirements in this respect.

6. HARASSMENT AND BULLYING

Every employee has the right to be treated with dignity and respect and harassment, which may include bullying, of any form is unacceptable.

Harassment takes many forms and results in an individual feeling intimidated, humiliated, offended, threatened, embarrassed or excluded. It may be persistent or an isolated incident.

Examples of harassment are:

- Verbal abuse
- 'Humour' based on difference
- Suggestive remarks
- Demand for sexual favours

- Unwanted physical contact
- Physical assault
- Deliberate exclusion from conversations at work
- Abusing power/position
- Ridiculing or demeaning someone
- Threatening or insulting colleagues

Harassment does not necessarily need to be face to face – it may be by written communications, e- mail, internet or phone for example.

Prompt action is needed to stop harassment. If an employee observes harassment towards another employee the matter should be reported.

If an employee believes that he/she is being harassed the matter should be reported. The harassment will be properly investigated with a view to it ceasing.

The Discrimination and Harassment Procedure, at Appendix 2, outlines the procedure for raising issues where a person believes he/she is being subjected to harassment.

7. COMPLAINTS

Any employee who feels that he/she has been discriminated against should raise his/her grievance through the Company's formal grievance procedures.

If for any reason an employee feels unable to raise the matter in this way, he/she should contact the local Human Resources Department and the matter can be raised through the Harassment and Discrimination Procedure, at Appendix 2.

Alternatively an employee may seek the assistance of his/her trade union.

APPENDIX 1

DISCRIMINATION - THE LEGAL FRAMEWORK.

It is unlawful for an employer to discriminate against persons in recruitment and selection or during employment on the grounds of sex, sexual orientation, marital status, disability, race, religion or belief.

The main legislation relating to discrimination and equal opportunities includes:

Sex Discrimination Act 1975 as amended
Race Relations Act 1976, as amended
Disability Discrimination Act 1995
Employment Equality (Sexual Orientation) Regulations 2003
Employment Equality (Religion or Belief) Regulations 2003

This legislation not only places obligations on the employer but also on the employee not to unlawfully discriminate against a person directly or indirectly in the field of employment.

Discrimination can take the following forms:

Direct: Where a person is treated less favourably on such grounds as colour, race, nationality, ethnic or national origin, gender, marital status, disability, sexual orientation, religion or belief.

Indirect: Where an unjustifiable measure is applied which may be applied equally to all, but which has a disproportionate adverse effect on a group on the grounds of colour, race, nationality, ethnic or national origin, gender, marital status, disability, sexual orientation, religion or belief.

An example of this is a requirement to be 6 foot tall to do a cleaning job. This job requirement is not reasonable but it would also tend to indirectly discriminate against female applicants who would otherwise be suitable, since proportionately there are significantly more men than women who are more than 6 feet tall.

APPENDIX 2

DISCRIMINATION AND HARASSMENT PROCEDURE

It is a disciplinary offence to discriminate against or harass an employee and those responsible will be subject to disciplinary action. Discrimination, harassment or bullying could amount to gross misconduct and result in dismissal. In some cases, it may also be considered unlawful and legal action may be taken.

False accusations of discrimination or harassment can have a serious effect on innocent individuals, therefore should an investigation show that a false accusation has been made appropriate disciplinary action, which could result in dismissal, will be taken.

If an employee believes that he/she is being discriminated against or harassed it is essential that this matter is raised so that the issues are resolved as speedily as possible. The first channel may be to try and resolve it on an informal basis and if this can resolve the situation satisfactorily it is the preferred method.

However there will be occasions when the matter cannot be resolved by using the informal approach or the original issue is sufficiently serious. In these instances a formal approach is required.

The aim of this procedure is to ensure that the Diversity Policy is applied consistently and fairly.

This procedure applies to all staff irrespective of length of service.

Initiating the Procedure

The Company recognises that an individual employee may find it difficult to raise an issue. There are a number of channels open to initiate the process, including discussions with an employee's supervisor or manager, or through a trade union representative, or through the local Human Resources Manager. They can provide advice and can help in determining if an informal approach can be used to resolve the matter satisfactorily. If it is unlikely that the matter can be resolved informally or the circumstances appear to be serious, the formal procedure should be used.

The formal procedure may be initiated by completing a Discrimination and Harassment Procedure Form, a copy of which can be obtained from the employee's local Human Resources Department. This form should be completed and returned to the local Human Resources Manager. Alternatively, an individual may put their complaint in writing, to the Human Resources Manager, outlining the reasons for their complaint and providing relevant details.

The local Human Resources Manager will be responsible for initiating an investigation, which may involve collecting data and interviewing witnesses. If there appears to be a case for initiating the Disciplinary Procedure, the Human Resources Manager will take the necessary action in accordance with that procedure.

When the matter has been fully investigated (and when the Disciplinary Procedure has been exhausted if it was invoked) the Human Resources Manager will make a written summary of his/her findings and make a report to the relevant Senior Manager or Director of the site/division.

If it is concluded that there has been a breach of the Diversity Policy, the Human Resources Manager will make a recommendation of corrective action. This may include an adjustment to the procedures to prevent a recurrence or a specific remedy to mitigate the effects of discrimination.

The corrective action will be communicated to the individual.

Non Victimization

It is unlawful to victimise individuals who have made allegations or complaints on discrimination or provided information about such discrimination.

If such victimisation takes place it will result in disciplinary action being taken against the perpetrator(s). This may be regarded as gross misconduct and could result in dismissal.

Monitoring

The local Human Resources Manager will be responsible for keeping a record of all complaints raised formally or, where applicable, informally through the procedure. These will be summarised statistically.

DISCRIMINATION AND HARASSMENT PROCEDURE

Name:	
Department:	
Site:	

Date(s) of events which led to you initiating this procedure: _____

Outline of issues/events which led you to initiate this procedure:

Witnesses (if applicable)

Signed: _____ **Date:** _____

**This form should be returned to your local Human Resources Manager.
The matter will be fully investigated and you will be informed of the outcome.**