

Unfair treatment your rights

What is discrimination?

Discrimination is when someone treats you unfairly or badly just because you belong to a particular group of people. For example, they may not give you a job, they may not let you join a club, or they may call you rude names. The Anti-Discrimination Board may be able to help you to stop many types of discrimination.

The following types of discrimination are against the law in NSW.

- **Sex discrimination**

When you are treated unfairly because you are a woman or because you are a man.

- **Pregnancy discrimination**

When you are treated unfairly because you are going to have a baby.

- **Breastfeeding discrimination**

When you are treated unfairly because you are breastfeeding or you are expressing milk.

- **Race discrimination**

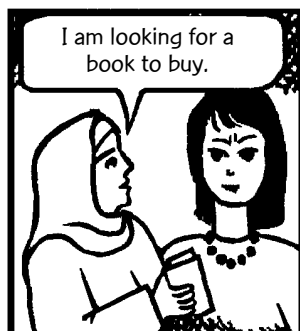
When you are treated unfairly because of your race, your colour, the country you came from or in some cases your religion.

- **Age discrimination**

When you are treated unfairly because of your age, because someone thinks you are too old or too young.

- **Homosexual or lesbian discrimination**

When you are treated unfairly because you are gay or lesbian.



- **Marital or domestic status discrimination**

When you are treated unfairly because you are not married, or because you are married, or because you are living with someone you aren't married to, or because you are separated, or because you are divorced, or because you are a widow or a widower.

- **Disability discrimination**

When you are treated unfairly because you have a disability. For example, you cannot hear, you cannot see, you are sick, you have problems walking, you have a mental illness, or you have HIV/AIDS or hepatitis.

- **Transgender discrimination**

When you are treated unfairly because you are a man who lives or wants to live as a woman, or because you are a woman who lives or wants to live as a man.

- **Carer's responsibilities discrimination**

When you are treated unfairly at work because you look after a child or a close family member.

- **Discrimination because of someone you know**

When you are treated unfairly because of your relative, friend or work colleague's sex, pregnancy, breastfeeding, race, age, marital status, homosexuality or lesbianism, disability, transgender status or carer's responsibilities.

- **Harassment**

When someone treats you badly because of your sex, pregnancy, breastfeeding, race, age, marital status, homosexuality or lesbianism, disability, transgender status or carers' responsibilities, and you are upset by this.

- **Sexual harassment**

When someone behaves sexually towards you and you don't like it. For example, they use sexual words, touch you, put up sexual posters, or tell sexual jokes.

When is this discrimination against the law?

These types of discrimination are against the law in the following situations:

- when you **apply for a job**;
- at **work**;
- when you **study** in public schools, colleges and universities;
- when you **buy things** — in shops, hotels, cafes, restaurants or cinemas;

- when you ask for **services** — from banks, lawyers, doctors, local councils or government offices;
- when you **rent** a flat, house, hotel or motel room, a caravan, an office or a shop;
- when you join or visit a registered **club** — this is a club that sells alcohol or has gambling machines.

Vilification is also against the law

Vilification is when someone shows extreme hatred towards you in public — for example by making a speech, writing on walls, putting up a poster, or putting something on the internet. It is against the law in NSW to vilify you because of your race, because you are homosexual or lesbian, because you have HIV/AIDS, or because you are transgender.

The vilification law does not cover things done in private — for example abusing you over the back fence where no-one else can hear.

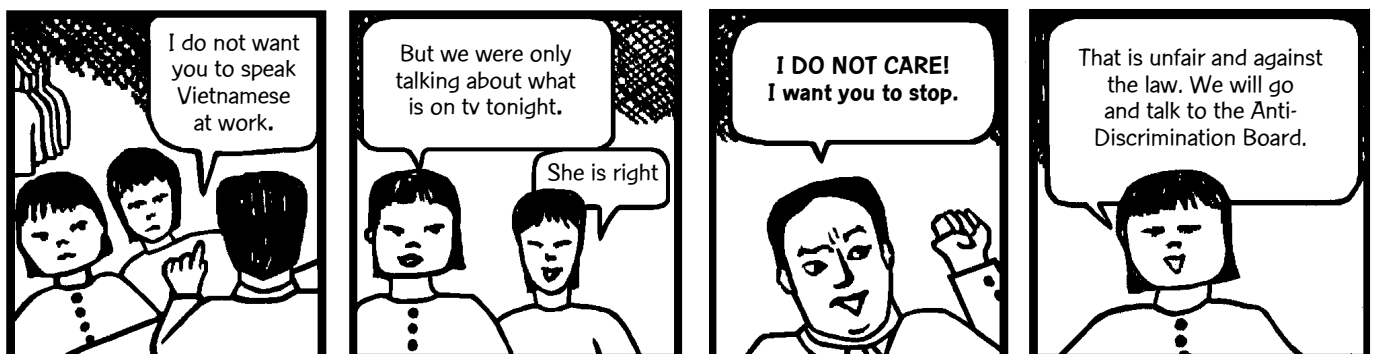
What can I do if one of these things happens to me?

If you need more information, you can phone, write to or visit one of our offices, or look at our website at www.lawlink.nsw.gov.au. If you can't speak English well you can phone the Telephone Interpreter Service on 131 450 and ask them to phone us.

If you think that you have been discriminated against, try talking to the person who discriminated against you. For work problems, you can talk to your boss or to the Equal Employment Officer, if there is one. You can also get help from your union, or from a community organisation.

If you can't fix the problem, you can complain to the Anti-Discrimination Board. You must do this within 12 months from when the discrimination happened. The Board will help you for free, and you don't need a lawyer.

You have to write your complaint. You can make a complaint by filling in complaint form, or writing to the President of the Anti-Discrimination Board. You can write your complaint in any



language, or in Braille. If you can't write your complaint, you can ask someone to help you, for example a friend or a community worker. You can also phone the Board for help.

What will happen next?

We will not tell anyone about your complaint, apart from the person you complained about. We have to tell them so we can give them a fair chance to respond to your complaint. If we think you have been discriminated against, we will try to help you and the person you complained about to solve the problem. We don't support either side when we do this.

What is the Anti-Discrimination Board?

The Anti-Discrimination Board:

- looks after the NSW Anti-Discrimination Act;
- teaches people about the Anti-Discrimination Act;
- listens to people's problems with discrimination and tries to help solve them;
- advises the NSW Government about anti-discrimination issues.

The Anti-Discrimination Board is at:

Parramatta

Level 7, 10 Valentine Avenue
Parramatta, NSW 2150
Phone (02) 9268 5555
Fax (02) 9268 5500

Wollongong

84 Crown Street
Wollongong NSW 2500
Phone (02) 4224 9960
Fax (02) 4267 6261

Newcastle

Level 5, 400 Hunter Street
Newcastle NSW 2300
Phone (02) 4903 5300
Fax (02) 4929 7952

Enquiries (02) 9268 5544

Email: adbcontact@justice.nsw.gov.au

Complaints (02) 9268 5544

Email: complaintsadb@justice.nsw.gov.au

Toll free number 1800 670 812

(if you are calling from outside Sydney)

Website www.antidiscrimination.nsw.gov.au

Access details

All our offices are wheelchair accessible. We can arrange parking for you at our Parramatta and Wollongong offices — phone us before you come to organise this.