

Discrimination

Young Workers Legal Service

46 Greenhill Rd, Wayville, SA 5034
Phone: (08) 8279 2233
Fax: (08) 8279 2223
ywls@saunions.org.au
www.ywls.org.au

Discrimination laws are designed to protect you from being treated less favourably at work as a result of one or more of the following characteristics:

- Age
- Gender
- Sexuality
- Physical or mental disability
- Pregnancy
- Race
- Colour
- Your marital or domestic partnership status
- Religion, religious appearance or dress
- Political opinion
- Family or carer's responsibilities
- National extraction or social origin
- Union membership or lack thereof

If you think you are being subjected to discrimination ask yourself the following questions:

- Have I been treated differently because of one or more of the characteristics listed above?
- Did anyone else get treated in the same way?
- Did anyone say or do anything to suggest I was being treated differently because of one or more of the characteristics listed above?
- Is there a policy or requirement at work that has the effect of disadvantaging me as a result of one or more of the characteristics listed above?

How are you protected?

You have the right to complain about discrimination to your Manager or boss. It is a good idea to make a record of all of the interactions you have with your employer about this issue. It may also be a good idea to record all the incidents you think may be discriminatory. Your employer has a duty to keep you safe and free of harassment and discrimination.

If you feel your employer is not fulfilling its obligation in keeping you free of harassment and discrimination, you may want to complain to the Fair Work Ombudsman, Fair Work Australia, the Equal Opportunity Commission of South Australia, or the Australian Human Rights Commission. Anyone can make a complaint – you can be a full-time, part-time, or casual worker, or under probation, applying for a job, or in training.

Where can you get help?

If you suspect that you have been discriminated against you can contact the Fair Work Ombudsman on 13 13 94, or us on (08) 8279 2233, for help.

This material has been funded by the Australian Government through a Fair Work Ombudsman initiative to produce educative materials on the Fair Work Act 2009.

The Fair Work Ombudsman (FWO) is committed to providing useful, reliable information to help you understand your rights and obligations under workplace laws.

The information contained in this publication within the FWO's jurisdiction as set out in the Fair Work Act 2009 is:

- *general in nature and may not deal with all aspects of the law that are relevant to your specific situation; and*
- *not legal advice.*

Therefore, you may wish to seek independent professional advice to ensure all the factors relevant to your circumstances have been properly considered.

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