



Your right to **A FAIR GO** DISCRIMINATION – PARENTAL STATUS

Discrimination is treating someone unfairly or less favourably because of a personal characteristic. In Victoria it is against the law to discriminate against someone because of their actual or assumed parental status.

What does 'parental status' mean?

Parental status refers to whether someone is (or isn't) a biological parent, step-parent, adoptive parent, foster parent or guardian.

Mei applies for a position as personal assistant to a partner in a legal firm. At the interview, the partner asks Mei if she would be available to work overtime and occasionally on weekends. She replies that this would be no problem. At the end of the interview, the partner walks Mei to the elevator and asks her what she is doing that night. Mei says she is staying home to look after her son who is recovering from a bout of measles. Two days later, the partner tells her she did not get the position because: "Being a mother, you could not give total commitment to the job."

When is discrimination against the law?

Discrimination laws apply to public behaviour, not to private conduct.

Public areas covered by the law include accommodation, clubs and club members, disposal of land, education, employment, goods and services, sport and local government.

The VEOHRC complies with Victorian privacy laws and the confidentiality provisions of the Equal Opportunity Act 1995. For a copy of the VEOHRC's privacy policy, please go to www.humanrightscommission.vic.gov.au/privacy or contact the VEOHRC.

DISCLAIMER: This information is intended as a guide only. It is not a substitute for legal advice.

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Terry and Susan are told they cannot buy a house in a new housing estate because they have two children. The property developers say they are promoting the housing estate as 'luxury child-free' accommodation.

A company requirement that long service leave only be granted to employees with 10 years of uninterrupted employment may indirectly discriminate against parents who are more likely to have taken time off to have and/or care for children.

How can the Victorian Equal Opportunity and Human Rights Commission help?

We help resolve complaints of discrimination by offering a confidential, free and impartial resolution service with the aim of achieving a mutual agreement.

Representative Complaints

Victoria's equal opportunity laws were amended on October 11 2006 making it possible for a person or representative body to lodge a complaint with the Commission on behalf of a named person or persons who believe they have been subjected to discrimination or sexual harassment. A representative must be either a person with the same complaint or an organisation with sufficient interest in the complaint.

Contact our free and confidential
Advice Line: (03) 9281 7100
TOLL FREE (country callers) 1800 134 142
TTY: (03) 9281 7110
Email: information@veohrc.vic.gov.au
Free interpreters are available on request