



## Your right to **A FAIR GO** DISCRIMINATION – PREGNANCY

**Discrimination is treating someone unfairly or less favourably because of a personal characteristic. In Victoria it is against the law to discriminate against a woman because she is pregnant or might become pregnant.**

Sharon is an area manager of an engineering company and responsible for negotiating large corporate contracts. After she becomes pregnant with her second child, her employer tries to demote her to a bookkeeping position of far less pay and status. Sharon's employer tells her he does not believe it is suitable for a pregnant woman to represent the organisation.

April is asked at a job interview if she is planning to have children. The interviewer says he is not interested in "investing in a woman who is going to cost the business money by taking maternity leave."

Maria is three months pregnant. She tells her boss who sacks her.

### **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.

Ben and Lisa are refused accommodation because Lisa is visibly pregnant and the landlord does not want to rent to a couple with children.

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.humanrightscormission.vic.gov.au/privacy](http://www.humanrightscormission.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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Mary's doctor tells her she should not stand for more than three hours a day because it might affect her pregnancy. Mary's employer can restructure her work to accommodate this need.

Dismissing a pregnant woman because of risks in the workplace may be against the law. An alternative position comparable in pay and status must be found and, if this is not possible, leave may need to be given.

### **EXCEPTION**

A person may discriminate against a woman based on pregnancy when it is unavoidable in order to protect the health and safety of the pregnant woman and/or her unborn child

### **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](mailto:information@veohrc.vic.gov.au)  
Free interpreters are available on request

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