



Your right to **A FAIR GO**

DISCRIMINATION – RELIGIOUS BELIEF AND ACTIVITY

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 religious belief or activity.

What does 'religious belief' or 'activity' mean?

Religious belief means holding (or not holding) a religious belief or view that is not against the law. Religious activity means taking part (or not taking part or refusing to take part) in religious activity that is not against the law.

At a job interview with an insurance company, Mariam, a Muslim, is asked about her religious background. Even though Mariam is the best candidate, the HR manager tells her he cannot offer her the job because he believes she will have to leave her workstation for prayer several times a day.

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.

Authorised and printed by the Victorian Equal Opportunity and Human Rights Commission, 3/380 Lonsdale St, Melbourne, Victoria, 3000 April 2007

Gerry and Ian are best friends and golfing partners who apply for membership at a prestigious golf club at the same time. During the selection interview one of the panellists asks Gerry if he always wears a yarmulke, a traditional Jewish head covering. Gerry replies that he does and explains that the yarmulke is securely fastened and never comes free during play. Ian is accepted to the club but Gerry's application is refused.

EXCEPTIONS

A club that exists primarily to preserve a minority culture or a school that operates for students of a particular faith may restrict membership and enrolments based on religious belief.

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