



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

THE  
FACTS

**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 sex.**

Mike sees an advertisement for a job as a sales representative for a cosmetics company. When he telephones to express his interest, the personnel manager says: "Sorry, we don't have any male reps and we like to keep it that way."

Barbara applied to a bus company for a job as a bus driver. She had been a transport driver in the RAAF and has plenty of experience. When the employer gave her the job he said he doubted that she would be able to "hack the pace" and that she would be paid less than the men until she "proved herself."

### **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.

Margaret and Jenny cannot play lawn bowls at the local bowling club on Saturdays because that is reserved for men-only competition. They are told they are welcome to join the club as "associate members" but the club's rules restrict "full ordinary membership" to men.

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](http://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

### **EXCEPTIONS**

Discrimination in favour of a particular gender may be permitted in some circumstances. For example, a boy's school may refuse to admit girls; a women's emergency shelter may restrict accommodation to women.

An employer may offer employment only to a person of a particular sex in some circumstances such as in the provision of welfare or support services to people of the same sex; if it is a genuine occupational requirement, for example in the fitting of clothes or the conducting of body searches; or if it is necessary to maintain authenticity or credibility in dramatic, artistic, entertainment, photographic or modelling performances or work.

### **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