

About us

The Victorian Equal Opportunity & Human Rights Commission (VEOHRC) has responsibilities under three laws:

- The Equal Opportunity Act 1995 (Vic)
- The Racial and Religious Tolerance Act 2001 (Vic)
- The Charter of Human Rights and Responsibilities Act 2006 (Vic).

These laws protect your right to a fair go by making discrimination, sexual harassment, and racial and religious vilification against the law.

The Commission helps people resolve complaints of discrimination, sexual harassment and racial or religious vilification by offering a confidential, free and impartial resolution service with the aim of achieving a mutual agreement. Our other services include:

- a free telephone Advice Line
- publications and workshops
- an education and consultancy service tailored to the needs of workplaces.

The Commission is not a tribunal or court. We do not prosecute, make judgments for or against either side, nor can we award compensation.



Victorian Equal Opportunity & Human Rights Commission

3/380 Lonsdale Street Melbourne Victoria 3000

Advice Line: (03) 9281 7100
Telephone: (03) 9281 7111
Facsimile: (03) 9281 7171
TTY: (03) 9281 7110
Interpreters: (03) 9280 1995
Toll Free: 1800 134 142 (Country Callers)

Email: information@veohrc.vic.gov.au
www.humanrightscommission.vic.gov.au

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

YOUR PRIVACY: The VEOHRC complies with Victorian privacy laws and the confidentiality provisions of the Equal Opportunity Act 1995. Our privacy policy is available online at www.humanrightscommission.vic.gov.au/privacy or by contacting the Commission.

Authorised by the Victorian Equal Opportunity & Human Rights Commission.

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Information on discrimination

Your right to a fair go



Victorian Equal Opportunity
& Human Rights Commission

Discrimination

Discrimination is treating someone unfairly because of a personal characteristic and causing them to be disadvantaged as a result. For example, refusing to employ someone because of their sex, or serve someone in a shop because of their race.

In Victoria, it is against the law to discriminate against someone because of their actual or assumed:

- age
- breastfeeding
- carer status
- disability/impairment
- gender identity
- industrial activity
- lawful sexual activity
- marital status
- parental status
- physical features
- political belief or activity
- pregnancy
- race
- religious belief or activity
- sex
- sexual orientation
- personal association with someone who has, or is assumed to have, any of these characteristics.

For more information, ask for a factsheet on individual personal characteristics.

Direct discrimination occurs when someone is treated unfairly and is disadvantaged because of a personal characteristic that is protected under Victorian law.

Indirect discrimination occurs when treating everybody the same way disadvantages someone because of a personal characteristic.

For example, a factory decides all employees who have worked continuously for the past 10 years will get a pay rise. This indirectly discriminates against women, who are more likely to have interrupted their working lives to have and care for children.

Discriminatory requests for information

It is against the law to ask for information about any of these personal characteristics if it could be used in a discriminatory way.

For example, asking someone at a job interview about their age and not giving them the job because of their answer.

Victimisation

It is against the law to victimise a person for making a complaint about discrimination or sexual harassment.

Where does discrimination occur?

Discrimination is against the law when it occurs in public life, not when it is private conduct or a personal opinion. Public areas covered by the law are:

- **Employment**
- **Goods and services**
- **Education**
- **Accommodation**
- **Clubs** - that are on Crown land or receive funding from the Government or a municipal council.
- **Sports**
- **Land sales or transfers**
- **Local government**

How to handle discrimination

Step 1. Try to resolve the matter informally

If possible, talk to the person who is treating you unfairly, tell them how their behaviour is affecting you, and ask them to stop. If discrimination, sexual harassment or racial or religious vilification is occurring in the workplace you may prefer to talk to your manager or human resources staff if you are uncomfortable speaking directly to the person concerned.

Step 2. Get advice

If you are unable to talk to the person concerned, or if they continue to treat you unfairly, harass or vilify you, contact the Commission. We provide advice over the telephone or in person and can provide a free interpreter.

Step 3. Make a complaint

Our Education and Complaint Officers can help you prepare a written statement of complaint and are available by telephone or in person.

To learn more about the Commission's complaints, investigation and conciliation process, read the 'Resolving a complaint' brochure.

Representative Complaints

Depending on the nature of your issue, you may:

- lodge a complaint yourself
- have a person lodge a complaint on your behalf, if that person has also experienced the same type of discrimination
- have an organisation lodge a complaint on your behalf, if that organisation has sufficient interest in the complaint.

The Education and Complaints Officer will advise you which of these options are available to you.