



Hey... some unfair treatment is against the law

“Unfair treatment... what to do”



Anti-Discrimination Board of NSW



The law in NSW says people

must not

treat you unfairly just because:



You are a person with a disability



You or someone in your family is from a different country,
or are Aboriginal



You are pregnant



You have changed sex (or look like you have)



You care for a family member



You are too old or too young



Of your sex



You are married or single or defacto



You choose a partner who is the same sex as you
(homosexual or lesbian)



You have AIDS

Unfair treatment like
bullying, touching you don't want and
being called names
can be against the law (discrimination)...

butit is only against the law if it happens in one of these areas of your life.

At work or getting a job.



When you rent a house or flat or stay in a motel or any other place you can live.



At some places where you learn - like TAFE.



In shops, banks, cinemas, cafes, hospitals, pubs, clubs, restaurants and government services.

REMEMBER

- * The Anti-Discrimination Act says you can complain about discrimination in these areas of your life but only because you are treated differently because of a reason listed on page 1.
- * If any of this unfair treatment has happened to you, the Anti-Discrimination Board (ADB) can take your complaint.

Carlo gets a fair go!



1 Carlo went to a TV rental shop. He wanted to hire a TV to watch the soccer world cup.



2 The shop keeper asked him to sign some papers. She asked Carlo for anything to show his address. Carlo showed his Disability Support Pension card.



5 Carlo talked with the boss but it didn't work.



6 Carlo went into the Anti-Discrimination Board and they helped him fill in the complaint form.

4

REMEMBER

- * You can ring the Anti-Discrimination Board for advice if the boss doesn't listen to you.
- * Sexual harassment at work is against the law.



3 When she saw Carlo was a person with a disability she said she didn't think Carlo could pay for the TV. She asked Carlo to leave the shop. Carlo thought this was unfair.



4 Carlo rang the Anti-Discrimination Board for advice. They said what she did may be against the law and Carlo should talk to the boss and complain. If the boss didn't do anything to fix the problem then he could make a complaint to the Anti-Discrimination Board.



7 The Anti-Discrimination Board held a meeting to help solve the problem.



8 The shopkeeper said sorry to Carlo for the way she treated him. They let Carlo rent the TV.

- * The boss must do their best to stop harassment happening.
- * The law also says you must not be punished for complaining about unfair treatment.

Letters

From Sam

I wanted to join the local club so I could meet my friends there. I asked the club for help to fill in the form to join. They told me to try another club.

“They didn’t want people like me as members”.

They said I might worry other members because I am a person with disability. I think this is wrong. What should I do?

Sam



Dear Sam

What the club did is against the law. Talk to the boss and complain.

If this doesn’t work ring the Anti-Discrimination Board.

They could help you make a complaint and to try to stop this unfair treatment.



From Lim

I was born in Asia. At work, some of the other workers have been calling me names. This is because I am from another country and I speak little English. I feel bad. What can I do?

Lim



Dear Lim

You can talk with the boss. Ask the boss to explain to the workers that calling you names like this is against the law and they must stop it.

If the workers won’t stop you can ring the Anti-Discrimination Board for advice.

Unfair treatment because of the country you come from is discrimination.



From Ellen

I found a nice flat to rent. The agent asked me to sign a lease. I said I wanted to take the lease home to get help filling it in. When I came back he had given the flat away.

He said that because I am a person with a disability I may not be able to look after a flat.

This is unfair. What can I do?

Ellen



Dear Ellen

The agent treated you unfairly. Explain that this is against the law and they must try and get the flat you wanted back or find you another flat.

If they will not help you do this, ring the Anti-Discrimination Board for advice about making a complaint.



Julia

stops unfair treatment at work



1 Julia worked in a nursery.



2 Her supervisor kept touching her on the shoulders. This upset Julia.



5 Julia and her support worker talked to the manager. The manager said what the supervisor did was wrong and she would fix the problem.



6 The manager talked to the supervisor and told him to stop touching Julia or making her feel uncomfortable. He was not allowed to be a supervisor any more.



3 Julia asked him to stop but he didn't.



4 Julia asked her support worker to help her try and find a way to stop him touching her.



7 The unwanted touching has now stopped and Julia is happy to go to work.

REMEMBER

- * You can ring the Anti-Discrimination Board for advice if the boss doesn't listen to you.
- * Sexual harassment at work is against the law.
- * The boss must do their best to stop harassment happening.
- * The law also says you must not be punished for complaining about unfair treatment.

Nada

stops unfair treatment



Nada

Q What unfair treatment happened to you?

I work in a sheltered workshop. I went to the bank to get a cheque account. I thought that would be a good way to pay my bills.

The bank said because I didn't have a "normal" job they didn't think I would be able to use this account.

The bank did not give me one.

Nada

Q How did you feel?

I was upset and angry. I thought it was so unfair. Just because I have a disability doesn't mean I don't understand how cheques work.

Nada

Q What did you do?

I talked with my support worker. She helped me get advice from the Anti-Discrimination Board. They said this unfair treatment is against the law. We complained to the bank manager.

Nada

Q What did the manager do?

He agreed it was against the law. The bank manager rang me to say sorry and gave me the account.

Nada

Q How did this feel?

I am happy now. I stood up for my rights and everything has worked out.

Making a complaint to the Anti-Discrimination Board of NSW

What can the Anti-Discrimination Board do?

- * They will look at your complaint and help you and the person you have the complaint about find a way of solving the problem.
- * They will not take sides.

Who can complain?

Everyone has a right to make a complaint.

You can complain yourself or these people can complain for you:

- a support person/parent
- advocacy service on your behalf.

Why complain?

- * It is important to stop unfair treatment.
- * It could get worse.
- * It could also happen to other people.

When to complain?

Within 6 months of the unfair treatment happening.

Where to complain?

You can ring the Anti-Discrimination Board advice line on (02) 9268 5544 or 1800 670 812

How complaints are made?

Complaints must be in writing. If you cannot find anyone to help you the Anti-Discrimination Board will help you to do this. It takes some time for the Anti-Discrimination Board to follow a complaint.

unfair
treatment

...what to do



Where to get help

Anti-Discrimination Board of NSW

Level 17,
201 Elizabeth St
Sydney

Phone (02) 9268 5544

TTY (02) 9268 5522

Freecall 1800 670 812

Other services that may be able to help you

Legal Information

Law Access 1300 888 529

Community Legal Centre in your area

Local Aboriginal Legal Service

Disability Legal Services

Disability Discrimination Legal Centre (02) 9310 7722

Intellectual Disability Rights Service (02) 9318 0144

Disability Services

Disability Complaints Service (02) 9319 6549

Council for Intellectual Disability (02) 9211 1611

Multicultural Disability Advocacy Association (02) 9891 6400

Aboriginal Disability Network NSW (02) 9319 6549

Human Rights and Equal
Opportunity Commission

1300 656 419

If you need to
talk with
someone
about unfair
treatment talk
with your
friends, family
or support
workers.

