

FACT SHEET:

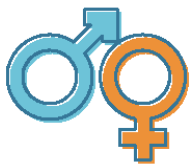
Queensland's Anti-Discrimination Act: an easy read guide

The *Anti-Discrimination Act 1991* is a law that is about giving everyone a fair go. It means that discrimination, sexual harassment, and vilification is against the law in Queensland.

Discrimination

Discrimination is when you are treated worse than somebody else because of something about you, like your race, age, or sex.

The law says people can't discriminate against you because of your:



Sex

This means whether you are male or female, non-binary or another sex.



Relationship status

This means whether you are in a relationship and whether or not you are:

- married;
- single;
- divorced; or
- living with your partner (sometimes called 'de facto').



Pregnancy

This means that you are pregnant or have been pregnant, or if someone thinks you are pregnant (even if you're not).



Parental status

This means whether you have children or not. It includes:

- being a step-parent;
- having adopted children;
- being a foster-parent; and
- not having any children at all.



Breastfeeding

As well as breastfeeding your child, or needing to breastfeed, this includes doing things associated with breastfeeding, like expressing milk.



Age

This means your age, or the age someone thinks you are, whether you are 'too old' or 'too young' or 'not the right age'.



Race

This means the cultural group you belong to. Your race can include your skin colour, the language you speak, and what ethnic group you belong to.



Impairment

Impairment includes many different kinds of disability. It also includes things you might not think of as a disability but which stop you from fully participating in some things. It includes:

- physical disability;
- mental illnesses, like depression, anxiety, schizophrenia, or eating disorders;
- hearing problems or deafness;
- blindness or low vision;
- being sick or ill;
- having learning difficulties, autism or epilepsy;
- relying on a wheelchair, assistance dog, or some other type of support.

It can be something you were born with or something you develop later, or the result of an injury. It doesn't have to be permanent to be an impairment – you might have had it in the past but not anymore.



Religious belief or activity

This means whether you have religious beliefs or not. It includes things people do as part of their religion, like taking part in religious gatherings or ceremonies, or wearing certain clothes.



Political belief or activity

This means what you believe or do about the way governments or councils are run. It includes whether you are a member of a political party, or get involved in a campaign to change a law or help someone get elected.



Lawful sexual activity

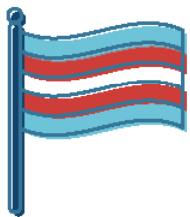
This means that you work legally as a sex worker. In Queensland, sex work is legal if you work in a licensed brothel, or work by yourself at your home or other people's homes.

Trade union activity



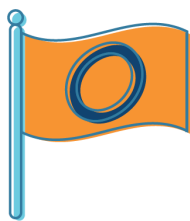
A trade union is an official organisation made up of workers who all have the same sorts of jobs, to look after their rights. Trade union activity might include:

- being a member of the union;
 - talking to your boss or workplace about workers' rights on behalf of the union;
 - going to union meetings; or
 - taking part in Labour Day marches.
- It can also include not being part of the union or refusing to take part in union activities.



Gender identity

This means you identify as a gender which is different to the one you were assigned at birth – for example, if you were labelled as a boy when you were born but live as a woman. It is different from sex.



Sex characteristics*

Some people are born with bodies that are not exactly like what doctors or society thinks are typical for boys and girls. This is sometimes called being intersex or variations of sex characteristics.

Sexuality

Your sexuality is about who you are attracted to. Although there are many sexualities, under the law in Queensland this means whether you are heterosexual, homosexual, or bisexual.



- heterosexual is when you are only attracted to people of another gender. This is sometimes called 'straight';
- homosexual is when you are only attracted to people of the same gender. Men who like other men are sometimes called 'gay', and women who like other women are sometimes called 'lesbian';
- bisexual is when you are attracted to more than one gender – sometimes this is called 'bi'.

Family responsibilities

This means you have a responsibility to look after or support someone in your immediate family, like your:

- husband or wife (including de facto partners and ex partners);
- child (including step-children and foster-children);
- parent or grandparent; or
- brother or sister.

It can include looking after the family of your husband, wife, de facto partner or ex partner.





Association with, or relationship to, someone who has any of these characteristics

Sometimes you might be treated worse than other people because you are with someone who has one or more of the characteristics listed above. It might also be because you're related to someone who has one or more of the characteristics. Treating you less favourably because of this is against the law.

Discrimination against the law?



The law says you must not be discriminated against when you are:

- At work or volunteering, or when you apply for jobs;
- At school, uni or TAFE;
- Buying things in places like shops, restaurants and bars;
- Paying for services, like a mechanic or someone to mow your lawn, or seeing a doctor or dentist;
- Renting a house or unit to live in or for a holiday;
- Dealing with government services like police, Child Safety, public housing, public transport, and health care.

When isn't discrimination against the law?



Sometimes treating people differently isn't against the law. The law includes 'exemptions', or times when it is okay to treat people differently. They can be:

- to make things better for people who might be disadvantaged;
- to protect health and safety;
- to allow religions or cultures to protect their tradition.

Sometimes you might need a special service or facility because of your disability. If it is too hard or costs too much for people to make these changes for you, they might not have to. They have to prove it is too hard or costs too much. This is called unjustifiable hardship.

What else does this law prevent?

Sexual harassment



Sexual harassment is when someone does something that is sexual and makes you upset, embarrassed, or afraid. It is against the law no matter where it happens, whether you are at work or school or just walking down the street.

Examples:

- Someone touching you when you don't want them to;
- Making sexual jokes or comments that make you uncomfortable;
- Asking you questions about your body or your private life;
- Showing or sending you unwanted nude or sexual pictures;
- Asking you to go on dates or to have sex when you don't want to;
- Teasing or insulting you about your body or your sex life.

Vilification



Vilification is when someone says or does something in public, which may make other people hate or make fun of you because of your race, religion, gender identity, sex characteristics,* or sexuality.

It is against the law if it happens in public. That means:

- saying things where other people can hear;
- putting up signs;
- writing things in newspapers or putting them online;
- wearing clothes with slogans or symbols on.

It is also against the law for someone to:

- treat you unfairly because you have complained about discrimination, sexual harassment or vilification;
- ask or encourage you to discriminate against someone else, or sexually harass or vilify them;
- ask for information which they don't need but might use to discriminate against you;
- make or publish an ad which discriminates against people.



Making a complaint

If you have experienced discrimination, sexual harassment, vilification, or victimisation, you can make a complaint.

You don't need to complain to the person or business first, but sometimes it can help resolve the problem quicker if you do.



If you want to complain to the Queensland Human Rights Commission, you have to do it within 12 months of when it happened. You have to complain in writing. Someone can help you do this – it could be a family member, friend, support person or lawyer.

The Commission will try and resolve your complaint through conciliation. This is like a conversation between you and the person or business you are complaining about. It takes place in a safe environment with someone from the Commission there to make sure the process is fair. We will not take sides but we will try and help everyone reach an agreement about how to resolve the issue.

You can call us on 1300 130 670 to find out more or to talk to someone about your issue. More information on your rights is available on our website at www.qhrc.qld.gov.au.