

What's the law?

Australian law for new arrivals

Answer sheet 14: **Discrimination**

October 2016

Requirements: A copy of the DVD

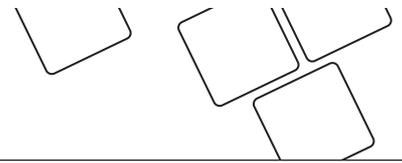
Pre-teaching

Vocabulary: discrimination, legal aid, confidential, race, gender, human rights

Warm up activity to introduce topic: ask the class what sort of rules they have had to follow at work (in Australia or in other countries).

Key messages

1. Discrimination means being treated unfairly or not as well as others because of a characteristic like age, gender, race or marital status (whether is person is married or not).
2. In Australia, the law says that it is wrong to discriminate against someone on these grounds in certain areas of public life. It shouldn't matter what a person's sex, race, marital status, religion, sexuality or gender identity is or what physical features, disability or political views they have.
3. In Victoria, the Equal Opportunity Act makes it unlawful to discriminate against someone because of certain personal attributes (things that are part of them or that make them who they are). These are:
 - age
 - breastfeeding
 - gender identity
 - disability
 - industrial activity
 - lawful sexual activity
 - marital status
 - status as a parent or carer
 - physical features
 - pregnancy
 - race
 - sex
 - sexual orientation
 - political or religious beliefs or activities
 - personal association with anyone who has any of these characteristics.
4. It is against the law to treat a person unfairly or worse than others in the workplace because of any of these personal attributes. It is also against the law in other places, like at school, in hotels and hostels, in sporting activities, in local government, in publically funded clubs and community organisation and when a person or business is providing goods and services.
5. People who believe that they have been discriminated against can make a complaint to the Victorian Equal Opportunity and Human Rights Commission. They can also call legal aid for free information and help.



Answers

Activity A – Watch the story again. Match the right ending to the right sentence.

1. b
2. d
3. a
4. c

Activity B – What is the important information? Read the statements and circle True or False.

1. False
2. False
3. True
4. False
5. True

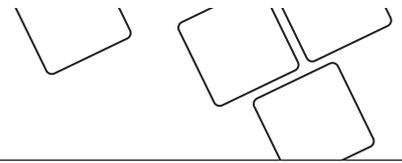
Activity C – Watch Discrimination and answer the questions:

1. Ida believes she is good at working with customers and she has applied for training three times.
2. David says Ida cannot do the training because some customers do not like her hijab.
3. Discrimination (also rude, unfair, mean etc).
4. Sarah says David's treatment of Ida is discrimination and that discrimination is illegal.
5. Legal Aid.

Activity D – Discussion

Activity E – Watch Discrimination again. Look for the screen that tells you where to get help, then complete the missing information in the boxes.

Service	Web address	Phone number
Victoria Legal Aid	www.legalaid.vic.gov.au	1300 792 387
Victorian Equal Opportunity and Human Rights Commission	www.humanrightscommission.vic.gov.au	1300 292 153
Australian Human Rights Commission	www.humanrights.gov.au	1300 656 419
Translating and Interpreting service	www.tisnational.gov.au	131 450



Script for Discrimination story

David Ida, what can I do for you?

Ida I was wondering whether you've approved my application to do customer service training

David Look, um...

Ida Everyone else in the team has done the training. I've applied three times now.

David Yeah... well... customer service is about how you... present yourself. It might not be the best place for you.

Ida I'm really polite. And customers like me. I'm a very honest person. I'm good at my job.

David No, no. It's not that. It's your... scarf thing.

Ida My hijab?

David Well, yes. Look, I'm not racist, but some customers don't like them. So we don't think you should be in customer service. You won't be getting customer training.

We're going to put you in Accounts, away from the customers. We've got all sorts back there.

Ida But... I would rather work with the customers. Accounts isn't my job.

David Ida, if you refuse to go to Accounts, I'll have to let you go.

David Sarah, can you show Ida to Accounts?

Sarah Ida, he can't refuse to train you, or move you to another department, because of your religion. That's discrimination. Discrimination is illegal.

Ida But what can I do about it? He's the boss. And I need this job.

Sarah There are places you can go for help and advice, like Legal Aid. You could call them and see what your options are. They are free, and no one has to know you are getting help.

Ida Hello. My boss won't let me do customer service training because of my religion. He's moved me to another section of the office. He says customers don't like my hijab.

Legal

Help

Officer It sounds like you need some information and advice about discrimination. In Australia, it is against the law to discriminate against people in the workplace because of their religion. Firstly, I need to get some details from you. This is all confidential and will help us work out the best way to help you. There are some different options for what you can do next. If you feel comfortable, you could speak to your boss. If you don't want to do this, or if the behaviour doesn't stop, we can help you write a letter to your boss explaining that what he is doing is discrimination and that it is against the law. This letter could ask your boss to stop the behaviour, apologise to you, pay some money for the damage caused, or do some training to make sure it doesn't happen again. If this still doesn't work, we can help you make a complaint with a human rights commission.