

# RIGHTS AND RESPONSIBILITIES

Discrimination is  
preventable – think before  
you speak or act.

**Equal Opportunity Tasmania**

(the office of the Anti-Discrimination Commissioner)

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Celebrating Difference  
Embracing Equality

# RIGHTS AND RESPONSIBILITIES

## We can all play a part in preventing discrimination

Everyone has the right to live their life free of discrimination, harassment and vilification.

Discrimination occurs when a person is treated unfairly, or denied the same opportunities as other people, because of their gender, race, disability, age, religion, or a number of other personal characteristics.

It does not matter that the person or organisation discriminating didn't mean to cause harm or there were also other reasons for doing what they did. Any discrimination or other conduct prohibited under discrimination law may become the subject of a complaint, and the person or organisation responsible may be investigated.

### What can you do?

As an individual, take a moment to consider how your actions may be affecting others and what you can do to ensure those around you are being treated with dignity and respect.

As an individual, check the organisations you are involved with have sound and inclusive practices (including for employment and service delivery), and have and promote a culture of respect.

Check the social networks or groups you are involved in are inclusive and respectful of diversity.

As a business owner, employer or manager, understand your responsibility to ensure all people involved with your organisation understand and do not engage in discrimination or prohibited conduct.

Report discriminatory behaviour you witness, and encourage the target of the behaviour to make a complaint.

## What to do if you experience discrimination or harassment?

If you are subjected to behaviour you think is discriminatory or targets you because of a personal characteristic, you may make a complaint. To do this, contact our office. This service is free. We cannot give legal advice, but we can explain how the law works and what it covers. We can also help with writing down a complaint.

### Who is responsible?

While the person discriminating or engaging in prejudiced conduct will usually be held responsible, others may also have legal responsibility. If an employer has not taken reasonable steps to make staff aware of their rights and obligations or to prevent or stop discriminatory behaviour by their staff, for example, then the employer may also be responsible and be named in a complaint and investigated.

Organisations, including employers, have special obligations under Tasmanian law to take action to prevent discriminatory conduct. You can contact our office to find out more.

### Want more information?

If you want to understand more about how discrimination law works or learn more about how to make your organisation's practices and policies free from discrimination and other prohibited conduct you can contact our office. We can give you further information and talk to you about training. There is also information on our website.

## The law in action

Ron is a shift worker with three small children. His eldest child was seriously injured and is in hospital. Ron asks to change his work roster so he can care for the other two children while his partner stays at the hospital. His employer is aware of the requirement to have work practices that treat people with family responsibilities fairly. The employer considers the nature of the work Ron does and agrees to the request.

Lisa sees a Sudanese couple being verbally abused on a bus. She is encouraged by the actions of the bus driver and other passengers who intervene to stop the behaviour, and decides to report the incident to the Anti-Discrimination Commissioner. She finds the *Report It!* form on the website and reports what she saw.

Les is the Human Resources Manager in a large organisation employing people in a wide variety of jobs. He is concerned that the organisation's human resources policies are out of date and don't reflect the legal obligation to have inclusive and non-discriminatory approaches. He arranges to have the company's recruitment guidelines reviewed to ensure those responsible for advertising and selecting new staff adopt best practice and understand their obligations under discrimination law. The organisation's policies are also updated and Les arranges training for all staff, including managers.