



Carers discrimination

What is carers discrimination?

Carers discrimination is against the law at work. It is when you have been treated less favourably because of your responsibilities as a carer.

The law protects people who support or care for:

- their child (including a stepchild, adopted child or foster child)
- a child or adult for whom they are a guardian
- a family member.

Indirect discrimination is also against the law. This is when a rule or requirement is the same for everyone but unfairly affects people who have responsibilities as a carer, and is not reasonable in the circumstances.

Where is carers discrimination against the law?

Carers discrimination is against the law in certain public places, including:

- **workplaces**, such as when you apply for a job or while you are at work
- **employment agencies**, such as when you use recruitment companies
- **industrial organisations**, such as membership of a union
- **qualifying bodies**, such as an institute which issues qualifications.



What can I do if I experience carers discrimination?

If you think that you have experienced carers discrimination, you can first try speaking to the person or organisation responsible to let them know you have been treated unfairly. If you don't feel comfortable doing this, or if it isn't appropriate, you can contact us to make a complaint of discrimination. You can write your complaint in your language, and we will have it translated for free into English. If writing your complaint is difficult, you can contact us to discuss other ways to submit your complaint.

You can contact our enquiry service if you need more information or are unsure if you have experienced carers discrimination.

Useful contacts

Translating and Interpreting Service – 131 450

Law Access – 1300 888 529

Complaint case study

Jason* is a primary carer for his wife who has epilepsy. His wife regularly had severe seizures, so occasionally Jason had to leave work urgently and return home to look after her.

Jason was transferred to a new work location over an hour away from home. When Jason spoke to his manager, he was told that he did not apply for jobs closer to home, which Jason disputed. Jason had tried very hard to find a job within his organisation that was closer to home.

Jason lodged a complaint of carers discrimination with ADNSW.

During conciliation, the complaint was resolved when the employer agreed to transfer Jason back to his original work location.

*Name has been changed to protect the privacy of the individual.

This fact sheet has general information about discrimination and there are exceptions to the law. Please contact us if you have questions about carers discrimination or you would like information about how to make a complaint.

Anti-Discrimination NSW

Enquiries

Phone: 02 9268 5544

Free call: 1800 670 812

Email: complaintsadb@justice.nsw.gov.au

Postal address

Locked Bag 5000

Parramatta NSW 2124

Website

antidiscrimination.nsw.gov.au