



# Sex discrimination

## What is sex discrimination?

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Sex discrimination is when you have been treated less favourably because:

- of your sex (because you are a man or a woman)
- you are the relative, friend or colleague of someone of a particular sex.

Indirect discrimination is also against the law. This is when a rule or requirement is the same for everyone but unfairly affects people of a particular sex, and is not reasonable in the circumstances.

### Related information

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**Pregnancy and breastfeeding discrimination is against the law.**

**Sexual harassment is also against the law.**

**Visit our website to learn more.**

## Where is sex discrimination against the law?

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Sex 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
- **when you access goods and services**, such as when you go shopping, do your banking or access medical services
- **state education**, such as when you apply for study and during your studies
- **accommodation**, such as when you rent accommodation
- **industrial organisations**, such as membership of a union
- **qualifying bodies**, such as an institute which issues qualifications
- **at registered clubs**, such as when you try to enter or join a club that sells alcohol or has gambling machines.



## What can I do if I experience sex discrimination?

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If you think that you have experienced sex 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 sex discrimination.

### Useful contacts

**Translating and Interpreting Service** – 131 450

**Law Access** – 1300 888 529

## Complaint case study

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**Shabnam\* attended a girls-only high school and was required to wear a dress or skirt as part of the school uniform. Shabnam's mother made a complaint to the school. The school responded stating that girls can wear shorts, but this is not a part of the official school uniform.**

**Shabnam felt humiliated and distressed when she was named at assembly and in class as not wearing the uniform. Shabnam and her mother lodged a complaint with ADNSW.**

**At conciliation, the school representatives agreed that female students should be able to wear trousers or shorts. They also agreed to immediately include this in the standard school uniform policy and notify parents.**

**A timeline was established for the process in which the new uniform items would be available for sale. These arrangements resolved the complaint.**

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

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This fact sheet has general information about discrimination and there are exceptions to the law. Please contact us if you have questions about sex 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](mailto:complaintsadb@justice.nsw.gov.au)

#### Postal address

Locked Bag 5000

Parramatta NSW 2124

#### Website

[antidiscrimination.nsw.gov.au](http://antidiscrimination.nsw.gov.au)