



Sex discrimination

What is sex discrimination?

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

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?

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.

Complaint case study

Jane* and Mark* were work colleagues. While working at a client's property, they had a conversation containing sexual content which was overheard and reported to their employer.

Jane's employment was terminated but Mark's employment was not. Jane lodged a complaint of sex discrimination with ADNSW.

At conciliation, the employer said they had not actually dismissed Jane and provided her with a separation certificate at her request.

The complaint was resolved when Jane accepted a payment of \$10,000 in settlement from the employer.

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



What can I do if I experience sex discrimination?

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



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:
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Postal address

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Parramatta NSW 2124

Website

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