



Victimisation

What is victimisation?

It is against the law for anyone to treat you unfairly because you have made (or plan to make) a complaint of discrimination or because you have provided information or evidence about a complaint. This is called victimisation.

What can I do if I experience victimisation?

If you feel you have been victimised, you can contact us to make a complaint.

In some cases, a victimisation complaint has been upheld even though the original complaint of discrimination was not.

If you are unsure if you have experienced victimisation or need more information, you can contact our enquiry service.

Useful contacts

Translating and Interpreting Service – 131 450

Law Access – 1300 888 529

Complaint case study

Einar* was employed by labour hire company (company A) as a driver for company B.

Company B encouraged Einar to apply for direct employment as a driver with them. When Einar applied for the position, he was later advised by the hiring manager that he was unsuccessful because he did not pass the company's hearing test.

Einar complained that he had been doing the role sufficiently for five years and did not have a hearing disability. Company B responded by refusing to have him on their worksite. Einar's current employer (company A) was unable to provide him with anymore work at company B's worksite. Einar made a complaint of victimisation with ADNSW against company B for refusing to have him on their worksite because he complained about them.

At conciliation, the matter was resolved when company B's management offered Einar direct employment.

*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 victimisation or you would like information about how to make a complaint.

Anti-Discrimination NSW

Enquiries

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