

FACT SHEET

Sexual Orientation Discrimination...

Same sex attracted young people face a lot of pressure, that's a fact. This pressure can include, but is not limited to stress, feeling isolated, feeling vulnerable, being bullied and peer group pressure. This fact sheet was produced to provide same sex attracted young people with some information about their rights, and how to use those rights.

FACT

It is unlawful under the *Equal Opportunity Act 1984* to discriminate against a person because of their sexual orientation.

Under the Act sexual orientation means a person's heterosexuality, homosexuality, lesbianism or bisexuality, and includes heterosexuality, homosexuality, lesbianism or bisexuality imputed to that person by others.

It is also unlawful to discriminate against a person because of the sexual orientation of a relative or associate.

FACT

Under the Act it is unlawful to discriminate against someone because of their sexual orientation in certain areas of public life and those areas include:

- Employment
- Education
- Access to places and vehicles
- Provision of goods, services or facilities
- Accommodation
- Disposal of land
- Clubs
- Application forms.

FACT

Under the Act anyone who causes, instructs, induces, aids or permits someone else to do something that is unlawful under the Act shall, for the purposes of the Act be taken to have done the act.

FACT

Anyone who believes they have been discriminated against because of their sexual orientation, or assumed sexual orientation, can lodge a complaint with the Equal Opportunity Commissioner.

...know the facts...

...know the exceptions...

EXCEPTIONS

Discrimination on the ground of sexual orientation is not unlawful in some instances, and some of these exceptions include:

- measures intended to ensure that people of a particular sexual orientation have equal opportunities with other people
- measures to ensure people of a particular sexual orientation have access to facilities, services or opportunities to meet special needs in relation to employment, education, training and welfare
- accommodation provided in private households for up to four people, or
- accommodation provided by a religious body
- employment, education or training at a religious educational institution
- admission as a member, and benefits provided to members, of a voluntary organisation
- the provision of charitable benefits.

FACT

Under the Act it is also unlawful to discriminate against someone because of their:

- Age - being regarded as too young or too old*
- Family responsibility - having a caring role
- Family status - being a relative or a particular person or having the status of being a particular relative
- Gender history - having a reassigned gender as certified under the *Gender Reassignment Act 2000*
- Impairment - having a physical, intellectual or mental disability that is current, past or imputed*
- Marital status - being single, married, a de facto partner, separated, divorced or widowed
- Political or Religious conviction - or lack of conviction
- Pregnancy
- Race - including colour, ethnicity or national origin or descent*
- Racial harassment - including offensive or insulting comments or other behaviour about a person's colour, ethnic background or origin
- Sex - being a man or woman
- Sexual harassment - including unwelcome requests for sexual favours, touching and sexual comments about a person.

*The Act may also apply to a relative or a person who has a close relationship to a person affected by these grounds.