

# What is

# discrimination?



## What is discrimination?

Discrimination is treating a person unfairly because of particular personal characteristics or because they belong to a certain group.

It is unlawful to discriminate against people on these grounds:

- age
- sex
- gender identity
- sexual orientation
- intersex status
- race
- disability
- marital or domestic partnership status
- identity of spouse or domestic partner
- pregnancy
- association with child
- caring responsibilities
- religious appearance or dress.

## When is discrimination against the law?

It is unlawful to discriminate against people in eight areas:

- work
- education
- providing goods and services
- accommodation
- clubs and associations
- granting qualifications
- advertising
- selling land.

It is unlawful to discriminate against people because of their religious dress in the areas of employment or education.

It is unlawful to discriminate against people because of their association with a child in customer service or in accommodation. It is also unlawful to discriminate in education because a student is breast feeding.

Discrimination can be direct or indirect.

## Examples of direct discrimination?

Gerry applied for a hotel management course. He was refused enrolment because at 46 he was considered “too old”.

**The course organisers have directly discriminated against Gerry because of his age.**

Ellen, an Aboriginal office worker, was often commented on by her colleagues. They kept remarking on her colour even after she asked them to stop.

**Ellen’s colleagues and employer have directly discriminated against her because of her race.**

## What is indirect discrimination?

This is treatment that appears to be equal but is unfair on some people because of their age, sex, chosen gender, race, disability, sexuality, marital or domestic partnership status, pregnancy or caring responsibilities.

It is unlawful only if unreasonable.

Deanna, who was partially blind, wanted to pay for her groceries by cheque. To use a cheque she had to show her driver’s licence. She did not have a licence due to her visual impairment. The store said other forms of identification were not acceptable, but could not explain why.

**The store indirectly discriminated against Deanna because of her disability.**

There are also Federal laws that cover different types of discrimination. If you are unsure, contact us for more information.

Our service is free and impartial.

Need more information?  
Want to make a complaint?

**Contact the Equal Opportunity  
Commission of South Australia**



**Government of South Australia**  
Equal Opportunity Commission

GPO Exchange, Level 15, 10 Franklin Street,  
Adelaide SA 5000

GPO BOX 464, Adelaide SA 5001

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