

# Unlawful Discrimination in Western Australia

Some types of unequal treatment are against the law in Western Australia (WA). The Equal Opportunity Act 1984 (WA) is a law that protects you from being treated unequally compared to others.

The Equal Opportunity Commission helps people understand this law. We can explain what your rights are and what you can do if you think those rights have been broken.

## What is Discrimination?

Discrimination is when someone treats you unequally, or worse than other people, because of who you are. This can happen because of things about you that are part of who you are. These are called **grounds**.

The law protects you from discrimination based on certain **grounds**. These include your:

- **Race:** Where you were born, your culture, your accent or skin colour
- **Sex:** Male or female
- **Age:** How old you are
- **Disability,** also called impairment
- **Sexual orientation:** Being heterosexual, homosexual, lesbian, or bisexual
- **Family responsibility:** Needing to care for a family member
- **Family status:** Being related to someone
- **Religion:** Includes not having a religion
- **Political beliefs:** Who you do or do not vote for in an election
- **Marital status:** Being married, unmarried or divorced
- **Gender history:** Changes to your sex on your birth certificate
- **Pregnancy**
- **Breastfeeding,** or bottle feeding
- **Spent conviction:** When a crime is no longer on your criminal record

You are also protected if you are treated unequally because of the race, age, disability, or sexual orientation of a family member or someone close to you.

Discrimination can also happen in ways that are harder to see. For example, it can happen when a rule is made for everyone, but that rule is hard for you to follow, or impossible for you to follow, because of one of the **grounds**.

## What We Can Help You With



We may be able to help if you have been treated unequally because of one of the **grounds**, when it has happened in one of the following **areas** of public life:

- Work and employment
- Accommodation (for example, renting)
- Education and training
- Buying things and using services or facilities
- Using public places or transport
- Buying or selling land
- Joining clubs or associations
- Filling in forms or applications
- Advertisements
- Superannuation and provident funds
- Insurance
- Sport

For example, Alex's workplace (**area**) changes the time everyone must be at work from before 9:30am to before 8:00am. But, Alex must take their children to school (**family responsibility**), so this rule is impossible for Alex to follow.

## What Can You Do?

If you think you have been treated unequally because of one of the **grounds**, and it happened in one of the **areas** where we can help you, you can make a complaint to the Equal Opportunity Commission.

If you would like more information, you can call our enquiry service on **08 9216 3900**.

Our enquiry officers can explain your rights and help you understand whether what happened to you may be against the law in Western Australia.

## How to Make a Complaint



Your complaint must be because of one of the **grounds** (listed on page 1) and it needs to have happened in one of the **areas** where we can help you (listed on page 2).



Your complaint needs to be **written**. You can complete the Complaint Form on our website or you can email or post your complaint to us. These details are at the bottom of this page.

You can ask someone you trust to help you write your complaint.



You can write your complaint in the language you are most comfortable using, it **does not** have to be in English.

We will translate your complaint when we receive it.



The thing you are complaining about must have taken place in the **last 12 months**.

## What to Include in Your Complaint

When you write your complaint, you need to explain **what happened, where it happened** and include important details like:

- Who treated you unequally (or who discriminated against you)
- How they treated you unequally (what they did or are doing now)
- When it happened (provide dates and times)
- How it impacted you or made you feel
- What you would like to happen to fix the problem

## Where to Send Your Written Complaint

You can complete the **Complaint Form** on our website.



[shorturl.at/LPF03](https://shorturl.at/LPF03)

Scan the QR code with your phone's camera or click the link if you are reading this online.

You can **email** us your complaint:  
[eoc@eoc.wa.gov.au](mailto:eoc@eoc.wa.gov.au)

You can **post** your complaint to us using the address below:

**Equal Opportunity Commission**  
Albert Facey House, 469 Wellington Street, Perth WA 6000

## What Happens Next?

We receive your complaint and send you an email to confirm we have it.

We also read your complaint and check if it is covered by the Equal Opportunity Act.

The person or people you complained about are told and asked to respond.

Your Conciliation Officer collects all the information we need from you and them.

If your complaint cannot be resolved, and if your case is strong, it may go to the State Administrative Tribunal to be resolved.

Complaints can also be closed if your case isn't strong.



If it is not covered, we explain why and suggest another service that may be able to help you.

If it is covered, you are given a Conciliation Officer, who may contact you by phone or email. If your details change, let them know.


We try to resolve the issue. We may bring everyone together to talk and find a solution.

This is called conciliation. It can happen in person, by phone, or email.




It is important to remember the Equal Opportunity Commission does not take sides. We aim to be fair to everyone.

### Call

General enquiries: 08 9216 3900  
Country callers: 1800 198 149

 Interpreter service: 13 14 50

### Online

 [eoc@eoc.wa.gov.au](mailto:eoc@eoc.wa.gov.au)  
 [www.eoc.wa.gov.au](http://www.eoc.wa.gov.au)  
 @WA.EOC

### Our Office

Albert Facey House  
469 Wellington Street  
Perth WA 6000

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