



PREGNANCY AND BREASTFEEDING DISCRIMINATION

What is discrimination based on pregnancy and breastfeeding?

It is treating you unfairly or less favourably than others because you are pregnant or might become pregnant, or because you want to breastfeed your baby.

Discrimination such as this may be unlawful depending on the circumstances.

Examples:

At a job interview, a woman is asked if she is thinking about becoming pregnant.

When you tell your employer you are pregnant, you are made redundant.

Your employer unreasonably refuses to provide a clean quiet place for you to express milk while at work.

You are asked to leave a restaurant when you start to breastfeed.

The law that prohibits discrimination on the basis of pregnancy and breastfeeding is the Queensland *Anti-Discrimination Act 1991*.

When and where can discrimination happen?

Unlawful discrimination on the basis of pregnancy and breastfeeding can happen at work, school or college, in a shop or a restaurant, looking for accommodation, buying property, applying for credit, insurance or a loan, or dealing with tradespeople, businesses or state and local government.

What can I do about it?

You could talk to the person or people involved. Tell them you object to what they are doing, and ask them to stop. Often, this is enough.

If the behaviour happened at work, ask your manager, union representative or contact officer what you might do. If your workplace has a process for dealing with complaints, you could lodge a complaint with your employer.

You could also phone or visit one of our offices. Our staff can give you information about the law and explain how complaints are handled.

How do I make a complaint?

Write down the details of what happened to you in a letter, get a complaint form from our website (www.adcq.qld.gov.au) or call one of our offices for a form.

Include:

- your name, address for service and phone number
- a description of what happened, when and where
- who your complaint is about and
- any other useful information.

Your complaint must be lodged with the Commission within twelve months of the discrimination happening.

The Commission's service is free. However, you may have to pay for any legal or other advice you decide to get.

Your complaint can be in any language as we will use translators if we need to.

What happens to my complaint?

Your complaint will be assessed to see if the conduct you describe may be illegal. If so, we may arrange a meeting with both you and the person or people you have complained about to discuss the issues and try to come to some agreement. The Commission will not take sides or represent anyone.

If you can't agree, the complaint may be referred to the Anti-Discrimination

Tribunal, which will hold a public hearing and make a decision based on the evidence.

What else do I need to know?

The Commission runs information sessions and training courses about anti-discrimination law. We also have brochures on a range of discrimination issues.

There is a federal
Sex Discrimination Act 1984, which is
administered by the Human Rights and
Equal Opportunity Commission,
phone 1300 656 419.