

## Question 20

Discrimination occurs when a person is treated unfairly or harassed because of their:

- race
- age
- religious beliefs
- gender
- cultural background
- sexual preference

Discrimination also occurs when a person is dismissed or not given a job on any of the above grounds. This is especially true when a person is not employed into a position even though they may have the best qualifications, but because of some factor to do with who they are, the person is not given the job. This is discrimination and this is illegal.

In every organisation across Australia both the employer and the employee have rights and responsibilities towards one another. These include working conditions, rates of pay, hours of attendance, conduct, leave entitlements and performing of tasks.

In the case of discrimination both the employer and the employee still have rights and responsibilities but it is up to the employer to try and ensure that discrimination in the workplace does not occur at all.



The employer has the rights and responsibilities in discrimination to:

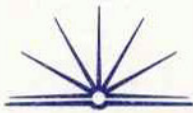
- Employ a person based on merit of skill
- Deal with any reported cases of discrimination between employees
- Expect that employees treat each other fairly and as equals
- Not dismiss any employee on unfair grounds

The employees has the rights and responsibilities in discrimination to:

- A safe and happy working environment free from persecution and harassment
- Not to treat colleagues unfairly or unequally
- If harassment occurs for someone to take the report seriously and dealt with
- To be employed because of their skills
- Not to be dismissed without fair warning or reason

These rights and responsibilities in the case of discrimination are in place for both employers and employees to try and reduce the number of incidents of discrimination within the Australian workforce.

The Australian Government introduced Anti-Discrimination laws which made it illegal and penalties incurred if a person was discriminated against in the Australian Workforce, because of their race, gender, age, sexual preference, cultural background or religious

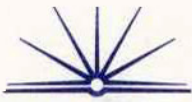


believes.

The legislation also provided government agencies that would hear claims of discrimination and deal with them in the relevant and appropriate manner. If a person claimed to have been discriminated against the government officials would investigate to see if this claim was real and if so they have the responsibility to do something about it so that discrimination no longer occurs in the Australian workforce.

The Anti-Discrimination laws may have benefited many Australian workers and help reduce discrimination in the workforce but the fact still remains that discrimination in Australian workforce is still continuing in 2001. Claims of discrimination are still coming from small and large business organisations.

These reports indicate that still more is needed so as to reduce and hopefully one day eliminate workplace discrimination. This may mean that the relevant officials need to review the legislation and make amends. This could be done through increasing penalties to those found guilty of discrimination and through workplace education on discrimination and Anti-Discrimination laws.



Through education in the workplace ~~&~~ all workers would be able to see what the effects of discrimination on a person can have. They will also be aware of the risks and penalties that will occur if they are found to have discriminated against a colleague within their workplace. The education would also ~~the~~ employer ~~of~~ been fully aware of their responsibilities towards an employee when they are informed that discrimination is occurring within their workplace.