



Discrimination at work

A guide for young people
with disability



What is covered in this fact sheet?

- Knowing your rights in the workplace
- What is discrimination?
- What evidence to collect
- Take action early

Knowing your rights

As a young person with disability, you are protected by the Disability Discrimination Act. This makes it illegal for employers to treat you unfairly, or differently from your non-disabled peers, or to refuse to make reasonable adjustments in your workplace.



What is discrimination?

Disability discrimination is the unethical and unjust treatment of people because of their disability.



Discrimination happens when people with disability are treated differently than their non-disabled peers, or when workplace policy or rules are unfair or have a negative impact.

Examples of discrimination:



you are refused access based on mobility aids like a wheelchair or guide dog



you are refused a job interview because you have disclosed your disability



your employer refuses to make necessary workplace adjustments



your employer fires or demotes you because of your disability



your employer reduces your hours or rate of pay because of your disability



bullying, harassment and ableism

**This is not an exhaustive list.
Discrimination can take many forms.**

What you can do if you have experienced discrimination

There are several steps you can take if you experience discrimination.



Gathering evidence like photos or video, or keeping a written record of when and how you have been treated unfairly, is important.

Once you have this evidence, you can talk to a trusted coworker, a workplace champion, a manager, a friend or family member or you can talk to your employer directly about it. It can be nerve-wracking, but your employer needs to listen to you. You deserve to be treated with respect.

You can also make a complaint to the Human Rights Commission, or reach out to an individual advocacy organisation who can make a complaint on your behalf. The complaints process is free and confidential.



Steps you can take:

- gather evidence of unfair treatment by your employer
- talk to your employer directly
- tell a workplace champion
- make a complaint to the Human Rights Commission
- contact an individual advocacy organisation
- tell someone you trust

Individual advocacy organisations give support and advice to protect the rights of people with disability.

What information to collect



When you are preparing to make a complaint or raise an issue, you will need to be clear about what happened, where, and who was involved.

It is important to have examples of what happened to you, and why you believe it is discrimination.



Self-advocacy and speaking to your employer directly

Sometimes it can be hard to trust others to speak on your behalf when you are the expert of your own lived experience. Self-advocacy does not mean you cannot get support from others, but you are in charge of making your own decisions and choices.



Self-advocacy tips:

- know your rights in the workplace
- identify what went wrong
- identify who can help you, like a workplace champion or advocate

Take action early



It is good to collect evidence of how your employer has treated you unfairly right away, so it does not keep happening.

You have the right to work in an inclusive, accessible and safe environment. It is illegal for your employer to treat you unfairly or refuse to make reasonable adjustments based on your access needs.



Tip to remember:

Some actions your employer takes may seem like discrimination, like disciplinary action. It is only discrimination if they have taken these actions because of your disability.

Helpful Links

[Disability Discrimination Act 1992 - Easy Read](#)

[Know your rights: Disability discrimination | Australian Human Rights Commission](#)

[Your Rights as an Employee under the Disability Discrimination Act | IncludeAbility](#)

[Workplace Discrimination | Australian Unions](#)

[People with Disability Australia \(for advocacy services in NSW and Queensland\)](#)

[Youth Disability Advocacy Service \(for youth advocacy services in Victoria\)](#)

[Ask Izzy \(to find an advocacy service near you\)](#)

Disclaimer

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This fact sheet was current as of September 2023 and may not contain the most recent information and updates. Information is provided as a general guide and should not be considered legal or professional advice.

