

# GENDER

## *identity* and *discrimination*

**N**ew legislation regarding gender identity and discrimination has recently come into effect. This legislation amended the Equal Opportunity Act 1995 to make it unlawful, in Victoria, to treat someone unfairly or harass them on the basis of gender in the areas of:

**Accommodation** - which covers renting, offering or providing temporary or permanent accommodation such as business premises, a house, flat, hotel or motel room, boarding house or hostel, caravan, mobile home or camping site.

**Clubs & club members** - which covers social, recreational, sporting or community service clubs that are located on Crown land or receive any financial assistance from the Government or a municipal council

**Disposal of land** - which includes selling or transferring land.

**Education** - which includes refusing to admit a student to an educational institution, setting unfair entry terms, denying or limiting access to benefits, expelling the student or any other unfair treatment based on gender identity.

**Employment** - which includes job applicants, employees and contract workers. It covers recruitment, terms and conditions of employment, promotion and transfer opportunities, leave entitlements, redundancy, dismissal and exiting arrangements, including the provision of references and protection from "outing" by a former employer after you leave the workplace.

If you are intending to affirm your self-identified gender in your current workplace, your present employer needs "adequate notice" of this in order to take the necessary steps to prevent discrimination and harassment based on your gender identity. Your employer is entitled to ask questions to determine what needs to be done to assist you. You do not need to tell your employer about a previous gender, or if you have already affirmed your self identified gender, only about your intention to affirm your self-identified gender in that workplace.

**Goods & services** - which includes refusing to supply a person with goods or services, supplying a person with goods or services on less favorable terms or any other unfair treatment based on gender identity. It does not matter whether the goods and services are provided for money or not.

**Sport** - which includes refusing to select a person for a sporting team or excluding them from participating in a sporting activity.

For more information on your rights contact:

Equal Opportunity Commission Victoria  
Level 3, 380 Lonsdale street, Melbourne 3000.  
enquiries line (03) 9281 7100,  
fax (03) 9281 7171,  
toll free country calls 1800 134 142,  
TTY (03) 9281 7110.  
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