

Anti-discrimination laws

Details on the laws governing discrimination in the workplace.

NSW public sector agencies must comply with the *Disability Discrimination Act 1992 (Cth)* and the *Anti-Discrimination Act 1977 (NSW)*. It is important to ensure all staff, including those with disability, feel included and treated as fairly at work.

Both these Acts protect people with disability from discriminatory treatment in a range of areas including:

- employment
- the recruitment process
- conditions of employment including necessary workplace adjustments
- opportunities for training or promotion
- dismissal.

Direct and indirect discrimination

Under both the *Disability Discrimination Act 1992 (Cth)* and the *Anti-Discrimination Act 1977 (NSW)*, discrimination may be direct or indirect. Direct disability discrimination is when you are treated unfairly because of your disability. Indirect disability discrimination is when a requirement that is the same for everyone unfairly affects people with disability.

A failure to make appropriate accommodations for a person with disability, so that they can work or participate equally, could amount to direct or indirect discrimination.

For further information about the *Disability Discrimination Act 1992 (Cth)* and *Anti-Discrimination Act 1977 (NSW)*, you should seek advice within your agency and/or contact the [**Australian Human Rights Commission**](#) (regarding the *Disability Discrimination Act 1992 (Cth)*) or [**Anti-Discrimination NSW**](#) (regarding the *Anti-Discrimination Act 1977 (NSW)*). The Australian Human Rights Commission and Anti-Discrimination NSW may be able to provide further guidance to agencies about what adjustments may be necessary to assist with the employment of people with disability.