

What is discrimination on the grounds of family/carers?

Section 7A of the [Sex Discrimination Act](#) states that an employer discriminates against a staff member on the ground of family responsibilities if the employer treats the staff member less favourably than the employer treats, or would treat, a person without family responsibilities in circumstances that are the same or not materially different; and that treatment is because of possible, imputed or existing family responsibilities. This section applies only to employment.

Section 7 of the [Discrimination Act](#) is more expansive as one of the grounds of discrimination is the attribute of the 'status as a parent or carer' and covers both employment and education.

What laws include family/carers responsibilities?

Australia ratified the [International Labor Organisation \(ILO\) Convention No. 156](#) - Workers with Family Responsibilities for application in Australia in 1991. This convention was concerned with creating equal opportunities and treatment for women and men workers who had family responsibilities. Since then the Commonwealth government has legislated against discrimination on the grounds of family within the [Sex Discrimination Act 1984](#) and the ACT government has legislated against discrimination on attributes of one's status as a parent/carers within the [Discrimination Act 1991](#). More recently the Workchoices legislation included as one of the five standards the requirement of [personal/carers' leave](#) for employees.

Who is included in the family/carers grounds?

In the ANU [Enterprise agreement](#) the 'immediate family member' means the staff member's spouse including *de facto* and same sex partner, child including the child of the staff member's spouse, parent including parent of the staff member's spouse, sibling, grandparent, or grandchild.

In the ACT the [Discrimination Act](#) defines a carer to mean 'a person on whom another person is wholly or substantially dependent for ongoing care and attention'. A dependent person may be a child, partner, a parent, a relative or a friend. Carers may be looking after someone with a disability, which includes a mental illness, or a chronic condition or someone who is frail.

What do we do at ANU against family/carers discrimination?

We act towards the inclusion and respect of all people in our community. We have policies supporting our commitment to equal opportunity in the access to education and employment irrespective of family/carers responsibilities.

For staff, details are provided in the [Enterprise Agreement](#) and University policies on flexible work practices and leave provisions, with procedures and application forms available through Human Resources (*Further information at Equity web site - Resources – Equal Opportunity*).

For staff and students, there are on-campus parent rooms available and application can be made to the four child care centres which are based on campus. (*Further information at Equity web site - Resources – Women or Carers*)

For students, the University policy on Work, study and carer responsibilities explains the type of assistance which may be available. (*Further information at Equity web site - Resources – Student Equity*)

Where can I find out more information?

[ANU Equal Opportunity Policy](#)

[Work and Life Balance - Staff](#)

[Work, Study and Carer Responsibilities – Students](#)

['Parent or Carer Discrimination: Your rights explained'](#) (ACT HRC)

[Striking the Balance: Women, men, work and family](#) (HREOC)

[Human Rights and Equal Opportunity Commission](#) (HREOC) Phone: 1300 369 711; or

[ACT Human Rights Commission](#) Phone: (02) 6205 2222