

# **New and updated protections from Discrimination and Unfair Treatment**

- **Respect at Work:** The former Queensland Government passed new laws updating the Anti-Discrimination Act, introducing new and enhanced protected attributes.
- **Expanded protections:** Includes safeguards for victim-survivors of domestic and family violence, homelessness, physical appearance, and irrelevant records, alongside updating existing attributes for family responsibilities, trade union activity and pregnancy.
- **Implementation paused:** These important protections were set to commence July 2025 but are currently on hold by the LNP Government, with no new start date confirmed.

In 2024, the Queensland Parliament passed new laws updating Queensland's discrimination laws. These reforms aimed to better protect vulnerable Queenslanders from being treated unfairly or vilified because of certain personal traits.

These laws were due to start on 1 July 2025 but have been 'paused' by the LNP Government, so there is currently no guaranteed start date.

## **Equal Rights Equals Respect Campaign**

**Equal Rights Equals Respect** is a campaign led by Queensland Unions and community organisations. Its goal is to raise awareness about these important reforms and to push the Government to commit to getting them started.



**Sign the  
petition  
today!**

## What is a protected attribute?

A protected attribute is a personal characteristic - like age, gender, race, disability or religion - that the law says people cannot be treated unfairly or discriminated against because of.

## Discrimination law in Queensland

Queensland's Anti-Discrimination Act 1991 makes it illegal for employers, schools, universities, and other duty holders to treat someone unfairly because of a protected attribute. This means people must not be treated differently based on personal characteristics like age, gender, race, disability, or religion.

## New and updated protections

The Respect at Work Amendment Act introduced new and updated protected attributes, which were scheduled to start on 1 July 2025 but have been paused by the LNP Government.

### New protected attributes included

- Being subject to family or domestic violence
- Homelessness
- Physical appearance
- Irrelevant medical records
- Irrelevant criminal records
- Expunged convictions

### Updated protected attributes included

- **Family responsibilities** - includes carer and kinship responsibilities
- **Parental status** - recognises Aboriginal and Torres Strait Islander kinship ties
- **Trade union activity** - refers to legitimate trade unions
- **Pregnancy** - includes potential pregnancy, such as someone seeking fertility treatment
- **Sexuality** - refers to a person's sexual orientation
- **Race** - also includes immigration or migration status, and caste

Attachment 1 - Case Studies



[www.equalrightsequalsrespect.com](http://www.equalrightsequalsrespect.com)

### Case Study - Family and Domestic Violence *De-identified Real Example*

Lorna worked for a community organisation. She told a colleague that she and her children had recently left her partner due to domestic and family violence. Lorna was entitled to up to ten days of paid family and domestic violence leave to attend legal appointments and secure alternative accommodation. Instead of supporting her, HR was informed of Lorna's situation and subsequently dismissed her, claiming she posed a health and safety risk to other staff.

**Key Point: Dismissing someone because they are experiencing domestic and family violence should be unlawful. Protected attributes, like being subject to family or domestic violence, should be covered under discrimination law to ensure people receive support, not punishment.**

### Case Study - Potential Pregnancy *De-identified Real Example*

Marina worked at a faith-based school. She and her husband were undergoing fertility treatment. Marina took a half-day of sick leave to attend a clinic appointment. When HR asked the reason for the leave, she disclosed it was for fertility treatment. HR informed the School Principal, who then terminated Marina, claiming fertility treatment conflicted with the school's ethos.

**Key Point: While faith-based schools currently have a religious exemption under discrimination laws, allowing them to require staff to abstain from acting in ways openly contrary to the employer's religious beliefs in the course of their employment, it should still be unlawful to treat someone unfairly or dismiss them because of potential pregnancy or fertility treatment. Protected attributes exist to ensure people are not penalised for decisions about their reproductive health. Disclosing such private matters to HR does not constitute acting openly against the school's religious beliefs.**

### Case Study – Irrelevant Medical Records *De-identified Real Example*

Ivan is an 18-year-old who applied for a job in the maritime sector. As part of his application, he was asked to provide access to his medical records. Ivan had previously experienced depression and anxiety as a late teenager but had fully recovered and had no ongoing issues. He felt pressured to disclose his past medical history even though it was irrelevant to the job.

**Key Point: Employers should not be allowed to require disclosure of irrelevant medical history or use it to disadvantage a job applicant. Queensland discrimination law should be updated to ensure that protected attributes include irrelevant medical records to prevent unfair treatment.**