



May 2010

## 4. Hepatitis C: and Discrimination

### Education + Resource Centre (ERC)

Fairfield House  
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Moubray Street  
Prahran 3181

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03 9276 6993

Facsimile  
03 9533 6324

Email  
erc@alfred.org.au

Open times  
Monday–Thursday  
9:30am to 4:30pm

It is illegal to discriminate on the basis of a person's real or assumed hepatitis C status. The Victorian Equal Opportunity Act of 1995 covers discrimination in the areas of accommodation, clubs, disposal of land, education, employment, local government, provision of goods and services and sport.

Both direct and indirect discrimination are unlawful. Direct discrimination means treating a person who has hepatitis C less favourably than a person who does not have hepatitis C in the same or similar circumstances.

For example, John works as a receptionist for a personnel agency. His Manager has told him many times that he is good at what he does. John tells his Manager that he has hepatitis C and his Manager requests that he swap to a filing position with no direct client contact. This is direct discrimination on the basis of John's hepatitis C status.

Indirect discrimination occurs when an unreasonable requirement, condition or practice which appears to be neutral has disproportionately negative impact on people who are living with hepatitis C.

For example, Mary is a member of a netball club. The club decides that all members will donate blood annually. This request seems to apply equally to everyone, but in fact may

indirectly discriminate against people from the netball club who are living with hepatitis C.

Sporting associations now have Blood Rules to prevent hepatitis C spreading from one player to another. Players do not have to disclose their hepatitis C status. If a player chooses to tell their coach or sports trainer about their hepatitis C, they have a legal right for this information to remain confidential. (See **Be blood aware in sport** section, p 8)

If you believe you have been discriminated against, you can contact the Victorian Equal Opportunity Commission.



A free and confidential service for people seeking information about HIV/AIDS, Hepatitis and sexually transmissible infections (STIs)

Level 3 country calls 380 Lonsdale St. 142 Melbourne VIC 3000 7110 complaints@veohrc.vic.gov.au	Enquiries line [03] 9281 7111  FAX [03]92817171  Complaints [03] 92187100 <a href="http://www.eoc.vic.gov.au">www.eoc.vic.gov.au</a>	Toll free 1800 134  TTY [03] 9281
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Free interpreters and Aboriginal Commission staff are available on request.

### Health care setting

If you believe you have been discriminated against in a health care setting, eg a hospital, local doctor's clinic or a dentist, you can contact the Health Services Commissioner who will investigate your claim.

Most hospitals also have a Patient Representative/Advocate or Complaints Officer. You can contact this person to make a complaint if you feel you have been discriminated against in that hospital.

### Contact details

Office of the Health Services Commissioner  
Phone: (03) 8601 5222  
Complaints: (03) 8601 5200  
Freecall: 1800 136 066



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**Produced by**

**Education + Resource Centre (HIV, Hepatitis, STIs), March 2003 Reviewed Dec 2008**

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