



AERIAL CAPITAL GROUP LTD ANTI-DISCRIMINATION GUIDE

Our company does not tolerate any form of discrimination. We believe that everyone has the right to an environment free of discrimination, harassment and equal opportunity. Aerial Capital Group extends this policy to its employees, clients, customers, owners, operators and drivers and representatives associated with the ACT taxi industry, and specifically the Aerial Transport Booking Service.

Any reports of discrimination or harassment will be treated seriously and investigated promptly, confidentially and impartially.

Aerial Capital Group is committed to providing an environment which is safe, and free from discrimination of any kind for its employees, and all those associated with, or representing Aerial's Transport Booking Service.

A Quick Guide to Australian Discrimination Laws

The Australian Human Rights Commission has the authority to investigate and conciliate complaints of alleged discrimination and human rights breaches lodged. The following laws operate at a federal level and the Australian Human Rights Commission has statutory responsibilities under them;

- Australian Human Rights Commission Act 1986
- Age Discrimination Act 2004
- Disability Discrimination Act 1992
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984

The following law operates at a territory level in the ACT

- Discrimination Act 1991

As both Federal and State/Territory laws apply you must comply with both.

For the purpose of the Act:

Discrimination occurs when a person discriminates either **directly** or **indirectly**, or both, against someone else;

A person **directly** discriminates against someone else if the person treats, or proposes to treat, another person unfavourably because the other person has 1 or more attributes mentioned below;

A person **indirectly** discriminates against someone else if the person imposes, or proposes to impose, a condition or requirement that has, or is likely to have, the effect of disadvantaging the other person because the other person has 1 or more attributes mentioned below;

Federal Laws

Legislation and grounds of discrimination
<p>Australian Human Rights Commission Act 1986</p> <p>Discrimination on the basis of race, colour, sex, religion, political opinion, national extraction, social origin, age, medical record, criminal record, marital or relationship status, impairment, mental, intellectual or psychiatric disability, physical disability, nationality, sexual orientation and trade union activity</p>
<p>Age Discrimination Act 2004</p> <p>Discrimination on the basis of age- protects both younger and older Australians.</p> <p>Also includes discrimination on the basis of age-specific characteristics or characteristics that are generally imputed to a person of a particular</p>
<p>Disability Discrimination Act 1992</p> <p>Discrimination on the basis of physical, intellectual, psychiatric, sensory, neurological or learning disability, physical disfigurement, disorder, illness or disease that affects thought processes, perception of reality, emotions or judgement, or results in disturbed behaviour, and presence in body of organisms causing or capable of causing disease of illness (eg, HIV virus)</p> <p>Also covers discrimination involving harassment in employment, education or the provision of goods and services.</p>
<p>Racial Discrimination Act 1975</p> <p>Discrimination on the basis of race, colour, descent or national or ethnic origin, and in some circumstances, immigrant status.</p>

Racial hatred, defined as a public act/s likely to offend, insult, humiliate or intimidate on the basis of race, is also prohibited under this Act unless an exemption applies.

Sex Discrimination Act 1984

Discrimination on the basis of sex, marital or relationship status, pregnancy or potential pregnancy, breastfeeding, family responsibilities, sexual orientation, gender identity, and intersex status.

Sexual harassment is also prohibited under this Act.

Territory Laws

Legislation and grounds of discrimination

Australian Capital Territory: Discrimination Act 1991

Discrimination on the basis of sex, sexuality, gender identity, relationship status, status, status as a parent or carer, pregnancy, breastfeeding, race, religious or political conviction, disability, including aid of assistance animal, industrial activity, age, profession, trade, occupation or calling, spent conviction, and association (as a relative or otherwise) with a person who has one of the above attributes.

Sexual harassment and vilification on the basis of race, sexuality, gender identity or HIV/AIDS Status are also prohibited under this Act

Road Transport Public Passenger Services Transport Legislation

Under the legislative framework, industry participants, and in particular drivers, are required to have minimum skills and knowledge including **work health and safety laws, disability awareness** and the requirements of the **Discrimination Act**

Under the Road Transport (Driver Licensing) Regulation 2000 the road transport authority may suspend or even cancel your taxi licence if they are not satisfied that you have the required knowledge and skills. So it is important to understand your obligations under the legislation. The Company (Aerial Capital Group) may also determine course of action.

Human Rights Commission

Any complaints from the Human Rights Commission will be investigated by the Company via the Human Rights process. The Human Rights Commission will determine whether to close the case, refer the matter to conciliation (conference meeting between the two parties) or refer the matter to ACAT (ACT Civil and Administrative Tribunal).

Under the Australian Human Rights Commission Act 1986 if the court concerned is satisfied that there has been unlawful discrimination by any respondent, the court may make such orders as it thinks fit, including but not limited to, paying to an applicant **damages by way of compensation for any loss or damage suffered.**

References

<https://www.humanrights.gov.au/our-work/legal/legislation>

[*Australian Human Rights Commission Act 1986*](#)

[*Age Discrimination Act 2004*](#)

[*Disability Discrimination Act 1992*](#)

[*Racial Discrimination Act 1975*](#)

[*Sex Discrimination Act 1984*](#)

[Discrimination Act 1991 - ACT Legislation Register](#)