

Know your rights

BUSINESS ACCESSIBILITY FACT SHEET FOR CUSTOMERS WITH DISABILITIES



Under the *Equal Opportunity Act 2010*, it is against the law for someone to discriminate against you because you have disability.

The law also protects you from discrimination based on other personal characteristics (protected attributes under the Act) including age, sex, race and being a parent or carer.

Discrimination is unlawful if it occurs in an area of public life, including accessing premises and services.

Discrimination can happen if someone treats you unfavourably when you are accessing premises or services because you have disability or another personal characteristic protected by the law. It can also happen if someone threatens to treat you unfavourably because of your disability, such as by asking you to leave.

When you are accessing retail, hospitality and other businesses it is against the law for a person to treat you unfavourably because you have disability by:

- failing to remove barriers to the entry so you can access the business, unless this would be too expensive or disruptive for the business
- treating you unfavourably once you are inside the business
- refusing entry because you have an assistance dog or treating you unfavourably because you have one.

Discrimination can also happen if an unreasonable policy or practice is applied that can, or does, disadvantage you because of your disability. This can happen when a blanket policy or approach is applied to everyone but it has the effect of disadvantaging you because of your disability. For example, requiring everyone to access premises via stairs or requiring a driver's licence as the only form of acceptable identification.



Come in *we're*
ACCESSIBLE

Improving accessibility in retail & hospitality



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Reasonable adjustments

Under the Equal Opportunity Act, businesses also need to make changes or improvements (known as 'reasonable adjustments' under the Act) so people with disabilities can access their premises and services.

Examples of reasonable adjustments can include a range of things relating to both physical and communication access, such as:

- removing obstacles at the entry or in aisles so you can enter and move around
- making space if you use a wheelchair or mobility aid or have an assistance dog
- having tools to assist with communication including large print menus, or communication boards and tablet computers.

The Equal Opportunity Act says businesses only need to make adjustments that are 'reasonable'. What is reasonable depends on things such as the size and nature of the business and the cost of making adjustments.

Positive duty

Under the Equal Opportunity Act, businesses also have a 'positive duty' to prevent discrimination before it occurs. This means businesses need to be proactive and put measures in place to prevent discrimination, rather than simply responding because a problem has arisen or someone has made a complaint.

You can find detailed information about how businesses can improve accessibility and prevent discrimination – by visiting the Victorian Equal Opportunity and Human Rights Commission's Come In, We're Accessible website at www.accessiblebusiness.com.au.

You can ask businesses you visit if they know about the Commission's Come in, We're Accessible campaign and encourage them to visit the website.

Make a complaint to the Commission

If you think you have been discriminated against, contact us to talk about your concerns. The Commission provides a dispute resolution service that is free and confidential. We can send you information about the complaint process and if we can't help you we will try to refer you to someone who can.

To make a complaint:

- contact us by phone, in person or email. We also have a free interpreter service
- submit your complaint online or download our complaint form
- chat to us online.

Visit www.humanrightscommission.vic.gov.au/complaints or call 1300 292 153 or TTY 1300 289 621 for more information.

Where can I get more advice and information?

To find out more about protected attributes, your legal obligations, other agencies that work with and for people with disability, and how to improve communication accessibility, visit www.accessiblebusiness.com.au

