

**56. Discrimination**

- (1) An employer or prospective employer who in any way treats an employee or prospective employee less favourably than he otherwise would for the dominant or substantial reason that the employee or prospective employee —
- (a) is or has been a safety and health representative or a member of a safety and health committee;
  - (b) performs or has performed any function as a safety and health representative or a member of a safety and health committee;
  - (c) gives or has given assistance or information to an inspector, safety and health representative or any member of a safety and health committee; or
  - (d) makes or has made a complaint in relation to safety or health to a person who is or was his employer or fellow employee or an inspector, a safety and health representative or a member of a safety and health committee,

commits an offence.

- (2) A trade union that in any way treats a person less favourably than it otherwise would for the dominant or substantial reason of the manner in which he performs or has performed any function as a safety and health representative or a member of a safety and health committee commits an offence.

*[Section 56 inserted by No. 43 of 1987 s.13; amended by No. 30 of 1995 ss.43 and 47.]*