

YOUR RIGHTS AS AN OLDER WOMAN



WHERE TO GO FOR HELP

If you think you or someone you know may be a victim of discrimination or elder abuse, contact the Human Rights Commission or your local older persons' organisation (such as Age Concern, Grey Power or an Over 60's Club) to talk to someone.

If you want to talk to someone about the benefits to which you are entitled, such as disability allowance or superannuation, contact Work and Income New Zealand (WINZ) on 0800 559 009 or your local WINZ office.



While we have tried to make this educational information as complete and legally accurate as possible, it should not be regarded as legal advice. Please contact a lawyer for specific legal advice.

COMMISSION CONTACT DETAILS



For more information ring the Human Rights Commission on
0800 4 YOUR RIGHTS
or contact us on our website on
www.hrc.co.nz

- RIGHTS IN THE WORKFORCE
- GOODS AND SERVICES
- ELDER ABUSE

THE LAW

The Human Rights Act 1993 protects you from being discriminated against because of your age or because you are a woman. Discrimination means being treated unfairly or less favourably than another person in the same or similar circumstances.

You are protected from unlawful discrimination in the following areas of public life:

- employment, both paid and unpaid
- access to education, such as community education or tertiary institutions
- access to public places, vehicles and facilities, such as museums and buses
- access to goods and services
- access to land, housing and accommodation.

This is subject to some exceptions in the Human Rights Act.

RIGHTS IN THE WORKFORCE

Looking for a job after a period of unpaid work in the home and the community can be difficult. However, it may be unlawful for potential employers not to hire you simply because of your age.¹

Since 1999, there has been no compulsory retirement once a certain age has been reached.

You are entitled to work for as long as you are able to satisfactorily perform the job.

An employer cannot fire you because you are 65 or because you become eligible for superannuation.

"I had lots of experience as a receptionist and had also worked as a volunteer at the Citizen's Advice Bureau for many years. But when I applied for a job at a call centre, the first thing the interviewer asked was, 'Aren't you going to retire soon?' Needless to say, I didn't get the job."

GOODS AND SERVICES

Insurance companies can sometimes charge different rates for insurance coverage for older clients. However, the different rates must be reasonably based on actuarial information, (relating to life expectancy, accidents or sickness). If you think your insurance company may be unfairly charging higher rates because of your age, contact the Human Rights Commission for advice.

It is NOT unlawful to provide goods, services or facilities at a reduced rate to people of a particular age.

"I just found out that my bank offers reduced bank fees for over 65's and that local bus fares are less during certain daytime hours. The lower bank fees and transport costs will save me almost \$200 over a year."

ELDER ABUSE

You have the right not to be harassed, neglected or physically or sexually abused by a caregiver, family member or residential home worker.

Older people are abused when they are victims of any pattern of behaviour which causes them harm. Elder abuse and neglect is committed by a person known to the victim and with whom the victim has a relationship implying trust.

Elder abuse can be:

- financial exploitation abuse, such as the improper use of an older person's money or property

"My niece has been helping me prepare my meals for a couple of years. Lately she seems stressed and keeps telling me that I need to start doing more for myself. Yesterday, she became very angry at me and pushed me to the ground."

- psychological abuse, such as verbal intimidation, humiliation and bullying
- physical abuse, such as hitting, pushing, burning, or slapping
- sexual abuse, such as fondling, rape, assault and sexual harassment
- neglect, such as the failure of a caregiver to provide necessary food, shelter, clothing or medical care.

You may wish to consider appointing someone you trust to have Enduring Power of Attorney so they can help you look after your personal affairs. One type refers to your personal care and welfare; the other type relates to your property and finances. You can choose to have one type or both and have more than one person responsible. The person with Enduring Power of Attorney does not have to be a family member or next of kin. Talk to a lawyer or older persons' organisation for advice.

¹ A number of exceptions to the Human Rights Act apply. Ring the Human Rights Commission for more detailed information about age discrimination.