

WOMEN , WORK AND HUMAN RIGHTS



WHAT YOU CAN DO ABOUT DISCRIMINATION

If you think you have been discriminated against:

- keep a record of the incidents that you think are a problem
- talk it over with someone you trust to help clarify your best course of action
- talk to your manager, a human resources person, your union representative or someone else in your workplace who can help solve the problem
- call or fax the Human Rights Commission InfoLine or visit our website to get information on your rights
- if your problem is about parental leave, contact the Employment Relations Service on **0800 800 863**.



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

- APPLYING FOR A JOB
- AT WORK
- WORK AND YOUR FAMILY

THE LAW

The Human Rights Act 1993 protects you from being discriminated against by your employer at work. Discrimination includes being treated unfairly or less favourably than another person in the same or similar circumstances, because:

- you are a woman
- you are pregnant
- you wish to have children in the future
- you have responsibility for children or other dependants
- you are married or single.

The Act says it may be against the law for an employer to discriminate against you, based on the above reasons, when you apply for or are interviewed for a job or when you are working.

It is NOT against the law for your employer to give you favourable treatment because you are pregnant or have responsibility for children or other dependants.

APPLYING FOR A JOB

Even before you get a job, employers cannot discriminate against you because you are a woman.

Job advertisements cannot say that a job is suited to a certain gender.

During interviews or on job application forms employers cannot ask a question in which they may intend to discriminate, such as questions about:

- whether you are single, married, divorced or have a boyfriend/girlfriend
- if you have children or other people you look after
- if you plan to have children later on
- if you are using birth control.

"In an interview, I was asked what my husband did for work. I'm not married and it made me feel uncomfortable talking about my personal life to a stranger. When I got home I wondered why he had asked me that when it didn't seem to be a necessary part of the job."

"My boss keeps teasing me about my sex life and telling sexual jokes all the time. The other day he came up behind me and put his arm around my waist, then later started rubbing my shoulders. I felt really uncomfortable and scared."

AT WORK

When you are working, employers cannot discriminate against you just because you're a woman.

Generally it is against the law for an employer to:

- refuse to assign you certain tasks because you are a woman
- pay you less money for doing the same work as other staff who are men
- refuse to promote you because you are a woman.

Sometimes sex discrimination is allowed, such as requiring the model for men's clothes to be a man.

Sexual harassment is unwelcome or offensive sexual behaviour that is repeated or significant enough to have a harmful effect on you. If it happens when you are working, it is against the law.

WORK AND YOUR FAMILY

Many women have family responsibilities which affect their working lives. If your employer fails to accommodate your family needs or makes demands on you that are unreasonable and affect your family responsibilities, this may be against the law.

"I want to return from parental leave, but instead of working my normal hours of 8:30am to 5:00pm, I want to work until 4:30pm with a shorter lunch break to make up the time. I need to do this because of my childcare arrangements. My boss told me that if I don't do my old hours I should forget about coming back to work."

