

Human Rights Complaints:

What you need to know.



NZ
Human
Rights.

"DO
WELL
BY
DOING
GOOD"

- Benjamin Franklin.



Being treated unfairly?

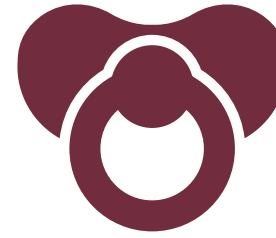
The Human Rights Commission offers a free, informal and confidential service for anyone enquiring about human rights or complaining of unlawful discrimination or harassment.

Unlawful discrimination is defined by the Human Rights Act 1993 (the Act) and happens when a person is disadvantaged by being treated unfairly or less favourably than others by one of the reasons listed below.

Racial and sexual harassment are also unlawful under the Act as is indirect discrimination (an action or policy that appears to treat everyone the same but actually discriminates against someone).

What's unlawful discrimination?

The Act makes it unlawful to discriminate on a wide range of grounds, outlines what behaviours are against the law and includes the process for protecting your rights. It's unlawful to discriminate based on:



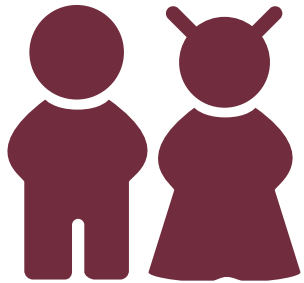
Family status

(includes being responsible, or not, for children or other dependants)



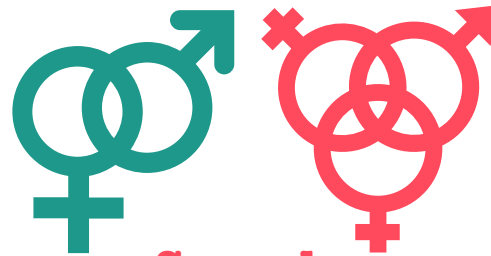
Disability

(includes physical, psychiatric, intellectual, psychological disability or illness, sensory impairment)



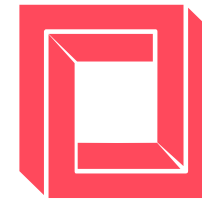
Sex

(including pregnancy and childbirth, transgender and intersex people)



Sexual orientation

(being heterosexual, gay or bisexual)

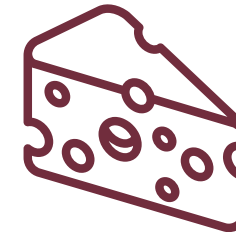


Ethical belief

(not having a religious belief)

Age

(16 years and over)

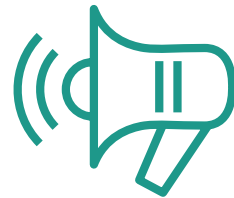


Marital status

(including marriages and civil unions)



Race, colour, ethnicity or national origins

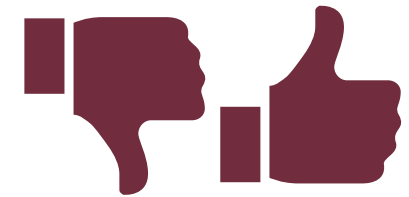


Political opinion

(including not having a political opinion)

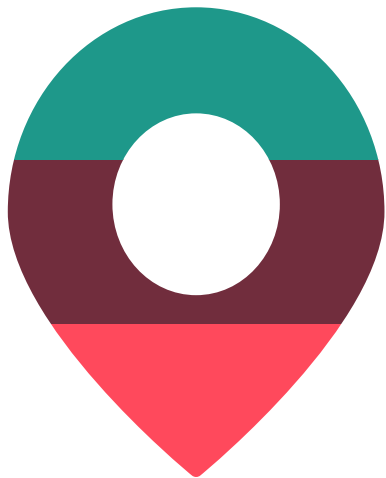


Religious



Employment status

(e.g. being unemployed or on a benefit or on ACC)



Where discrimination can happen.

Not all discrimination is unlawful. To be covered by the Act you need to have experienced the discrimination or harassment in an area of public life.

It's unlawful to discriminate in:

- Employment (including unpaid work)
- Education and vocational training
- Industrial or professional associations
- Provision of goods and services
- Land, housing and accommodation
- Access to public places, vehicles and facilities
- Government services.

Discrimination and harassment at work.

If the discrimination or harassment happened at work, then you can also contact Employment New Zealand for help www.employment.govt.nz

If the discrimination or harassment happened in pre-employment (e.g. within a job advertisement, job application or job interview) we can look after your complaint.

Either way, we can help by providing advice, information and suggesting how best to resolve your issue.

It's safe to complain.

The Act protects you from being treated unfairly if you contact us about a complaint or support another person to make a complaint.





How does the complaint process work?

Step One: **Contact our Infoline team**

It's safe and confidential. The team will listen to you, ask questions and if appropriate, give you a complaint form to complete.

Phone 0800 496 877 or email Infoline@hrc.co.nz or visit www.hrc.co.nz

Step Two: **Informal intervention**

This is free and confidential. Our team will provide information to help you resolve your complaint. If it looks like an issue of unlawful discrimination or harassment, you'll be referred to one of our mediators.

Step Three: **Mediation**

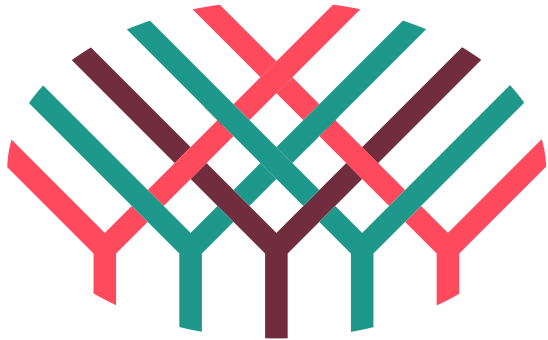
A mediator helps both parties work through the issues brought up by the complaint. Mediation includes explaining the Human Rights Act and working through possible solutions. It's free, confidential and impartial.

Step Four: **Resolution**

Most complaints are sorted out by informal intervention or mediation. Resolution can include an apology, an agreement not to do the same thing in the future, a training programme or compensation.

Step Five: **Legal Action**

If your complaint is not resolved at mediation, you can take legal action. Human Rights complaints are heard before the Human Rights Review Tribunal, which is like a court. You can apply for free legal representation.



About us.

The Human Rights Commission Te Kāhui Tika Tangata promotes and protects the human rights of all people in Aotearoa New Zealand. We work for a fair and just New Zealand, where diversity is valued and human dignity and rights are respected.

Our job is to:

- advocate and promote respect for human rights in New Zealand
- encourage harmonious relations between individuals and diverse groups in New Zealand
- to promote racial equality and cultural diversity
- to promote equal employment opportunities (including pay equity)
- to promote and protect the human rights of people with disabilities.



The Human Rights Commission was established in 1977 and works under the Human Rights Act 1993. The Commission's purpose is to promote and protect the human rights of all people in Aotearoa New Zealand. We work for a free, fair, safe and just New Zealand, where diversity is valued and human dignity and rights are respected.

The information in this booklet is only meant to give general guidance. It's not intended, or should be relied on, as a substitute for legal or other professional advice. If needed, we recommend that you get independent legal advice. The information contained in this booklet may be amended from time to time.

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