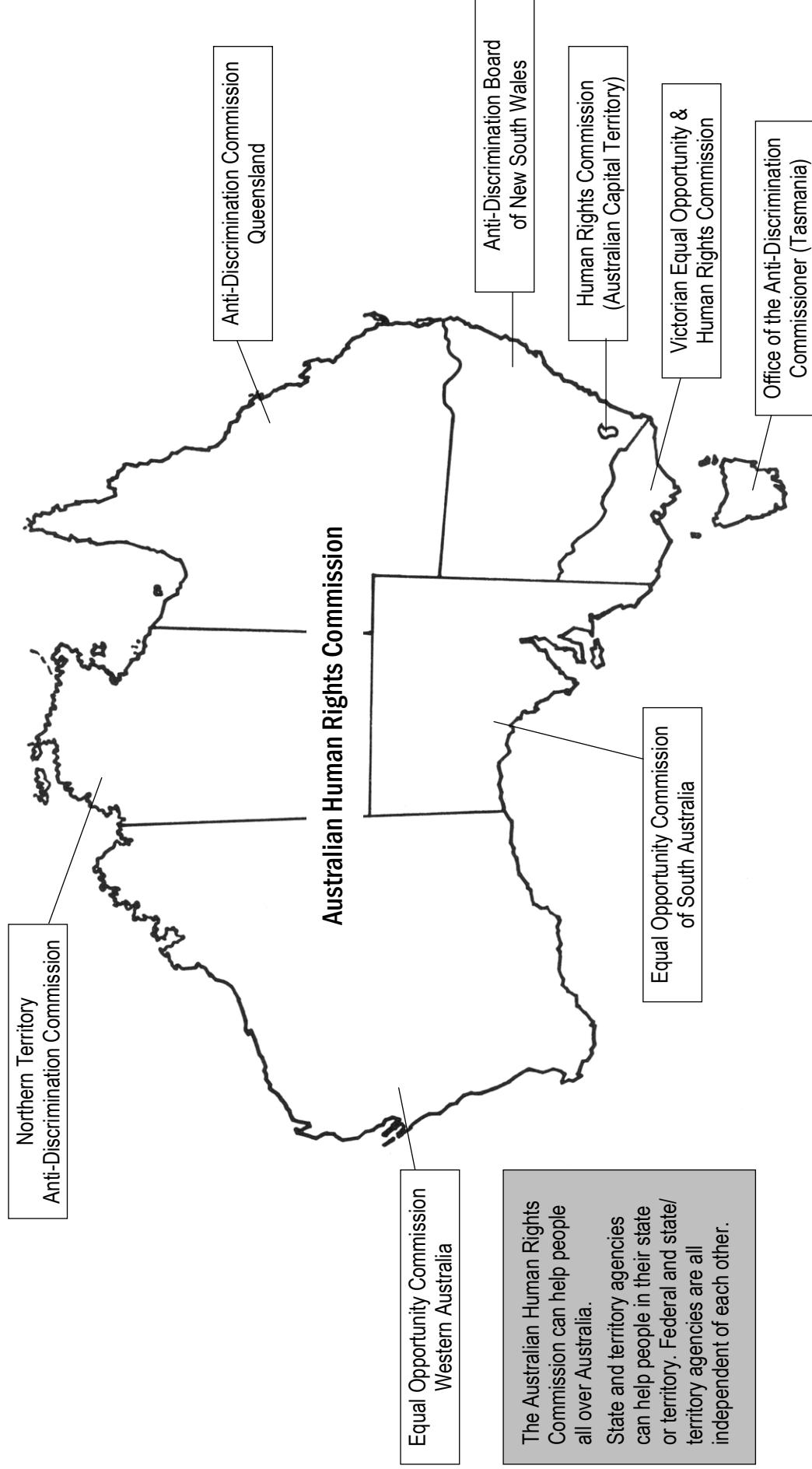


Australian Human Rights Commission and state/territory anti-discrimination agencies



The Australian Human Rights Commission can help people all over Australia. State and territory agencies can help people in their state or territory. Federal and state/territory agencies are all independent of each other.



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**It's your right!** Human rights everyone, everywhere, everyday

A teaching resource about human rights and responsibilities in Australia for adult ESL

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*Disclaimer*

Please be aware that this book may contain the names or images of Aboriginal and Torres Strait Islander people who may now be deceased. This may cause distress to some readers.

This publication can be found in electronic format on the Australian Human Rights Commission's website at: [www.humanrights.gov.au/education/esl/](http://www.humanrights.gov.au/education/esl/)

For further information about the Australian Human Rights Commission, please visit: [www.humanrights.gov.au](http://www.humanrights.gov.au) or email [paffairs@humanrights.gov.au](mailto:paffairs@humanrights.gov.au). You can also write to:

Public Affairs  
Australian Human Rights Commission  
GPO Box 5218  
Sydney NSW 2001

**AMES**

Project Manager Lilliana Hajncl  
Writer Maggie Power

**Australian Human Rights Commission**

Project Manager Jennifer Davis  
Special thanks Cassandra Dawes, Domenic Vircillo, Rebecca Stuart

Photography Langdon Rodda, Lilliana Hajncl  
Artwork Peter Mathieson, Simon Kneebone  
Design and printing Maroondah Printing

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Focus group Ansam Sadik, Breshna Aschna, Caleb Haunung, Hilary Bucumi, Mahmoud Abd El Hafiz, Mary Duol, Sein Nanthu Kunoo, Yasir Abdurahim Mahmud

Triallers Carmel Davies, Catherine Le Roux, Claudia Stern, Jhansi Joham, Jill Wardle, Marina Walles, Suzette Kabaila, Veronica Waugh (AMES Victoria); Helen Swain (TAFE Tasmania); AMEP teachers (Charles Darwin University NT)

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## Foreword

It is my great pleasure to introduce this teaching resource about human rights and responsibilities in Australia for adults learning English as a Second Language.

Arriving in a new country can be a daunting prospect. There are many new systems and services to contend with such as: housing, employment, health and education. Barriers such as language and cultural differences can make communication increasingly difficult.

New arrivals to Australia also receive limited information about Australia's human rights system. For many, the democratic processes that are available are seemingly hidden to them.

It is important that all Australians, regardless of their citizenship status, understand their rights so that they can fully appreciate all of the opportunities Australia has to offer. If someone is denied these opportunities simply because of their race, gender, age, religion, or disability they need to know there are places they can go for help.

This resource uses stories based on real cases to illustrate the types of discrimination within different systems, and the possible outcomes of making a complaint. The students follow the central story of Hayat, a Muslim Ethiopian woman, as she navigates the Commission's complaints service. While ultimately Hayat's case is successful – the most important message is that Hayat *does* have the power to do something to change her situation.

While developing English skills through this resource, we hope that students also learn that:

- ♦ human rights and equal opportunity laws in Australia protect people against unfair treatment and discrimination
- ♦ with human rights come responsibilities that apply to all citizens
- ♦ many people in Australia face particular issues and discrimination, for example, Muslim communities and Australia's Indigenous peoples
- ♦ one way to respond to unfair treatment within the law is to know where to get advice and how to make a complaint
- ♦ you have a right to make a complaint.

Human rights are more than the law and discrimination. Human rights are about promoting a culture of respect for difference. It is easy to fear that which is unfamiliar; but with education and communication, barriers can be broken down.

Human rights value the inherent dignity in each person; and recognise that we all have something of value to share in building a brighter and more prosperous society.

I hope you find this resource a useful contribution to this vision.



**Tom Calma**  
April 2009



**Tom Calma**  
Race Discrimination Commissioner  
and Aboriginal and Torres Strait Islander  
Social Justice Commissioner

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## Map to Certificates in Spoken and Written English Modules and Learning Outcomes

Activities listed below can be used as practice towards CSWE III and II outcomes

### Unit 1

Activity ...	CSWE III	CSWE II
3 and 6	F2 Participate in a discussion	
12	B1 Demonstrate understanding of a casual conversation with topic changes	B1 Demonstrate understanding of a casual conversation
14	B2 Participate in a casual conversation with topic changes	B2 Participate in a short casual conversation
18	F2 Participate in a discussion	
23	I1 Locate news and current affairs articles in media publications I2 Demonstrate understanding of a news article	

### Unit 2

Activity ...	CSWE III	CSWE II
2 and 8	F2 Participate in a discussion	
9	E1 Demonstrate understanding of a spoken information text	
11	S2 Interpret complex maps/plans	
14		I1 Demonstrate understanding of a short written information text
15	D1 Demonstrate understanding of an interview	
16	C2 Negotiate a complex spoken exchange	
18	H1 Demonstrate understanding of a complex written information text H2 Demonstrate understanding of complex written instructions	
19	F2 Participate in a discussion	
21		I2 Demonstrate understanding of written instructions

### Unit 3

Activity ...	CSWE III	CSWE II
5		M2 Write a short opinion text
6 and 8	K1 Demonstrate understanding of a biography	
7	H2 Demonstrate understanding of complex written instructions	O2 Interpret basic maps/plan
9 and 10		K2 write a recount
13	C1 Demonstrate understanding of a complex spoken exchange	
14	F2 Participate in a discussion	
16 and 17	C2 Negotiate a complex spoken exchange	
19	H1 Demonstrate understanding of a complex written information text	I2 Demonstrate understanding of written instructions.
20	F2 Participate in a discussion	

### Unit 4

Activity ...	CSWE III	CSWE II
2	F2 Participate in a discussion	
10		I1 Demonstrate understanding of a short written information text
11	B1 Demonstrate understanding of a casual conversation with topic changes	
16 and 17	N1 Prepare to write a narrative	
18	N2 Write a narrative	
21	F2 Participate in a discussion	

**Appendices**  
**Teacher notes**  
**Answers**  
**Tape scripts**  
**DVD scripts**



## Websites of anti-discrimination agencies in Australia

### **Australia**

Australian Human Rights Commission  
<http://humanrights.gov.au>

### **Australian Capital Territory**

Human Rights Commission  
<http://www.hrc.act.gov.au/>

### **New South Wales**

Anti-Discrimination Board of NSW (ADB)  
<http://www.lawlink.nsw.gov.au/adb>

### **Northern Territory**

Northern Territory Anti-Discrimination Commission  
<http://www.nt.gov.au/justice/adc/index800.html>

### **Queensland**

Anti-Discrimination Commission Queensland  
<http://www.adcq.qld.gov.au/>

### **South Australia**

Equal Opportunity Commission of South Australia  
<http://www.eoc.sa.gov.au/site/home.jsp>

### **Tasmania**

Office of the Anti-Discrimination Commissioner  
[http://www.antidiscrimination.tas.gov.au/rights\\_\\_and\\_\\_obligations](http://www.antidiscrimination.tas.gov.au/rights__and__obligations)

### **Victoria**

Victorian Equal Opportunity and Human Rights Commission  
<http://www.humanrightscommission.vic.gov.au/Home.asp>

### **Western Australia**

Equal Opportunity Commission Western Australia  
<http://www.equalopportunity.wa.gov.au/>

In case these web addresses change, the Australian Human Rights Commission has a link to all State/Territory anti-discrimination agencies at <http://www.humanrights.gov.au/about/links/index.html#ad>

## For more information about lodging a complaint

Download the plain English brochure at:

[http://www.humanrights.gov.au/pdf/complaints/complaint\\_process\\_flyer.pdf](http://www.humanrights.gov.au/pdf/complaints/complaint_process_flyer.pdf)

### The Human Rights Commission's Complaint Process

for complaints about sex, race, disability and age discrimination

The Human Rights and Equal Opportunity Commission is an independent third party which investigates complaints. It does not act as an advocate or legal representative for either party. The complaint process is simple and free and is outlined below:

**MAKE AN ENQUIRY**

- Telephone HREOC's **Complaints Information Line on 1300 656 419** to discuss issues you think might be discrimination.
- We can send you a complaint form to start the process.
- If we can't help, we can refer you to someone who may be able to assist you.

**LOGGING A COMPLAINT**

- Making a complaint is free and you do not need a lawyer.
- Your complaint must be in writing, this includes email or fax, and can be in your preferred language.
- Our officers can assist you to write down your complaint.
- You can lodge a complaint via our website [www.humanrights.gov.au](http://www.humanrights.gov.au).

**INVESTIGATION**

- A HREOC officer will contact you to discuss your complaint.
- The officer will contact the person/organisation you are complaining about, provide them with a copy of your complaint and ask for their comments and other relevant information.
- We will review all of the information provided.
- HREOC may decide to terminate (finalise) or conciliate the complaint.
- If we decide to terminate the complaint we will talk to you about this and explain why.

**CONCILIATION**

- Conciliation means we try to help you and the person/organisation you are complaining about resolve the matter.
- This might be through a face-to-face meeting, a telephone meeting or conveying messages.
- The outcome of conciliation may include: an apology, policy changes, compensation and/or staff training.

**WHAT NEXT?**


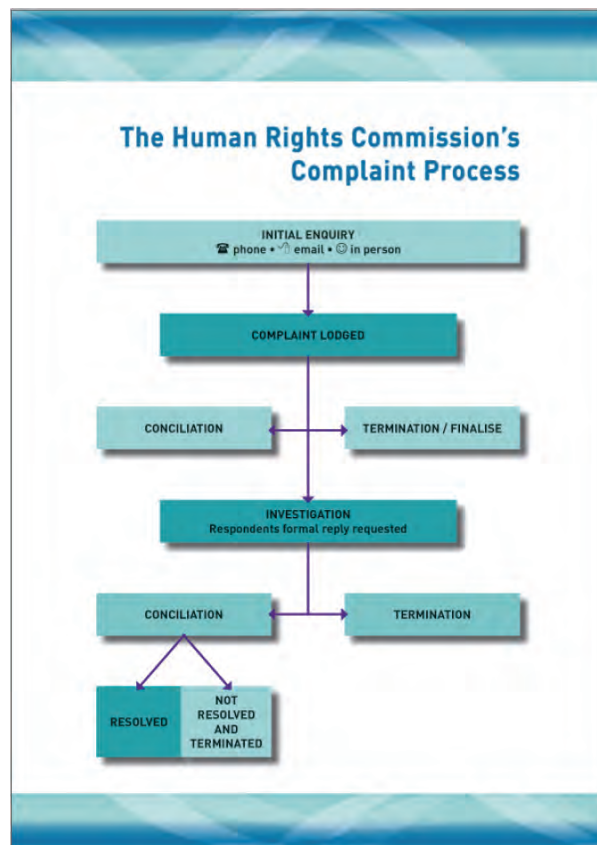
- If the complaint is not resolved or is terminated for another reason you have the option to then take the matter to court.
- HREOC is not a court and cannot decide that discrimination has happened.
- We cannot take the matter to court for you or help you run the court case.

**GOING TO COURT**

- You have 28 days from when the complaint is terminated by HREOC to apply to have the matter heard by the Federal Magistrates Court or the Federal Court of Australia.
- You may need to talk with a lawyer or a legal service about going to court.

Further information is available by calling our **Complaints Information Line on 1300 656 419** or by looking at our website at [www.humanrights.gov.au](http://www.humanrights.gov.au)

Working towards an Australian society where the human rights of all are respected, protected and promoted

This information is also available to download in the following languages:

Arabic, Bosnian, Chinese, Croatian, Farsi, French, Greek, Indonesian, Polish, Serbian, Somali, Spanish, Swahili, Turkish and Vietnamese.

Go to:

<http://www.humanrights.gov.au/about/languages/index.html>

Or contact the Australian Human Rights Commission

Publications Officer

Australian Human Rights Commission

GPO Box 5218

SYDNEY NSW 1042

Phone: (02) 9284 9600

Email: [publications@humanrights.gov.au](mailto:publications@humanrights.gov.au)



## Teacher notes

**The Australian Human Rights Commission** acts as an independent third party to conciliate disputes under the federal discrimination laws. Conciliation is free and complaints can be lodged in any language.

For more information about the Commission's complaints process go to [http://www.humanrights.gov.au/complaints\\_information/](http://www.humanrights.gov.au/complaints_information/)

♦ **Federal and state/territory laws**

Federal and state/territory laws regarding the grounds for discrimination are different. These laws have been developed and amended by Commonwealth and state/territory governments over many years, and are very complex.

Under federal discrimination law, a person can make a complaint of discrimination under the Racial Discrimination Act 1975, Sex Discrimination Act 1984, Disability Discrimination Act 1992 and the Age Discrimination Act 2004. These laws make it unlawful for a person or an organisation to discriminate against a person in specific areas of public life including employment, education, access to premises, accommodation (housing), provision of goods and services and Commonwealth laws and programs. Further information about these grounds of discrimination can be located at:

[http://www.humanrights.gov.au/complaints\\_information/](http://www.humanrights.gov.au/complaints_information/)

Complaints under these laws are made to The Australian Human Rights Commission. The Commission investigates such complaints and tries to resolve them by conciliation. If a complaint is not resolved by the Australian Human Rights Commission, the person making the complaint can take it to the court (Federal Magistrates or Federal Court of Australia) to have it heard and determined by a judge.

The Australian Human Rights Commission Act also gives the Australian Human Rights Commission the power to investigate complaints of discrimination in employment on the grounds of religion, criminal record, trade union activity, political opinion, social origin and sexual preference. With these types of complaints there is no ability to have the matter decided by a court or tribunal under federal law. If the Commission is unable to conciliate the matter and finds that there has been discrimination, the Commission provides a report of its findings and recommended outcomes/actions to the Federal Attorney General which is then tabled in Federal Parliament. An information sheet link for this process is as follows.

[http://www.humanrights.gov.au/complaints\\_information/info\\_sheet\\_guide\\_HREOCA\\_ILO.html](http://www.humanrights.gov.au/complaints_information/info_sheet_guide_HREOCA_ILO.html)

The Australian Human Rights Commission's Complaints Information line is staffed by officers with comprehensive knowledge of the discrimination laws. They can advise whether a complaint is covered under Commonwealth or

state/territory legislation, and refer to the best agency where appropriate.

The Complaints Information Line number is 1300 656 419 (local call cost). If you need an interpreter then you can call Telephone Interpreter Service on 131 450, or the Commission will arrange an interpreter.

The websites for The Australian Human Rights Commission and each of the state/territory anti-discrimination bodies are attached in the appendix.

It is recommended that teachers watch "*Pathways to Resolution: The conciliation process of the Human Rights and Equal Opportunity Commission*". It's less than 20 minutes long and gives background that will help answer student questions. You can preview it online and order a copy from: [http://www.humanrights.gov.au/complaints\\_information/pathways\\_to\\_resolution/index.html](http://www.humanrights.gov.au/complaints_information/pathways_to_resolution/index.html)

Related websites:

**Australian Human Rights Commission Publications**

Order form

<http://www.humanrights.gov.au/about/publications/Forms/pubform.pdf>

Community languages

<http://www.humanrights.gov.au/about/languages/index.html>

Racial discrimination

[http://www.humanrights.gov.au/racial\\_discrimination/publications.html](http://www.humanrights.gov.au/racial_discrimination/publications.html)

Other education resources:

[www.humanrights.gov.au/education/modules.html](http://www.humanrights.gov.au/education/modules.html)

## UNIT 1

DVD STORY: Part 1

In the lunchroom at Magic Paper Products factory, Hayat is having lunch with her co-worker, Cheri. Cheri tries and enjoys some of Hayat's meat and bread. Hayat's supervisor, Albert, comes in and Hayat offers him some of her zegni. He declines, saying that it's unhygienic and uncivilised to eat meat and bread without a knife and fork. Hayat points out that he is eating meat and bread (his sandwich) with his hands. Albert gets angry and leaves in a huff.

Later he tells Hayat to take the kitchen rubbish down to the bin because something smells. He implies that it's her food. She asserts that it's not her job, that she's busy and that the cleaner will be there shortly. Albert mentions that she's on probation and so Hayat empties the rubbish. Worried, she goes to see Albert's boss, Madeleine. She tells Madeleine her concerns about the way Albert speaks to her but Madeleine is not sympathetic. She says that Albert was probably joking and that Hayat is new and shouldn't take things personally.

DVD STORY Part 2

Case Studies. The narrator explains types of discrimination and areas of discrimination. Various complainants relate their complaints and types of discrimination are mentioned. The segment finishes with Rob, an Aboriginal man,

explaining how he asserted himself against discrimination when it happened and was successful in getting a room in a hotel.

### Activity 1

This activity is aimed purely at putting the resource in context. The definition of human rights is only one of those mentioned on the Australian Human Rights Commission website. Here are the others: a set of moral and legal guidelines that promote and protect a recognition of our values, our identity and ability to ensure an adequate standard of living

- ♦ the basic standards by which we can identify and measure inequality and fairness
- ♦ those rights associated with the Universal Declaration of Human Rights.

The Australian *Human Rights and Equal Opportunity Commission Act 1986* ('HREOC Act') contains a limited definition of human rights for the purposes of that Act. 'Human rights' are defined by section 3 of the HREOC Act as being those rights and freedoms contained in specific international instruments that are scheduled to, or declared under, the HREOC Act.

For further information refer to: [www.humanrights.gov.au/education/hr\\_explained/index.html](http://www.humanrights.gov.au/education/hr_explained/index.html)

### Activity 4

Students will probably be interested to know what each job entails so you can write this on the board.

**Operations manager** – oversees the work of several departments

**Accounts manager** – (not an accountant) Establishes and maintains relationships with customers and clients.

**Administrative Assistant** – Does a variety of office jobs, data entry, mail, accounts, handles phone queries etc.

### Activity 5

Go through questions before students start. Explain "imply". A simple example: If a friend suggests that I shouldn't have cream with my cake, they might be implying that I'm overweight!

### Activity 6

a. Albert said the way she ate her food was "unhygienic" and "uncivilized". He says, "You people." He tells her she has to take out the rubbish even though it's not her job. He says "Maybe you should go back to English classes."

e. Madeleine\* might simply be a nasty person! Or she's prejudiced herself. She might be a personal friend of Albert's. She's not really a very good manager.

### Madeleine and Hayat

\*Students might like to explore Hayat's conversation with Madeleine. Replay this scene of Unit 1 Part 1 of the DVD. If students find the dialogue hard to follow, the transcript for this scene, at the end of this workbook, could be enlarged and turned into a listening/cloze test.

Ask questions such as:

Why does Hayat go to Madeleine? (*To tell her she's concerned about Albert. "...he talks down to me."*)

What does Madeleine say to Hayat? (*She says Albert's funny and popular. She says Hayat is new and she shouldn't take things so personally*)

Does Madeleine *seem* nice? (*She acts friendly but what she's saying is not helping Hayat.*)

### Activity 9

These are words from the DVD and the unit activities. Some words can be pronounced differently. Dark ticks (in Answers) indicate common Australian pronunciation. Lighter ticks indicate rarer pronunciation.

### Activity 12

Possible new vocabulary: *hijab, religion, uncomfortable*. Bring students' attention to the way that Hayat deflects the questions that make her uncomfortable. Explain that it's perfectly OK to decline to answer questions that make one feel uncomfortable but it should be done politely (see below).

### Activity 13

Explain that it's better to *politely* decline to answer (as per models), than to get upset and angry. Often people just don't know that they've said the wrong thing; it's not intentional. And people learn better from a friendly response than an angry one. Tone is important. (Some experts say tone is 90% of the message!). Further exercises in assertiveness can be found in Unit 2 English Steps 3 AMES, Reprinted 2006.

### Activity 15

This activity is aimed at showing how we all can have personal prejudices. After the students have discussed who they think is the boss and why, let them know that the characters are *all* bosses (of different departments in the business – see below) but Deeka is the CEO (Chief Executive Officer). Write the name and position title of each person and their responsibilities on the board:

**Mai** is Office Administration Manager – In charge of the administrative assistants.

**Jason** is Marketing Manager – in charge of advertising and promotion of company.

**Deeka** is the C.E.O – in charge of the whole company.

**George** is the Human Resources Manager – in charge of staffing, advertising new jobs, arranging job interviews etc.

**Henry** is Dispatch Manager – in charge of sending out the orders, making sure that orders are correct and sent to the right place.

**Mavis** is the Finance Manager – in charge of the costs and income of the company.

Ask students if they are surprised by this. Which positions surprised them most and why? Students are given a chance to write their reflections at the end of the exercise.

### Activity 16

These are the definitions that the Australian Human Rights Commission has asked us to use. They take a bit of unpacking! Simplified, but less accurate, definitions are: Grounds = the legal reason why a person can complain. Area = the place or the way in which the discrimination happened.

**Activities 17 & 18**

**NB:** The focus group has reported that some representatives of migrant communities were reluctant (and very embarrassed) to talk about homosexuality. It was suggested, by the representatives, that women and men would be more comfortable discussing the topic in single sex groups if possible. At the same time, the focus group was surprised and interested to learn that homosexuality is protected under discrimination law. It's important for students to understand that Discrimination in Sexual Preference has the same protections as other types of discrimination, for example, race discrimination.

**Activity 19**

Extension discussion exercise

Students might like to share similar experiences after finishing this exercise.

Ask: Has anything like this happened to you or someone you know? / What steps were taken to fix the situation? / What was the outcome?

**Activity 21**

The following method can be used so that students can discuss the answers together.

1. Students are given time to find the answers individually.
2. Arrange class into groups.
3. Students discuss the meaning of the words/phrases together and agree on what each one means.
4. With the whole class, Teacher elicits meanings from each group and corrects any misinterpretations.

**Activity 23**

Before class, access the relevant media websites to check that there are some relevant articles to lead the students to. If these are hard to find, two relevant articles can be found with the downloadable resources at the Australian Human Rights Commission website. Direct the students to search there.

**Activity 24**

If this exercise proves too difficult, photocopy the complete word list in Answers for students to work from.

**UNIT 2**

DVD STORY:

Albert is chairing a staff meeting at Magic Paper Products. He asks for volunteers to staff a stall. Hayat offers but Albert ignores her and chooses Cheri who didn't offer. After the meeting Albert asks to talk to Hayat one to one. He says she's not fitting in. He says she insists on looking different. He says she should try to fit in more because "This is Australia, not Bongo-Bongo land". Cheri overhears this but says nothing.

A short time later, Hayat is fired from her job. She talks to her neighbour, Maureen, (who's a nurse) about it. Maureen says she should go to a Community Legal Centre to find out what her rights are.

Hayat rings Sylvia at her local Community Legal Centre. Sylvia suggests that she goes to The Australian Human Rights Commission.

**Relevant references:**

- ♦ [http://www.humanrights.gov.au/education/hr\\_explain/d/5\\_international.html](http://www.humanrights.gov.au/education/hr_explain/d/5_international.html) \*

\*This is a link to a page where human rights are explained. Students can access the **Universal Declaration of Human Rights**, the **International Covenant on Civil and Political Rights** and the **International Covenant on Economic, Social and Cultural Rights** from this site.

The reference to "Bongo-Bongo land" stems from a controversial and much maligned public comment made by British Tory MP Alan Clark when referring to Africa. Reference: McSmith, Andy, "Alan Clark: Bounder Beyond the Grave", *The Independent*, 18 January 2004

**Activity 8**

The questions can be adapted for parents or for other students depending on your class.

**Activity 9**

If necessary go over the definitions for *human rights* and *equal opportunity*.

Human Rights: the recognition and respect of other people's dignity.

Equal Opportunity: the right for everyone to have the same chances and to be treated the same.

Draw students' attention to the frontispiece, inside front cover of the workbook. This is a visual representation of some of the information in the listening text.

Race discrimination includes cyber racism, that is to say racism broadcast on the internet.

The Australian Human Rights Commission has one office, in Sydney, but The Commission conciliators can travel all over Australia to facilitate conciliation conferences. They can also conduct conciliation conferences over the phone.

**Activity 11**

The list of Community Legal Centres (CLCs) can be found at <http://www.naclc.org.au/directory/> You'll need a set of Street Directories (eg, Melway, Sydway etc).

If internet access is not available, teachers could print off relevant state or territory pages from the internet for students to search through. Some of the larger, more populated states have a lot of CLCs so you might like to cut and paste a selection from the list.

Explain that not all Community Legal Centres are relevant to all people, for example, some are for women only, or for Aboriginals and Torres Strait Islanders only.

**Activity 12**

The following method can be used so that students can discuss the answers together.

1. Students are given time to find the answers individually.
2. Arrange class into groups.
3. Students discuss the meaning of the words/phrases together and agree on what each one means.
4. With the whole class, teacher elicits meanings from each group and corrects any misinterpretations.

**Activity 16** Assertiveness Role Play

1. Explain what a role play is: Acting out situations in front of the class.
2. Read the sample dialogue with the class.
3. Describe a simple scenario for the students; for example, a person at work tells another worker their fish lunch smells bad.
4. On white board, elicit dialogue from the students and write it on the white board using the A: B: format. Keep it short.
5. Show students the Checklist for observers on the last page of the activity. Explain the criteria.
6. Ask two students to come up and act out the fish lunch scenario (dot point 3, above) for the class while the class marks their performance on the checklist.
7. Summarise the feedback.
8. Students, in pairs, then pick a scenario and write a dialogue together. (No more than 8 exchanges per dialogue)
9. Pairs then act out their dialogues as others watch and mark their checklist.
10. Pairs then swap A/B roles so that each student gets a chance to practise asserting themselves.

Two checklist grids are provided to accommodate larger classes. Photocopy extra checklists as needed.

**Activity 17**

If this exercise proves too difficult, photocopy the complete word list in Answers for students to work from.

**Activity 18**

This activity is optional depending on the level of your class. Some websites are easier to navigate than others. Hints to finding the Types of Discrimination links are included below.

**VICTORIA****VICTORIAN EQUAL OPPORTUNITY AND HUMAN RIGHTS COMMISSION**

Level 3 380 Lonsdale Street Melbourne Victoria  
Phone: 03 9281 7111 Toll free 1800 134 142

Direct link to Types of Discrimination

<http://www.humanrightscommission.vic.gov.au/Types%20of%20Discrimination/>

**Types of discrimination**

- ♦ age
- ♦ breastfeeding
- ♦ carer status
- ♦ disability/impairment
- ♦ gender identity
- ♦ industrial activity
- ♦ lawful sexual activity
- ♦ marital status
- ♦ parental status
- ♦ physical features
- ♦ political belief or activity
- ♦ pregnancy
- ♦ race
- ♦ religious belief or activity
- ♦ sex
- ♦ sexual orientation

- ♦ personal association with someone who has, or is assumed to have, one of these personal characteristics.

**QUEENSLAND**

**QUEENSLAND ANTI-DISCRIMINATION COMMISSION**  
Offices in Brisbane, Cairns, Rockhampton and Townsville  
(click on Find us link at top of page)

Phone 1300 130 670

Click on *Making a complaint*

Click on *Can the Anti-Discrimination Commission*

*Queensland help me?*

Direct link to types of discrimination:

<http://www.adcq.qld.gov.au/main/complaints.html#canhelpme>

**Types of discrimination**

- ♦ sex
- ♦ relationship status
- ♦ parental status
- ♦ pregnancy
- ♦ age
- ♦ lawful sexual activity
- ♦ impairment
- ♦ religious belief or religious activity
- ♦ political belief or activity
- ♦ trade union activity
- ♦ breastfeeding
- ♦ race
- ♦ gender identity
- ♦ sexuality
- ♦ family responsibilities
- ♦ association with someone on the basis of any of the above grounds
- ♦ victimisation because of your involvement in a complaint which has been or will be made to the Commission.

**NEW SOUTH WALES****ANTI-DISCRIMINATION BOARD OF NSW**

Level 4, 175 Castlereagh Street Sydney NSW 2000

Telephone - (02) 9268 5555

The link below provides a comprehensive list

[http://www.lawlink.nsw.gov.au/lawlink/adb/ll\\_adb.nsf/pages/adb\\_general](http://www.lawlink.nsw.gov.au/lawlink/adb/ll_adb.nsf/pages/adb_general)

**Types of discrimination**

- ♦ sex
- ♦ pregnancy
- ♦ race
- ♦ age
- ♦ marital status
- ♦ homosexual
- ♦ disability
- ♦ transgender (transsexual)
- ♦ carers' responsibilities
- ♦ discrimination because of who you are related to, or who you associate with
- ♦ harassment
- ♦ sexual harassment

**AUSTRALIAN CAPITAL TERRITORY****ACT HUMAN RIGHTS COMMISSION**

Street Address: Level 4, 12 Moore Street, Canberra ACT 2601

Postal Address: GPO Box 158, Canberra City, ACT, 2601

Telephone: (02) 6205 2222

Fax: (02) 6207 1034

Email: [human.rights@act.gov.au](mailto:human.rights@act.gov.au)

Website: [www.hrc.act.gov.au](http://www.hrc.act.gov.au)

<<http://www.hrc.act.gov.au/>>

[http://www.hrc.act.gov.au/index.cfm?MasterTypeID=2&SectionTypeID=19&Main](http://www.hrc.act.gov.au/index.cfm?MasterTypeID=2&SectionTypeID=19&MainTypeID=19)

[TypeID=19](http://www.hrc.act.gov.au/index.cfm?MasterTypeID=2&SectionTypeID=19&MainTypeID=19)

(Click on Our Services).

**Types of discrimination**

- ♦ sex
- ♦ sexuality
- ♦ trans-sexuality
- ♦ relationship status
- ♦ status as a parent or carer
- ♦ pregnancy
- ♦ breastfeeding
- ♦ race
- ♦ religious or political conviction
- ♦ disability
- ♦ membership or non-membership of an association
- ♦ age
- ♦ profession, trade or calling
- ♦ association
- ♦ spent conviction
- ♦ aid of an assistance animal
- ♦ profession, trade, occupation or calling
- ♦ sexual harassment
- ♦ vilification because of race, sexuality, trans-sexuality, or HIV/AIDS status
- ♦ victimization because of making a complaint of discrimination

A complaint can be made by any person who believes they have been the subject of discrimination or by any person with a concern about a health service, service for older people, disability service, or service for children and young people.

**SOUTH AUSTRALIA****SOUTH AUSTRALIAN EQUAL OPPORTUNITY COMMISSION**

Level 2, 45 Pirie Street, Adelaide SA 5000 Telephone: 8207 1977

[http://www.eoc.sa.gov.au/site/eo\\_for\\_you/what\\_is\\_discrimination/types.jsp](http://www.eoc.sa.gov.au/site/eo_for_you/what_is_discrimination/types.jsp)

Click on *What is discrimination?*

Click on *Types of discrimination*

**Types of discrimination**

- ♦ disability
- ♦ race
- ♦ age
- ♦ sex
- ♦ sexuality
- ♦ pregnancy
- ♦ marital status

**WESTERN AUSTRALIA****WESTERN AUSTRALIAN EQUAL OPPORTUNITY COMMISSION**

Level 2, 141 St George's Terrace, Perth WA 6000

Telephone:(08) 9216 3900

[www.equalopportunity.wa.gov.au](http://www.equalopportunity.wa.gov.au)

Click on *Discrimination and Harassment*.

Scroll down to *Grounds of Discrimination*

**Types of discrimination**

- ♦ age
- ♦ family responsibility
- ♦ family status
- ♦ gender history
- ♦ disability or impairment
- ♦ marital status
- ♦ political conviction
- ♦ pregnancy
- ♦ race
- ♦ racial harassment
- ♦ religious conviction
- ♦ sex
- ♦ sexual harassment
- ♦ sexual orientation
- ♦ spent conviction

**NORTHERN TERRITORY****NORTHERN TERRITORY ANTI-DISCRIMINATION COMMISSION**

7th Floor, National Mutual Building, 9-11 Cavenagh Street Darwin NT 0800 Telephone (08) 8999 1444

Go to: <http://www.nt.gov.au/justice/adc/>

Click on "ADC Information" in the left column.

Click on "Pamphlets"

Click on "What the Act means" link or Direct link:

<http://www.nt.gov.au/justice/adc/html/pamphlets/ADC%20General%20Information.pdf>

**Types of discrimination**

- ♦ race
- ♦ sex
- ♦ sexuality/including transexuality
- ♦ age
- ♦ pregnancy
- ♦ parenthood
- ♦ breast feeding
- ♦ impairment – (disability)
- ♦ trade union or employer association activity
- ♦ religious belief or activity
- ♦ political opinion, affiliation or activity
- ♦ irrelevant medical record
- ♦ irrelevant criminal record
- ♦ marital status
- ♦ association with a person who has, or is believed to have one of these attributes

**TASMANIA****TASMANIAN ANTI-DISCRIMINATION COMMISSION**

Level 1, 54 Victoria St, Hobart Tasmania 7000

Telephone (03) 6233 4841

Direct link: <http://www.antidiscrimination.tas.gov.au/>

Click on *Complaint Handling Process*.

Click on *How to lodge a complaint*

**Types of discrimination**

- ♦ age
- ♦ breastfeeding
- ♦ disability
- ♦ family responsibilities
- ♦ gender/sex
- ♦ industrial activity
- ♦ irrelevant criminal record
- ♦ irrelevant medical record
- ♦ lawful sexual activity
- ♦ marital status
- ♦ relationship status
- ♦ parental status
- ♦ political activity
- ♦ political belief or affiliation
- ♦ pregnancy
- ♦ race
- ♦ religious activity
- ♦ religious belief or affiliation
- ♦ sexual orientation/transsexuality
- ♦ sexual harassment
- ♦ victimisation
- ♦ inciting hatred
- ♦ association with a person who has, or is believed to have, any of these attributes or identities.

**Note: Spent Conviction, Criminal Record Discrimination**

The term 'irrelevant criminal record' is a broad term that can include a spent conviction, but it also may include other types of criminal records.

A spent conviction is an old conviction that the law says no longer needs to be disclosed, except in special circumstances. Generally, a conviction must be over 10 years old to become spent. Serious offences usually cannot become spent, no matter how old they are. There are many differences between the laws of each state, so a person should seek legal advice to find out what law applies to their conviction.

The Australian Human Rights Commission explains discrimination on the basis of criminal record in employment like this:

Criminal record discrimination occurs where a person discriminates against you because of something in your criminal record that is not relevant to and does not affect your ability to perform the inherent requirements of the job. A criminal record includes your convictions, spent convictions, charges, investigations and unrecorded convictions.

For further information:

[http://www.humanrights.gov.au/human\\_rights/criminalrecord/index.html](http://www.humanrights.gov.au/human_rights/criminalrecord/index.html)

**Lodging a complaint. Information in other languages.**

See Appendix B

<http://humanrights.gov.au/about/languages/index.html>

The accepted areas of discrimination vary between state, territory and federal laws. For example, a gay person who's discriminated against while trying to rent a flat would apply to a state/territory anti-discrimination agency. This complaint would only be covered by The Australian Human Rights Commission if the discrimination happened in the workplace.

Grounds for Race Discrimination can also take place on the internet. For details go to:

[http://www.humanrights.gov.au/racial\\_discrimination/publications/cyberracism\\_factsheet.html](http://www.humanrights.gov.au/racial_discrimination/publications/cyberracism_factsheet.html)

**Activity 21**

Explain that not all Community Legal Centres are relevant to all; eg, some are for women only, or for Aboriginal and Torres Strait islanders only.

**UNIT 3****DVD STORY:**

Hayat meets Cheri for coffee at a café. She asks Cheri if she'll be her witness when she takes her complaint to The Australian Human Rights Commission. Cheri declines because she's worried she'll lose her job. Hayat is disappointed.

At home, Hayat is in the living room, busy writing her application to the Commission. Her husband, Adem comes in and asks if she's had dinner. She says no. Adem says she must look after herself. The complaint is important but her health is important too. He'll help her with her application but she should go and eat. Hayat thanks him and takes his advice.

Later, Maureen (Hayat's neighbour) looks over Hayat's application and makes some suggestions. She also suggests that Hayat ask for compensation for lost earnings. Hayat admits that she and Adem have had to dig into their house savings because she hasn't been working.

Then Hayat receives a letter from The Australian Human Rights Commission to say that they'll investigate her case. Maureen offers to go to the Conciliation meeting with Hayat if Adem can't make it. Then Kathy, from the Commission, calls her to arrange a time and date for the conciliation meeting.

**Activity 6**

This passage is adapted from "Australians", "Eddie Mabo", first published 27 June 2007 by ABC Schools TV. For more stories of notable Australians, the website address is: <http://www.abc.net.au/schoolstv/australians/austs.htm>

Pre-teach vocab: indigenous, handed down, generation, boundaries, pearling boats, mainland Australia, union officials, seminars, speech, challenge, devastated, watercolours, strain, "on his deathbed", announced, traditional.

**Activity 7**

Google Maps is an excellent resource and easy to use. Students from Africa and parts of Asia may not be able to find their street or village but their nearest town should be there. Local locations are usually accompanied by a photo. NB. Users may have to exit Google Maps and then re-enter each time they search for new locations.

**Activity 11**

The following method can be used so that students can discuss the answers together.

1. Students are given time to find the answers individually.
2. Arrange class into groups.
3. Students discuss the meaning of the words/phrases together and agree on what each one means.
4. With the whole class, Teacher elicits meanings from each group and corrects any misinterpretations.

**Activities 15, 16 and 17**

These are everyday scenarios for practice and role plays. But if there are students who want or need to ring the Australian Human Rights Commission with a question, exercise can be adapted to suit.

**Activity 18**

If this exercise proves too difficult, photocopy the complete word list, in Answers for students to work from.

**Activity 19**

This activity explores only a tiny fraction of the content on the Commission's website. Teachers are advised to take time to look through the website and formulate more exercises to suit their students.

**UNIT 4****DVD STORY:**

Hayat is in a café, on the phone to Adem. She's disappointed because Adem has to be in Melbourne for work on the day of the conciliation meeting and won't be able to be there. Hayat tells Adem that Maureen will come with her. At an adjacent table, Rajani overhears Hayat mention The Australian Human Rights Commission and tells her that she also made a complaint to the Commission. But her bosses wouldn't even come to the meeting so she's going to take her bosses to court. Hayat and Rajani have a coffee together and Rajani explains that she was fired because she was a woman.

Hayat attends the Conciliation meeting with Maureen as her support person. Kathy is the Conciliator. She introduces Bernard, the Human Resources Manager at Magic Paper Products. He's Albert's support person. Kathy then asks Hayat to explain her complaint. Albert responds that he wasn't being racist. He says that Hayat was sacked because she was inflexible and wouldn't change shifts. Hayat quotes some of the things that Albert said to her.

Maureen tricks Albert into admitting that he called Ethiopia, "Bongo-Bongo land".

Then Kathy asks Hayat what she'd like the company to do to settle the complaint. Hayat asks for a work reference, an apology from Albert, education in anti-discrimination

practice for the staff and three months pay in compensation.

Kathy takes Albert and Bernard to a separate room to discuss negotiations. She returns to Hayat and Maureen to say that Magic Paper Products agrees to write a statement of service, and to educate their staff and to apologise but they won't pay compensation. Hayat says she would like some money to go back into her house savings. The parties come together and Magic Paper Products agrees to pay Hayat six weeks' pay. Then Albert apologises to Hayat, and the complaint is settled. Both parties sign an Agreement.

After the meeting, Hayat rings Adem to tell him the outcome and then she tells Maureen how happy she is that she fought the issue and made a difference.

**Activity 2**

c. Maureen quotes Albert as saying "Boom Boom land" so he answers that he actually said "Bongo Bongo land". So he inadvertently admits what he said.

**Activity 3****Statement of service or Reference?**

The Conciliation Agreement refers to a Statement of Service although Hayat refers to it as a reference. A statement of service provides the basic details of a person's employment, such as an employee's length of service and the position held. Unlike a reference, a statement of service does *not* comment on an employee's performance. This is what the employer is more likely to agree to. Thus the statement of service represents a compromise\* on what Hayat asked for. As does the amount of compensation Hayat receives.

*\*A good word to explore with the class. Most resolutions involve some compromise.*

**Activity 10**

Administrative bodies are called either Equal Opportunity Tribunals or Anti-Discrimination Tribunals in every state and territory *except* the Northern Territory. In the Northern Territory, if conciliation is unsuccessful then the Commissioner may hold a hearing and make a legally enforceable decision.

**Activity 14**

The following method can be used so that students can discuss the answers together.

1. Students are given time to find the answers individually.
2. Arrange class into groups.
3. Students discuss the meaning of the words/phrases together and agree on what each one means.
4. With the whole class, Teacher elicits meanings from each group and corrects any misinterpretations.

**Activity 19**

If this exercise proves too difficult, photocopy the complete word list in Answers for students to work from.

Answers

UNIT 1

Activity 1

Equal opportunity	The right of everyone to have the same chance and be treated the same
Discrimination	When someone is treated unfairly because of their sex, race or age etc.
Human Rights	Recognition and respect of people's dignity

Activity 4

a. Madeleine: Operations Manager, b. Albert: Accounts Manager, c. Hayat: Administrative Assistant, d. Cheri: Administrative Assistant

Activity 5

a. Yes, she says it's good. b. Open to interpretation: afraid of different food, thinks it's not clean, healthy etc. c. Angry. d. That her food smells bad and the kitchen smells bad. e. Upset, angry, indifferent. f. No, she thinks the problem is Hayat's. g. Upset, disappointed etc.

Activity 7

a. probation, b. advice, c. specific, d. unhygienic, e. situation, f. complain, g. uncivilised, h. fault

Activity 8

a. advice, b. probation, c. unhygienic, d. uncivilized, e. specific, f. fault, g. complain, h. situation.

Activity 9

Teachers Note: Some words can be pronounced differently. Dark ticks indicate common Australian pronunciation. Lighter ticks indicate rarer pronunciation.

	2	3	4	5
a. equal	✓			
b. discrimination				✓
c. preference	✓	✓		
d. uncomfortable			✓	
e. business	✓			
f. Aboriginal				✓
g. uncivilised			✓	
h. unhygienic			✓	
i. personally		✓	✓	
j. disability				✓

Activity 10

Stress on syllable	first	second	third
a. uncivilised		✓	
b. uncomfortable		✓	
c. situation			✓
d. unhygienic			✓
e. available		✓	

Activity 11

- a. Can I **remind** you that you're on **probation**?
- b. Can you **give** me some specific **examples**?
- c. In **Australia all people** are **equal**.
- d. I'm a **bit uncomfortable** with that question.
- e. Do you **mind** if we change the subject?

Activity 12

- a. 4 years, b. her country, why she came to Australia, her hijab.
- c. iii Why did you come to Australia?
  - vi Do you have to wear it to bed?
- d. That's a long story. I'll tell you some other time. I'm a bit uncomfortable with these questions.

Activity 15

See Teachers' Notes

**Mai** is Office Administration Manager – In charge of the administrative assistants.

**Jason** is Marketing Manager – in charge of advertising and promotion of company.

**Deeka** is the C.E.O – in charge of the whole company.

**George** is the Human Resources Manager- in charge of staffing, advertising new jobs, arranging job interviews etc.

**Henry** is Dispatch Manager – in charge of sending out the orders, making sure that orders are correct and sent to the right place.

**Mavis** is the Finance Manager – in charge of the costs and income of the company.

Activity 16

See Teachers' Notes

**grounds** The grounds of discrimination are the **reasons** for which a **person** can pursue a complaint under the law; for example, **race** discrimination, age discrimination, pregnancy discrimination.

**area** The areas of discrimination are the circumstances under which the **unfair** treatment happened; for example, in the **workplace**, or while trying to get a service.

Activity 19

- a. Race discrimination, b. Pregnancy discrimination,
- c. Age discrimination, d. Discrimination in sexual preference, e. Religious discrimination,
- f. Sex discrimination, g. Disability discrimination

Activity 20

Cases a, b and c would be considered areas of discrimination that are covered by law. (The football field is a workplace for a professional footballer.)

In Case d, the dispute happened in the family, so, even though Jane is being treated unfairly (discriminated against) it would not be considered an area of discrimination under the law.



**Activity 21**

- a. iii to do something for the first time
- b. iii not serious
- c. iii sit down
- d. i to talk to someone as if you are better than them
- e. iii to think that someone criticises you because they don't like you
- f. ii They told me I must leave my job.
- g. ii I was paid well.
- h. iii That's fine.

**Activity 22**

- a. to try something, b. the money was good,
- c. they let me go, d. talk down to, e. joking

**Activity 24**

Aboriginal	daughter	pregnant
advice	disability	specific
apologise	fault	uncivilised
bin	gay	unhygienic
boss	jobs	upset
company	popular	

discrimination

**UNIT 2**

**Activity 2**

a. Any of the following, can be paraphrased, "People prefer a familiar face", "You insist on remaining different", "You still dress the way you do, even though it makes everyone uncomfortable", "advertising your differences" "This is Australia, not Bongo Bongo Land". Re Hayat's assertion that she's Australian: "Not from where I'm sitting"

**Activity 3**

a. True, b False, c. Cheri, d. dignified, indignant, upset, firm etc., e. She wanted proof of his prejudice, she wanted to clarify what he was saying, f. Hayat's neighbour, g. Legal Centre, h. Human.

**Activity 4**

eg a. Hayat (wanted to) volunteered to help at the Expo but Albert said no., b. Albert told Hayat that she wasn't fitting in. He said some awful things to her., c. Hayat lost her job and told her neighbour, Maureen., d. Hayat rang Sylvia at the Community Legal Centre. Sylvia told her she could go to the Commission.

**Activity 6**

a. union, b. legal, c. support, d. volunteer, e. contract, f. training, g. review, h. community

**Activity 7**

a. legal, b. union, c. review / contract, d. community, e. volunteer, f. training, g. support

**Activity 9**

a.1986, b. True, c. True, d. True, e. False.

**Activity 10**

- a. Disability discrimination
  - i He wrote a letter to the cinema.
  - ii He went to the Commission.

- b. Race discrimination
  - i He rang a Community Legal Centre.
  - ii He rang the Commission.
- c. Religious discrimination
  - i She rang the Commission.
  - ii She rang the Northern Territory of Australia Anti Discrimination Commission.

**Activity 11**

See Teachers' Notes

**Activity 12**

a. iii wait behind, b. i be a part of the group, c. iii an equal chance, d. ii arrived, e. I be told to leave your job, f. i have papers or witnesses to show that something happened, g. ii the public feeling today.

**Activity 13**

a. hang back, b. fit in, c. be sacked, d. turned up, e. a fair go.

**Activity 14**

a. false, b. true, c. true, d. false, e. true.

**Activity 15**

a. Being assertive/Being assertive with difficult people, b ii university, c. i wrong ii better, d. coffee, e. angry, f. **When you** speak to me like that, **I feel like** you don't respect me.

**Activity 16**

See Teachers' Notes

**Activity 17**

Australian	expo	reference
centre	fair	right
citizen	Hayat	sacked
community	human	support
contract	legal	training
email	proof	union
		volunteer

Being assertive is a good way to **show how you feel**.

**Activity 18**

See Teachers' notes

**Activity 20**

- A i Irrelevant Criminal Record Discrimination (Spent Conviction, Criminal Record)
  - ii Yes
  - iii Yes if you live in Western Australia or Tasmania (other states/ territories can apply to the Commission).
- B i. Physical Features Discrimination
  - ii the Commission would refer the complainant to VEOHRC
  - iii Yes only if you live in Victoria
  - iv Victorian Equal Opportunity and Human Rights Commission.

- C i Marital status  
 ii No, the Commission would refer complainant to state/territory agency  
 iii Yes (every state/territory) covers this type of discrimination
- D i Transgender/Transexuality/Gender identity/Gender History  
 ii No, the Commission would refer complainant to relevant state/territory agency  
 iii Yes if you live in Victoria, Queensland, New South Wales, Australian Capital Territory, Tasmania and the Northern Territory.

**UNIT 3**

**Activity 2**

- a. true, b. job, c. name, d. husband, e. ii, f. money, g. the Australian Human Rights Commission (or Kathy), h. The Australian Human Rights Commission, i. 18<sup>th</sup> July.

**Activity 3**

- a. court, b. favour, c. witness, d. statement, e. complaint, f. health, g. payslip, h. compensation

**Activity 4**

- a. favour, witness, b. compensation, c. payslip, d. statement, e. complaint, f. court, g. health

**Activity 6**

- a. Eddie Mabo's life. Eddie Mabo's fight for landrights. Biography of Eddie Mabo.  
 b. Because his mother died and his uncle Eddie Mabo and his wife raised him as their son.  
 c. On pearling boats, on the railways, as a gardener  
 d. His families land was Crown Land. It did not belong to his family.  
 e. Land Rights Conference  
 f. Aboriginal and Islander people could prove their rights to the land.  
 g. i The writer liked Eddie Mabo. The writer thinks Eddie Mabo did a good thing.  
 ii The writer shows that s/he admires and empathises with Eddie by using words such as "*bravely*", "*naturally*"

**Activity 7**

- f. East, i. Papua New Guinea, j. Australia

**Activity 8**

- P1. Introduction: Why Eddie Mabo is famous  
 P2. Details of Eddie's birth  
 P3. Eddie's early knowledge of his family's land  
 P4. Eddie's first jobs and political activity  
 P5. Eddie starts to educate himself  
 P6. Eddie finds out that his land belongs to the government  
 P7. Eddie speaks publicly about his people's land rights  
 P8. Eddie and his people decide to fight for their land  
 P9. Eddie loses the case but continues to fight.  
 P10. Eddie tries to relax but he starts to get sick.  
 P11. **Eddie dies.**  
 P12. **The case is won in the High Court.**  
 P13. **Eddie is buried as a king.**

**Activity 9**

*Suggested answers*

- Hayat asked Cheri to be her witness but Cheri said no. She was scared she would lose her job. Hayat was very disappointed.
- Adem was worried that Hayat wasn't looking after herself. Adem helped Hayat to write her complaint to the Commission so that Hayat could have dinner.
- Maureen read Hayat's complaint form. She suggested that Hayat ask for compensation.
- Hayat received a letter from the Commission. Her complaint was going to be investigated.
- Kathy, a Conciliator, rang Hayat. She asked if the date for the conciliation meeting was alright. Hayat said yes. She told Kathy that she was going to bring a support person.

**Activity 11**

- a. iii until that time, b. ii to buy something for someone, c. i That's sad., d. ii to have earned something, e. ii I like what you're saying., f. i change your working hours with another worker, g. iii to write or phone or visit someone.

**Activity 12**

- a. Now you're talking!, b. deserve, c. swap shifts, d. In the meantime, e. shout

**Activity 13**

- a. rooms, b. Yes, c. because Bernard will be there, Bernard is friendly. She didn't want to be with Madeleine and Albert, d. Statement, notes, list of things she wants from the meeting, e. Get a good night's sleep

**Activity 18**

Adem
application
compensation
complaint
DVD
favour
grounds

Hayat
husband
investigate
Kathy
meeting
neighbour
outcome

paper
payslip
pity
shift
statement
witness

Adem knows that Hayat's complaint is important but he also knows that her **health is important too.**

**Activity 19**

- d. In writing, Hard copy complaint form, Online complaint form, by email  
 e. Your name address and telephone number  
 Who you're complaining about and their contact details  
 What happened to you, when it happened and who was involved  
 What law you think has been breached and how  
 Whether you have made a complaint anywhere else and if so what happened.  
 h. All Australians - no matter what their national, cultural or religious background- have a right to feel safe, respected and part of the community in which they live.

**UNIT 4**

**Activity 3**

- a. She's taken a complaint to the Commission too,
- b. Magic Paper Products, c. change, d. race,
- e. a written reference, Albert to say sorry, three months' pay, For Magic Paper Products to conduct workplace anti-discrimination education, f. a statement of service\* (see *Teacher's Notes*), MPP will tell workers about anti-discrimination, 6 weeks' pay, Albert says sorry.

**Activity 4**

- a. agreement, b. resolve, c. complainant, d. negotiation, e. conciliation, f. subpoena, g. respondent, h. referee.

**Activity 5**

- a. subpoena, b. conciliation, c. complainant, d. resolve, e. referee, f. respondent, g. negotiation, h. agreement.

**Activity 6**

	2	3	4	5
a. agreement		✓		
b. complainant		✓		
c. conciliation				✓
d. embarrassment			✓	
e. negotiation				✓
f. referee		✓		
g. resolve	✓			
h. respondent		✓		
i. subpoena		✓		

**Activity 7**

Stress on syllable	second	third	fourth
a. agreement	✓		
b. conciliation			✓
c. referee		✓	
d. resolve	✓		
e. respondent	✓		
f. subpoena	✓		

**Activity 8**

- a. He **said** he would be a **phone** referee.
- b. He **apologised** to me so I feel **better** now.
- c. Would you be my **work** referee please?
- d. The **company** agrees to **resolve** the situation.
- e. Would you like me to **sign** the **Agreement**?

**Activity 9**

- 1. Introductions, 2. The complainant's statement, 3. The respondent's statement, 4. Negotiation, 5. Resolution.

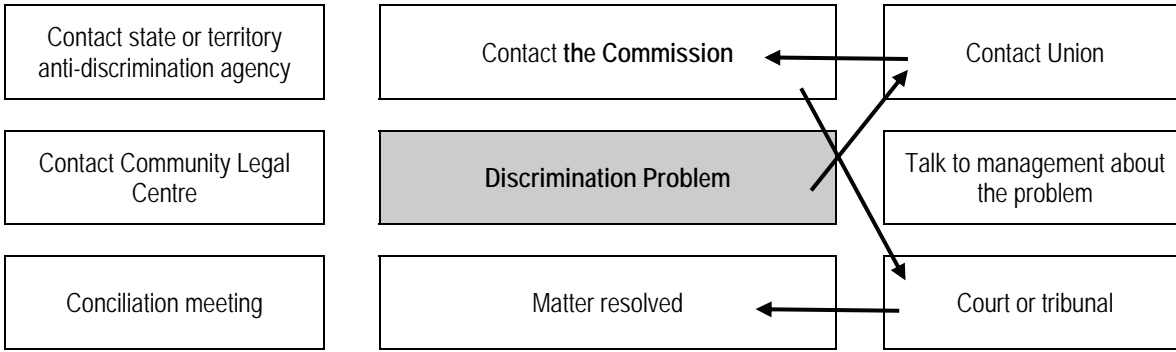
**Activity 10**

- a. courts and tribunals, b. No, c. No, d. There is no limit to the amount of compensation you might receive, you can order witnesses to come to court with a subpoena., e. You might not need a lawyer, you can order witnesses to come to a tribunal with a summons, you don't usually have to pay the other side's legal costs if you lose.

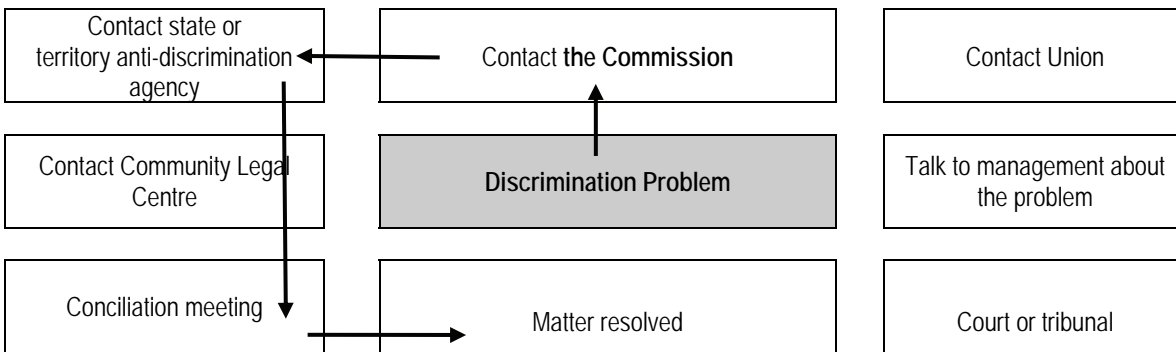
**Activity 11**

- a. To tell her she'd won her case in court, b. Compensation for pay that she'd lost, Her old job back, c. local high school, d. Saturday at 2pm, e. happy, celebratory, supportive, congratulatory, (*anything upbeat!*)

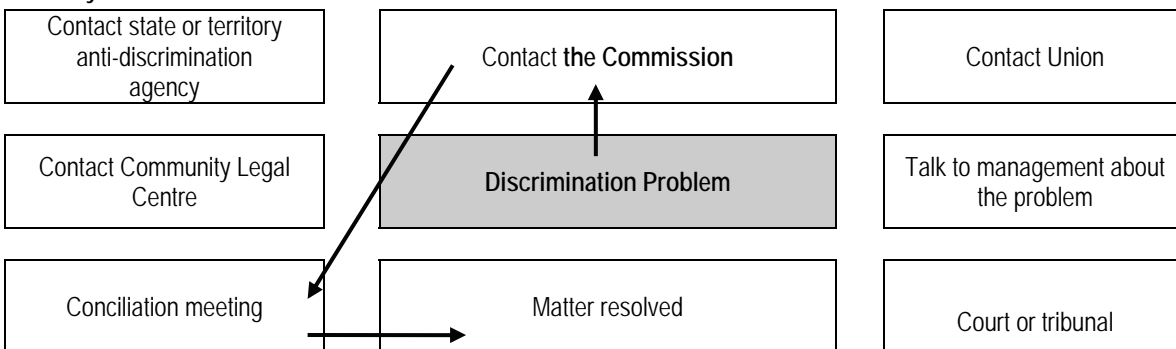
Activity 12



Case 2 Simon



Activity 13



Activity 14

a. i having little or no money, b. iii to hear something that isn't said to you directly, c. ii why something happens, d. i to put an end to an argument, e. ii money put away for a special occasion, f. i worker's pay

Activity 15

a. savings, wages, b. broke, c. overhearing, d. reason, e. settle

Activity 19

agreement	occasion	savings
broke	overhear	settle
court	reason	situation
inflexible	referee	subpoena
negotiation	resolve	wages

Activity 20

a. True, b. True, c. False, d. False, e. True, f. True, g. True, h. True, i. False, j. False, k. True.

After Hayat's successful conciliation she celebrated with her friends and family.

## Audio scripts

## UNIT 1

## Track 01 Activity 9 Listen and repeat

- equal
- discrimination
- preference
- uncomfortable
- business
- Aboriginal
- uncivilised
- unhygienic
- personally
- disability

## Track 02 Activity 10 Listen and tick

- uncivilised
- uncomfortable
- situation
- unhygienic
- available

## Track 03 Activity 11 Listen, underline and repeat

- Can I remind you that you're on probation?
- Can you give me some specific examples?
- In Australia all people are equal.
- I'm a bit uncomfortable with that question.
- Do you mind if we change the subject?

## Track 04 Activity 12 Listen and answer

*Cheri:* Where do you come from Hayat?

*Hayat:* Ethiopia.

*Cheri:* Where's that?

*Hayat:* It's in the north east of Africa.

*Cheri:* Gee, that's a long way away. Why did you come to Australia?

*Hayat:* That's a long story. I'll tell you some other time.

*Cheri:* How long have you been here?

*Hayat:* Four years.

*Cheri:* Why do you wear a scarf?

*Hayat:* My hijab? Um, I wear it for my religion.

*Cheri:* Do you have to wear it to bed?

*Hayat:* Ah, I'm a bit uncomfortable with this question.

*Cheri:* Oh sorry!

*Hayat:* No worries. So where do you live, Cheri?

*Cheri:* Oh, I live in Newtown.

## UNIT 2

Track 05 Activity 9 Listen and answer the questions  
About the Australian Human Rights Commission

The Australian Human Rights Commission was established in 1986 by an act of Federal Parliament.

The Commission's office is in Sydney but it's for people all over Australia.

The Commission helps people to understand human rights in Australia. It also helps people to speak up if they think they've been discriminated against because they're:

- ♦ male or female (sex discrimination)
- ♦ from a particular race or ethnic background
- ♦ Aboriginal or Torres Strait Islander (race discrimination)
- ♦ a person with a disability (disability discrimination)
- ♦ too old or too young (age discrimination)
- ♦ or if they've experienced sexual harassment

The Commission can help people all over Australia. But there is also an anti-discrimination agency in each state and territory. These state agencies can cover other areas of discrimination. For example, the Commission covers religious discrimination if it happens in the workplace but in the states, religious discrimination can be covered if it happens *outside* the workplace.

**Track 06 Activity 15 Part A Listen and answer**

**Petra:** You're listening to Radio Triple 8 and our guest today is Virginia Mazzone. Virginia is a senior lecturer in Behavioural Psychology at Whitehorse University and she's talking to us about how to be assertive with difficult people. Good morning and welcome Virginia.

**VM:** Good morning.

**Petra:** Virginia, you've done a lot of research into how to deal with difficult people. I think we've all had problems with difficult people at some time in our lives.

**VM:** Yes. You can find difficult people anywhere. But if it's just a passing stranger who's being difficult, say on a bus or in a shop, you can probably let it pass. But what if you have to see this person all the time, like a boss at work, or an in-law?

**Petra:** Oh yes, I know that situation! It's really hard. Ah... So what can I... we do about difficult people?

**VM:** Well, the first thing to remember is that difficult people usually don't know that their behaviour is having a bad effect on the people around them. So when you speak to them, don't make them feel like they're wrong. Just say how you feel. And often that'll be enough. They'll change their behaviour.

**Petra:** But what if you really don't like the person? I'm always afraid that I'll get too angry.

**VM:** Just speak in a firm, even tone. That way you won't sound angry. You want the person to treat you with respect in future so show them by example, and treat them with respect too. Trust that they'll listen to what you say.

**Petra:** So aim for a positive outcome...

**VM:** Yes. You don't want revenge. You want a better or more respectful relationship with the person.

**Track 07 Activity 15 Part B Listen and answer**

**Petra:** So can you suggest a good way to tell someone, a work colleague, say, that you don't want to get his coffee every morning because you're really, *really* busy?

**VM:** Yes, there's a very simple way of asserting yourself. And it's a pattern. You start with two simple words, "When you"... So in your example a person could say, "When you expect me to get your coffee every morning, I feel stressed because I have a lot of work to do." So the pattern is, "when you, I feel". You try it.

**Petra** OK. (*too angry*): When you, expect me to get your coffee every morning, I feel stressed because I have a lot of work to do.

**VM:** You got the pattern right but your tone was a little strong. You sounded a bit angry. Try again.

**Petra** (*firmer, even*): When you expect me to get your coffee every morning, I feel stressed because I have a lot of work to do.

**VM:** That's much better.

**Petra:** Yes, I feel better. Thanks Virginia. It's twelve past ten, we'll take a short break. You're listening to Radio Triple 8 and our guest this morning is Virginia Mazzone.

**UNIT 3****Track 08 Activity 13 Listen and answer**

**Kathy:** Kathy Vellicott speaking

**Hayat:** Oh, Hi Kathy. It's Hayat Beshir here.

**Kathy:** Oh yes, Hi Hayat.

**Hayat:** Kathy, there are a couple of things I want to ask you about the conciliation meeting.

**Kathy:** Sure. What would you like to know?

**Hayat:** Well, my neighbour said that I could sit in a different room if I didn't want to see Albert.

**Kathy:** That's right, it's called a shuttle process. Would you prefer that?

**Hayat:** Maybe. Um, is Albert bringing Madeleine with him?

**Kathy:** I don't think so... just a minute.

**Kathy:** No, Hayat. Albert's support person is Bernard Hoskins, the Human Resources Manager. Do you know him?

**Hayat:** Oh yes. He's very friendly. Maybe it'll be OK if we meet in the same room.

**Kathy:** Well, if you're sure, Hayat. There's no problem if you don't want to. I can arrange separate rooms.

**Hayat:** No it's OK. Thanks. Oh and Kathy, there's just one other thing.

**Kathy:** Yes?

**Hayat:** What should I bring to the meeting?

**Kathy:** Bring your statement, bring your notes. And highlight all the important points. Also bring a list of the things you want from the conciliation meeting. If you have it in front of you, you won't forget anything.

**Hayat:** Thanks Kathy.

**Kathy:** No worries. Oh and Hayat?

**Hayat:** Yes?

**Kathy:** Get a good night's sleep the night before.

**Hayat:** I will. Thanks for your help.

**Kathy:** That's fine. Call me if there's anything else you'd like to know.

**Hayat:** OK. Bye.

**Kathy:** See you.

**Track 09 Activity 15 Listen and repeat**

- I'm ringing to ask about your opening hours.
- Could you tell me what time you close tonight?
- Yes, could you send me a brochure on recycling please?
- I have a query about hard rubbish collection. When's the next collection?
- I'm ringing about my electricity bill. It seems very high.
- Do you mind telling me what I need to bring with me to join the library?
- Could you tell me how I apply for a parking permit?
- Oh, and I have another question. How much does the permit cost?
- Thanks for your help.

## UNIT 4

## Track 10 Activity 6 Listen and repeat

- agreement
- complainant
- conciliation
- embarrassment
- negotiation
- referee
- resolve
- respondent
- subpoena

## Track 11 Activity 7 Listen and tick

- agreement
- conciliation
- referee
- resolve
- respondent
- subpoena

## Track 12 Activity 8 Listen, underline and repeat

- He said he would be a phone referee.
- He apologised to me so I feel better now.
- Would you be my work referee please?
- The company agrees to resolve the situation.
- Would you like me to sign the Agreement?

## Track 13 Activity 11 Listen and answer the questions

*Rajani:* Could I speak to Hayat please?

*Hayat:* Hayat speaking.

*Rajani:* Hi Hayat, my name is Rajani. We met in a café a few months back. We talked about the Australian Human Rights Commission.

*Hayat:* Yes Rajani, I remember! I've been wondering how you got on in court.

*Rajani:* Well, the case was decided yesterday. And I won!

*Hayat:* Oh Rajani, that's fantastic.

*Rajani:* Yes, I got my old job back and I also got compensation for the pay I lost while I wasn't working.

*Hayat:* Rajani, that's such good news. I'm so happy for you.

*Rajani:* Thanks Hayat. I'm really relieved. So... How did you go?

*Hayat:* Well I got a statement of service and six weeks' pay and my boss apologised. *And* the company is going to educate the staff so it doesn't happen again.

*Rajani:* Good on you.

*Hayat:* So when do you start work again?

*Rajani:* On Monday. I can't wait to see my mates again.

*Hayat:* I understand... By the way, I've got a new job.

*Rajani:* That's great. I hope they treat you better than the last lot.

*Hayat:* They do. It's really a great workplace. I work in the office at the local high school.

*Rajani:* That's wonderful. Congratulations. Well, good luck Hayat, and if you ever feel like coffee. Just give me a call.

*Hayat:* That'd be nice. Are you around this weekend?

*Rajani:* I'm free on Saturday afternoon.

*Hayat:* Great. How about I meet you at the same coffee shop at two? I'll have my daughter with me.

*Rajani:* Perfect. See you then.

*Hayat:* Yeah. See you.

## Track 14 Activity 13 Listen and draw the pathway

When I refused to take my hijab off at work, the boss gave me the hardest shifts and then he sacked me. It was too difficult for me to complain to management so I contacted the Australian Human Rights Commission. We had a conciliation meeting there and the management apologised to me and said of course it was fine for me to wear the hijab. And I got my job back. So the matter was resolved.

## DVD scripts

## OPENING: NARRATOR

*Narrator:* The people in the following story refer to HREOC. In your workbooks, it is called the Australian Human Rights Commission. This is because HREOC recently changed its name to the Australian Human Rights Commission. So HREOC is the old name and the Australian Human Rights Commission is the new name for the same organisation.

## UNIT 1 TROUBLE AT WORK

## PART 1 SCENE 1: IN THE WORK LUNCHROOM

*Cheri:* What's that you've got there Hayat?  
*Hayat:* It's zegni. Here try some. You eat it like this.  
*Cheri:* Like..? (laughs) Mmm. It's good.  
*Hayat:* Would you like to try some, Albert?  
*Albert:* No thanks. It's a bit unhygienic, isn't it?  
*Hayat:* What do you mean?  
*Albert:* Well, eating meat and bread with no knife or fork. It's uncivilised.  
*Hayat:* But you are eating meat and bread... no knife, no fork!  
*Albert:* It's not the same. You know... you people. You think your way is the only way, don't you?  
*Hayat:* Sorry. I don't understand what you mean.

## PART 1 SCENE 2: IN THE OFFICE

*Albert:* Aah. The bin in the lunchroom is full. Hayat, can you take it outside and empty it?  
*Hayat:* Oh. Isn't that the cleaner's job? He's coming this afternoon, and I have to finish this order by two o'clock.  
*Albert:* Well there's something in the bin that's making the room smell bad.  
*Hayat:* Albert, when you say that, I feel as if you think it's my fault.  
*Albert:* What are you saying?  
*Hayat:* I just don't understand why you're asking *me* to do this.  
*Albert:* Can I remind you that you're on probation?  
*Hayat:* What do you mean?  
*Albert:* "What do you mean?" "I don't understand". You know, there seems to be a language problem here, doesn't there. Maybe you should go back to English classes?

## PART 1 SCENE 3: AT THE RUBBISH BINS

## PART 1 SCENE 4: IN MADELEINE'S OFFICE NEXT DAY

*Madeleine:* Yes? Hayat isn't it?  
*Hayat:* Yes. Madeleine, could I speak with you for a minute?  
*Madeleine:* Of course. Take a seat. How can I help you?  
*Hayat:* Um. There's a situation with Albert I'm concerned about. I'm concerned about the way that he talks to me. He talks about my food as if I'm doing something wrong and yesterday he told me to take out the rubbish. But that's not my job. He... I think he talks down to me.  
*Madeleine:* Albert Stone? That doesn't sound like Albert. Are you sure he wasn't joking? He's very funny. And no one's complained about him before.  
*Hayat:* Oh. Maybe he's just not used to people from other countries.  
*Madeleine:* Oh, I don't think that can be the problem. He's a very popular boss. And he gets along very well with Frank... and Frank's from New Zealand! ..... Can you give me some specific examples?  
*Hayat:* Well just what I've said about the food and the rubbish. And he told me that I needed more English classes and that the way I ate was uncivilised.  
*Madeleine:* Hayat, you've just started. It might take you a while to get used to the way things work around here. My advice to you is to just give it some time... and don't take things so personally! Was there anything else?  
*Hayat:* Oh no. Um... thanks for your time.  
*Madeleine:* No worries. Any time.

## PART 2 SCENE 1: WHAT IS DISCRIMINATION?

*Narrator:* In Australia, all people are equal and there are laws to protect the rights of everyone. You cannot be treated unfairly or harassed because you are: from a particular race or ethnic background, an Aboriginal person or Torres Strait Islander, a person with a disability, male or female, married or single, pregnant or because of your age or sexual preference. If you are treated unfairly under the law, it's called *discrimination*.



**PART 2 SCENE 2: DISCRIMINATION CASES**

- Hayat:* My family was so happy when I got a job. I couldn't tell them for a long time that my boss made me feel terrible. He said awful things to me, and treated me unfairly under the law.
- Rob:* I went to an hotel. I tried to book a room. They said there weren't any rooms left. Then a white man came in and the desk clerk... he waited till he thought I was gone but I heard him say there were plenty of rooms available.
- Barry:* I love going to the movies but my local cinema doesn't have a lift. It just has a really long staircase, so I can't get in.
- Peter:* My boss was really happy with my work until I went to the work barbecue and brought my partner, Bill. In the months after the barbecue, he stopped sending me on overseas business, and I applied for three promotions but didn't get any of them. And he started calling me things like "queer" and "poof" like it was funny. But it wasn't. Finally he said that he'd have to let me go because the other workers weren't comfortable working with someone who was gay. But I've got plenty of friends there. It was just the boss who had the problem.
- Rajani:* I'm a fork-lift truck driver. I worked at a warehouse. The work was hard but the money was good and I'm a single mother so I need it. Anyway, when my company lost business, my boss told me I had to go because the men needed the jobs more.
- Sue:* When I told my boss I was pregnant, he sacked me.
- Mustafa:* I found a flat I wanted to rent. The woman at the real estate agency asked me, "How many people are living there?" I said, "My wife, my son and myself." She said, "Are you sure?" And then she said, "I'm sorry, that flat has been taken." But the flat was still on the rental board. And the next week they let it to a white family.
- Philip:* A new manager took over at my work. She wanted the store to have a younger image. She fired me because she said I was older and probably didn't need the money as much as younger workers with young children.
- Alya:* After the September 11 bombings, I started getting a hard time at work. I work the checkout in the supermarket. And my boss "suggested" that I take off my hijab while I'm at work. I couldn't believe he asked me to do that. And of course I couldn't do that. I mean it's a part of my religion! It's so important to me! Then he made me work early mornings and late nights. They're like the hardest shifts.

**PART 2 SCENE 3: AREAS OF DISCRIMINATION**

- Narrator:* Where did the discrimination happen? Discrimination is against the law if it happens in an area of public life. For example, at work, at school or university, in a club, trying to get accommodation, trying to get a service or buy something, or trying to use a public place...you'll find out more about areas of discrimination in your workbook. Hayat asserted herself with Albert but he didn't listen. But it's still a good idea to talk to the person first. Sometimes this is enough to put an end to the problem.
- Rob:* So when I saw the desk clerk give a hotel room to a white man but not me, I went to the desk and I said, "Hey mate, you told me that there weren't any rooms. You must have made a mistake." And he realised I'd *got* him and he said, "You're right. I'm very sorry sir. I *was* mistaken. There *is* a room available." So I got a room but I wrote to the hotel management to tell them what happened and they wrote back and apologised and they said that they'd talked to the desk clerk and it wouldn't happen again.

**UNIT 2 HAYAT LOSES HER JOB****SCENE 1: IN THE MEETING ROOM AT WORK**

- Albert:* Now we need volunteers for the expo. Thanks Frank. Anyone else?
- Hayat:* I can do it Albert.
- Albert:* Er, have you had the training?
- Hayat:* Well, I helped Pat set up the local stall and when customers asked me questions I could answer them all well.
- Albert:* I'm afraid you'll have to be trained in customer service. Cheri, how are you placed for Friday?
- Cheri:* I guess I can do it but I haven't had any customer training either.
- Albert:* That's fine, you have experience. And as we all know, customers prefer a... well, how should I say... a *familiar* face.
- Albert:* Now, the Blue Lake order... let's get on with that. Now deliveries for last month... we're down by 20%...

**SCENE 2: IN THE MEETING ROOM, LATER**

*Albert:* Hayat could you just hang back a minute?  
*Hayat:* Sure.  
*Albert:* Hayat, how do you think you're fitting in here?  
*Hayat:* Oh good. I like it here. Everyone's so friendly.  
*Albert:* Yes, I think people have given you a fair go.  
*Hayat:* Yes they've been very helpful... And they seem to like my work.  
*Albert:* But that's not the point is it?  
*Hayat:* It's not?  
*Albert:* Well, you turn up and you do your job. But do you really feel like you're making an effort to fit in here?  
*Hayat:* Sorry?  
*Albert:* Hayat, I have to give a review of your performance in a week and I just don't know what to say.  
*Hayat:* Well, you could say I'm doing a good job and I like working here.  
*Albert:* But in the current climate, you insist on remaining different. You continue to dress the way you do, even though it makes everyone uncomfortable.  
*Hayat:* *Everyone?* Have the others complained?  
*Albert:* No, they're far too polite. What you need to realise is that you're in *our* workplace. This is Australia, not Bongo-Bongo land.  
*Hayat:* You mean Ethiopia.  
*Albert:* Wherever.  
*Hayat:* Albert, I'm Australian. I'm an Australian citizen.  
*Albert:* Not from where I'm sitting. .... Look, with the backlash against your people, you're not doing yourself any favours by advertising your differences.  
*Cheri:* Can you sign this purchase order for me Albert?  
*Albert:* Yes of course, Cheri. Hayat and I were just finishing up.  
*Hayat:* Albert, could you email me about the changes you want me to make before my review?  
*Albert:* Of course.

**SCENE 3: OUTSIDE HAYAT'S HOUSE, THREE DAYS LATER**

*Maureen:* Hi Hayat.  
*Hayat:* Oh, hi Maureen.  
*Maureen:* What's up?  
*Hayat:* I've lost my job.  
*Maureen:* Oh no. Poor thing. You'd just started hadn't you?  
*Hayat:* Yeah, I was on probation. But I know I was doing a good job.  
*Maureen:* Maybe you could go to the union.  
*Hayat:* I'm not a member. I was waiting till I get a contract before I joined. You know, I think my boss just wanted to get rid of me. He don't like this.  
*Maureen:* Did he say that?  
*Hayat:* He said the way I dress makes people uncomfortable. He said I shouldn't advertise my differences. And that this is Australia.. not Bongo-Bongo land.  
*Maureen:* That's terrible! Hayat! Did he say that?! That sounds like discrimination. You should get some advice from somewhere.  
*Hayat:* Where?  
*Maureen:* You could try a Community Legal Centre.  
*Hayat:* They can help me with that?  
*Maureen:* Yeah. I think so.

**SCENE 4: IN HAYAT'S LIVINGROOM, ON THE PHONE WITH SYLVIA**

*Sylvia:* So did Albert write down the reasons for sacking you?  
*Hayat:* He sent me an email but the reason was different from what he said to me.  
*Sylvia:* Did you talk to Albert's boss about the problem?  
*Hayat:* Yes. She said it was *my* problem.  
*Sylvia:* Do you still *want* to work there?  
*Hayat:* No, I won't feel comfortable.  
*Sylvia:* So what would you like them to do?  
*Hayat:* I worked well. I want a good reference so I can get another job.  
*Sylvia:* Anything else?  
*Hayat:* Yes, I would like Albert to say that he's sorry and that he won't treat other people that way again.  
*Sylvia:* Fair enough. It seems like his boss needs to learn that lesson too... Hayat, do you have any *proof* of Albert's remarks?  
*Hayat:* Well, he didn't write it down.  
*Sylvia:* Hmmm. It might be hard if it's just your word against his.  
*Hayat:* Well, my co-worker, Cheri, was there when he said I came from Bongo-Bongo land. I think she heard.  
*Sylvia:* Well, that's important. I think you can take your case to HREOC.  
*Hayat:* What's HREOC?  
*Sylvia:* HREOC is the Human Rights and Equal Opportunity Commission. They are there to help if people feel they've been discriminated against. Like you.  
*Hayat:* Really?  
*Sylvia:* Yes, so write down everything you remember about what he said, give dates and times and places if you can. You can write in your first language if it's easier. HREOC will have it translated into English.  
*Hayat:* That's good.  
*Sylvia:* Yes it is. But Hayat, it can be a long process and it can be very hard. Your boss might say bad things about you.  
*Hayat:* Who do I have to contact?  
*Sylvia:* The phone number for HREOC is one-three hundred, six-five-six, four-one-nine. Now, talk to your family and friends about what you're doing. And make sure you have lots of support.

**UNIT 3 APPLYING TO THE AUSTRALIAN HUMAN RIGHTS COMMISSION****SCENE 1: IN A COFFEE SHOP, WITH CHERI**

*Hayat:* So, Cheri, do you remember what Albert said to me?  
*Cheri:* Yeah, he was awful. He said you came from Bongo-Bongo land. And that you should try to be more Australian.  
*Hayat:* Oh you *remember* that, thank goodness. Cheri, I have a favour to ask you. I'm going to take my complaint to HREOC. They help with discrimination cases like this.  
*Cheri:* Oh yeah?  
*Hayat:* Well, I'm wondering if you could be my witness. You just have to write a statement to say what you heard and when it happened.  
*Cheri:* Will Albert read it?  
*Hayat:* Yes Albert and... maybe some other managers.  
*Cheri:* Oh Hayat, I'd love to help you, but I'm scared I'm going to lose my job.  
*Hayat:* Oh.  
*Cheri:* You know what Albert's like.  
*Hayat:* I understand.  
*Cheri:* Look, if you really need me to do it, let me know. I can get another job somewhere.  
*Hayat:* Oh, Cheri.  
*Cheri:* In the meantime I'll tell you what I *can* do.  
*Hayat:* What?  
*Cheri:* I can shout you this coffee!  
*Hayat:* Thanks.  
*Cheri:* No worries. You shouted me last time.

**SCENE 2: IN HAYAT'S LIVINGROOM**

*Hayat:* She's asleep?  
*Adem:* Yeah. What about dinner?  
*Hayat:* Oh, I made some. It's in the oven.  
*Adem:* Oh, I've had mine. But what about your dinner?  
*Hayat:* I'll have some later. I'm trying to find the full business name of my work.  
*Adem:* Um, I can do that... while you have your dinner. I know this is important but your health is important too.  
*Hayat:* You're right. Thanks.

**SCENE 3: IN HAYAT'S LIVINGROOM, WITH MAUREEN**

*Maureen:* This is good, Hayat.

*Hayat:* My husband helped me write it. Is the language OK?

*Maureen:* Yeah, it's very clear... Ahhh. Didn't you tell me you talked to the big boss about Albert?

*Hayat:* Yes.

*Maureen:* Well you should put that in too.

*Hayat:* Oh, OK.

*Maureen:* I thought you had a witness?

*Hayat:* Yeah, but Cheri doesn't want to lose her job.

*Maureen:* Well, that's a pity. But, still, it doesn't matter if Albert doesn't agree with you about what happened. You can still resolve the complaint.

*Hayat:* How do you know?

*Maureen:* I saw a HREOC ad in the paper. It's really interesting! They help people like us when things are unfair, like this. And it's free! And some people even get compensation.

*Hayat:* Compensation?

*Maureen:* Money! How much do you think you've lost because they sacked you?

*Hayat:* About three months' pay.

*Maureen:* Well, you should ask for that! The company owes it to you and you need it!

*Hayat:* Well we *are* taking money out of our savings while I'm not working.

*Maureen:* Do you want to add it? You might not get it... but you've got the right to ask. Let's work out how much it is!! We have to give the exact figure and say why you deserve it. So, twelve weeks by...?

*Hayat:* About seven hundred dollars. Hang on, I'll find a payslip.

*Maureen:* Now you're talking!

**SCENE 4: OUTSIDE HAYAT'S HOUSE, SOME DAYS LATER**

*Hayat:* Hi Maureen.

*Maureen:* Hi Hayat. How's it going? Have you had any news yet?

*Hayat:* No. They say it could take a few weeks. Oh, this is from HREOC! It says my complaint will be investigated.

*Maureen:* That's great. That means they think you have *grounds*.

*Hayat:* You really have been learning a lot about HREOC, haven't you! They need more information. So does that mean I'm going to court?

*Maureen:* No, not court. HREOC will send your complaint to management at your old workplace and they'll tell their side of the story. Then HREOC decides if you'll go to a conciliation meeting.

*Hayat:* Will Albert be there?

*Maureen:* Your boss? I think so. But you don't have to sit in the same room with him if you don't want to. Would you like me to come with you? I can you know, I really can. Really.

*Hayat:* Adem wants to come but if his boss won't let him off work...

*Maureen:* Well, let me know if you need me and I'll swap my shift.

*Hayat:* OK. Thanks, Maureen.

*Maureen:* No worries.

**SCENE 5: IN HAYAT'S LIVING ROOM, ON THE PHONE WITH KATHY**

*Hayat:* Hayat Beshir speaking.

*Kathy:* Oh, hello Hayat. It's Kathy here from the Human Rights and Equal Opportunity Commission.

*Hayat:* Yes, hi Kathy.

*Kathy:* Did you get the DVD and the letter I sent you with the date of the meeting on it?

*Hayat:* Yes. Thanks.

*Kathy:* And so the 18<sup>th</sup> of July is good for you?

*Hayat:* Yes, it's fine.

*Kathy:* And is there anything you'd like to ask me about how the meeting will go?

*Hayat:* Um, no, not at the moment.

*Kathy:* And have you thought about what sort of outcomes you'd like from the conciliation?

*Hayat:* Yes. I've written it down. My husband and my neighbour helped me.

*Kathy:* Oh good. Are you bringing a support person with you?

*Hayat:* Yes. I think my husband can get time off his work. But if he can't then my neighbour can. Is that OK?

*Kathy:* That's fine. I'll be in touch. Um, if you have any questions just call me. Do you still have my number?

*Hayat:* Yes, thanks Kathy. See you.

*Kathy:* OK. See you

## UNIT 4 A CONCILIATION CONFERENCE

## SCENE 1: IN A CAFÉ

*Hayat:* Really? You *have* to be in Melbourne? Yes it *is* disappointing... No, the woman from HREOC... She said it'd be OK for Maureen to come...OK, see you tonight.

*Rajani:* Sorry, I couldn't help overhearing. You're going to HREOC too?

*Hayat:* Um. Yeah.

*Rajani:* Well, I hope you have better luck than I did. My bosses won't even come to a meeting at HREOC.

*Hayat:* Really, I'm sorry to hear that.

*Rajani:* Yeah, that means I've got to take them to court.

*Hayat:* Really? Court. Do you have to?

*Rajani:* Well, I don't *have* to, but I'm going to. You having coffee?

*Hayat:* ... so I got the sack. Because I'm *different*... But my boss says he didn't say those terrible things to me.

*Rajani:* Did anyone else hear him?

*Hayat:* Yeah, my friend, Cheri. But she doesn't want to get into trouble. She thinks she might lose her job too.

*Rajani:* Hmm. Yeah, my mates are scared too. But if it goes to court, they could get subpoenaed. Then they'll have to come and speak up... I got sacked just because I'm a *woman*.

*Hayat:* That's terrible. Have you got someone to support you?

*Rajani:* Yeah, my union... and *my brother*. Have you got someone?

*Hayat:* Yeah. My neighbour. Well, nice to meet you Rajani. Good luck.

*Rajani:* Good luck, Hayat. Stay strong!

## AUSTRALIAN HUMAN RIGHTS COMMISSION BUILDING SYDNEY

## SCENE 2: IN THE COMMISSION MEETING ROOM

*Kathy:* ...and Bernard Hoskins, the Human Resource Manager at Magic Paper Products who'll be sitting in with Albert today. Um, Hayat, could you start, by telling us... um, why you've made this complaint and how you see things?

*Hayat:* Well I know that I worked well for the company and I thought I would be given a contract. But instead I was sacked. Albert, on several occasions you talked to me about my race and my differences and I feel that this is the reason I was sacked.

*Kathy:* Thanks Hayat, Albert, would you like to tell us how you see the situation?

*Albert:* Sure. Hayat, your dismissal had nothing to do with where you come from. You were on a probationary contract so we didn't have to offer you one at the end of it. You were asked to change shifts and you wouldn't, which showed that you are inflexible. So, in the best interests of the business, we had to let you go.

*Hayat:* Albert, you asked me *once* if I could do the late shift and I explained that I have a small daughter. And you said, "OK, don't worry about it". But now you say that was the reason I was sacked. But I don't think it *is* the reason. You said I... "advertised my differences," and that I should try to be more "Australian." And when I told you I'm an Australian citizen, you said, "Not from where I'm sitting."

*Maureen:* And you said she came from Boom Boom land!

*Albert:* No I didn't. I said, 'Bongo-Bongo land'. Look, it was a joke. It was meant to be funny.

## SCENE 3: IN THE COMMISSION MEETING ROOM, LATER

*Kathy:* Hayat, can you tell us what you'd like to happen to resolve the complaint?

*Hayat:* Yes. Albert refused to give me a written reference. He said he would be a phone referee. But if someone rings Albert about me, I don't know what he'll say. I would like a written reference. I would also like Albert to say sorry to me for the embarrassment and hurt he caused me. And I would like the company to tell the staff about anti-discrimination practice. And also, I would like your company to pay me the three months wages I lost when you fired me.

*Albert:* Oh what?

*Kathy:* OK. So, at this point we'll give you some time to discuss Hayat's offer in private. So Bernard and Albert, if you'll just come with me.

**SCENE 4: IN THE COMMISSION MEETING ROOM, A LITTLE LATER**

*Maureen:* (...that would be your best outcome, if they could do that.)

*Kathy:* OK. They say they'll give an apology, as long it is clear that they are not saying that the company did something wrong. And they'll write you a statement of service. And they also agree to tell the staff about the importance of anti-discrimination practice.

*Hayat:* That's good.

*Kathy:* But they don't agree to pay you compensation, as they say they did nothing wrong.

*Hayat:* Oh.

*Kathy:* How do you feel about this, Hayat?

*Maureen:* No! Hayat's broke because they sacked her!

*Hayat:* Let me think. You know, I'd really like to put some money back towards our house savings.

*Maureen:* How much could you settle for?

**SCENE 5: IN THE COMMISSION MEETING ROOM, LATER**

*Bernard:* ...And on top of this, the company agrees to resolve the situation by paying *six* weeks wages. I'll let Albert take over from here.

*Albert:* Hayat, I can see now how what I said upset you. I'm sorry for the hurt and the embarrassment that I caused you and I will *never* speak to *anyone* that way again.

*Hayat:* Thank you, Albert. I accept your apology.

*Kathy:* So are we agreed that the situation is resolved? Excellent, ...um, now if you, Hayat, and Bernard can sign the Agreement...

**SCENE 6: OUTSIDE, AFTER THE MEETING**

*Hayat:* That's right, Adem, he said he's sorry, and they say they're going to write me a work reference. *And* I get six weeks' pay! No, I don't think it will happen there again. They've agreed to tell their staff about anti-discrimination practice. Thanks! I'm happy!

*Maureen:* So... was it worth it?

*Hayat:* Look Maureen, before I went to HREOC, I felt angry and little and alone. But just knowing there was something I could do...

*Maureen:* And that it was your *right!*

*Hayat:* Yes, that helped... It was hard but I've made a difference... and it feels good. *Really* good.

Further information

**Australian Human Rights Commission**

Level 8, Piccadilly Tower

133 Castlereagh Street

SYDNEY NSW 2000

GPO Box 5218

SYDNEY NSW 2001

Telephone: (02) 9284 9600

Complaints Infoline: 1300 656 419

General enquiries and publications: 1300 369 711

TTY: 1800 620 241

Fax: (02) 9284 9611

Website: [www.humanrights.gov.au](http://www.humanrights.gov.au)

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[publications@humanrights.gov.au](mailto:publications@humanrights.gov.au)