

It's your right!

*Human rights:
everyone, everywhere, everyday*

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Hayat is a young Muslim woman from Ethiopia. She is upset when she loses her job because her boss treats her unfairly, but finds out that there are services and systems under Australian law that can help her. She learns that she does have the power to do something to change her situation.



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Australian
Human Rights
Commission

everyone, everywhere, everyday

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ISBN: 9780 7306 5691 3

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

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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.

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Maggie Power

1. Trouble at work



This is Hayat. She's from Ethiopia. She works at the Magic Paper factory. She works in the office. She's an administrative assistant. She's married to Adem and she has a four year old daughter, Siti.



At work, Hayat has lunch with Cheri.

Hayat: Try some of my food, Cheri.

Cheri: Thanks Hayat. It's yummy.



Hayat offers some food to Albert, her boss.

Hayat: Would you like to try some, Albert?

Albert: No, I don't like to eat with my hands.

Hayat: But you're eating a sandwich with your hands.

Albert gets angry.



Later, Hayat is busy. She's working in the office. Albert speaks to her.

Albert: Hayat. Could you empty the kitchen rubbish into the big bin outside?

Hayat: Sorry Albert. That's not my job. That's the cleaner's job.

Albert: Well it's your job today. Something smells awful in the kitchen bin.

Hayat: Albert, when you say that, I feel embarrassed. I feel like you think my food smells bad.

Albert: Well. Why don't you eat Australian food?

Hayat: I don't understand.

Albert: Then maybe you should learn some more English.

Hayat is upset but she doesn't want to lose her job so she takes the rubbish outside.

2. Hayat loses her job



Hayat talks to Albert's boss. Her name is Madeleine.

Hayat: Albert told me to put the rubbish out. I don't think he likes people from my country.

Madeleine: Albert is very funny. He was joking. Don't worry about it.

But Hayat is worried about it.



Hayat is in a staff meeting with Albert and the other workers.

Albert: I need someone to work in the shop.

Hayat: I can work in the shop.

Albert: No. Cheri, can you do it?

Cheri: OK.

Albert: Good. Customers like to talk to people they know.

Hayat is disappointed.



Albert talks to Hayat alone. Cheri comes to the door. She stops and listens.

- Albert:* Do you think that you fit in here?
- Hayat:* Yes, the people are very nice. And I like my work.
- Albert:* But you're not trying to fit in. I have to decide if we should give you a contract.
- Hayat:* Oh.
- Albert:* You wear different clothes and you look different. This is Australia, not Bongo-Bongo land.
- Hayat:* You mean Ethiopia.
- Albert:* Anyway, you should try to be more Australian.
- Hayat:* Albert, I *am* Australian. I'm an Australian citizen.
- Albert:* You don't look Australian. You have to try to fit in or leave the job.

Cheri hears this. She's shocked but she doesn't say anything.



Hayat is sad. Albert said she has to leave her job. When she comes home, she sees Maureen, her neighbour.

- Maureen:* Hi Hayat. What's up?
- Hayat:* I got the sack from my job.
- Maureen:* Oh, I'm sorry. What happened?
- Hayat:* I think my boss doesn't like me. He doesn't like my hijab. He doesn't like people from my country. He called my country Bongo Bongo land.
- Maureen:* That's discrimination. Go and speak to someone in the union or a Community Legal Centre. Maybe they can help you.
- Hayat:* OK. I will. Thanks, Maureen.



Hayat rings a Community Legal Centre. She talks to Sylvia about her problem.

Sylvia: Hayat, did you talk to Albert's boss about the problem?

Hayat: Yes, I talked to her but she said Albert was joking. She said, 'Don't worry about it'.

Sylvia: I see. Did anyone hear what Albert said to you?

Hayat: I think my friend Cheri heard.

Sylvia: Good. Ask her what she remembers. And ask if she'll help you.

Hayat: OK.



Sylvia: I think you can take your case to the Australian Human Rights Commission. They help people who think they've been treated unfairly.

Hayat: What do I have to do?

Sylvia: Write down everything you remember. Like what did Albert say? And where and when did he say it? You can write in your first language. The Commission can get it translated.

Hayat: That's great. How can I contact the Commission?

Sylvia: The phone number is 1300 656 419.

Hayat: Thanks.

Sylvia: Tell your family and friends what you're doing. You'll need their support. Come back if you have any questions.

Hayat: Thanks, Sylvia.

Sylvia: Good luck, Hayat.

3. Hayat goes to the Commission



Hayat meets Cheri at a coffee shop.

Hayat: Cheri, did you hear what Albert said to me?

Cheri: Yes. He was awful. He said you came from Bongo-Bongo land.

Hayat: I'm glad you remember because I'm going to the Australian Human Rights Commission. Could you write down what Albert said?

Cheri: Will Albert read it?

Hayat: Yes.

Cheri: Oh no. I don't want to lose my job. Can you ask someone else?

Hayat: No one else heard.

Cheri: Sorry, Hayat.

Hayat is very disappointed.



Hayat is very busy. She's writing her application to the Commission. Her husband, Adem, comes in.

Adem: Hayat, have you had your dinner?

Hayat: I have to finish this application.

Adem: I'll help you. But first you must eat.

Hayat: I'm nearly finished.

Adem: Hayat, I know this is very important, but your health is very important too. You need a break.

Hayat: OK. Thanks Adem.



Kathy is an Australian Human Rights Commission Conciliator. She helps Hayat and Albert to talk about the complaint. Maureen is there to support Hayat. Bernard is a manager at Albert's work. He's there to support Albert.

Three weeks later, Hayat sees Maureen outside their flats.

Maureen: Hi Hayat. Any news from the Commission?

Hayat: I just got this letter. They're going to look at my complaint.

Maureen: That's good.

Hayat: Does that mean I'm going to court?

Maureen: No, you'll probably go to a meeting at the Commission. Will your husband go with you?

Hayat: His boss might say no.

Maureen: I can go with you if you like.

Hayat: Will Albert be there?

Maureen: Yes. I think so.

Hayat: Then I'd like you to go with me. Thanks, Maureen.

Kathy: Hayat, can you tell us why you made this complaint?

Hayat: I'm a good worker. Albert said I didn't fit in. I think it's because he doesn't like people from my country.

Kathy: Is that how you see it, Albert?

Albert: No. Hayat, I don't care where you come from. You weren't flexible. That's why you were dismissed.

Hayat: You said I was different. You said I should be more Australian.

Albert: No I didn't.

Hayat: You called my country "Bongo-Bongo" land.

Albert: That was a joke.



Later in the meeting, Hayat talks about what she wants.

Kathy: Hayat, what would you like Albert and the company to do?

Hayat: I'd like the company to write a reference for me so I can get another job. And I'd like Albert to apologise to me.

Kathy: Is there anything else?

Hayat: Yes. I'd also like the company to teach the workers about racial discrimination so this doesn't happen again. And I'd like three months' pay. My husband and I are spending all our savings because I lost my job.



A few hours later, Bernard talks about what the company will do.

Bernard: We'll give you six weeks' pay. We can write you a statement of service and we'll teach the staff about discrimination.

Albert: Hayat, I'm very sorry for what I said to you. I'm sorry I hurt you and I won't say that to anyone again.

Hayat: I accept your apology and I agree to these terms.

Kathy: Good. Now could you sign this Agreement, please?

Bernard and Hayat sign the Agreement and the matter is resolved.

4. Discrimination Cases

If you are treated unfairly under the law, it is called discrimination.

Here are some different types of discrimination.



After the conciliation meeting, Hayat rings Adem to tell him the good news. He congratulates her.

Then Hayat and Maureen go outside.

Maureen: How do you feel Hayat?

Hayat: Well, before I went to the Australian Human Rights Commission I felt angry and little and alone. But they showed me there was something I could do.

Maureen: And it was your right!

Hayat: Yes. That helped me a lot. It was hard... but I've made a difference and it feels good. Really good.



Rob

I went to a hotel and tried to book a room. They said there weren't any rooms left. Then a white man came in and the clerk said he could have a room. He told the white man there were plenty of rooms.

Race discrimination



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.

Disability discrimination



Peter

My boss used to like me until he found out I was gay. He started calling me nasty names. And then he said I'd have to leave work because the other workers were uncomfortable with me because I'm gay. But the other workers are friendly to me.

Discrimination in sexual preference



Rajani

I'm a fork-lift driver. I worked in a warehouse. The work was hard but the money was good. I'm a single mother so I need it. Anyway, my company lost some business and the boss said I had to leave because the men needed jobs more.

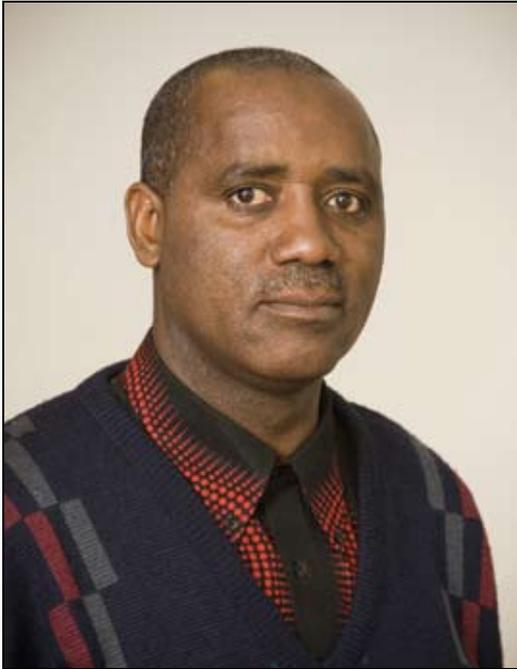
Sex discrimination



Sue

When I told my boss I was pregnant, he sacked me.

Pregnancy discrimination



Mustafa

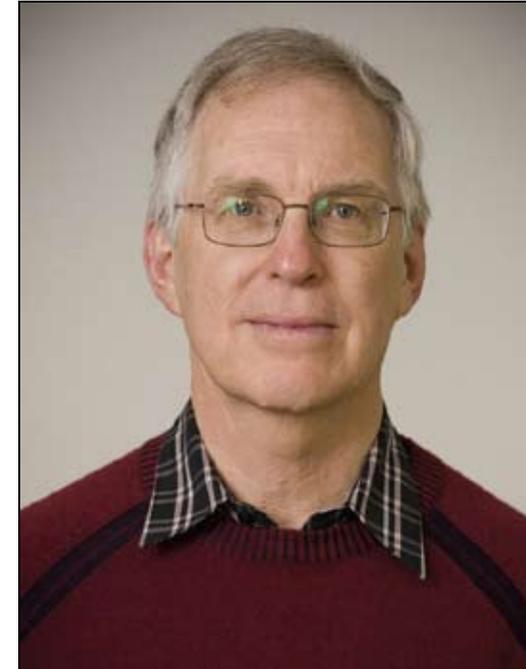
I found a flat I wanted to rent. The woman at the real estate agency said, "How many people will be living there?"

I said, "My wife and my son and me."

She said, "Only three? Are you sure?" Then she said, "I'm sorry, that flat is taken."

But the flat was still on the rental board. And the next week they let it to a white family.

Race discrimination



Philip

A new manager came to work with us. She wanted more young people to come to the shop. She fired me because she said I was older.

Age discrimination



Alya

I work at the checkout in a supermarket. After the September 11 attacks, I started getting a hard time at work.

My boss said, "Take off your hijab when you're at work."

I said, "I can't take it off! I wear it for my religion and it is very important to me."

Then he made me work early mornings and late nights. It's the hardest shift.

Religious discrimination

Areas of discrimination

Where did the discrimination happen? Discrimination is against the law if it happens in an area of public life.

The Australian Human Rights Commission or a State / Territory anti-discrimination agency can help you if the discrimination happened in the following areas of life:

Work

For example, while working, applying for a job, getting a promotion or while training.



Education

For example, at school, TAFE or university.



Clubs

For example, when using a club or joining a club.



Getting a service or buying something

For example, with the Department of Housing, at Centrelink or the Police, in a bank, hospital, shop, pub or restaurant.



Getting accommodation

For example, when applying for a rental property, dealing with a real estate agent or landlord, or getting accommodation in a hotel, hostel or care facility.



Using a public facility

For example, a train, bus, tram, ferry or at the train station.



The Australian Human Rights Commission and State/Territory anti-discrimination agencies can cover different areas of discrimination. Ring the Australian Human Rights Commission on 1300 656 419 to check which anti-discrimination agency can help you.

Clubs

For example, when using a club or joining a club.



Getting a service or buying something

For example, with the Department of Housing, at Centrelink or the Police, in a bank, hospital, shop, pub or restaurant.



Getting accommodation

For example, when applying for a rental property, dealing with a real estate agent or landlord, or getting accommodation in a hotel, hostel or care facility.



Using a public facility

For example, a train, bus, tram, ferry or at the train station.



The Australian Human Rights Commission and State/ Territory anti-discrimination agencies can cover different areas of discrimination. Ring the Australian Human Rights Commission on 1300 656 419 to check which anti-discrimination agency can help you.

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