



The complaint process

for complaints about discrimination in employment based on religion, criminal record, trade union activity, sexual preference, political opinion and social origin

- The Australian Human Rights Commission is an independent agency that investigates and resolves complaints about discrimination under the international 'Convention concerning Discrimination in respect of Employment and Occupation'.
- This international convention deals with discrimination in employment based on a person's religion, criminal record, trade union activity, sexual preference, political opinion and social origin.
- You can make a complaint no matter where you live in Australia.
- It doesn't cost anything to make a complaint and you don't need a lawyer to make a complaint.
- If you are not sure if you can make a complaint about something, you can contact the Commission's National Information Service by phone on **1300 656 419** or by email to infoservice@humanrights.gov.au. If we can't help you, we will try to refer you to someone who can.

Making a complaint

- We can only accept written complaints. You can make a complaint online at www.humanrights.gov.au/complaints/lodge-complaint. If you prefer, you can print off a complaint form, fill it in and post it to us at GPO Box 5218, Sydney NSW 2001 or fax it to 02 9284 9611. We can also send you a complaint form and if necessary, we can help you to write down your complaint.
- If we cannot deal with your complaint, we will explain why.

Investigation

- We will contact you to talk about your complaint and we may ask you to provide more information.

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- Usually, we will contact the person or organisation you are complaining about (the respondent) and provide them with a copy of your complaint. We will ask for their comments and other information. We will let you know what they say about your complaint.
- In some cases, we may decide not to investigate or to stop investigating your complaint. If this happens, we will explain why.
- We may talk to you about trying to resolve the complaint by conciliation.

Conciliation

- Conciliation is where we try to help you and the respondent, find a way to resolve the complaint.
- Conciliation usually takes place in a face-to-face meeting or in a meeting over the telephone. This is called a 'conciliation conference'. In some cases, we may try to resolve the complaint through an exchange of letters and conversations with the conciliator.
- Complaints can be resolved in many different ways. For example, by an apology, a change of policy or compensation.

Decision

- If the complaint is not discontinued, the President of the Commission will decide if what you are complaining about is discrimination under the international 'Convention concerning Discrimination in respect of Employment and Occupation'.
- If the President is of the opinion that discrimination has occurred, the President may report the matter to the Federal Attorney-General. This report may include recommendations, for example, the President may recommend that the respondent change its policies or practices.
- Examples of the President's decisions about discrimination under the international 'Convention concerning Discrimination in respect of Employment and Occupation' are available on the Commission's website at www.humanrights.gov.au/legal/humanrightsreports/index.html

Disclaimer: The information on this fact sheet is only intended as a guide. It is not a substitute for legal advice.