
Disability, human rights & employment – work in the time of Covid

Te Kāhui Tika Tāngata | Human Rights Commission: Esther Woodbury, PhD
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COVID & WORK: Collaborating to promote safe, sustainable and supportive workplaces



Te Kāhui Tika Tāngata | NZ Human Rights Commission

- New Zealand government has signed up to a number of international human rights treaties since 1948
- Human Rights Act 1993 establishes Te Kāhui Tika Tāngata as the National Human Rights Institute (NHRI) in Aotearoa



Role of Te Kāhui Tika Tāngata

- **Promotion** of human rights;
- facilitating **resolution of disputes** regarding unlawful discrimination;
- **monitoring progress against treaties or conventions** the government has ratified; and
- monitoring and commenting on policies and legislation that **will or could** affect practices.



Promoting human rights

- Education – helping people *understand their rights*.
- Highlighting human rights issues that *affect particular groups*.
- *Supporting realisation of rights* by government and in the community.



Monitoring human rights

- Domestic (national) monitoring – ***what is happening*** for particular groups e.g., Independent Monitoring Mechanism of the United Nations Convention on the Rights of Persons with Disabilities (UNCRC) 2006
- Supporting international review of a country's ***progress against conventions*** e.g., NZ in front of UN Committee on the Rights of Persons with Disability 2022

Disability Rights at Te Kāhui Tika Tāngata

- Our disability rights work intersects with national and international agreements and laws
- Articulated in the UNCRPD
- Aligns with Te Tiriti o Waitangi
- Lead by Saunoamaali'i Dr Karanina Sumeo, acting Disability Rights Commissioner





Specific human rights on employment and disability

- Right to work and employment:

“safeguarding and promoting the realisation of the right to work, including for those who acquire a disability during the course of employment”

- Right to reasonable accommodation (modifications or adjustment)

“denial of reasonable accommodation is a form of discrimination”



Reasonable Accommodation

Reasonable* accommodation means necessary and appropriate modification and adjustments...

not imposing a disproportionate or undue burden...

where needed in a particular case...

to ensure human rights and fundamental freedoms on an equal basis with others.

* something will ***'reasonably accommodate'*** a specific need



Quick advertising break!

NZ Independent Monitoring Mechanism (UNCRPD)...
updated 2023 guide!

Removing barriers: A guide for reasonable
accommodation of disabled people in Aotearoa

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accommodation of disabled
people in Aotearoa



DPO
COALITION

Ombudsman
Tua kia Ōrite - Fairness for all

 NZ Human Rights.
New Zealand's Human Rights
Commission



Long Covid and discrimination

Expect stories of discrimination similar to some people with disability or chronic health conditions:

- Not being believed or conditions not being well understood
- Barriers to diagnosis (and/or contested treatments)
- Lack of disability support and reasonable accommodation
- Discrimination by employers



Making a complaint with Te Kāhui Tika Tāngata | HRC

You can make a complaint of ***discrimination on the grounds of disability – in areas of public life***, including ***employment***

www.tikatangata.org.nz