



29 August 2018

Ref: DOIA 1819 0175

Silke Weil

[fyi\\_request-8411\\_8ca36c56@requests.fyi.org.nz](mailto:fyi_request-8411_8ca36c56@requests.fyi.org.nz)

Dear Silke

Thank you for your request of 1 August 2018 under the Official Information Act 1982 (the Act). Your request was transferred from the office of Minister Iain Lees-Galloway to the Ministry of Business, Innovation and Employment (MBIE), and was for the following information:

- 1. How many sexual harassment claims in the workplace have been made in the last 10 years?*
- 2. How many per month and per year?*
- 3. How many of the cases were left unresolved?*
- 4. How many employees who are sexually harassed in the workplace make a formal complaint?*
- 5. What percent of sexual harassment in the workplace stops after a formal report is made?*
- 6. How often does the complainant have to resign to solve the issue?*

MBIE does not keep statistics on sexual harassment complaints or claims in the general New Zealand workforce. As each of your six questions relate to this information, I am refusing your request under section 18(g) of the Act, because the information you have requested is not held by MBIE and I have no grounds to believe that this information is held by, or more closely connected with the functions of, another department, Minister of the Crown, organisation or local authority.

The most pertinent information that MBIE does hold relating to the issue of sexual harassment in the workplace is the number of applications made to our Employment Mediation Services which are described by the applicant as issues of sexual harassment. I have attached a table (Annex 1) that provides you with the number of applications made which were described as issues of sexual harassment in the last 10 years. This data has been broken down by year and by month.

It is important to note that the data provided in relation to sexual harassment matters can only be considered an approximation of the number of matters that are mediated, as these figures are based on the information provided at the time of application. It is not mandatory for an applicant to specify that they have an issue of sexual harassment in the workplace. An applicant could instead classify their issue as a workplace problem or personal grievance.

Please note that a monthly breakdown for applications described as sexual harassment is not easily accessible for the period 1 July 2017 – 31 March 2018, because at this time MBIE's Employment Mediation Services were embedding a new case management system.

You may be interested to know that 13 percent of the applications made to MBIE's Employment Mediation Services which were described as issues of sexual harassment are recorded as not being settled in mediation. It is important to note that the data provided in relation to settlement can only be

considered an approximation of the number of matters that are actually settled, as these figures are based on the information provided at the time the mediation ends. A dispute may settle after the mediation process, between the parties themselves. In addition, a small number of the applications in Annex 1 are still in mediation today.

MBIE does not hold information on the percentage of sexual harassment in the workplace which stops after mediation is completed. There may be incidents of sexual harassment which continue after the mediation process is concluded, but unless the applicant approached MBIE again, we would not be aware of this.

MBIE also does not hold information on how often an applicant resigns from their employment as a result of sexual harassment. There are many reasons why an employee might resign from their role, and we do not keep statistics on how many employees who resign from their roles had been party to mediation.

You have the right to seek an investigation and review by the Ombudsman of our response to your request. Information about how to make a complaint is available at: [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Cara Takitimu', written in a cursive style.

Cara Takitimu  
National Manager  
Dispute Resolution, Employment

Annex 1: Applications received by MBIE's Employment Mediation Services from July 2008 – July 2018 which included 'sexual harassment' in the application description.

<b>2008</b>	<b>22</b>
July	4
September	4
October	8
November	2
December	4
<b>2009</b>	<b>38</b>
January	5
February	1
March	5
April	5
May	2
June	3
July	2
August	4
September	5
October	2
November	3
December	1
<b>2010</b>	<b>43</b>
January	4
February	3
March	4
April	3
May	5
June	5
August	6
September	3
October	2
November	4
December	4
<b>2011</b>	<b>22</b>
January	1
February	2
March	4
May	2
June	1
July	3
August	3
September	2
November	3
December	1
<b>2012</b>	<b>45</b>
January	3
February	4
March	12

April	4
May	2
June	3
July	3
August	8
September	1
October	1
November	2
December	2
<b>2013</b>	<b>34</b>
January	2
February	2
March	2
April	1
May	4
June	1
July	3
August	7
September	2
October	5
November	2
December	3
<b>2014</b>	<b>38</b>
January	7
February	1
March	2
April	1
May	4
June	3
July	2
August	3
September	3
October	5
November	3
December	4
<b>2015</b>	<b>52</b>
January	7
February	3
March	7
April	2
May	2
June	2
July	4
August	3
September	5
October	9
November	4
December	4
<b>2016</b>	<b>49</b>
January	4

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February	3
March	7
April	6
May	1
June	5
July	3
August	7
September	7
October	4
November	2
<b>2017</b>	<b>13</b>
February	4
March	3
April	2
May	3
June	1
<b>1 July 2017 – 31</b>	
<b>March 2018</b>	<b>35</b>
<b>1 April 2018 – 31</b>	
<b>July 2018</b>	<b>22</b>
April	4
May	3
June	2
July	12

Please note that if a month does not appear in the above table, this is because there were no applications made in that month which included 'sexual harassment' in the application description.

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