EPILEPSY NEW ZEALAND
Kia titiro ki te tangata | See the person

Unfair Dismissal

New Zealand laws protect workers from unfair dismissal in a number of ways. For example:

- An employee cannot be dismissed due to a temporary absence from work caused by injury or illness, if a medical certificate or relevant medical evidence is provided. This could include, for example, if a person living with epilepsy was dismissed due to taking time off for legitimate medical reasons, such as an injury sustained from a seizure or due to medication problems.

If the process to dismiss an employee has not been handled properly or the reason an employer has dismissed and employee is not valid, you can raise a personal grievance with your employer.

Personal Grievance

A personal grievance is a kind of complaint an employee can bring against an employer. For example, you can file a personal grievance if you think you've been unfairly dismissed/fired — known as unjustified dismissal. You must raise a personal grievance within 90 days. If you do not your employer does not have to do anything about your complaint.

An employee may claim their dismissal was unjustifiable if they can show they were dismissed and they believe that:

- the employer did not have a good reason to dismiss them
- the process was unfair

If an employee is dismissed, they have the right to ask the employer for a written statement of the reasons for dismissal. This request can be made up to 60 days after they find out about the dismissal. The employer must provide the written statement within 14 days of such a request. If the employer fails to provide this written statement, the employee may be able to raise a grievance after the end of the 90-day notice period in special circumstances. For further information on unjustifiable dismissal got to Employment NZ

For further information on this issue click here

© 2026 Epilepsy NZ