



Sample equal opportunity policy

for post and circulation

(also available at <http://www.eoc.org.hk/CE/sme/policy.doc>)

The EOC has developed this policy for SMEs to help you meet your legal obligations. Please adapt and use it to meet your needs. Endorse it with the company chop.

[insert your business name] is an equal opportunity employer. This means we make sure that every job applicant and employee has equal employment opportunities.

You will not be disadvantaged because of your sex, pregnancy, disability, marital status or family status [add any other characteristics you would like to include which are not currently covered by law such as race, age, sexual orientation] during your employment or when applying for a job with us. What matters to us is that you are the best person for the job and that you do a good job.

At [insert your business name] we believe that everyone has the right to work in an environment free of discrimination, harassment, vilification, and victimization. We will not tolerate such behaviour under any circumstances.



Discrimination

We will not tolerate direct or indirect discrimination based on sex, pregnancy, disability, marital status or family status or [add any other grounds, such as race, age and sexual orientation].

Direct discrimination is when you are treated less favourably because of your sex, disability or other protected characteristic previously mentioned. For example, it would be direct discrimination for a supervisor to refuse you training because you were pregnant.

Indirect discrimination is when you are treated the same way as everyone else but you do not or cannot comply with a rule, condition or requirement of employment that applies to everyone because of your sex, pregnancy, disability, marital status or family status, and a higher proportion of people who do not have that characteristic do or can comply with it, and there is no valid reason for the rule or requirement. (For example, a policy of only hiring people who were able to relocate at short notice may disadvantage people whose family responsibilities (e.g. persons with young children) prevent them from speedy relocation.) However, it would not be indirect discrimination if we, as your employer, can give a valid reason for such a requirement.

Harassment

We will not tolerate sexual harassment or disability harassment or [add any other grounds, such as race, age and sexual orientation]. Harassment is behaviour that is not welcome, not asked for and not returned, and which is likely to cause an uncomfortable workplace by humiliating, seriously embarrassing, offending or intimidating someone. All employees are responsible for their own actions and should not engage in potentially offensive behaviour. It is not necessary for the person being harassed to have to tell you that they were humiliated or offended by the behaviour.



Vilification

Vilification of an employee because of their disability is unacceptable in this workplace. Vilification is any activity in public that incites hatred, serious ridicule or contempt of a person because of their disability. Where such behaviour includes threats of harm or property damage, it may constitute serious vilification, which is a criminal offence.

Victimization

We won't disadvantage you for complaining about unlawful conduct in this workplace or for helping someone else to do so. We take reports of discrimination, harassment, vilification and victimization very seriously and will handle such complaints as quickly, confidentially and fairly as possible.

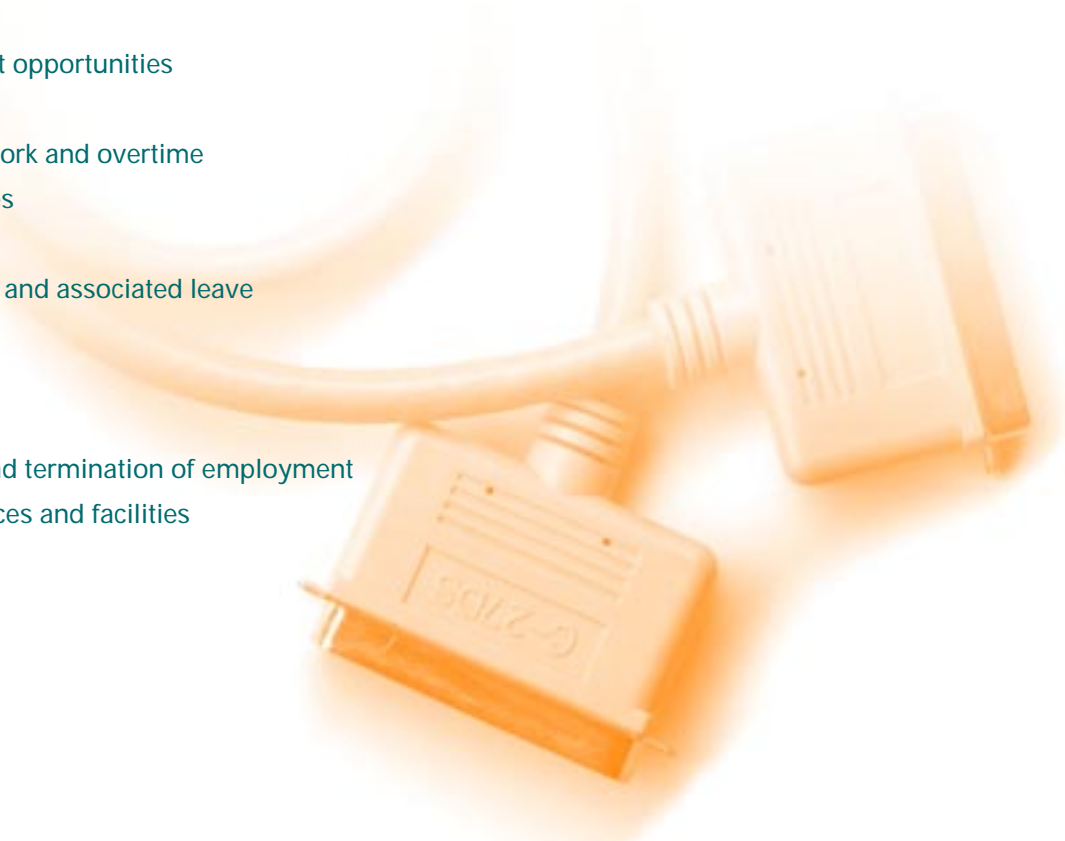
Who this policy covers

This policy covers management, supervisors, all employees, including those on commission, casual and contract staff. It also covers customers and anyone else to whom we provide goods, services or facilities.

What this policy covers

This policy covers:

- advertising for job vacancies
- recruitment
- training and development opportunities
- work allocation
- shifts, rosters, hours of work and overtime
- salary levels and packages
- leave arrangements
- pregnancy arrangements and associated leave
- performance assessment
- disciplinary procedures
- restructuring
- dismissal, redundancy and termination of employment
- provision of goods, services and facilities



Resolving problems

If you feel you are being unlawfully discriminated against, harassed, vilified or victimized, we would like you to tell us as soon as possible so we can resolve the issue or problem at the earliest opportunity.

We have a procedure for handling EO related problems [you might like to use the EOC's sample procedure for handling EO related problems provided in this kit].

We won't victimize you for speaking out and will not allow any employee of this company to do so.

Employees found to have engaged in unlawful behaviour may be disciplined and, in serious cases, dismissed.

_____ Date _____
Signature of business operator / company chop

