



Sample procedure for handling EO related problems

for post /circulation

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

This procedure has been developed by the EOC for SMEs. Please use, adapt or change it to meet the needs of your business. Endorse it with the company chop.

This procedure explains what to do if you have an EO related problem, issue or complaint.

At [business name] we understand that it may be hard for you to work to your full capacity if you are being treated unfairly or harassed at work. That is why we support equal opportunity (EO) in this workplace. You can obtain a copy of our EO policy from (say where) . [Add name of person responsible for EO] is responsible for making sure this procedure is followed and reviewed as necessary.

If you bring a problem to us it will be handled **confidentially, impartially and speedily**.

What to do if you have a problem

We have outlined the procedure for handling problems in steps. Not all of these may apply to you, or you may follow them in a different order than shown here. You can seek help from the Equal Opportunities Commission at any time, though we recommend that you try to resolve the issue at work first, if possible.

Step 1: Talk to the person/people involved

If you can, it's best to try and resolve issues yourself and to do so as soon as possible after the incident. We understand that you may not always feel comfortable doing so, particularly if you have a problem with a supervisor.

Step 2: Talk to the person responsible for EO

If you would like to talk over an issue or find out what your rights are, make a time to talk to our company's EO representative [insert name and contact details] . They will meet with you as soon as possible. In general they will not discuss your problem with anyone else without your permission. The only exception to this is if you tell them something that may affect someone's safety.

Depending on what you decide and after taking details from you, the EO representative will approach the other person(s) involved in the issue as soon as possible (and preferably within two workdays of meeting with you) and obtain their side of the story.

We strongly encourage timely complaint resolution. Within [time frame] after speaking to the other person(s), and [time frame] from the date you first approached them, the EO representative will speak to witnesses if they need further information. Witnesses may include people who didn't actually see what happened, but who observed your reaction or other related behaviour.

The EO representative will then decide if they have enough information to know whether your allegation happened (using the standard of proof that it is more likely than not to have happened). They will also work out whether disciplinary action is required.

Where allegations are proved, the EO representative (or your manager) will resolve the problem by:

- bringing everyone together for a meeting to reach an agreement/resolve issues if the allegation is not of a serious nature
- taking appropriate disciplinary action (such as requiring an apology, counselling, an official warning, transfer, demotion, loss of promotion rights for a set period) against the person(s) responsible if the allegation is serious.

They may also arrange training on EO issues for all staff to ensure that everyone knows what is and isn't acceptable workplace behaviour.

Step 3: Contact the Equal Opportunities Commission

If you are unsatisfied with the decision reached under this procedure, or you do not feel comfortable bringing it to our attention, you can contact the Equal Opportunities Commission for free information and advice about your issue at 2511 8211 (details on page 25 of the kit).

How will our company handle your problem?

We will handle your problem:

Confidentially

Only those directly involved in your issue or complaint (including anyone helping to sort it out) will have access to information about it. Information about the problem will only go on an employee's file if they are disciplined in relation to it.

Impartially

Everyone involved in the issue will get the chance to tell their side of the story, and will be treated as fairly as possible. The person handling the issue or complaint will not make a decision or take any action until all relevant information has been gathered.

Speedily

We will handle all issues or complaints as quickly as possible. Where possible, we will try to resolve all issues within [time limit] .

We will not tolerate:

Victimization

Less favourable treatment or disadvantage of anyone involved in an issue or complaint being handled under this procedure will be disciplined. Malicious use of this procedure (for example, to lie about someone) will also be disciplined.

We will not take any action without proof. We will investigate all issues before making a decision and/or taking action. We will only take action if we believe that it is more likely than not that the allegations happened.

_____ Date _____
Signature of business operator / company chop