

One Little Starfish



Chung To met with over a hundred secondary school students at the EOC's annual youth mentorship programme - Career Challenge.

Chung To graduated from a prestigious university and held a sought after post on Wall Street. But he gave up his lucrative career in finance to work for AIDS patients and their families. His driving force was a story about starfish.....

Let me tell you a story.... An old man and his granddaughter went for a walk on the beach. For some reason, thousands of starfish were washed ashore and lay dying under the sun. The old man picked them up one by one and threw them back into the sea. The little girl was surprised, 'There're so many of them on the beach and you can only rescue so few. Does it really help?' The old man replied, 'I can't help all the starfish, but I can definitely help some of them. For every starfish rescued, I've rewritten its life story.' Please do not underestimate your ability - everyone can do something for AIDS patients.

In 1982, when I immigrated to the United States as a teenager, AIDS had just emerged in the country. One of my teachers in secondary school died of this disease. There was a lot of public anxiety, but no one could fully understand what was going on, so I started working as a volunteer to help AIDS patients.

Unrelenting Battle

After graduating from university, I worked in finance. In 1995, I was transferred to Hong Kong, and I continued my voluntary service to help AIDS patients. My work required me to make frequent trips to China, and I became aware of the situation there. When I visited some 'AIDS - impacted villages' in Central China, I found that as much as 40% of the adults suffered from AIDS. Many of them had full-blown AIDS, and many died, leaving behind a large number of orphans. I never knew the AIDS epidemic was so rampant in China. I was shocked. These people needed help desperately and if I were to really help them, I must dedicate myself full time to volunteer. Eventually I gave up my job and devoted myself to working for AIDS patients on the Mainland.

Just how serious was the situation in the Henan 'AIDS village'? In one village, there were several hundreds of people suffering from AIDS. Within one day during my visit, eleven people died, of whom ten died of AIDS. In another village, 5 villages successfully committed suicide within a month. Children from two to three hundred families had become or were becoming orphans. The pain and suffering often affected three generations.



Chi Heng Foundation moves from village to village throughout Central China offering help to children affected by AIDS. (Photo source : Chi Heng Foundation)

Immense suffering

In traditional families, grandparents normally looked forward to leading a happy life in their old age. However, in Central China, because of poverty, a lot of people sold their blood to make ends meet, as a result many became affected and died of AIDS. How painful it was for the elderly to bury their young! And what's more, in order to take care of the orphans left behind by their children, many old people had to return to work in the fields.

AIDS patients in wealthy regions can afford expensive drugs and treatment to keep the virus under control. But those in impoverished villages on the Mainland did not have the means to afford effective drugs and treatment. Although the central government had introduced the 'Four Free, One Car' policy which undertook to provide free treatment for AIDS patients who were in need, it was up to the local government to decide who was in need, and so not every AIDS patient could benefit from the policy. That meant AIDS patients who were poor met an early and painful death. AIDS patients who had children were in absolute despair, discrimination robbed them of all dignity in death, and they carried to their graves the knowledge that they would never be able to provide for their children.

What could be more painful than becoming orphans at a tender age? Not only were they deprived parental love and care when they most needed it, but they were also robbed of basic nutrition and educational opportunities. The result was that they became even more impoverished. Worse still, they were no ordinary orphans, but AIDS orphans who attracted little sympathy from the public. As a matter of fact, medically speaking, new born babies of HIV positive mothers have about one third chance of being HIV positive themselves. Antenatal efforts could make the probability even lower. It was not appropriate to refer to these children as orphans with AIDS. I prefer to call them orphans of AIDS parents – children left behind by parents who had died of AIDS.



Chung To addressed at the seminar on "Care and Love for Children Affected by HIV/AIDS" at Beijing's Great Hall of the People to help develop care and protection policies for mainland China's HIV/AIDS affected children. (Photo source : Chi Heng Foundation)

Rampant Discrimination

The discrimination against these orphans was immense. An organization tried to arrange for 72 orphans who were themselves HIV-negative to attend a summer camp in Beijing. After contacting more than 40 hotels, not one of them was willing to accept the children as guests. One of the hotels was willing to accommodate them, but subject to the condition that they would not be allowed to have their meals on the premises. Although the national law against discrimination had come into effect, it was difficult to implement, not to mention changing the discriminatory attitude of the general public against AIDS victims and their associates.

Let me share with you another heartbreaking case of a child whose father had died of AIDS and whose mother had also contracted the disease. The child himself was suffering from AIDS, but, knowing his detest for the disease and in order not to upset him, his mother had been hiding the truth from him all along. In distributing relief to AIDS families, social workers would combine the two packs for him and his mother into one in order not to rouse his suspicion. However, when the time came for the drugs to be administered to the child, the truth came out. When the child learnt about his illness, he was devastated. Everyone felt sorry for him.

The mission of the Chi Heng Foundation is to create a harmonious, healthy and equal society. Since its establishment, the Foundation faced numerous difficulties, particularly in the area of recruitment and fundraising. As the Chi Heng Foundation serves people on the Mainland, it does not meet the criteria for obtaining funding from the Hong Kong government and local charity foundations. Many private firms do not want to support us when they learn that our service is focused on AIDS relief. On the other hand, assistance to AIDS patients and their families is a long-term commitment which requires continual funding. For example, when we give financial support to an orphan of AIDS parents for his education, we cannot do it on an ad-hoc basis. For this reason, although some of our projects have produced remarkable results, we are wary about expanding too fast. Meanwhile, time does not stand still for the children. Once they are grown up, the chance to give them a proper education would be lost, and it would be even more difficult to lift them out of poverty.

No regrets

A few years ago, the host of a radio hot-line programme on the Mainland committed suicide because the pressure had become too much for him. After hearing about this, I keep reminding myself of the need for detachment in my work. I try to be somewhat detached from the troubles and pain of my clients; otherwise I would become depressed myself. But it is never easy. My biggest difficulty is that I have to witness time and again the tragic sight of AIDS victims being tortured by their illness and their young and helpless orphans. Sometimes I would wake up in the middle of the night thinking about them; other times I would be overcome by sadness for no apparent reason. Therefore, I like to share my experiences with other people; like a counselling session, sharing makes me realize that there are many people who sympathize with my cause and support my work.

Sometimes I want to give up because of the endless hardships. However, I am consoled by seeing the children develop and their progression to better lives. I am grateful for having this opportunity to serve others. If I could start all over again, I would still choose this path, but I would start earlier so that I might serve more people.



Chung To accepting Outstanding Young Persons of the World Award for 2006.
(Photo source : Chi Heng Foundation)

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'Powerful Images of Racial Harmony' Photo Competition

Powerful Images of Racial Harmony' Photo Competition

What does racial harmony mean to you? How do photo enthusiasts capture the different aspects of multi-cultural life in Hong Kong? The "Powerful Images of Racial Harmony Photo Competition" co-organized by the EOC and RTHK Radio 2 received 700 entries, of which more than 30 came from Mainland China and overseas.

The photo competition is an initiative to promote racial harmony by showing different aspects of inclusion and diversity in everyday life. Our adjudicators included Mr. Raymond Tang, Chairperson of the EOC; Mr. Saeed UDDIN, EOC Member; Mr. Clarence YANG Kut-si, Head of RTHK Radio 2 and renowned photographer Mr. Water Poon.

The prize presentation ceremony cum exhibition on the winning entries of this competition was held at the Exhibition Hall of Harbor City on 11 July 2007.

The adjudicators selected the following winning entries:

Youth Division

Champion: LAI Wai-yin - Joining in



First Runner-up: LAU Kit-hing - Chums



Second Runner-up: Ashley CHOW - Solidarity



Open Division

Champion: CHIU Kam-lin - Dining - Hong Kong style



First Runner-up: CHEUNG Tak-yan - We love bubbles



Second Runner-up: CHOW Fun-kau - Everyone can contribute

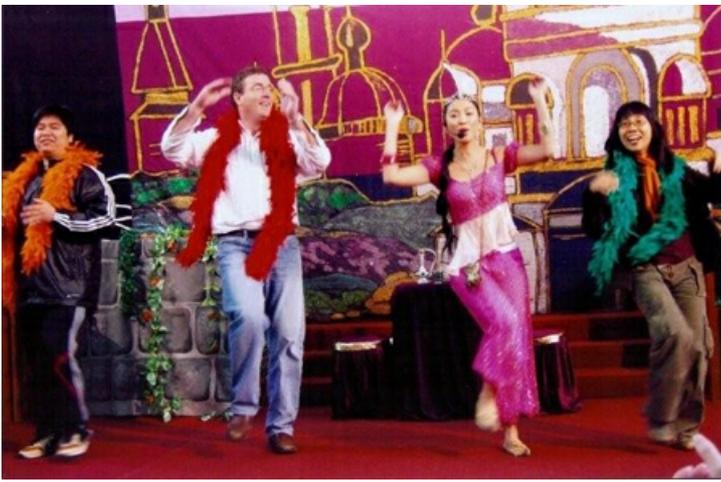


Second Runner-up: YOUNG Siu-chuen - Go local



Merit Prize

CHOI Lai-na - We've got rhythm



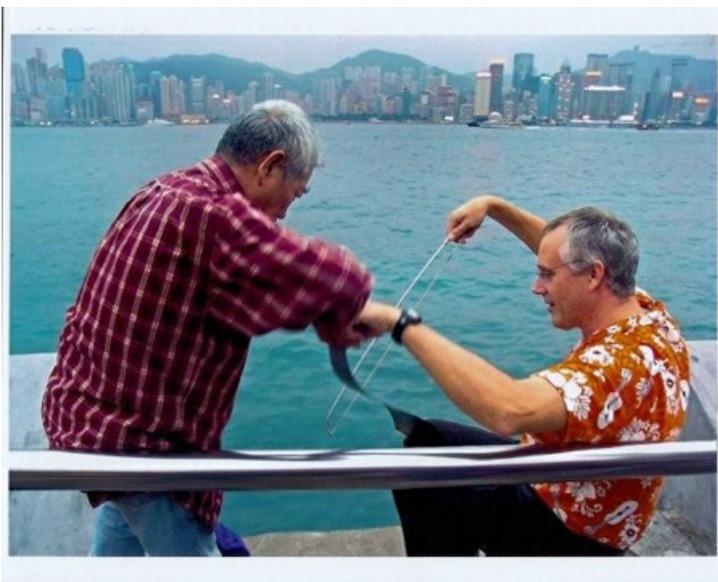
CHOI Yin-ting, Jolie - Let's celebrate



PANG Kwong-on - Top team



CHAN Siu-tung - Making music



WONG Chi-keung - Cultural exchange



Peter KAN - Cheering for Hong Kong



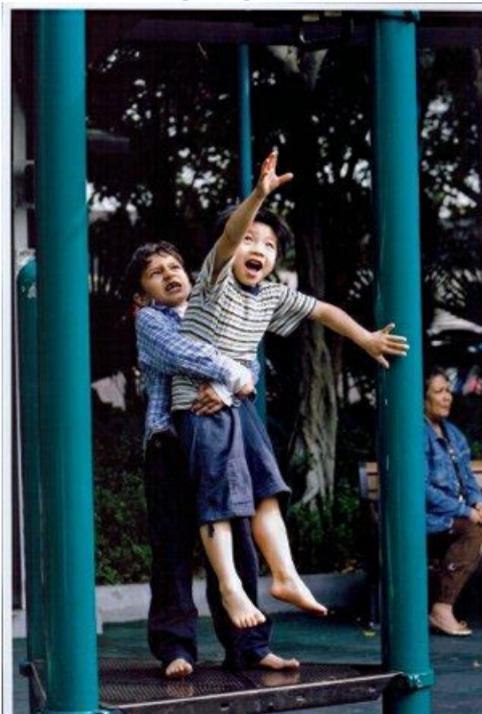
CHEUNG King-tong, Simon - East meets West



LEUNG Kai-chun, Danny - Fusion



WONG Chi-keung - Together we can make it



CHUNG Chi-kai - Chilling out



MAN Kam-hoo - I can do it too



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EO Reaches the Community

EO Reaches the Community



"Award for Heroes Helping the Disabled 2007", organized by Hong Kong Federation of the Blind and funded by the EOC, commended 14 organizations and individuals for their contributions in promoting equal opportunities for persons with visual impairment, and building an inclusive society.



The University of Hong Kong (HKU) organized an Equal Opportunity Festival in April 2007 to enhance awareness and sensitivity on EO issues. EOC Chairperson Mr. Raymond Tang was invited to officiate at the opening ceremony. An exhibition was set up at the HKU's campus to introduce the work of the Commission.



Students from eight secondary schools rivaled in a debate competition organized by Tuen Mun District Women Association, featuring the theme "Let's Create an Equal Society". Participants were able to familiarize with EO concepts and anti-discrimination ordinances through extensive research and rounds of heated debates. The Champion of the competition was Buddhist Sum



Sponsored by the EOC, Hong Kong PHAB Martial Art Association launched a martial arts programme for persons with disabilities in developing their potential and enhancing self-esteem. A publication entitled "From Martial Arts to the Road of Equality" was produced to promote integration of persons with or without a disability.

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EO Club Corner

Seminar "Managing Sick Leave and Disabilities in the Workplace" Draws Full House



Practical issues are raised during the Q&A session.

Since the Equal Opportunity Club was inaugurated in October last year, one of the most frequently asked questions from members relates to the issue of sick leave. A special seminar was arranged for over 100 employers and human resources practitioners from NGOs, private and public organizations on 25 April 2007 to develop skills in managing sick leave and disabilities in the workplace.

Granting Sick Leave

Dr. Lo Wing-lok, Convenor of EOC's Community Participation and Publicity Committee, also a medical doctor, explained certain criteria for issuing sick leave certificates, "Doctors granting sick leave to a person for absence from work is based on clinical assessment, for example if the patient is too sick to work, or has to go through medical treatment such as physiotherapy. Sick leave will also be given if a person has contracted a communicable disease that requires quarantine."

What is Disability Discrimination

EOC Chief Equal Opportunities Officer (Operations) Mr. Josiah Chok explained what constitutes disability discrimination in sick leave management and the employers' liabilities by citing both local and overseas court cases. He also clarified the differences between direct and indirect discrimination and cited a recent court case in Hong Kong about the unlawful dismissal of a sick teacher.

A teacher was employed at a secondary school from 1998 until his dismissal in October 2002. He was a competent teacher and was once elected as "Best Teacher of the Year". In July 2002, he was diagnosed as having cancer and he took sick leave from August to October 2002.

Subsequently, the school dismissed the teacher as he could not comply with the school requirement that teachers were not allowed to take long leave. The District Court ruled that the school had committed an unlawful act of disability discrimination.

Case Sharings by Seasoned Human Resources Practitioners

Two guest speakers were invited to share with the audience their experiences in handling cases regarding staff sick leave and work related injury. Ms. Joyce Leung, the Hospital Authority's General Manager (Human Resources) of Hong Kong West Cluster Hospitals spoke about Mr. A, a health care assistant who had lodged a complaint with the EOC upon termination of employment [\[1\]](#)



Interactive - Participants are asked to decide whether there is any unlawful act in the cases presented by the speakers.

"Mr. A was diagnosed with severe knee osteoarthritis and it was unlikely for him to continue with his regular duties. A knee cap replacement was recommended by a medical board, but he refused to take the advice. In view of his health problem, Mr. A was assigned to light duties. However, he was found to be absent-minded and had poor relations with his colleagues," said Ms. Joyce Leung. "In the following months, the hospital management had tried every possible means to accommodate Mr. A, but he was unable to fulfill the inherent job requirements. His performance was all along marginal or unsatisfactory. The hospital had no choice but to terminate him."

Ms. Joyce Leung pointed out that the EOC had required a number of documents and the hospital had taken six weeks to prepare its first reply to the EOC. Ms. Leung found that the more detailed information provided to the Commission, the easier and faster it became to settle the case. Having examined all the facts and documents provided, the EOC finally decided to discontinue the case as there was no unlawful act.

Ms. Leung highlighted that handling discriminatory cases could be time consuming, but speaking from experience she considered that providing more facts and information would help to produce a fair outcome. Professionals in human resources management, whose role is to act as a bridge between the employer and the employee, should ensure fair, consistent and equitable treatment of staff.



(From left to right) EOC Chairperson Mr. Raymond Tang with special guest speakers Mr. Francis Wong, Ms. Joyce Leung of the Hospital Authority and Mr. Josiah Chok, EOC's Chief Officer (Operations).

Another guest speaker Mr. Francis Wong, the Hospital Authority's General Manager (Human Resources) of New Territories East Cluster Hospitals presented a relatively simple case that took less than a month to effect a settlement. A candidate, Mr. B, was asked to report for work on 6 February 2006. However he did not show up on that date because he had an accident during a

leisure trip and he was granted sick leave until 18 February 2006. On 11 February 2006, upon the request of the user department, a personnel officer informed Mr. B that the offer of employment was invalidated. Mr. B then lodged a complaint with the EOC on the ground of disability discrimination.

Mr. Francis Wong opted for early conciliation in this case and explained its benefits, "Early conciliation offers an alternative means to settle a case within a shorter time frame. It could be conducted at any stage before or during the process of investigation."

The human resources department later had successfully convinced the user department to re-hire Mr. B and the case was settled amicably. "It turned out that Mr. B was a diligent and co-operative employee," said Mr. Francis Wong. "Good communication and a caring attitude are crucial in handling discrimination cases," concluded Mr. Wong.

[1] To protect privacy of the complainant, certain facts related to the case have been altered.



Join the EO Club

The EO Club offers information, training and advice to a wide network of employers, human resources practitioners, workplace trainers and equal opportunities officers. The membership year starts from July. If you wish to join the EO Club, please call us on 2106-2155 (Ms Cheung).

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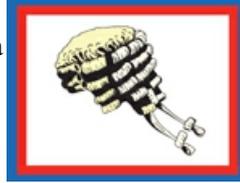
DD Case - Unfair Discount

Disability Discrimination Case

Unfair Discount

The Complaint

"Why should my son have to pay more than other children for the right to travel? I have to pursue this not just because of the financial loss, but it's a matter of principle," said Mr Poon, whose son, Jamie, 9, was denied discount airfare because of his disability.



Mr and Mrs Poon were planning a trip to China with their two children for the Easter holidays. They purchased four air tickets - two for adult regular fare and two for the children at a discount - from a travel agency.

"When the agent realized that Jamie is a wheelchair user, I was told that the discount of 70% off the regular fare for children would not be applicable. This really bothered me and I talked to the airline directly about their 'special treatment' of wheelchair-bound passengers," complained Mr Poon.

He continued, "After several rounds of conversation with an airline representative, they agreed to sell the ticket at 30% off, and we had to sign an indemnity stating that the airline would not be held responsible for any complications that may occur during the journey. Eventually, we got our tickets four days prior to our intended departure date. As the flight had already been fully booked at the time, we were delayed for a day, which led to a surcharge for our hotel booking."

What the EOC did

Mr Poon lodged a complaint on behalf of his son with the EOC against the airline for disability discrimination. The EOC investigator informed the airline about the details of the complaint and the Disability Discrimination Ordinance (DDO) in relation to the provision of goods and services. Both the complainant and the respondent agreed to attend an early conciliation meeting to resolve the conflict.



Mr Poon proposed that the airline should compensate the difference of the airfare and the surcharge imposed by the hotel. But perhaps more importantly, he added, "The discriminatory policy, which had almost ruined our family holiday, had to be rectified in order to ensure equal treatment of persons with or without disabilities." The airline accepted the proposed settlement terms, and the case was successfully conciliated.



At the end of the meeting, Mr Poon said, "Despite my disappointment with the airline's fare policy, I really appreciated the effort of their staff in providing assistance to my family, at the airports and in-flight, throughout our journey."

What the law says

Under the DDO, it is unlawful for a service provider to treat a person with disabilities less favourably by deliberately omitting his / her entitlement to certain benefits or refusing to provide services of like quality on like terms. Provision of services applies to retailers, hotels, restaurants and air carriers among others.

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SD Case - Surprise Baby Gift

Sex Discrimination Case

Surprise Baby Gift

The complaint

Instead of a congratulatory card, Katy, a product designer with a family-run trading firm, got a final paycheck from her boss on the third day after resuming duty from maternity leave.



"Teamwork is very important here, but I don't think you've been pulling your weight since you are back. Your priority is to finish your work, but all you care about are the trivial things such as, moving back to your own workstation," said Miss Lee, the owner's daughter and Katy's supervisor. "In fact, Mr Lee had not been pleased with your performance even before you were pregnant. So we have no other choice but to fire you."

Losing her job at a time when she was in need of support for her new baby, Katy felt stressed and upset. She decided to lodge a complaint with the EOC. "This is no trivial matter. I was unable to work properly in the tiny and cramped workspace. I couldn't even move my legs! When I requested to return to my own cubicle, which had been occupied by my maternity replacement, they just ignored me. Instead of understanding my frustrations, they even criticized me for pulling a long face all the time," said Katy tearfully.

She went on, "In fact, their attitude towards me had changed soon after I told them I was pregnant. They accused me of making mistakes that I was not responsible for, and made numerous comments about my absence from work for antenatal appointments. I was very disappointed with their reaction, which made me feel that my pregnancy was a real problem for them."

What the EOC did

Katy chose to lodge a complaint of pregnancy discrimination against the company, but not the individual supervisor. The Commission notified her ex-employer the details of the allegations. Mr Lee, representing the company, said, "We had already given her maternity leave according to the law. I don't understand her claim of pregnancy discrimination." The EOC investigator then explained to him the pregnancy-related provisions under the Sex Discrimination Ordinance (SDO).



Both parties opted for early conciliation in order to save time and to avoid the lengthy process of investigation. Katy requested Mr Lee to provide her a reference letter and monetary compensation in settling the case. However, no consensus was reached at the beginning. After the EOC conciliator facilitated an objective discussion on the feasibility of different options in settling the case with both parties, Mr Lee eventually accepted the settlement terms proposed by Katy. The dispute was successfully resolved within a month.

What the law says

Under the SDO, it is unlawful for an employer to dismiss an employee or treat her less favourably on the basis of her pregnancy. While the dismissal of employees during their pregnancy may be an obvious form of discrimination, the dismissal of women upon their return from maternity leave may also amount to pregnancy discrimination. In other words, whether the employee is pregnant at the time of the dismissal may be immaterial.

Although the employer may not expressly state that the reason (or one of the reasons) for dismissal is the employee's pregnancy, a reasonable inference can be drawn on the basis of the circumstantial

evidence, for example, criticizing a pregnant staff for attending her antenatal appointment during normal working hours. Also, acts of the employer, which do not breach the pregnancy-related provisions under the Employment Ordinance, can nevertheless be unlawful under the SDO.

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Around the World

Around the World

Flying without Vision

Visually impaired adventurer Miles Hilton-Barber completed an epic 13,500 mile flight from London to Sydney in a microlight aircraft. Under the supervision of sighted co-pilot Richard Meredith-Hardy, the 58-year-old from Derby, passed over Europe, the Middle East, India and Southeast Asia, with the aid of an audio navigational device. Hilton-Barber, who went blind about 20 years ago after contracting an eye disease, took the trip on to raise money for the charity Seeing is Believing, which aims to help prevent blindness in developing countries. Hilton-Barber's remarkable adventures in recent years included completing the toughest foot race on earth - crossing the Sahara Desert, and the coldest marathon – running the Siberian Ice Marathon.



Information source:

<http://news.bbc.co.uk/1/hi/england/derbyshire/6606497.stm>

<http://www.seeingisbelieving.org.uk/microlightadventure/press.asp>

UN Convention on the Rights of Persons with Disabilities

The Convention on the Rights of Persons with Disabilities and its Optional Protocol was adopted on 13 December 2006 at the United Nations Headquarters in New York, and was opened for signature on 30 March 2007. It is the first comprehensive human rights treaty of the 21st century, which prohibits disability discrimination in all areas of life, including civil rights, access to justice and the right to education, health services and access to transportation. The Convention, seeks to produce a paradigm shift in dealing with disability rights from a welfare and charity based approach to a rights based model for the world's estimated 650 million persons with disabilities. It adopts a broad categorization of persons with disabilities and reaffirms that all persons with all types of disabilities must enjoy all human rights and fundamental freedoms.



Information source:

<http://www.un.org/esa/socdev/enable/conventioninfo.htm>

Business with Pleasure



Traveling for work once meant sacrificing precious time away from home. But as American workplace becomes more flexible about letting employees juggle their duties with family life, executives are finding it easier to bring their spouses and kids on business trips. According to National Business Travel Association, 62 percent of US business travelers said they add a leisure component to at least one business trip per year. Among those travelers, two-thirds said they bring a family member with them. Pushing the trend is the growing number of single parents, women in executive ranks, two-income families, and those simply looking to save a buck by turning company-paid trips into working vacations. "Policies on bringing family on business trips vary from company to company," said Caleb Tiller, spokesman for the National Business Travel Association. "Some companies encourage it – even helping find accommodations for the family – as a way to keep employees happy and productive. Others might allow it, but require employees to sign waivers releasing the company from liability in case anyone is injured during the trip."

Information source:
<http://edition.cnn.com/2007/TRAVEL/05/07/kids.businessstravel/index.html>

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OnePeople.sg to Enhance Racial Harmony



Singapore has launched a new national organization to promote racial harmony. Pooling the resources of several existing community organizations, OnePeople.sg was launched in May to take on a leadership role in bringing Singaporeans together as one people regardless of race, language and religion. "As a multi-racial and multi-religion society, we have always got to be conscious of the need to foster a sense of fairness and trust among the various races and religions. Small things like being sensitive to each other's needs, bringing one another into our conversations, extending a hand, or having a meal together, will make a difference and leave a lasting impression," said Singapore's Prime Minister Lee Hsien Loong at the launch of OnePeople.sg. He underlined that the organization will ensure minority communities have the space to keep their heritages alive, and not feel pressured by the majority Chinese community.

Information source:
<http://www.channelnewsasia.com/stories/singaporelocalnews/print/278682/1/.html>
<http://www.onepeople.sg/>

社區活動巡禮 EVENTS CALENDAR

3/8 - 17/8/2007



陽光共融計劃
Integrated Programme for Children With and Without Development Difficulties
香港痲痺協會 東九龍家長資源中心
The Spastics Association of Hong Kong
Kowloon East Parents' Resource Centre
2338 2185 <http://prc.spastic.org.hk>

21/8 - 29/8/2007

(逢星期二、三 Every Tuesday & Wednesday)
暑期青少年籃球班
Basketball Training for Young Persons With Hearing Impairment

30/8 & 31/8/2007

夏日青年聚友營
Youth Summer Camp

香港聾人福利促進會
The Hong Kong Society for the Deaf
2527 8969 www.deaf.org.hk

29/8 - 10/10/2007

(逢星期三 Every Wednesday)
傷健草滾樂融融
Lawn Bowls for Persons With and Without Disabilities

2/9/2007

水上健體同樂日
Water Sports Fun Day

香港傷健協會 西香港傷健中心
Hong Kong PHAB Association
West Hong Kong PHAB Centre
2551 4199 <http://whk.hkphab.org.hk>

8 & 10/2007

(逢星期六 Every Saturday)



對抗抑鬱症「認知治療」理論與實務工作坊
Workshop on Cognitive Therapy against Depression
香港心理衛生會
Mental Health Association of Hong Kong
2340 6031 www.mhahk.org.hk

全年活動

Year-round Programme



133·男人幫
Men's Support Group
明愛男士成長中心
Caritas Men's Centre
2383 3377 <http://family.caritas.org.hk>

全年活動

Year-round Programme



舒「情」雅聚
Parents Support Group
香港特殊學習障礙協會
Hong Kong Association for Specific Learning Disabilities
3526 0934 www.asld.org.hk

全年活動

Year-round Programme



新民互助社
Support Group for New Arrivals
香港聖公會麥理浩夫人中心
HKSKH Lady Maclehoose Centre
2423 5062 / 2423 5064
www.skhlmc.org

全年活動

Year-round Programme



殘疾人士在職培訓計劃
On-the-job Training Programme for Persons With Disabilities
香港復康力量
Hong Kong Rehabilitation Power
2915 9452 www.rehabpower.org.hk

全年活動

Year-round Programme



婦女健康講座及增值工作坊
Women's Health Talk and Empowerment Workshop
婦女事務委員會
Women's Commission
2723 6626 www.women.gov.hk

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