

**Minutes of the Sixty-Fourth Meeting of
The Equal Opportunities Commission
held on 14 December 2006 (Thursday) at 2:30 p.m. in the
Equal Opportunities Commission's Conference Room**

Present

Mr. Raymond TANG Yee-bong	Chairperson
Dr. CHENG Kwok-kit, Edwin	
Prof. Randy CHIU	
Mrs. CHONG WONG Chor-sar, M.H., J.P.	
Miss LAM Kam-yi	
Dr. LAW Koon-chui, Agnes, J.P.	
Dr. LO Wing-lok, J.P.	
Mr. Saeed UDDIN, M.H.	
Ms WONG Fung-yee, Margaret	
Mr. YIP Kin-man, Raymond	
Mr. Michael CHAN Yick-man	Secretary [Director, Planning & Administration]

Absent with apology

Ms CHOI Wai-kam, Virginia
Mrs. KOO CHEUNG Man-kok, Christine
Mr. LIU Luk-por, Desmond
The Hon TAM Heung-man, Mandy

In attendance

Mr. Joseph LI Siu-kwai	Director, Operations
Mr. Herman POON Lik-hang	Chief Legal Counsel
Mr. Ferrick Chu	Head, Policy and Support
Ms Betty LIU Jia-shin	Head, Corporate Communications and Training
Ms Kerrie TENG	Accountant
Ms Gloria YU	Senior Equal Opportunities Officer, Administration & Planning
Ms Yvonne LAU Siu-yung	Personal Assistant (Policy Co-ordination)

I. Introduction

1. The Chairperson (C/EOC) welcomed Commission Members (Members) to the 64th EOC meeting.
2. Apologies for absence were received from Ms CHOI Wai-kam, Virginia, Mrs. KOO CHEUNG Man-kok, Christine, Mr. LIU Luk-por, Desmond and Hon TAM Heung-man.
3. C/EOC informed Members that a press conference had been scheduled after the meeting at 5:00 pm and invited Members to join if they wished.

II. Confirmation of Minutes

4. The Minutes of the 63rd Meeting held on 14 September 2006 were confirmed without amendments.

III. Matters Arising

Formal Investigation on Accessibility in Certain Publicly Accessible Premises

(Paragraphs 6-13 of the minutes of the 63rd meeting held on 14 September 2006)

5. C/EOC informed Members that the General Notice of Formal Investigation has been gazetted on 8 December and advertised in the papers. He invited D(Ops) to report to Members the progress since the last meeting. D(Ops) informed Members that since the last meeting the Office has considered suggestions from Members as well as views from concern groups and subsequently made site visits to various potential target premises. The EOC office decided to revise the Terms of Reference to have the sample size increased to cover community and cultural facilities as suggested by concern groups and Members' endorsement was given vide paper circulation recently. D(Ops) further informed that the access audit was not a social research for drawing a statistical conclusion but only for illustration of accessibility issues encountered by persons with disability. Views of concern groups would be sought on a continuous basis. D(Ops) informed that the general notice for the access audit inviting suitable persons / organizations to submit proposals would soon be advertised.

6. D(Ops) also informed Members that the updated Barrier-Free Design Manual 1997 would not be released until 2008. C/EOC supplemented that in conducting the access audit, reference should be made to the 1997 Design Manual and the new standards set out in the

updated draft manual.

7. D(Ops) informed that a copy of the 2000 check-walk results would be circulated to Members pursuant to a Member's request.

8. C/EOC thanked all Members for their views and contribution, especially Dr. Edwin CHENG and Mrs. CHONG Wong Chor-sar for their active participation in liaising with concern groups.

Equal Pay for Work of Equal Value (EPEV Study)

(Paragraphs 14-16 of the minutes of the 63rd meeting held on 14 September 2006)

9. C/EOC informed the meeting that the EPEV Study findings were released on 23 November 2006 and guidelines would be prepared and educational seminars would be conducted when the guidelines were ready. He thanked Members of the Task Group (Dr. LO Wing-lok, Professor Randy CHIU, Ms Virginia CHOI, Mrs. CHONG WONG Chor-sar, Ms LAM Kam-yi and Mr. Saeed UDDIN) for their contribution and the EOC Office would keep Members informed of progress.

IV. New Agenda Items

Reports of the Legal and Complaints Committee, Community Participation and Publicity Committee, Public Education and Research Committee and the Administration and Finance Committee

(EOC Paper No. 19/2006; Agenda Item No. 3)

10. Members noted the information presented in the paper.

Approval of EOC's Audited Accounts for the Year ended 31 March 2006

(EOC Paper No. 23/2006; Agenda Item No. 4)

11. Members noted that EOC's Audited Accounts for the year ended March 2006 vide circulation was approved by a majority of 10 Members by the deadline. 2 Members have requested a meeting for all Members to meet with the auditors on the audited accounts before they would give their advice. Accordingly, the Accountant arranged a meeting on 6th December for the auditors to answer questions from Members. 3 Members were present at the meeting following which all EOC Members have signified their approval to the audited accounts.

12. It was also decided that in future, the draft accounts would be circulated to all Members for review and an expanded Administration and Finance Committee (A&FC) Meeting to be extended to all Members would be called to consider the accounts with the auditors invited to attend to answer questions. Any comments made at the A&FC meeting would be recorded and forwarded to the full Board for consideration at an EOC meeting when the Auditors would be invited again to attend before consideration and approval by the full Board.

Study Trip / Networking with the Mainland

(EOC Paper No. 20/2006; Agenda Item No. 5)

13. C/EOC informed Members that Dr. Agnes LAW had kindly agreed to arrange and lead a study trip to Mainland China (Shenzhen, Guangzhou and Yunnan) from 14th to 20th January 2007 comprising

Members and staff. The trip would focus on protection of women's rights, empowerment issues for women, ethnic minority policies in the Mainland and the local government's systems and framework in accommodating the minority groups and maintaining social harmony.

14. The proposed trip would be a good training opportunity for the EOC to enhance understanding on the priority and concerns on the work of gender in the Mainland and Hong Kong and help to improve EOC's knowledge and understanding of relevant issues and to share experience with our counterparts. The enhanced level of understanding would also better equip the EOC in dealing with gender related complaints lodged by complainants with Mainland background especially in the context of their exclusion from the proposed race discrimination regime.

15. C/EOC invited Members to consider joining the study trip and confirmed that corporate insurance was in place and that the expenses were within EOC's budget. Members were supportive of this study trip for exchange of knowledge and experience and for staff development and gave approval to the proposal.

[Ms LAM Kam-yi left the meeting temporarily.]

Status Report on the Follow-up Actions on Recommendations of EOC's Organizational Review, HRM Review and Independent Panel Inquiry and EOC's Work Priorities
(EOC Paper No. 18C/2005(06); Agenda Item No. 6)

16. DPA informed Members that the paper was an up-date of progress of implementation and follow-up work on various

recommendations of the three reports and went through in detail the actions taken to implement the recommendations. Apart from a number of on-going items, the great majority of the recommendations have either been implemented or have been given due consideration by the EOC Office. In the course of implementing the various recommendations, Members' input and advice had been sought through the working committees of the EOC or the EOC Board, or from task groups comprising Members. DPA thanked Members for their advice in the process and invited comments from Members.

17. In answer to a Member's questions on Item No. 49 in the paper, DPA replied that the EOC had mapped out a comprehensive corporate strategy upon which the office would formulate its annual plan. The office would furnish the details concerning its annual plan for Members' attention and advice.

18. Regarding Item No. 59 on EOC's terms and conditions of employment, it was noted that the EOC office would keep in view the outcome of Government's pay level review and would give consideration to the feasibility of conducting its own pay study.

19. On Item No. 71, DPA informed that since the new Board had been appointed, there had been very few staff departures and exit interviews had always been conducted for staff leaving service and any special issues would be brought to the attention of the management team.

20. Regarding the Member's concern on Item No. 54 and

suggestion for more proactive planning than just making use of the Community Participation funding programmes for promotional and educational activities, HCCT responded that at the beginning of each year, a year plan with contributions from all functional divisions/unit would be developed for submission to Members for endorsement. The current year's activities included the establishment of the EO Club for dissemination of EO knowledge to human resources practitioners; the Family-friendly Employment Policy and Practices survey jointly conducted with the Women's Commission; the e-training programme on sexual harassment for universities; and the Formal Investigation on Accessibility. HCCT further informed that currently all training for the public was conducted by in-house staff.

21. C/EOC supplemented that EOC could be more proactive in promotion and education by partnering with stakeholders. A Member encouraged Members to participate in the Community Participation funded activities which were very effective means of promoting equal opportunities concepts and practices making use of networks of regional organizations.

22. A Member enquired about the effectiveness of the Staff Consultative Group (SCG). DPA informed that the SCG was established in 2005 with staff representatives elected from all functions, meeting every two months for raising staff views and concerns and had been an effective way of communication. He cited some constructive suggestions received through the SCG on issues such as dress code in the office, and staff recognition scheme for long and loyal service and improving office facilities to cater for special needs of clients and

visitors. He further informed that the effectiveness of the SCG was reflected in staff concerns being promptly addressed by the management team.

23. A Member referred to Item No. 74 and enquired whether there were indicators to ascertain staff morale in the office and whether Members would have access to such information. C/EOC replied that staffs' active participation in SCG would be a good indicator and the Convenor's gatherings which had been in place would also enable Members to have direct contact with staff members.

24. DPA supplemented that good staff morale could be reflected by the number of substantive projects carried out by staff in the past year, the low staff turnover rate and the fact that no staff complaints were received in the last eighteen months.

25. A Member enquired about collaboration with the Women's Commission (WoC) and the Rehabilitation Advisory Committee (RAC) in relation to Item No. 43. DPA informed that a recent collaboration with the WoC was the project on Family-friendly Employment Policies and Practices and that the views of RAC would be solicited in conducting the Formal Investigation on Accessibility. The Member further suggested that the EOC should not be too mindful about generating income when giving consideration to expanding the range of training programmes to the public (referring to item #45). Following further enquires from the same Member, DPA informed that the EOC adhered strictly to Government's policy on eligibility for terminal gratuity (referred to in Item No. 63) and that secondment arrangements

(referred to in Item No. 85) only took place in EOC's early days, and any future proposed secondment would be considered case by case. Regarding 'five-day week' (referred to in Item #91), DPA informed that there had been very few enquiries on Saturdays and enquirers and complainants seemed to prefer late evening appointments to Saturday appointments. DPA further informed that the office had been monitoring the situation and would consider implementing the full 'five-day week' in due course. Members would be kept informed of progress.

26. The paper was noted by Members.

Six Monthly Report of EOC's Financial Position as at 30 September 2006

(EOC Paper No. 21/2006; Agenda Item No. 7)

27. The Accountant drew to Members' attention that the A&FC and the management team had suggested to give consideration to make use of this year's surplus to raise the Community Participation funding limit, to provide for recruitment of new staff for new projects and increased work load, and for upgrading office equipments. Members would be kept informed of development.

28. Members noted the paper.

Tentative EOC Meeting Schedule for 2007

(EOC Paper No. 22/2006; Agenda Item No. 8)

29. Members noted the paper.

Any Other Business

(Agenda Item No. 9)

(1) **Authority for signing cheques**¹

30. Dr. Edwin CHENG raised his concerns about the changes in Authorised Signatories of EOC Bank Accounts which was recently approved by majority of Members through circulation. The Member said he strongly opposed to such change without discussion by the A&FC and also the Reply Slip enclosed with the said circulation did not provide Members with a choice for requesting an EOC meeting to discuss the subject matter before giving their advice even members wanted to do so and hence it was contrary to good governance practice. He further explained that his concern was for risk control and over-provision of the contingency plan for the absence of both two authorised signatories in Group B of the HSBC No. 1 Current Account as, in fact, either one signatory from Group B was enough and requested that his objection to be formally noted.

31. C/EOC informed that the addition of signatories was for contingency purposes in case where both the C/EOC himself and DPA (the original two signatories from Group B) were not in the office as had occurred in the past, to act in conjunction with the signatory required from a Member in Group A. The office's intention was to have a contingency plan in place, to have the two next most senior officers at the level of 'Director' as signatories; and as further

¹ *Proposed amendments to paragraphs 30-32 discussed and adopted at the 65th EOC Meeting held on 15 March 2007 have been incorporated.*

safeguards, since the two new signatories were not handling administration matters on a daily basis, the Accountant's recommendation would be provided before they would be asked to sign cheques. C/EOC added that while the approval from Members in this instance was requested vide paper circulation, Members could always request a meeting to discuss the subject matter before giving their advice. This was in accordance with the Procedures for Meeting adopted by the EOC Board in June 2005.

32. Discussion ensued on whether the change was an over-provision of the contingency plan and whether additional signatories should be authorized by the EOC Board only when a contingency situation arose, and on the time, administration and management cost involved. In answer to a comment from a Member, the Accountant clarified that when EOC was first established, there were three signatories (the Chairperson, the Director of Administration and the Chief Executive) in Group B and that the Chairperson and the Director of Administration were named as signatories as office bearers of "Chairperson" and "Director of Administration" rather than as Chair and Secretary to the EOC Board. C/EOC further commented that the arrangement would be consistent with general corporate governance requirement that Group A should consist of non-executive Members and Group B should comprise of executive personnel. After further discussion, it was decided that the subject should first be raised for discussion again at an A&FC meeting and a recommendation to be provided to the EOC Board thereafter.

VI. Date of Next Meeting

33. The next EOC meeting would be held on 15 March 2007 (Thursday) at 2:30 p.m.

34. There being no other business, the meeting was adjourned at 5:30 p.m.

*Equal Opportunities Commission
February 2007*