



平等機會委員會  
EQUAL OPPORTUNITIES COMMISSION

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歡迎各位閱讀平機會革新的會刊——平機會半年刊。我們以全新面貌、嶄新內容和版面與各位見面。這一年兩期的刊物會就不同平等機會議題提供更多深入見解和資訊，從而讓大家了解平等機會如何與生活息息相關。

平等機會已成為公眾意識中日益重要的課題，這促使我們推出嶄新模式的刊物。公眾對平等機會的意識愈高，對關乎平等及社會公義的課題的關注便愈大。同時，公眾期望平機會的工作更具透明度，以提供更多與歧視相關的資訊。我們希望這份刊物能回應公眾的訴求，並鼓勵更多討論及對話，共同建設多元共融社會。

2014年將是平機會繁忙的一年。首先，我們計劃就現行反歧視條例檢討進行公眾諮詢，又會就建議禁止性傾向和性別認同歧視立法進行公眾諮詢。在政策倡導的層面，我們亦會重點要求政府正視少數族裔兒童和有特殊教育需要學生在教育上的不平等問題。此外，我們會繼續在教育界和工作間進行反性騷擾活動，並同時推行全民通達的改善工作。

要達成以上目標，平機會並不能單靠一己之力。我們期望聽取大眾的意見，繼續得到大家的支持，合力建設無障礙、人人皆享平等機會的社會。

最後，本人希望藉此機會，祝願你們及家人在新的一年身體健康、幸福快樂、馬到功成。

平等機會委員會主席  
周一嶽



Welcome to our revamped newsletter, *EOC Journal*. We have introduced a new format, new content and layout for this semi-annual publication to provide you with more in-depth insights and information on different aspects of equal opportunities issues and how they relate to your life.

The new format was prompted by the fact that equal opportunity has become an increasingly prominent subject in our public consciousness. With better awareness comes greater concern among our community members about issues relating to equality and social justice, along with the desire for more transparency on the EOC's work and thorough information on discrimination-related topics. We hope that the *Journal* can respond to this demand and encourage greater discussion and dialogue towards building a more inclusive society.

Indeed, the EOC is expecting a busy year in 2014. First, we plan to conduct public consultation on our review of the existing anti-discrimination ordinances, as well as our proposal for a new piece of legislation to prohibit discrimination on the basis of sexual orientation and gender identity. We will also be pushing ahead on our policy advocacy drive with a focus on getting the Government to address the issue of education inequality for ethnic minority children and students with

special educational needs. And we will continue with our ongoing campaigns against sexual harassment in education and in the workplace, as well as our work to improve accessibility for all.

Of course, the EOC cannot walk alone on this quest. We look forward to hearing your feedback and to your continued support to foster a society with no barriers to equal opportunities.

And, finally, may I take this opportunity to extend my warmest wishes to you and your loved ones for a new year filled with good health, happiness, and success.

**York Y. N. CHOW**

Chairperson  
Equal Opportunities Commission

# 平機會周年論壇2013

## EOC Annual Forum 2013



平機會於2013年9月23日舉行周年論壇，聽取持份者對於平機會工作及三年策略計劃的意見。這個論壇是平機會每年接觸公眾的最大型活動，讓平機會加強與持份者的溝通及聯繫。

是次論壇反應熱烈，約300位來自非政府組織、關注團體、商業機構、政府部門、僱主團體及工會代表出席。他們聆聽平機會的工作計劃及未來新工作領域之餘，亦就平機會在香港推廣平等機會的工作提出意見。

平機會主席周一嶽醫生於論壇介紹了平機會三年策略計劃中的優先工作領域，及持續工作重點。另外，四位平機會管治委員會委員，包括行政及財務專責小組召集人趙麗娟女士、法律及投訴專責小組召集人黎雅明先生、政策及研究專責小組召集人謝永齡博士，以及社會參與及宣傳專責小組召集人黃嘉玲女士，亦分別就各自專責小組的工作作出匯報。

周一嶽醫生表示：「平機會一直致力改善工作及為公眾提供的服務。我們希望瞭解不同持份者的意見和關注，使我們的工作能符合社會的需要和期望。」

「藉過去的工作基礎，以及與社會團體會面時聽取的意

見，我們擬定了未來數年的策略工作優次，我們希望在這個多變的時代，平機會的工作能更全面切合社會的需要，在爭取平等之路上取得真正進展。我們相信關心反歧視及平等機會不再是香港小部分人的事。大多數人都希望社會更平等。為實現這共同目標，政府、各界人士與機構、以及平機會都需要盡一分力。透過與社會各階層的合作，平機會將努力奮鬥，力求實現高度公平與社會公義，建設人人享有平等機會的社會。」

公開論壇獲得參加者正面的回應。在收回的問卷當中，88%的參加者認為是次活動能加強平機會與持份者及公眾的溝通；80%認為是次活動能增進他們對平機會的三年策略工作計劃的認識。此外，92%的參加者相信平機會應繼續舉辦同類型的活動，保持與持份者的溝通。



On 23 September 2013, the EOC organised a Public Forum to seek stakeholders' views on its work and three-year Strategic Plan. This was the largest annual stakeholder outreach event of the EOC, which offered a platform for the Commission to strengthen communication and liaison with stakeholders.

The event attracted some 300 participants, who came from a wide spectrum of backgrounds, including NGOs, concern groups, business organisations, government departments, employers' organisations and unions. While hearing the work plan and upcoming initiatives of the EOC, they shared their views on how the Commission might further enhance its work in promoting equal opportunities in Hong Kong.

During the Forum, Dr. York CHOW, Chairperson of the EOC, introduced the EOC's priority areas in the three-year Strategic Plan, as well as its ongoing undertakings. He was joined by members of the EOC Board, including Ms. Susanna CHIU, Convenor of the Administration and Finance Committee; Mr. Amirali Bakirali NASIR, Convenor of the Legal and Complaints Committee; Dr. John TSE Wing-ling, Convenor of the Policy and Research Committee; and Ms. Garling WONG Ka-ling, Convenor of the Community Participation and Publicity Committee, who presented the work of the committees to the participants respectively.

Dr. York CHOW said, "The EOC is consistently looking for ways to improve its work and services to the public. We are eager to understand the views and concerns of various stakeholders so that our work is able to meet the community's needs and expectations."

"Building on our work in previous years and our exchange with various community groups, we hope that our strategic priorities can address more fully the needs of society in these times of changing needs and achieve real progress on equality. We believe that the concern for anti-discrimination and equal opportunities is no longer a minority interest in Hong Kong. In translating the shared aspiration towards greater equality into practical changes, the government, a wide range of sectors and organisations, as well as the EOC, have to play their parts. By working together with people at all levels, the EOC will strive to attain an even higher level of fairness and social justice, and build a community with equal opportunities for all."



The Forum has received positive feedback from the participants. Among those who responded to the survey, 88% considered that the event could enhance the EOC's communication with stakeholders and the public; while 80% considered that the event could enhance their understanding of the EOC's three-year Strategic Plan. In addition, 92% believed that the EOC should continue to organise similar event to maintain close communication with stakeholders.

#### 三年策略工作計劃中的五個優先工作領域

- 檢討現行的反歧視條例
- 立法保障不同性傾向和性別認同人士免受歧視
- 少數族裔的平等教育與就業機會
- 有特殊教學需要學生的融合教育
- 政府以功能角度處理殘疾人士的需要

#### 持續工作重點

- 反性騷擾運動
- 《性別歧視條例僱傭實務守則》檢討
- 《公眾可進出的處所、無障礙通道及設施正式調查》跟進工作

#### 5 priority areas in 3-year Strategic Plan

- Review of the existing anti-discrimination ordinances
- Legal protection for sexual minorities from discrimination on the basis of sexual orientation and gender identity
- Equal education and employment opportunities for ethnic minorities
- Integrated education for students with special educational needs
- Functional approach in addressing the needs of persons with disabilities by the Government

#### Ongoing initiatives

- Anti-sexual harassment campaign
- Review of the Code of Practice on Employment under the Sex Discrimination Ordinance
- Follow up on the Formal Investigation Report on Accessibility in Publicly Accessible Premises

# 平機會就歧視法例檢討 諮詢「平等機會之友會」會員 EO Club Members Consulted on Discrimination Law Review



讓平等機會主流化，而平機會則有責任作出監督；至於平機會權力方面，應否賦予平機會有權介入任何關於歧視的訴訟。

參加者對聚會有良好的評價。在收回的問卷中，89%的受訪者表示，聚會「非常

有用」或「有用」；而95%的受訪者表示，講解「非常清晰」或「清晰」。總體而言，95%的受訪者表示聚會「非常好」或「良好」。

平機會一直就歧視法例檢討與各主要持份者團體會面，並計劃在2014年中推出大型公眾諮詢活動，以收集市民對改革建議的意見。

## 關於平等機會之友會

平等機會委員會於2006年成立了「平等機會之友會」，為香港的僱主、人力資源從業員、職場主管和培訓導師提供了一個交流平台。「平等機會之友會」每年舉辦研討會、講座和培訓活動，協助提升會員對香港反歧視條例的認識，交流良好管理心得。截至2013年12月止，該會共有來自超過220間機構約390位會員。

超過50位「平等機會之友會」會員於2013年10月10日齊集平機會辦事處，討論香港反歧視法例的未來路向。這次聚會由平機會主辦，目的是收集會員的意見，瞭解他們推行現有反歧視法時面對的困難和法例的局限，以及他們對法律改革初步建議的意見。

平機會的法律檢討小組在會上向參加者講解進行檢討的理由和原則。自第一條反歧視條例，即《性別歧視條例》於1996年生效後，至今已將近二十年，為了更新和理順各歧視條例，有需要進行法例檢討。

平機會職員向會員簡介改革建議，包括受保障特徵、違法行為的形式與範疇、把平等概念納入主流、以及平機會的職能及權力。例如，在受保障特徵方面，會員被問及是否需要明確保障可能懷孕的婦女免受歧視；在婚姻狀況歧視方面，是否應保障具事實婚姻關係的人免受歧視。對於因殘疾引發的狀況而遭受歧視，是否有必要明確加入合理遷就責任；另外，應否規定所有公營機構有明確責任把平等概念納入其職能、政策和計劃內，



On 10 October 2013, over 50 members of the Equal Opportunity (EO) Club gathered at the EOC office to discuss the future of Hong Kong's anti-discrimination legislation. Organised by the EOC, the gathering was meant to seek members' views on the challenges that they faced in implementing the existing anti-discrimination legislation, the limitations of the legislation and the preliminary law reform proposals.

During the gathering, participants heard from the EOC's law review team the rationale and principles of initiating the Discrimination Law Review, which stemmed from the need to modernise and harmonise the legislation, since the first anti-discrimination ordinance, that is, the Sex Discrimination Ordinance, came into force almost two decades ago in 1996.

Members were briefed on the reform proposals in respect of the protected characteristics, the forms and fields of prohibited conduct; the mainstreaming of equality; as well as the functions and powers of the EOC. For example, in the area of protected characteristics, members were asked about the need to expressly protect against discrimination based on potential pregnancy, and against marital status discrimination for persons in de facto relationships; on the discrimination arising from disability, whether there is a need to add express duty to make reasonable adjustments; on mainstreaming equality, whether express duties should be added on all public authorities to promote and mainstream equality in all their functions, policies and programmes, while the EOC will have the responsibility to monitor; and on the powers of the EOC, whether the EOC should be empowered to intervene in proceedings relating to any relevant discrimination issue.

The meeting received positive response from the participants. Among those who completed the questionnaire, 89% indicated that the gathering was "very useful" or "useful", while 95% said the speaker's presentation was "very clear" or "clear". Overall, 95% rated the gathering "excellent" or "good".

The EOC has been meeting major stakeholder groups on the Discrimination Law Review, and is planning to launch a major public consultation exercise in mid-2014 to collect the public's views on the reform proposals.

### About the EO Club

The EOC set up the EO Club in 2006 to provide a platform for exchange with employers, human resource practitioners, workplace supervisors and trainers in Hong Kong. Activities such as seminars, talks and training are organised throughout the year to help enhance members' understanding of the anti-discrimination ordinances in Hong Kong and to share good management practices. As at December 2013, there are close to 390 members coming from over 220 organisations.

本港四條反歧視法例 Four anti-discrimination ordinances in Hong Kong	全面生效日期 Full effective date
《性別歧視條例》 Sex Discrimination Ordinance	1996.12.20
《殘疾歧視條例》 Disability Discrimination Ordinance	1996.12.20
《家庭崗位歧視條例》 Family Status Discrimination Ordinance	1997.11.21
《種族歧視條例》 Race Discrimination Ordinance	2009.7.10

# 平機會舉辦「獨特的我!」分享會 鼓勵年青人肯定自我 共建平等社會

接近80名青少年於2013年11月16日下午出席平機會舉辦的「獨特的我!」英語青少年發展計劃的分享會。

平機會自2010年推出「獨特的我!」青少年發展計劃，透過不同活動，如嘉賓導師分享會及各種比賽，為本港青少年提供一個平台，討論有關多元共融的議題，鼓勵他們打破定型觀念。是次分享會邀請了警務處總督察包毅嘉先生(Mr. Rohit BHAGAT)及香港浸會大學國際學院高級講師Theresa CUNANAN博士為嘉賓導師。

**包毅嘉：「你對自己的看法才最重要。」**

雖然包毅嘉先生在香港土生土長，卻很少機會學習中文。他於英國大學畢業回港，發現自己的中文程度限制了他的求職選擇。他說：「我選擇當警察，因為這是當

時少數我能選擇的職業之一。」他續稱：「但我沒因此感到氣餒。」

終於包先生成功晉升至總督察。他鼓勵學生要忠於自己，不要受別人意見影響。他表示：「了解自己的本質和長處很重要，不要被他人的言論左右。你對自己的看法才是最重要的。只要你相信自己，別人也會相信你。」

除了自信外，包先生也鼓勵學生完成學業。他說：「你們一定要繼續學業，努力爭取更高學歷。學歷是改變命運的最重要門檻。」





## Theresa CUNANAN: 「問問自己想成為怎樣的人。」

Cunanán博士跟學生分享自己身為菲律賓移民的女兒，如何以有限資源在香港成長的故事。雖然她能操流利廣東話，但沒機會學習書寫中文。她忠告學生把握未來每個機會學習中文。她說：「政府應提供更多支援，讓少數族裔學生學會中文。這對他們在香港的生活非常重要。」

有學生問Cunanán博士尋找學習動力的秘訣。Cunanán博士鼓勵學生要目光遠大，她說：「重點不在於『如何鞭策自己去應付這次考試』，而是應該問自己『我想成為一個怎樣的人？』。如果你知道自己的目标，就會知道如何鞭策自己繼續努力，向前進發。」

她亦鼓勵青少年於困難中繼續奮鬥。她說：「我的求學過程並不是一帆風順的，但憑著毅力最終我拿到博士學位。因此，不要因為小小挫折，當成末路窮途。就算你的選擇有限，仍能靠自己的實力讓夢想成真。」

## 「獨特的我!」攝影及標語創作比賽2013

平機會亦於分享會上公布2013年「獨特的我!」攝影及標語創作比賽的得獎者。平機會借助了社交媒體平台向年輕人推廣這項比賽，以提升年輕人對平等機會的關注，鼓勵他們肯定自我，關注多元文化。

平機會主席周一嶽醫生於活動完結時致辭，鼓勵青少年為創造更公平的香港出一分力，他表示：「你的參與，代表你也認同平等機會對自己和社會都十分重要。」周

醫生續說：「我希望你們能運用今天學到的東西，於日常生活中繼續爭取平等。」

如欲得知「獨特的我!」活動及比賽的最新消息，請瀏覽活動的Facebook專頁([facebook.com/HKUniquelyMe](https://www.facebook.com/HKUniquelyMe))。此外，亦可上教育局「其他學習經歷」/「全方位學習」活動資料庫查閱「獨特的我!」的資料。

另外，平機會將會推出「無定型新人類」活動。詳情請密切留意我們在平機會網頁及平機會智能手機應用程式上的公布。



# “Uniquely Me!” Sharing Session: The EOC Encourages Youths to Embrace Their Individuality and Build an Inclusive Hong Kong

On 16 November 2013, nearly 80 youths eagerly gathered at the EOC for an afternoon of sharing and inspiration, a part of the EOC’s English-language youth development programme, ‘Uniquely Me!’



Launched in 2010, Uniquely Me! aims to provide a platform for Hong Kong’s youths, through activities such as guest mentor sharing

sessions and competitions, to break down stereotypes and engage in dialogues on issues relating to diversity and inclusion. Joining this event as guest mentors were Mr. Rohit BHAGAT, Chief Inspector, Hong Kong Police Force, and Dr. Theresa CUNANAN, Senior Lecturer, College of International Education, Hong Kong Baptist University.

## **Rohit BHAGAT: “Who you think you are matters”**

Although he was born and raised in Hong Kong, Mr. Bhagat had few opportunities to learn Chinese. Upon his return to Hong Kong after finishing his university degree in the United Kingdom, he found his job prospects restricted by his limited Chinese language skills. “I became a police officer because at the time, it was one of the few job options available to me,” revealed Mr. Bhagat. “But I did not let it deter me.”

Eventually, Mr. Bhagat rose to achieve the rank of Chief Inspector. He urged the students to stay true to themselves and not be discouraged by other people’s

opinions. “It is important to figure out who you are and what you can offer. Don’t worry about what others think. It is who you think you

are that matters. If you believe that you are someone with important ideas to share, then others will as well,” explained Mr. Bhagat.



Apart from having confidence in themselves, Mr. Bhagat also advised the students to finish their education. “You must stay in school, and go as far as you are able. Getting your education is one of the most important ways you can help yourself.”

## **Theresa CUNANAN: “Ask yourself who you want to be”**

Dr. Cunanan shared with the students her story of growing up with limited means in Hong Kong as the daughter of Filipino immigrants. Although she speaks Cantonese with ease, she also had few chances to master written Chinese. She advised the students to grab every opportunity to learn Chinese for their own future. “The government should also provide more support for ethnic minority students to master Chinese, as this is crucial for their livelihood in Hong Kong,” she added.

A student asked Dr. Cunanan her secret to finding motivation to study. In response, Dr. Cunanan urged them to look at the bigger picture: “The question to ask is not ‘How do I motivate myself to study for this exam?’

Rather, it is better to ask yourself, 'Who do I want to become?' If you know what your goal is, you will be able to motivate yourself towards it one step at a time."

She also encouraged the youth participants to persist in the face of obstacles. "I faced many detours on my road to education. But eventually, with perseverance, I gained my doctorate. So do not think the road ends when you face a hurdle. Even if your choices are restricted, you can still make your dreams come true with what you have."

## Uniquely Me! Youth Photo and Slogan Competition 2013

The afternoon also featured the announcement of the winners of the 'Uniquely Me! Youth Photo and Slogan Competition 2013.' Leveraging interactive media, the competition was designed to raise awareness about diversity and inclusion among young people and to encourage them to embrace their individuality.

The fruitful afternoon closed with remarks from Dr. York CHOW, the EOC Chairperson, who urged the participants to take action for a fairer Hong Kong. "By being here, you have taken a stand that equal opportunities are important to you and your community," said Dr. Chow. "I hope you will take what you have learned here to fight discrimination in your own lives."

To stay updated on future Uniquely Me! events and competitions, please visit us on Facebook (facebook.com/HKUniquelyMe). Uniquely Me! is posted on the Other Learning Experience (OLE)/Life-wide Learning (LWL) Activity Databank of the Education Bureau.

Another programme "Youth Challenge" will soon be launched by the EOC. Watch out for more details on our website or our smartphone apps.

### 平等雋語

## 「無定型新人類」嘉賓導師與青少年分享平等共融訊息

### Inspiring Quotes

## Career Challenge mentors share messages of equality and inclusion

平機會自2002年起舉辦「無定型新人類」青少年師友計劃，至2013年已是第十一屆。在較早前舉行的五場活動中，嘉賓導師與青少年朋友分享了他們打破定型觀念、堅持心中理想的人生歷程。

2013 marked the 11th year of the Career Challenge Mentorship Programme since its launch in 2002. During the five sharing sessions that took place earlier, the mentors shared with the young participants how they have broken down stereotypes and persisted with their dreams.

「人要活得快樂，便應多欣賞自己，不要把旁人的既定想法強加於自己身上。」

精神科註冊護士/葵涌醫院個案復康支援組個案經理梁兆基先生

**"To live happily, we need to appreciate ourselves and not bear other people's perceptions on our shoulders."**

Mr LEUNG Siu-kei, Registered Nurse (Psychiatric) / Case Manager (Personalised Care Programme, Kwai Chung Hospital)

「我們的財富、知識、時間，並非只屬於我們，應好好運用去幫助別人。」

居留權大學創辦人甘浩望神父

**"Our wealth, knowledge, time do not belong to us alone. We should make good use of them to help other people."**

Father Franco MELLA, Founder of "Right of Abode University"

「人生處處充滿驚喜，今天以為很糟的事，說不定明天會變成好事。」

插畫師高雁旎小姐

**"Life is full of pleasant surprises. Things that you think are bad today may turn out to be good tomorrow."**

Miss Tina KO, illustrator who promotes diversity concepts

「苦苦始終會過去，回頭一看，挫折原來只是人生路上的一顆小石子。」

2012年倫敦奧運會銅牌得主（單車）李慧詩小姐

**"The suffering will eventually end. Looking back, frustrations are only small pebbles in the road of life."**

Miss Sarah LEE, London 2012 Olympic Games Bronze Medallist (Cycling)

「人生中難免有妥協的時候，但我仍會鼓勵大家盡量誠實地做自己。」

著名歌手黃耀明先生

**"There are times when we have to make compromises. But I encourage everyone to have the honesty to be your true self."**

Mr Anthony WONG, Popular singer

# 「給孩子希望」—— 少數族裔的平等教育機會

「一寸光陰一寸金」，但對於少數族裔孩童來說，因著現時的教育政策，白白錯過了學好中文以至融入社會的機會。一整代的少數族裔孩子，能不能擺脫「跨代貧窮」的宿命？

去年9月26日聯合國兒童權利公約委員會於日內瓦召開會議，審議中國和香港在履行《兒童權利公約》的報告，當中包括兒童享有平等接受教育的權利。

提供更廣泛及長遠的支援，包括在學前階段提供語文及文化學習計劃，協助他們建立學習中文的良好基礎，融入主流小學。

一直以來，平機會十分關注本港兒童及青少年面對的歧視問題，我們更將有特殊學習需要的殘疾兒童及少數族裔兒童被剝奪平等教育權利的情況，定為平機會的兩項優先工作項目。

不少少數族裔家長正正就是因為子女缺乏學前中文培訓，別無選擇下將子女送往所謂「指定學校」入讀。

## 少數族裔學生 困難重重

事實上，本港少數族裔學生無論在接受高等教育或就業前途方面，皆面對困難重重，而這一切皆源於他們學習中文所遇到的巨大障礙。

去年有傳媒報道，2012年獲錄取修讀學士學位課程的非華語學生，僅佔聯招（大學聯合招生辦法）下獲大學取錄的學生總數不足1%。這數字凸顯少數族裔學生在現行教育制度下，追求高等教育是多麼遙不可及的事情。當我們以為教育可促進社會階層向上流動之時，我們的少數族裔孩童卻無法透過教育，擺脫貧窮的宿命。

毫無疑問，我們必須為少數族裔學生扭轉局面。自平機會於2011年公布《少數族裔教育工作小組報告》以來，我們一直促請政府落實為少數族裔孩童





這些「指定學校」將非華語生與主流學生分隔，既不利融合，亦令少數族裔學生無法有效地學習中文。

在現行制度下，這些學校需自行設計較主流課程淺易的中文課程，老師們需花大量時間與精力去編寫及準備教材。然而，不同學校的程度與質素均出現很大差異。

教育局於2013年6月宣布，修訂中、小學非華語生的支援模式，由只為全港31所非華語指定學校提供津貼，改為資助所有取錄非華語學生達10人或以上的學校。雖然這個安排可說是變相取消「指定學校」的機制，但可惜這只是「補漏式」的政策，根本沒有徹底解決問題的癥結。

我們真正需要的是政府的承擔，從系統上解決少數族裔學生學習中文的障礙，為支援少數族裔學生學習中文作出更完善的規劃及資源分配，為主流學校提供全面性的支援，並加強教育專業包括教師的培訓，提升他們教導少數族裔學生的能力。

## 另設中文課程及測試制度

考慮到少數族裔學生學習中文的挑戰，我們認為應為他們另設中文課程及測試制度，以提供另一語文資格以及實際的中文技能，供他們升學及就業之用。

我們更需增加教育工作者以至家長對平等教育價值觀的認知及文化敏感度，以建立真正共融、關愛的學習環境。現時一些家長仍抱錯誤觀念，不願子女入讀少數族裔學生較多的學校。事實上，不少研究已印證多元教育的益處，包括培養同理心及發展跨文化溝通能力，這些皆是21世紀全球一體化下，國際人才的必勝技能。

為了提升少數族裔學生接受高等教育及就業的機會，最近我與多間大學的校長及高層職員會面，向他們提出考慮承認少數族裔的第三語言能力，作為額外的取錄資格。對此建議，這些院校均表示願意視乎情況彈性處理。事實上，增加少數族裔入讀大學的數目，可有助建立一個多元的學習環境，為學生開啓不同的視野與觀點。

我亦已向特區政府提出，公務員及公共機構應增聘少數族裔人士，並針對個別職位的工作需要，承認少數族裔在中英文以外的第三語言能力。我認為這項措施對多方面都有益處。香港

既是一個多元的社會，我們的公共服務人員應具備多種語言能力，以滿足不同社群的需要。例如站在前線的警員或醫護人員，若懂得第三種語言，不但可省卻翻譯的需要，亦可提升整體服務質素。

這項建議並非要取締中文或減退少數族裔學習中文的動力，只是在目前的環境之下，這個安排可讓有意投身公共服務但中文語言能力稍遜的少數族裔青年，在一個較平等的環境下競爭，建立事業，打破世代貧窮的宿命。而平等機會的精神，就正是在有需要時採取合理的措施，來締造公平的環境。

## 中學因應少數族裔宗教需要將男女分班

最近不少傳媒均聚焦報道，一些中學因應少數族裔的宗教需要而將男女分班，甚至為女生安排不同課堂時間表及校服指引。我和平機會的同事最近便走訪數間學校，了解當中情況。

平機會原則上認為學校應避免採取分隔措施。學校是開放予社群學習的地方，在尊重不同文化及宗教需要和遵從平等教育精神之間，學校應小心取得平衡。平機會已向教育局表達關注，並考慮在將來編印指引供學校參考。

無論如何，我們認為所有小孩，不管他們的種族、性別或其它特徵，都應享有平等教育的基本權利。少數族裔孩子同是香港的一份子，將參與建設香港的未來。唯有在平等教育的基礎上，他們才可融入社群，充分發展他們的潛能，改善生活，脫離跨代貧窮。在這方面，特區政府及教育界有着不可推諉的責任。

(原文刊於 2013年 9月 26 日明報)

# Ghetto Treatment Blocks Advance of Hong Kong's Ethnic Minority Students

**“Our education system – and society at large – is failing ethnic minority students by not giving them a fair chance to overcome their difficulties in learning Chinese,” wrote Dr. York CHOW, Chairperson of the EOC.**



The UN Committee on the Rights of the Child held hearings in end September 2013 to look at the situation in Hong Kong. The Equal Opportunities Commission has long been concerned about discrimination issues affecting our youngsters. In particular, I have named the exclusion of children with disabilities and special needs as well as ethnic minorities from equal educational opportunities two of our priority areas going forward, the latter being the focus of this article.

In reality, the hardship ethnic minority students face in accessing higher learning and potential employment opportunities stems primarily from their struggle to master Chinese in their school years. Recently, a media programme reported that only 120 non-Chinese-speaking students were admitted to degree courses in 2012, representing fewer than 1 per cent of the offers of study places made via the Joint University Programmes Admissions System.

More must be done for our ethnic minority students. After the 2011 release of our report on education for

ethnic minorities, we have been urging the government to commit to broader and longer-term support for these children, including language and cultural programmes starting from a pre-primary level to help them lay a solid language foundation and facilitate their transition into mainstream schools.

Indeed, many ethnic minority families, lacking options, end up sending their children to so-called “designated schools”. Although the Education Bureau has recently removed the label “designated” and implemented reforms on how these schools may receive grants to assist non-Chinese-speaking students, these policies are still merely stop-gap measures.

Many of the former “designated schools” represent situations of de facto segregation, which are not conducive to learning Chinese and do not provide youths with chances for wider integration. The schools are tasked with devising their own simplified curriculum – a heavy burden on teachers – and the standards may vary widely between schools. Rather than creating separate schools, what is sorely needed is comprehensive and systemic support at mainstream schools for ethnic minority students to learn effectively alongside their local Chinese peers.

In particular, an alternative Chinese curriculum and testing system is necessary. This curriculum should take into account the specific challenges faced by many ethnic minority students who are learning Chinese as a second or third language, while providing them with practical Chinese skills for future education and employment pursuits.

Their access to opportunities in tertiary education and employment must also be enhanced. We are currently talking to the presidents and vice-chancellors of universities regarding recognition of third-language skills as a bonus in student admission and, so far, all of those we approached have agreed to adopt a flexible approach. A boost in the number of ethnic minority students in our universities would benefit not only those students, but also their classmates who can gain new perspectives and ideas from a diverse learning environment.

I have also recommended to the government that it should act to increase the number of ethnic minority candidates for civil service and public organisation jobs. Specifically, I appealed to officials to recognise third-language capabilities, in addition to English and Chinese, in the recruitment process. In the absence of systemic reforms and an alternative curriculum to help all ethnic minority students learn Chinese, this measure can enable the youths who dream of working in public service to compete on an equal footing for some of these jobs in which other language skills may prove useful.

After all, our public-service providers should have multilingual abilities to appropriately serve our diverse community. If we have police or health care professionals who can speak a third language, we would not require so many interpreters, and surely the services provided would be improved.

It is important to note that this measure should not replace the need for an alternative Chinese curriculum or stop ethnic minorities learning Chinese. Rather, in the interim, it aims to enable current generations of ethnic minorities whose Chinese skills may not be strong to access equal opportunities.

“Equal”, of course, does not necessarily mean “same”. Recently, there has been media attention on the fact that some secondary schools were providing segregated classes as well as an alternative timetable and uniform code for some girls in an effort to accommodate different

religious requirements. My colleagues and I have visited a few schools in order to better understand the situation.

As a general principle, the Equal Opportunities Commission believes segregation should be avoided. Schools are public arenas, serving our community without favouritism to culture or religion. They should strike a careful balance between respecting different cultural or religious requirements and adhering to the spirit of equal education for all. The Commission has raised this with the Education Bureau, and will consider producing a guideline covering these issues in the future.

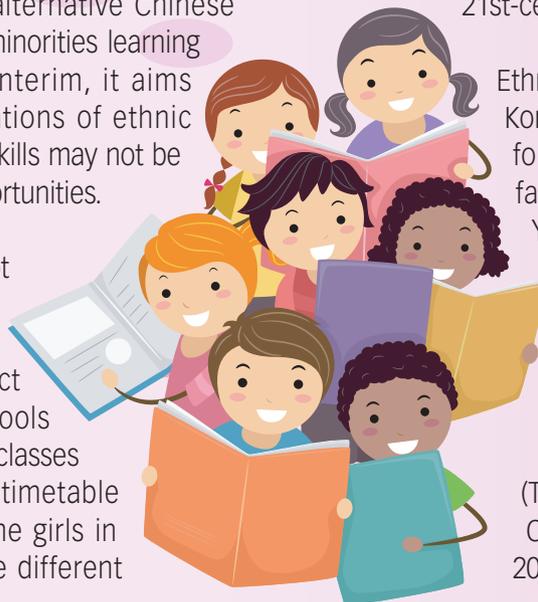
Most importantly, all children, irrespective of race, sex or any other characteristic, must not be deprived of their fundamental right to equal education. Such steps take true commitment from all parties, which must come with better planning and distribution of expertise and resources, as well as increased development and training of relevant professionals, including teachers.

We also need more awareness and sensitivity from all parties, including educators and parents, to build truly caring schools and enable all students to benefit from a diverse learning environment. Presently, misconceptions remain common. Some local Chinese parents do not wish to send their children to schools with a high intake of ethnic minority students. In reality, the benefits of diversity in education are well documented, not least because it encourages empathy and develops cross-cultural competence – all important components for 21st-century success.

Ethnic minority children are a part of Hong Kong’s future. Without the right foundation forged through equal education, they will face difficulties over their entire lifetime.

Yet the right measures can facilitate their ability to integrate, break the cycle of poverty and reach their potential. The government and the education sector must lead this charge.

(This article was published in the South China Morning Post on 26 September 2013)



# 放開成見

## 平機會支持香港同性戀者、雙性戀者、跨性別及雙性人士的平等權利

近年來，香港社會對保障同性戀、雙性戀、跨性別及雙性人士(性小眾)享有平等權利這議題愈加關注，相關的討論也愈來愈多。2013年5月終審庭裁定變性人「W」(一位已完成性別重整手術由男變女的跨性別人士)勝訴，判她有權以其手術後重置的性別結婚，成為性小眾爭取平權的一個重要里程碑。另一項重要事件是2013年10月，首個“Out on the Street Asia”活動於香港舉行，這是金融服務行業有關性小眾的領袖高峰會。

緊隨其後為11月舉行的第五屆同志遊行，活動人數創歷年新高，參加者包括來自內地及台灣的組織，以及主要銀行和金融機構代表。

香港爭取性小眾平權的進程可說與國際的發展方向一致。事實上，聯合國於2011年便首次通過決議案，譴責性傾向及性別認同歧視。根據皮尤研究中心於2013年公布的一項研究顯示，現時北美洲、歐盟及拉丁美洲大部分地區均廣泛接受同性戀，至於亞洲，大部分地區於這方面仍相對落後。

香港一直珍視社會公義、平等等核心價值。平機會認為，香港作為國際大都會及商業樞紐，可藉捍衛性小眾平權在區內樹立榜樣。這樣做亦可確保香港未來的競爭力，並成功吸納人材。

然而，根深蒂固及持續的偏見和定型觀念，成為性小眾人士爭取平等機會的主要障礙。社商賢匯於2012年進行的一項研究顯示，每四位受訪者中便有超過一位認為性小眾人士不應公開自己的性傾向。研究又指出，三分二性小眾僱員表示，工作間經常有針對性小眾的笑話，或對性小眾作負面評論。有時候，儘管言者無心，卻無可避免對性小眾造成騷擾和敵視。這些偏見往往令性小眾不敢公開自己的性傾向，窒礙人與人之間寶貴的坦誠接觸，以致造成誤解。

另一方面，坊間對性傾向和性別認同歧視法例的影響亦普遍存有誤解。有人擔心反歧視法例會不合理地拮制宗教和言論自由。事實上，我們必須認清公共範疇(如僱傭)和私人範疇(如育兒、私人對話)的活動之分別，須知道，反歧視法例針對的是公共範疇的歧視行為。

有人辯指可透過公眾教育處理性傾向歧視，而不必立法。但根據平機會的經驗，公眾教育



應與立法並行。此外，立法不單有助教育公眾，對單靠教育未必奏效的人來說，更有阻嚇作用。

有見於此，平機會認為政府必須帶頭制訂具體法例，禁止性傾向和性別認同歧視。平機會已把這方面的倡導工作納入三年策略工作優先領域中。政府亦應於性別承認上免除變性手術的要求，並採納終審庭就變性人「W」判決中的建議，妥善地解決變性人士在不同法律範疇內所面對的困難。

作為社會的一分子，我們應嘗試多了解性小眾的經歷和觀點，包括他們面對的困難，並給予他們支持。再者，我們必須認識自己可能帶有的成見，以及這些成見如何影響我們的行為，並明白到多元共融不僅正確，也對機構的成功，以至整個社會都有實實在在的好處。

我們已到達改變的臨界點，我們的立法會、大小社會團體正紛紛倡議和討論這話題。我們的企業正意識到共融工作間的益處，並學習切實推行有關措施。在社會大眾層面上，我們的年輕一代普遍具有較革新的思維，願意接受多元性傾向。根據社商賢匯的研究顯示，在18至35歲受訪者中，七成表示接受性小眾；反觀56歲或以上的受訪者中，只有42%接受性小眾。

面對社會的轉變，平機會將繼續努力捍衛性小眾的平等權利。我們希望透過倡議，以及理性和互相尊重的公眾對話，可推動改變，邁向人人平等的目標。

本文摘自平等機會委員會主席周一嶽醫生於2013年9月12日在香港民主促進會午餐會上發表之英語講辭。



# Out in the Open

## The EOC supports equal rights for Hong Kong's lesbian, gay, bisexual, transgender and intersex individuals

In recent years, there has been increased public interest and debate in Hong Kong on ensuring equality for the lesbian, gay, bisexual, transgender and intersex (LGBTI) community. The major watershed came in May 2013, when the Court of Final Appeal ruled in favour of "W," a male-to-female transsexual woman who has completed the Sex Reassignment Surgery (SRS), granting her the right to marry in her reassigned sex. In October 2013, the first-ever Out on the Street Asia, an LGBT leadership conference aimed at the financial services industry, was held in Hong Kong, followed in November by the fifth annual Pride Parade, which attracted record

number of participants, including organisations from Mainland China and Taiwan, as well as representatives from major banking and financial corporations.

Such developments are in line with international progress towards equal rights for the LGBTI community. In 2011, the United Nations passed the first resolution condemning discrimination on the basis of sexual orientation and gender identity. A study released by the Pew Research Centre in 2013 showed that there is now broad acceptance of homosexuality in North America, the European Union, and much of Latin America. However, much of Asia is still lagging behind.

Hong Kong has long held values such as social justice and equality central to its self-identity. The EOC believes that Hong Kong, as an international city and business centre, can set an example in the region in safeguarding the LGBTI community's human right to equality. Such actions are also necessary in order to ensure our future competitiveness and success in talent attraction.

Yet lingering prejudice and stereotypical views form a major barrier to equal opportunities for LGBTI individuals. In a 2012 study by Community Business, more than one in four respondents believe LGBT individuals should keep their sexual orientation to themselves. Sometimes, harassment and hostility is overt, even if unintended. Two-thirds of LGBT workers in the aforementioned study say that people at work tell anti-LGBT jokes or make negative comments about LGBT people. Such biases may serve to deter LGBT individuals from being open about their sexuality, which eliminates valuable opportunities for direct contact that could clarify misunderstanding and assumptions.





Misperception regarding the impact of any anti-discrimination legislation remains rife and common. Some are concerned that having anti-discrimination legislation would result in unreasonable curbs on their rights to freedom of religion and freedom of expression. In fact, it is important to separate between activities in the public sphere (e.g. employment) and the private sphere (e.g. childrearing, private conversations). While operating in the public sphere, it is crucial that the principle of non-discrimination is guaranteed.

Others have argued that this is an issue for public education, not legislation. But from the Commission's experience, public education should be conducted in conjunction with legislation. Moreover, the presence of legislation has both an educational impact on the public as well as a deterrent effect on those for whom education alone may not be effective.

So what must be done? First, the Government must lead by enacting specific legislation to prohibit discrimination on the basis of sexual orientation and gender identity. The EOC has made advocacy on this front one of our three-year strategic priority work areas. The Government should also put in place the process of gender recognition beyond requiring sex reassignment surgery and which covers other areas outside marriage, in line with the Court of Final Appeal's recommendation in the "W" case ruling.

As a community, each of us can try to learn more about the experiences and perspectives of LGBTI individuals, including the difficulties they face, and provide them

with support. Additionally, we must be cognizant of our own stereotypes and how they affect our actions. Accordingly, we must also recognise that diversity is not only right, but also has real benefits for organisational success as well as our society as a whole.

We are now on the precipice of change. We are seeing debate in the Legislative Council, greater leadership advocacy and discussion

among different community groups. Our corporations are learning the benefits of creating an inclusive workplace. And our younger generations have shown that they tend to be more progressive and accepting of sexual diversity. According to the Community Business' survey, 70% of the respondents aged between 18 and 35 said they are accepting of LGBT individuals, as opposed to 42% of those aged 56 and above. Yet more needs to be done to safeguard the equal rights of LGBTI individuals. By sharing our stance on this issue, the EOC hopes to add our voice to an open and respectful public dialogue and move towards our goal of ensuring equality for all.

This article was adapted from a speech delivered by Dr. York CHOW, EOC Chairperson, at Hong Kong Democratic Foundation's Luncheon on 12 September 2013.

**70%**  
of the respondents aged  
between 18 and 35 said  
they are accepting of LGBT  
individuals

# 職場上的平等機會

## 商界為何要關注工作間的平等機會？



在工作間促進平等機會往往被視為是奢侈品多於必需品。不過近年來，僱主已愈加明白到，建設多元共融的工作環境是營商的重要元素。平機會主席周一嶽醫生於2013年9月13日在香港總商會人力委員會的午餐會上說：「一個欠缺包容、互相排斥的工作間，會對公司的營運和業務表現帶來實在的商業風險。相反，能夠成功將平等機會價值觀融入公司主流文化的企業，往往盈利豐厚。」

首先，歧視性工作環境影響僱員對工作的投入程度及生產力。本港非牟利機構社商賢匯(Community Business)於2012年進行的研究指出，接近四分三受訪的同性戀、雙性戀及跨性別僱員(Lesbian, Gay, Bisexual, Transgender統稱「LGBT僱員」)曾在工作上被逼就自己的私人生活說謊；大概四分之一表示，由於工作環境不夠共融，曾一度留在家中不想上班。有趣的是，近半在工作間公開性取向的LGBT僱員表示，因為不需要隱瞞自己的性傾向或性別認同，工作表現效率更高。實際上，一個不夠共融的工作間，會窒礙僱員盡展所長。

相反，一個尊重不同需要並會根據個別情況提供彈性安排的工作間，能讓僱主羅致到最優秀的人才，並可更有效地挽留他們。現時，家庭崗位歧視在香港仍然很普遍。婦女事務委員會於2010年進行的研究指出，超過70%受訪者認為，僱主選擇不聘用下班後需要照顧家人而不能超時工作的員工。這個問題確實會持續影響本地僱員，原因是香港的人口日益老化，照顧長者的擔子愈來愈重。與此同時，性別定型觀念問題亦嚴重影響本港女性。婦女要持續承擔照顧家庭的大部份責任，因而導致女性人才流失，為公司帶來確切的人力資源風險。

另一方面，領導層多元化可促進創新意念，解決難題。香港交易及結算所有限公司於2012年一份有關董事會成員多元化的諮詢文件，當中指出「董事會成員背景不盡相同，提出的關注事項及問題也會不大一樣，使董事會在考慮公司事宜時會有更多種類的選擇及解決方法。具多樣背景的群組據說亦較少採取極端的立場，較多進行高質素的分析。」



最後，積極主動推進工作間的平等機會，能幫助僱主避開代價高昂的法律責任及聲譽損失。最近，平機會進行了《性騷擾 – 商界問卷調查》，調查結果顯示43%的受訪公司尚未制定性騷擾政策聲明，這些僱主可能因此要為工作間發生的違法性騷擾行為負上法律責任。現時性騷擾仍是平機會根據《性別歧視條例》最常收到的投訴個案之一，而近95%的投訴都是由女性提出。這個問題嚴重影響女性僱員及她們的去留，事實上，女性佔香港勞動人口48%，因此性騷擾實不容忽視。

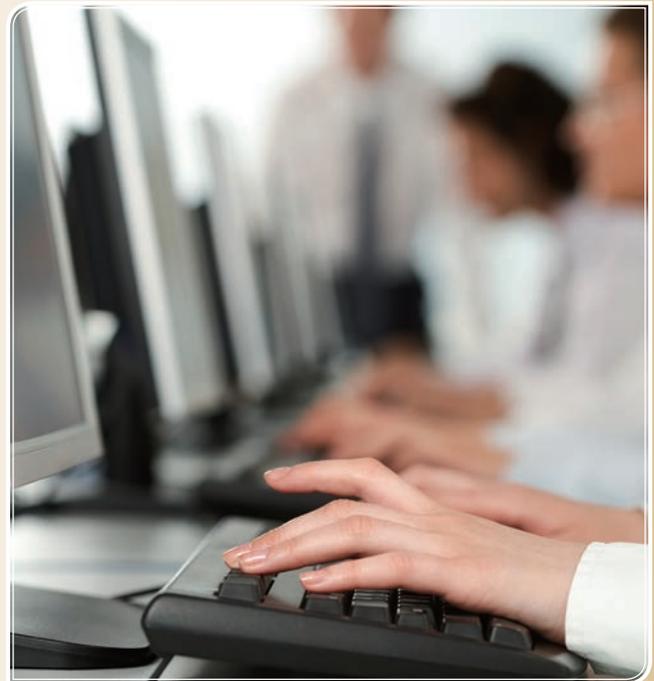
平機會認為僱主應採取切實可行的措施打造多元共融工作間。首先，公司必須確保在招聘階段公平對待所有求職者，按職位需要制訂劃一準則進行甄選。而員工的升職機會必須根據工作表現，而非主觀推測。如果可以的話，應考慮不同的個人情況，適當地彈性處理。

更重要的是，要建設多元共融工作間文化，訂立一份明確的平等機會政策就必不可少。有關政策應該肯定公司對平等機會的承諾，內容載有詳細清晰的投訴處理機制及預防措施，以促進一個安全友好的工作環境。除了經常為僱員提供關於政策的培訓及溝通，公司亦應定期監察政策的成效，採納員工意見，確保有效執行。領導層人員更應帶頭身體力行支持，進一步推動變革，將反歧視成為公司的文化。

若公司能主動積極採取以上的措施，定能成為首選僱主，業務自然蒸蒸日上。

本文摘自平等機會委員會主席周一嶽醫生於2013年9月13日在香港總商會人力委員會午餐會上發表之英語講辭。

如欲得知更多平機會的活動，歡迎瀏覽於平機會網頁([www.eoc.org.hk](http://www.eoc.org.hk))的網誌。



# Advancing Equal Opportunities at Work

## Why should the business sector care about equal opportunities in the workplace?



Promoting equal opportunities at work is often seen as a luxury rather than a necessity. But over recent years, employers have begun to increasingly realise that an inclusive work environment is a business imperative. As Dr. York CHOW, the EOC Chairperson, told the audience at the Hong Kong General Chamber of Commerce's Manpower Committee Roundtable Luncheon on 13 September 2013, "A non-inclusive workplace poses real business risks for a company's operations and performance. But companies who can successfully mainstream equal opportunity values into the corporate culture often see positive benefits on their bottom line."

First, a discriminatory work environment affects employee engagement and productivity. Research from Community Business, a Hong Kong-based non-governmental organisation, in 2012 found that nearly three-quarters of lesbian, gay, bisexual and transgender (LGBT) employees surveyed have had to lie about their personal life at work, and roughly one in four say they have stayed home from work because of a non-inclusive work environment. Interestingly, nearly half who are open at work say they are more efficient in their job performance because they do not have to hide their sexual orientation or gender identity. In effect,

a workplace that is not open and inclusive will keep employees from performing their best.

Second, a workplace that respects different needs and offers flexibility according to individual circumstances will enable employers to tap into wider pools of talent and more effectively retain them. For instance, family status discrimination remains common in Hong Kong. According to the survey by Women's Commission in 2010, more than 70% of respondents said that employers chose not to hire employees who could not work overtime because of the need to look after family members during non-office hours. This is an issue that will surely continue to impact our workers in the light of this city's ageing population and the increasing burden of elderly care. It is also a concern that prevailing gender stereotypes disproportionately affects women, who continue to shoulder the bulk of family care responsibility. This leads to a drain of female talent – a real human resource risk for companies.

Third, diversity in leadership promotes creative exchange of ideas and problem-solving. In its 2012 consultation paper on board diversity, The Stock Exchange of Hong Kong Limited noted that "members of the board with diverse backgrounds bring different concerns and questions to the table, and allow the board to consider a wider range of options and solutions to corporate issues. Diverse groups are also said to be less likely to take extreme positions and more likely to engage in higher quality analysis."

Finally, proactively advancing equal opportunities at work helps employers to avoid costly legal liabilities and reputational damage. Recently, the EOC conducted the "Sexual Harassment – Questionnaire Survey for Business Sector," which found that 43% of respondents did not have any policy statement on sexual harassment, leaving them open to legal liabilities for any unlawful sexual harassment in a work setting. Sexual harassment remains one of the most common complaints received by the EOC under the Sex Discrimination Ordinance. The problem also disproportionately affects female workers and impacts their retention: Women make up 48% of the workforce in Hong Kong, but almost 95% of the sexual harassment complaints received by the EOC are raised by women.



Employers can take practical steps to enhance an inclusive workplace. To begin, it must ensure equal treatment in the recruitment stages by using consistent selection criteria specific to the position. Opportunities for advancement must be based on merit, not assumptions. Where possible, consideration to individual circumstances and due flexibility should be accorded.

Importantly, a clearly stated equal opportunity policy is necessary to set the tone for an inclusive workplace culture. It should affirm the company's commitment to equal opportunities, and detail a clear complaint-handling mechanism as well as preventive measures for promoting a safe and friendly work environment. Frequent training and communication regarding the policy should be provided to employees. The policy should also be regularly monitored, with staff input, to ensure effectiveness. Senior leadership's visible support on front will further drive change and weave the commitment to non-discrimination into the fabric of the company's culture.

By taking the initiative, the company can become employers of choice and improve their business returns.

This article was adapted from a speech delivered by Dr. York CHOW, EOC Chairperson, at the Manpower Committee Roundtable Luncheon Talk, organised by the Hong Kong General Chamber of Commerce on 13 September 2013.

To learn more about EOC events and activities, please refer to the EOC Blog on the EOC website ([www.eoc.org.hk](http://www.eoc.org.hk)).

# 平機會公布性騷擾調查結果

## The EOC Releases Findings of Surveys on Sexual Harassment



為了增加公眾對性騷擾的認識和關注，平機會於2013年分別於學界及商界進行了問卷調查。

平機會於2013年3月公布了《學生對性的態度及對性騷擾的看法之研究》結果，隨後又於4月公布《性騷擾－學界問卷調查》結果。前者顯示50%的受訪學生曾遭受不同形式的性騷擾。

學校的問卷調查則發現，接近一半(47%)受訪學校沒有制定預防性騷擾政策聲明，當中主要原因是「員工沒有制定有關政策聲明的訓練」(61%)及「制定一套性騷擾的政策聲明並非急需要去進行的項目」(45%)。在尚未制定性騷擾政策聲明的學校中，不足三分之一有意於2013年制定性騷擾政策。

學校的冷淡反應與《學生對性的態度及對性騷擾的看法之研究》焦點小組的結果不謀而合，研究的結果顯示，學生之間的性騷擾甚少得到正視處理。事實上，部份學生、教師及家長表示，學校為怕影響校譽，會十分低調處理性騷擾投訴。

同樣地，平機會發現商界亦絕少制定正式的預防性騷擾政策聲明。根據平機會於2013年8月公布的《性騷擾－

商界問卷調查》結果，43%受訪公司（85間公司）表示沒有制定性騷擾政策聲明，當中46%表示「制定一套性騷擾的政策聲明並非急需要去進行的項目」，有37%更「從來沒有想過需要制定有關政策聲明」。

至於57%即113間表示已制定性騷擾政策聲明的受訪公司，當中只有55%提供詳情。

有關結果顯示，公司對於預防工作間性騷擾並不重視。事實上，這種態度正好從調查的低回應率（3%）反映出來。平機會發出超過6,000份問卷，但最終只收回198份。

有見調查結果，平機會進行了一連串工作，增加學界及商界對性騷擾的關注和認識。有關工作包括為教育專業人員及教師舉辦研討會及培訓講座，以及為教育界和商界制定性騷擾政策大綱。

除了以上工作，平機會網站已特設性騷擾專頁。公眾可以輕易查閱性騷擾的所有相關資訊，包括性騷擾的常見問題、培訓教材、法例及已成功調停/和解的性騷擾個案，以作參考。

With a view to understanding and promoting awareness of sexual harassment in the community, the EOC conducted two questionnaire surveys in the education and business sectors respectively in 2013.

In April 2013, the EOC released the findings of the “Sexual Harassment – Questionnaire Survey for Education Sector”. This followed the announcement of the findings of the “Study on Students’ Sexual Attitudes and Views on Sexual Harassment” in March 2013, which showed that 50% of the interviewed students had experienced various forms of sexual harassment.

The questionnaire survey among the schools found that nearly half (47%) of the respondents have not adopted a policy statement on sexual harassment, with the most common reason being staff’s lack of training to formulate the policy (61%), and the perception that there is no urgency for such an action (45%). Of the schools without a policy statement on sexual harassment, less than one-third (31%) said they intend to articulate such as statement in 2013.

Such unenthusiastic response echoed the findings of the focus group survey under the “Study on Students’ Sexual Attitudes and Views on Sexual Harassment”, which indicated that sexual harassment among students was rarely addressed. Indeed, some students, teaching staff and parents expressed that the school authorities handled sexual harassment complaints in a very passive manner for fear that the school reputation would be adversely affected.

The lack of formal sexual harassment policy was also found in the business sector. In August 2013, the EOC released the findings of the “Sexual Harassment – Questionnaire Survey for the Business Sector”, which showed that 43% (85 companies) of the respondents did not have a policy statement on sexual harassment. Out of these companies, 46% indicated that there was no urgency to formulate the policy statement, and 37% never thought of developing such a statement.



As for those 57% or 113 companies which stated that they had a policy statement, only 55% of them provided details.

The results indicated a low awareness on preventing sexual harassment in the workplace. In fact, such low awareness was reflected by the poor response rate of the survey (3%). Out of the 6,000-plus questionnaires distributed, the EOC only received 198 returned questionnaires.

In response to the findings of the surveys, the EOC undertook a series of actions to foster greater awareness and understanding of sexual harassment in the education and business sectors. These included organising seminars and training workshops for teaching professionals and developing frameworks for sexual harassment policies in schools and the workplace.

In addition to the above initiatives, the EOC has developed a dedicated webpage on sexual harassment on its website. Through this webpage, the public can easily access all sorts of information related to sexual harassment, including Q&A, training materials, legislation and conciliated/settled cases of sexual harassment.

**50%** 受訪學生  
曾受性騷擾

of interviewed students had  
experienced sexual  
harassment

# 平機會處理的投訴

## Complaints Handled by the EOC

平機會的其中一項主要職能是處理公眾根據《性別歧視條例》、《殘疾歧視條例》、《家庭崗位歧視條例》及《種族歧視條例》所作出的投訴。

平機會於2013年1月至12月期間共收到666宗投訴，而2012年同期收到的投訴個案數目則為843宗。連同2012年未完成的個案，平機會於2013年1月至12月期間共處理了939宗投訴，較2012年減少11%。

### 殘疾歧視投訴

平機會處理的投訴大部分關乎殘疾歧視，共有544宗，佔全部投訴的58%。平機會調查了493宗殘疾歧視投訴，其中329宗與僱傭範疇有關。此外，平機會亦主動調查了53宗有關處所通道和貨品及服務提供的個案。

2013年8月，平機會為一宗個案給予法律協助，根據《殘疾歧視條例》，代表某屋苑一名居民在區域法院提出訴訟，藉此彰顯處所提供獨立及足夠的無障礙通道的重要性。該名居民是輪椅使用者，行動不便，難以進出屋苑內某些公共地方，因而無法使用某些公共設施。儘管該居民已多次提出要求，物業管理公司仍然拒絕進行工程改善處所通道。

平機會較早前於2013年3月亦代表一名女文員，根據《性別歧視條例》及《殘疾歧視條例》提出法律訴訟。該名職員指稱她的前僱主對她作出懷孕及殘疾歧視，當她通知僱主她已懷孕及有病（臍疝）後，不久即遭解僱。

平機會希望透過法庭訴訟，令大眾正視提供進出處所的重要性，消除殘疾歧視，並提醒僱主應為懷孕及殘疾員工作出妥善安排及提供合理的遷就。

為闡明反歧視條例如何應用於日常生活及加深公眾對自身權利和責任的認識，平機會於2013年9月出版了一本《個案實錄》，當中收錄了多個平機會曾處理的真實個案，包括成功調停個案、平機會提供法律協助的個案及法庭案例，並詳細說明平機會處理投訴的方法和流程。

平機會希望《個案實錄》能加深僱主及服務提供者對相關法律責任的認識，並讓公眾更瞭解平機會處理投訴的程序和考慮因素。更重要的是，平機會希望鼓勵面對類似情況的人士勇於前來申訴，以討回公道。

《個案實錄》已上載於平機會網頁([www.eoc.org.hk](http://www.eoc.org.hk))

平機會處理  
EOC handled

939

宗投訴  
complaints

One of the key functions of the EOC is to handle the complaints made by members of the public under the four anti-discrimination ordinances, namely the Sex Discrimination Ordinance (SDO), the Disability Discrimination Ordinance (DDO), the Family Status Discrimination Ordinance (FSDO) and the Race Discrimination Ordinance (RDO).

Between January and December 2013, the EOC received a total of 666 complaints, as compared to 843 during 2012. Together with the complaints carried forward from 2012, the EOC handled a total of 939 complaints from January to December 2013, 11% lower than the number in 2012.

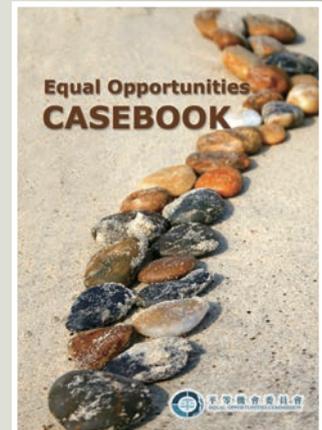
### Disability Discrimination Complaints

Among the complaints handled by the EOC, the majority or 58% of the complaints were lodged under the DDO, which totalled 544. The EOC conducted investigations into 493 of these complaints, with 329 of them related to employment. The EOC also initiated investigations into 53 cases concerning access to premises and the provision of goods and services.

In order to highlight the importance of providing independent and adequate barrier-free access to premises, the EOC granted legal assistance to a case in August 2013, by issuing legal proceedings in the District Court under the DDO on behalf of a resident of a residential estate. The resident, a wheelchair user with mobility difficulties, encountered problems in accessing various locations of the common areas of the residential estate, and was unable to use certain facilities. Despite repeated requests, the management companies of the residential estate failed to carry out alteration work to address the access barrier issues.

Earlier in March 2013, the EOC also issued legal proceedings under the SDO and DDO on behalf of a female clerical employee, who alleged that she was discriminated against by her former employer on the grounds of her pregnancy and disability. The clerk was dismissed shortly after she had informed her employer about her pregnancy and disability (umbilical hernia).

By taking these cases to court, the EOC hopes to raise greater awareness on the importance of eliminating disability discrimination in the provision of means of access, and remind employers of their duties to provide reasonable accommodation to their pregnant staff and staff with disabilities.



To clarify the application of the anti-discrimination ordinances and widen the community's awareness on their rights and responsibilities, the EOC published a Casebook in September 2013. The Casebook features a series of real-life discrimination cases handled by the EOC, including the conciliated cases, those with legal assistance from the Commission and the court cases. It also details the procedures and approach adopted by the EOC in handling the complaints.

The EOC hopes that the Casebook can provide useful reference for employers and service providers to better recognise their responsibilities, and enhance understanding of the EOC's complaint-handling process and considerations. More importantly, the EOC hopes that those who face similar discriminatory acts would be encouraged to speak up and seek redress.

**The Casebook is available on the EOC's website ([www.eoc.org.hk](http://www.eoc.org.hk))**

# 獨特的我! Uniquely Me!

## 平機會攝影及 標語創作比賽2013 EOC Youth Photo and Slogan Competition 2013

### 得獎作品 Winning Entries



冠軍：鑽石大獎 (個人組別)  
Winner: Diamond Prize (Individual Category)  
陳玉茹 **Chan Yuk Yu**



季軍：銀寶石大獎 (個人組別)  
2nd runner-up: Silver Prize (Individual Category)  
**Wong Tsz Ching Silbie**



亞軍：紅寶石大獎 (個人組別)  
1st runner-up: Ruby Prize (Individual Category)  
許詩蘊 **Hui Sze Wan Candy**



冠軍：鑽石大獎 (團體組別)  
Winner: Diamond Prize (Group Category)  
**Chloe Jireh Oconer,**  
**Chleo Jezreel Oconer**

有關平機會聯絡方法，請參閱目錄。  
Please refer to the content page for EOC contact details.