

Message from the Chairperson – A Daily Challenge

A Daily Challenge



EOC Chairperson Raymond Tang with young visitors from B.M. Kotewall Memorial School for students with physical disabilities

For most of us, our day begins by getting up in the morning to go to school or work, probably in some form of transport. It is taken for granted that we would get to our destination within a reasonable amount of time, barring unforeseen circumstances, which when they do occur, are few and far between. But such a regular day may be very different for some in our community who are wheelchair users.

Since the Disability Discrimination Ordinance (DDO) came into force in 1996, the Equal Opportunities Commission (EOC) has received hundreds of complaints about lack of accessibility for persons with a disability, such as entrances intercepted by steps or blocked pathways. Premises without lifts, wheelchair aid or drop kerbs outside also add to the complainants' frustrations. Under the DDO, inaccessible buildings and environment may constitute a breach of the law unless it can be proved that unjustifiable hardship would be incurred. So far, our experience in handling such complaints show that very often, the solution could be a simple one. Recognition of social responsibility could easily be demonstrated, or litigations avoided by adding a minor adjustment, such as a ramp, better signage or physical assistance when required.

Obstacles limit participation

The Rehabilitation Alliance Hong Kong released in January 2005 its survey results of 95 public lavatories for persons with a disability. None of the toilets in the survey fully complied with the standards set out by the Buildings Department. Many lavatories remained locked or were used for storage. Toilet seats were found to be too high, or the handrails and handles, poorly designed. These are common problems facing persons with a disability in Hong Kong and it begs the question, why?

Considerable barriers in everyday life remain for persons with a disability, due to structural, environmental and attitudinal factors. But sometimes, it is refusal to change a particular mindset that poses the major stumbling block. Despite the fact that even when building standards are met, owing to the intransigent attitudes of some people, full implementation of such regulations remains to be seen, accounting for the poorly designed or locked lavatories.

Structural and environmental barriers not only lead to inconvenience, they also jeopardize the users' well-being. The Association of Women with Disabilities recently drew our attention to the inaccessibility of some maternal and child health centres. Problems identified include blocked entrances and passages,

inappropriate height of lift buttons and lack of colour contrasts in guide-paths, all creating hurdles for women with disabilities in seeking essential medical services¹.

In a study released in March 2005 by the Barrier-free City Concern Alliance, over 40% of the 857 respondents with a disability were dissatisfied with the accessibility features of bus services, and 30% said that the platform gaps of railway stations were big barriers. In 2004, another survey by the Alliance showed that 80% of the 320 respondents with a disability found supermarkets, fast food shops and post offices either inaccessible or unsafe.

Accessibility to toilet facilities, community amenities, transportation and medical treatment are basic necessities, which we tend to take for granted. But as we can see from the survey results, access to such basic amenities or services is a daily challenge for persons with a disability. Without easy access, persons with disabilities and that includes the elderly as well, are forced to stay at home and suffer from social exclusion and marginalization. The important issue of mobility takes on a new meaning, when you consider the economic as well as social implications. There is a growing acceptance in our community of inclusion, to enable everyone, including those with disabilities, to fully participate in our society, and mobility is the key to self-sufficiency and independent living.

Barrier-free access benefits all

Hong Kong's Disability Discrimination Ordinance prohibits discrimination against persons with disabilities in the provision of access to premises that members of the public are entitled to enter. All buildings may be required to be modified and made accessible under the Ordinance, unless alteration to the premises would pose unjustifiable hardship to the building management or owner. The Commission is planning a study on the issue of accessibility, to determine the extent of the problem. The EOC is also working with the Rehabilitation Alliance to hold discussions with stakeholders from various sectors to rectify the accessibility problems identified by the Alliance.

Hong Kong's changing demographics will increase demand for better access and facilities for all people, including persons with a disability and the elderly. Developing and adopting universal design is the answer for an aging population, which will also benefit wheelchair users, and make life easier for parents with baby strollers, and the temporarily disabled. Universal design applies to architecture, products, transportation and information technology underlining equitable use for all and social inclusion.

When a building management office or a service provider realizes that an inclusive environment which embraces social equity not only generates good will, but also attracts a broader clientele, they will become more receptive to the accessibility principle. Creating the right product or environment at the design stage is less costly than making subsequent changes. The elderly and persons with disabilities are also consumers; improving access for them means more opportunities for business, an investment promising better returns.

¹ The Department of Health has pledged to actively improve accessibility of its services and provide sensitivity training for its staff, following discussions raised by the EOC.

Police Story



To be a leader in the male-dominated police force is no easy achievement for any woman. Bonnie Smith, a supporter of equal opportunities and meritocracy, is one such outstanding police officer. Currently the Assistant Commissioner of Police (Information Systems), Bonnie is the highest-ranking female officer in the force. How did she make it?

Grasp every opportunity

When Bonnie was a young girl, she wanted to be a scientist, and even dreamt of being a Nobel laureate. However, after accompanying her best friend to get a job application form from the Wong Tai Sin Police Station, she was also handed an application form. That became a life changing experience, and after a 9-month selection process undergoing rigorous physical tests and interviews, Bonnie was recruited as a police officer. Her adolescent dream of becoming a scientist quickly faded, Bonnie grasped her new found opportunity and ran with it.



Easier for female officers?

Some people think that women receive preferential treatment in the Hong Kong police force because they are a "rare species". But Bonnie clarified, "Both male and female officers are asked to meet the same requirements in physical fitness and intelligence. Like men, female officers have to undergo strenuous training to equip themselves, attain certain education achievement, and demonstrate independent thinking. The job of a police officer is very tough, and we often burn the midnight oil." Some might not consider this as a good career choice for women but Bonnie questions traditional thinking and takes a different view. "Gender is not a prerequisite for working in the disciplinary forces. What matters is the individual's capability and character, not gender." Frank, straightforward and decisive, Bonnie speaks without any hint of ambiguity

Something lost, something gained

Having just joined the police in 1974, Bonnie was asked to help in a grisly murder that had caused a sensation in Hong Kong. She accompanied the victim's family to identify the body. She put on a brave face, but broke down when she went home. Bonnie simply could not accept that such a heinous crime was committed on a 16-year-old girl.

In 1996, Bonnie handled another homicide in a public housing estate. At the crime scene, she found the bodies of a mother and two young children. When gathering evidence, she could tell that the family was once harmonious and economically stable, by looking at the toys, the pleasant decor and the publications read by the family. Further investigation revealed that there was only twenty dollars in the bank account of the woman, and her husband had kept a mistress. The woman had sealed all the windows and doors in her unit, turned on the air-conditioner, before setting fire to herself and her children. Bonnie maintained her composure throughout the investigation. It was then that she realized the price she had paid to become a seasoned professional.



In recent years, the right-of-abode seekers rally in Chater Garden was another case in point. After the overstayers had started camping and cooking at the scene, Bonnie joined the police operation to clear the grounds. When she went home, her husband and son questioned why were the protestors deprived of their rights to appeal. Bonnie explained to her family that although she sympathized with the overstayers, they should make their claim through legal means, and not violate the law. Upon reflection, Bonnie said the incident showed that the police had to be reasonable when enforcing the law if they want to win public support, and that includes the support of their families. Bonnie advised young people to stick to one's principles and face difficulties with courage. Often to win respect, one has to take the moral high ground.



Never give up

Bonnie underlined the importance of a global perspective for young people today, reminding "Career Challenge" mentees to read a variety of newspapers and magazines, and improve their language skills. Young people should also think beyond stereotypes and broaden their life choices, citing Margaret Thatcher, Britain's first woman prime minister as an example.

Inspired by the lyrics from the song Raindrops keep falling on my head, "The blues they send to meet me won't defeat me; it won't be long till happiness steps up to greet me..." Bonnie shares her view that terrible as times may be, no problem lasts forever. The important thing is to equip yourself, then choose and live your own way.

Bonnie's Management style

Build partnerships

Bonnie knows that some managers rule by conflict and pressure, but she chooses an approach that suits her own character. She wants her colleagues to work in a pleasant and united environment. Striving to partner with her colleagues, she always listens to their views on the proposed plans, tries to understand and addresses all their issues before reaching a conclusion.

Discover potential

Bonnie's sister has always been the focus of attention because she is very bright, and has a photographic memory. As a result, Bonnie understands that people are often only attracted to outstanding individuals and ignore others who may in fact be just as capable. She knows that different people have different strengths, and all contributions should be valued. All individuals can realize their full potential if they receive due recognition. From Bonnie's experience, productivity and morale among her staff are dramatically enhanced once they feel appreciated and respected.

Improve communication

The police rely heavily on team spirit, so communication with colleagues is extremely important. Management styles vary when people are in different positions, and she considers reasoning as the best form of persuasion.

Bonnie Smith is one of 10 mentors of "Career Challenge 2004" a student programme organized by the EOC. If you would like to share other programme highlights, visit our website at <http://www.eoc.org.hk/eoc/otherproject/eng/color/youthcorner/programmes/careerchallenge2004/index.htm>

The Mentor Connection

The Mentor Connection

Hundreds of students from over 40 secondary schools met with ten outstanding achievers and shared their stories of success in this year's Career Challenge. In its third year, the youth mentorship programme continued to help young people break stereotypes and widen their horizons.



Dr Sarah Liao, Secretary for the Environment, Transport and Works, together with a hundred secondary students exchanged views on current topics, such as gender equality, social harmony, red fire ants and environmental conservation. She also encouraged her mentees to speak their minds about life choices.

"When I first started learning floral design at 18, I was the only male student in the class. But my teacher told me not to be intimidated or let stereotypes prevent me from pursuing my chosen career," Mr James Wong, Headmaster, International School of Flower Arrangement, shared his story with Career Challenge mentees.





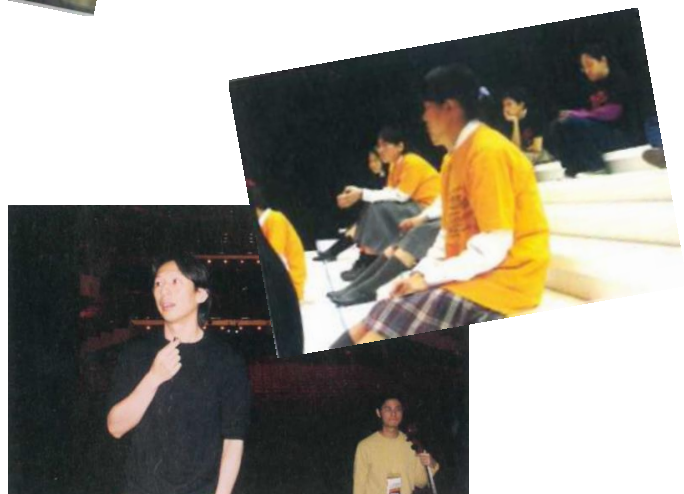
Career Challenge mentees were joined by the EOC Chairperson, Mr Raymond Tang (left), at Mr Benny Cheung's sharing session. Mr Cheung stressed that persons with disabilities were not asking for preferential treatment, but equal opportunities to participate and contribute to society.



Mrs Betty Yuen, Managing Director of CLP Power Hong Kong Limited, is the first ethnic Chinese ever appointed to the position and also the first woman chief executive in the company. She attributed her success to diligence, self-confidence and good time management.



"Many people still see art as a hobby, not a profession. The stereotypical portrayal has adversely impacted on young people who want to pursue art as a career," Mr Edward Lam, Artistic Director, Edward Lam Dance Theatre, said. He took to the stage and spoke about breaking stereotypes with his mentees.





"You must realize that we all have different abilities. Some of us perform well academically, while some demonstrate greater potential in sports and art. Therefore, I always encourage my students to participate in extra-curricular activities, which provide them with valuable opportunities to explore their interests," said Ms Ho Ka Lai, member of the Hong Kong Fencing Team.



Mrs Alice Lau, Commissioner of Inland Revenue, provided "Career Challenge" mentees valuable advice on academic and career choices, communication skills, and personal growth.



Mr Simon Kwok, Chairman and Chief Executive Officer of Sa Sa International Holdings Limited, emphasized to his mentees that commitment, not gender, is the key to success. "My interest in the cosmetics business began some twenty years ago. Despite having faced gender stereotyping, I worked hard to gain ground in the cosmetics industry," said Mr Kwok.





One of China's top chefs, Master Liu Guozhu recounted his experience of preparing dinners for Chinese leaders, while demonstrating two traditional northern dishes in front of his mentees, and of whom happily sampled the creations.



Disability Discrimination Case – “We Don’t Need You Any More!”

Disability Discrimination Case

“We Don’t Need You Any More!”

"We don't need you any more!" Tony was told to pack up and leave. It was his first day back to work after a long sick leave. He didn't have a clue about the reason for his dismissal.

The complaint

Tony, a skilled worker, joined a servicing company in early 2001. He was responsible for building repairs and maintenance work. One day at work, he severely injured his right ankle. As a result, he could not walk properly and was unable to manage stairs. His doctor had granted him a long period of sick leave for around two and a half years until June 2004.

In May 2004, when he was still taking his sick leave, he wrote a letter to his company, indicating his willingness to get back to work earlier before the end of his sick leave. Upon the company's request, Tony provided a medical document to confirm that he could resume his job. The doctor also advised that Tony should not walk for too long and should avoid carrying heavy items. However, Tony's company did not reply to his request to resume work.

In June 2004 when Tony had taken all his sick leave, he was back at work. But he was fired on the same day. Tony was shocked by the company's decision and thought he was discriminated because of his disability.

What the EOC did

The case was brought before the EOC by Tony, who was still upset with the company. The EOC investigator explained the employment related provisions of the Disability Discrimination Ordinance (DDO) to the company representative. Finally, the company agreed to conciliate the matter by giving Tony a reference letter and a monetary compensation approximately of 3 months' salary.

What the law says

Under the DDO, employers are not allowed to discriminate against persons with disabilities. However, an employer is not obliged to employ or continue to employ a person with a disability who cannot carry out the inherent requirements of the job. But in this case, the company did not make an assessment of Tony's capabilities to handle his job.

On the other hand, before concluding that a person with a disability would be unable to carry out the inherent requirements of a job, the law requires an employer to consider providing reasonable accommodation to an employee with a disability, to enable him/her to perform the inherent requirement of the job. Reasonable accommodation may include modifying work premises to make them more accessible, changing work schedules, providing special equipment, etc. If an employer dismisses an employee without making such considerations, the employer might have breached the DDO. But if an employer experiences unjustifiable hardship in providing such accommodation, the employer could claim exemption under the DDO.



Family Status Discrimination Case – Career Prospect and Family Responsibilities

Family Status Discrimination Case



The complaint

"The school principal wrote in my job appraisal that I lacked commitment because I had to take care of my child. He commented that my performance as a teacher was not satisfactory, and therefore I was not considered for promotion to a higher rank. Never did I expect my family responsibilities would become an obstacle to my career prospects!"

Mei-ling, a secondary school teacher, chose to breastfeed her newborn son. In order to express milk at work, she went to a nearby health centre everyday after school.

"It was understood that we could leave the school if no meeting was scheduled after school hours. I attended most of the meetings, but I was late sometimes because of my visits to the health centre. I explained the situation to the principal, but he just told me to decide for myself whether I should attend the meetings." Mei-ling was upset with her appraisal report, which reflected the unsupportive attitude of her school.



What the EOC did

Mei-ling felt that she was discriminated against by her school's principal because of her family status, and therefore she lodged a complaint with the EOC. A conciliation meeting was held after an investigation conducted by the EOC.

Initially, Mei-ling demanded a written apology from the respondent, and also an amendment be made to her performance appraisal report. The respondent only agreed to amend the comments in the appraisal report relating to Mei-ling's family status and her suitability for promotion. Mei-ling considered that the amendment of the appraisal report was the most important to her, as it would directly affect her career development. Therefore, she did not insist on a written apology. The two parties eventually reached agreement on the settlement terms, and the dispute was resolved.

What the law says

Under Family Status Discrimination Ordinance (FSDO), it is unlawful for employers to discriminate on the ground of family status in the way they give opportunities for promotion. In order to ensure persons with family status (or a particular family status) are not treated less favourably than persons without family status (or a different family status), employers may consider taking a more flexible approach to certain conditions of employment. In Mei-ling's case, the principal could have permitted some flexibility regarding the timing of her attendance at meetings.

EO Reaches the Community

EO Reaches the Community

The Commission funds a public education programme for community groups, NGOs and schools to promote equal opportunity. The "Community Participation Funding Programme" has produced drama performances, competitions, seminars and studies to enable the public to learn more about Hong Kong's anti-discrimination ordinances. Deadline for this year's application is 31 July 2005.



《與光同行》閱讀計劃徵文 及繪畫填色比賽

"Hikaru" Essay Writing, Drawing and
Colouring Competition cum Reading
Promotion Recognition Scheme

由現在起至 From now to 31/05/2005

青山醫院精神健康學院 學前弱能兒童家長會
The Institute of Mental Health, Castle Peak Hospital
The Parents' Association of Pre-school Handicapped Children

2324 6099

「愛自己、關心別人」巡迴展覽

"Loving Yourself, Caring Others"
Roving Exhibition

1/1/2005 - 28/12/2005

屯門區家庭及兒童福利服務協調委員會
Coordinating Committee on Family
and Child Welfare Services, Tuen Mun

社區活動巡禮 Events Calendar

讀寫障礙學童家長支援小組

Support Group for Parents of
Students with Dyslexia

21/5/2005 (14:15 - 16:00)

靈實家庭生活教育組
Haven of Hope Christian Service Family Life
Education Unit

2704 5511

學習障礙兒童社交小組

Social Group for Children
with Learning Disabilities

7/5/2005 - 4/6/2005 (15:30 - 16:30)

學障孩子管教工作坊
Workshop for Parents of Children
with Learning Disabilities

13/5/2005 - 10/6/2005 (10:00 - 11:30)

循道衛理楊震社會服務處
Yang Memorial Methodist Social Service

2171 4111

男人給·男人Club Mutual Support Group for Men

1/2005 - 12/2005 (19:30 - 21:30)

明愛男士成長中心
Caritas Men's Centre

2383 3377

Around the World

Around the World

Top Marks for Disability-Inclusive Early Childhood Campaign



The latest evaluation on Maldives' Disability-Inclusive Early Childhood Campaign confirms its success. For 52 weeks, everyday, three times a day, a message about children, with and

without disabilities, was broadcast on radio and television. The campaign creates awareness for children with special needs. Social acceptance of children with physical or intellectual disabilities has improved and even child-to-child interactions have become increasingly positive.

The campaign has not only touched people's lives, but also brought about a paradigm shift with regard to increased sensitivity of children's development and childcare practices.

Information Source :

http://www.disabilityworld.org/12-02_05/children/maldives.shtml

"What Century Is This" Campaign in Scotland to Close Gender Pay Gap

Women in Scotland today still earn 15% less than men.



An equal pay campaign to encourage employers to carry out equal pay reviews has recently been launched in the country. The campaign works with employers and employees to raise awareness of the fact that paying women less than men is illegal. All firms with between 10 and 100 employees will receive a "Right Side/Wrong Side" reminder carrying a clear message that unequal pay is not just unfair, it can lead to costly employment tribunal claims.

Information Source :

http://www.eoc.org.uk/cseng/eocscotland/pay_gap2_14_march.asp?SubDate=Monday+14+March%2C+2005

"Bionic Trousers" for Persons with Disabilities

Japanese companies are preparing for the commercial launch of a pair of "Bionic Trousers", that enables persons with physical disabilities walk, and get up and down stairs.



The pair of trousers consists of a computer and batteries in a backpack, as well as four switches attached around the knees and hip joints. The motor-powered devices guide movement of the legs, as the computer calculates the user's next motion by detecting faint electric signals from the muscle.

This piece of equipment is designed by Yoshiyuki Sankai, a professor from the Engineering Department of Tsukuba University. He believes that the "Bionic Trousers" will not only help persons with disabilities but also the elderly.

Information Source :

http://www.accessibility.com/au/news/health/robot_suit.html

<http://www.asahi.com/english/nation/TKY200501030081.html>

Sexual Harassment Training is Now the Law

California has passed a new law recently, requiring employers with 50 or more employees to provide 2 hours of sexual harassment training to all supervisory employees, at least once every 2 years. It is also a statutory requirement for the training programme to include information and practical guidance regarding the federal and state statutory provisions concerning the prevention of sexual harassment, and the remedies available to victims of sexual harassment in employment. The programme is recommended to be interactive in nature and trainers should have expertise in the prevention of harassment, discrimination and retaliation.

Information Source :

http://www.employers.org/Content/content_article.asp?ArticleID=200

A Mission for Equal Opportunities



from
20.4.2005起
Wednesday 星期三晚
7:00pm
無綫翡翠台
TVB-Jade

平等機會委員會
Equal Opportunities Commission
熱線: 2511 8211
熱話: 111 chair
www.eoc.org.hk

非常
A Mission
for
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Opportunities
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製作



平等機會委員會
聯合製作