

Message from the Chairperson – Learning from the SARS Crisis

Learning from the SARS Crisis



Ms. Anna Wu, EOC Chairperson

The SARS (Severe Acute Respiratory Syndrome) outbreak has created tremendous hardship and stress for Hong Kong, with many worrying about infection or job loss.

Discrimination hurts

The threat of SARS also breeds mistrust and discrimination within Hong Kong's borders. The Equal Opportunities Commission (EOC) has received hundreds of enquiries and complaints related to SARS, which cover many sectors. Those who were suspected of having SARS faced stigmatization from their employers and neighbours. The widespread panic and resulting discrimination costed some people their jobs and some were declined service.

Flexibility wins

Although discrimination in employment abounds during the SARS crisis, we notice that some employers provide their employees with a high level of flexibility in dealing with sick leave, special paid leave and annual leave. Some allow sick workers and those associated with SARS patients to take a paid leave, while other arranged their pregnant staff to work on-line from home.

SARS has changed Hong Kong. People now value their families more than ever, so workers appreciate their employers' family friendly policies. These policies do not necessarily incur extra cost, for example, flexible working hours, job sharing, time off for emergencies, working from home during normal working hours etc mean higher efficiency. These policies can, in fact, lead to greater productivity and benefit business through boosting company image, improving morale, reducing absenteeism and eliminating costs associated with staff replacement.

Equal opportunity pays

The EOC is opposed to all forms of discrimination, irrespective of where it happens. The SARS outbreak has highlighted the value of our anti-discrimination laws and the need for Hong Kong to adopt a complete set of laws which would fight all kinds of discrimination. Without doubt, discrimination and restrictions are ultimately damaging to the interest of Hong Kong. Discrimination knows of no territorial boundaries and causes economic loss. Since the SARS outbreak restrictive treatment has been imposed on our business persons, travelers and athletes abroad. The EOC has been liaising with several overseas bodies with parallel jurisdiction to see if they can assist Hong Kong residents who face problems abroad.

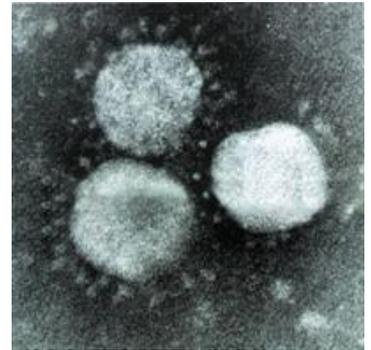
Last summer, we released survey findings on equity compliance in business. We found that many recognized that a culture of equal opportunities culture would lead to a better working relationship, higher work efficiency, employee stability and confidence in a company. A significant number of employers indicated their willingness to minimize their liability and to receive equal opportunities training and information. The EOC has since designed an information kit for small and medium size businesses, identified as the sector which required assistance, to help them better understand anti-discrimination practices and harness the benefits of equal opportunities.

The economy has been brutally hit and many businesses are suffering from the consequences of the SARS pandemic. Equal opportunities produces a more cohesive society. It is a framework for the resolution of disputes and often consensual solutions are arrived at producing mutually beneficial results. While hoping for a swift recovery for Hong Kong, let's remember that a level playing field will allow us to become more competitive.

The Battle Against SARS and Discrimination

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The Equal Opportunities Commission (EOC) has received over 500 SARS-related complaints and enquiries since the outbreak began in March 2003. They cover many aspects of everyday life, including work and the provision of services.



(Photo source : Convocation Newsletter of the University of Hong Kong Issue 1/2003)

Complaint Cases:

Forced leave without pay:

"I was forced to take unpaid leave after my boss knew that I had visited my wife on the mainland. He thought that I might be infected but I was not..."

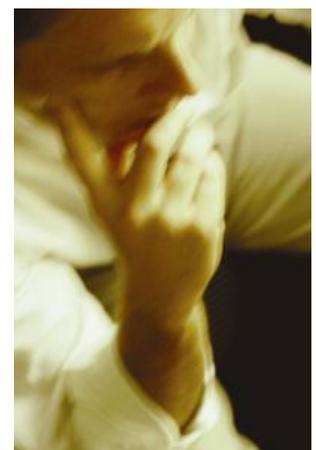


Masks prohibited:

"I was not allowed to wear a mask at work, because my boss said that it did not fit the company's image. I felt that the employer was not giving us enough protection against the disease."

Job in waiting...

"I was so glad to be home again after our quarantine in a holiday camp. I thought my life would return to normal only to find that I was not allowed to work. My supervisor asked me to stay away without specifying a precise waiting period."





Food delivery refused:

"I was famished after a long day cleaning up my flat. As usual, I rang the fast food restaurant nearby. However, after knowing that I was living in an infamous SARS hotspot, the restaurant refused the delivery despite my reassurance that the building had been thoroughly cleaned and disinfected."

Job loss:

"On the one hand, the public salute the health workers' professionalism and dedication in saving the lives of SARS patients, but on the other hand, we are often shunned and stigmatized. The employer of my girl friend asked her not to see me, simply because I am a nurse in a public hospital. Later her boss even fired her. I am confused and stressed, and so is my girl friend. We have medical knowledge to minimize the risk of infection, so please do not treat us as disease carriers."



EOC's role

Upon receiving these complaints, the EOC contacted the respondents and explained to them the anti-discrimination laws. The EOC strived to resolve the complaints through conciliation. The emphasis was on establishing a workable and consensual solution. Many of the cases had been resolved; however, some cases required further investigation before we could proceed to conciliation. At the beginning of the outbreak, the EOC formed a Quick Response Team to deal with issues and cases related to SARS.

Results of conciliation

The Disability Discrimination Ordinance provides a legal basis for individuals to assert their rights when they are discriminated on the ground of disability. The law provides a dispute resolution mechanism and the conciliation process involves an adjustment of interest between conflicting parties.

When conciliation fails, the EOC may provide complainants with strategic litigation support if the case raises a question of principle or where it relates to a matter of public interest. Our strategic litigation role has been used successfully in the past.

Prepare for the future

The onset of SARS has thrown up a number of challenges for employers and service providers in Hong Kong. Many of these relate to dealing with an employee who may have contracted the disease, or live in a building with confirmed SARS patients, or have a family member or friend who may have or is believed to have contracted SARS.

How should an employer or a service provider respond in these and other similar situations?

The EOC will include material on these issues in a number of its forthcoming training courses. Commencing August 2003 our third series of highly successful training workshops will introduce a new programme entitled Issues in Human Resource Management. This course will cover a range of employment related issues including how to respond to a situation like SARS from a workplace management perspective. For courses in upcoming training programmes, please click <http://www.eoc.org.hk> for details.

Also commencing in August is a series of training programs targeting non-government organizations in Hong Kong. A joint initiative with the Hong Kong Council of Social Service, these training seminars will also contain some important information about equal opportunity and how it impacts on the provision of services to a community seriously affected by SARS.



Sex Discrimination Case – Absolutely Unwelcome

Sex Discrimination Case

Absolutely Unwelcome



The complaint

Marie has been working as a secretary in a manufacturing company for four years. She lodged a complaint with the Equal Opportunities Commission, stating that her boss, Mr Wong, had sexually harassed her. "I have had enough! I made it known to him over and over again that his behaviour was unwelcome. I even complained to the management about his indecent acts. The senior manager had warned him, but nothing changed."

Marie claimed that the humiliating incidents started two years ago. "He always stared at me in an intimidating manner. There was a time he even used hand gestures to describe the shape of my body to another colleague while gazing at my chest. I was totally freaked out!"

"He made every excuse to get close to me, brush past me, touch my hand and even my body. On one occasion, I accidentally stained my pants with the fax machine toner. He immediately approached me and wiped my thighs with a cloth. He even mentioned that he would buy me a flimsy nightgown. He pestered me to go out with him many times, even though I had repeatedly say no."

What the EOC did

The Commission investigated into the complaint. Mr Wong insisted that he did not touch Marie deliberately. "Our office is so small and we have a close working relationship. Physical contacts, such as touching hands, while passing documents are unavoidable." Marie clearly listed all the incidents and her rebuttals. Mr Wong claimed that the purpose of gazing at Marie was to monitor her at work. Marie protested, "That is not true. His prolonged stares made me feel extremely nervous and uneasy." She also provided witnesses to support her claims

The EOC arranged a conciliation meeting during which both parties agreed to resolve the complaint. Apart from expressing an apology in writing, Mr Wong agreed to pay Marie monetary compensation in the form of donations to three women's rights groups. He also promised to stop sexually harassing her.

What the law says

Under the Sex Discrimination Ordinance, sexual harassment is unlawful. Sexual harassment is any unwanted or uninvited sexual behaviour which a reasonable person regards as offensive, humiliating or intimidating. Unwelcome sexual advances or unwelcome requests for sexual favours are sexual harassment. Acts of sexual harassment may be committed by any person to a man or a woman, and may be direct or indirect, physical or verbal.

Sexual harassment interferes with a person's work performance, can cause stress and loss of confidence, and sometimes forces people to leave their jobs.



EOC Helping SMEs to Implement Equal Opportunity

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Current estimates suggest that about 85% of business establishments in Hong Kong employ less than 10 people. These small to medium size enterprises (SMEs) play a significant role in the Hong Kong economy in particular in employment.

In January 2002 the Equal Opportunities Commission (EOC) undertook an extensive survey of small, medium and large business enterprises in Hong Kong to identify how much they knew about the equal opportunities (EO) laws in Hong Kong and to ascertain what steps they were taking to comply with the laws. The EOC aimed to further assist business to adopt appropriate EO work practices and policies within their workplaces.

"Very few of these businesses surveyed were aware that they had any legal obligations or liability under the three ordinances. SMEs do not have the resources or infrastructure to take the necessary steps to comply." explained George Bisas, the Commission's Special Projects Manager.

"The survey results showed SME operators wanted information provided to them about their obligations in a clear, concise and easy to follow format. It was very important that it be produced in a booklet format, containing information for both employers and employees." Mr. Bisas added.

In response to these very clear messages the EOC has developed the **Equal Opportunity Essentials Kit for SMEs**. The kit now available in Chinese and English, provides small businesses with a range of tools to help them begin to meet their obligations under equal opportunity laws including sample EO policies and advice on how to handle EO problems.

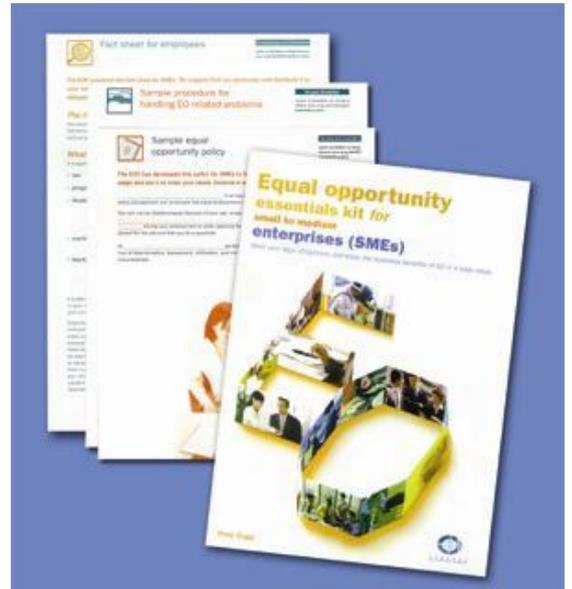
"We believe the SME kit is the answer for business operators who want to build a better environment in the work place. The kit is easy to use, and provides simple steps that small businesses can follow to achieve compliance with the law." said Mr. Bisas.

The design of the kit was extensively tested with focus groups made up of representatives of SMEs from different industries.

The key highlights of the kits are:

1. A 4-step approach to implementing equal opportunity in the workplace
2. A self-assessment checklist where businesses can find out just how well they are currently doing in meeting their obligations
3. A range of useful tools businesses can adapt to help apply EO in the workplace
4. A range of other resources including FAQs and employees' information sheets.

For a free copy of your kit, you can call the EOC at 2511-8211 or email us at sme@eoc.org.hk



Around the World



Advancement of Women

A new report launched by the United Nations Development Fund for Women (UNIFEM), revealed signs of improvement in women's legislative representation. The increase in women's share of seats in parliament was attributed mainly to political measures in several countries, where quotas were legislated or adopted on a voluntary basis.

The goal of increasing women's political participation is a long-standing one. The target of 30 per cent representation in key decision-making positions has been agreed on at numerous international conferences in the last decade. Despite this, women are still on the whole largely absent from parliaments. Overall, they account for about 14 per cent of members in 2002. Only 11

countries reached the 30 per cent benchmark in 2002 - Sweden, Denmark, Germany, Finland, Norway, Iceland, the Netherlands, South Africa, Costa Rica, Argentina and Mozambique. All of these countries have used quotas.

Noeleen Heyzer, executive director of UNIFEM concluded, "Real progress towards gender equality will be seen when women have more say in the decisions that affect their lives."

Information Source:

http://www.unifem.org/www/newsroom/press/pr_030501_pww.html



School's Sports Day for Persons with Visual Impairment

Students showed their potential as future sporting champions on a sports day held by the Pacelli School for the Blind in Lagos, South Africa. Spectators were not only touched by the efforts the students made, they were also impressed with the participants' achievement.

Amidst cheers and applause, the pupils took part in 50 metres boys' and girls' races, filling the basket, high and long jumps, and a fashion show. In the relay races, the pupils were guided by ropes along the track as they raced to pick their medals.

The students enjoyed the competition immensely and they accomplished all the events. The youngsters were cheerful and excited because they were able to demonstrate that there was no limit to what they could achieve. Their confidence has been boosted as they now believe they have ability in their disability.

Information Source:

<http://allafrica.com/stories/200304130113.html>

Fighting Prejudice at Work

A Chilean advertising agency, has been praised by the UN for its policy of fighting prejudice at the workplace. Elisabeth Brand, the owner of the company, prefers to hire pregnant women, especially if they are single. She explained that single mothers needed help and they worked extra hard. Brand also encouraged companies to be concerned about people, as they would be rewarded with loyalty and respect.

Information Source:

http://www.ananova.com/news/story/sm_F69348.html?menu=



Egypt by Touch

"Egypt by Touch" an exhibition held at the Cobb and Co. Museum in Queensland, Australia, was the first exhibition designed for persons with visual impairment. The concept behind the project is that the world's heritage should be available to everyone regardless of his or her condition. Visitors were encouraged to handle all objects and as each was lifted, an audio cue was triggered to tell the story of ancient Egypt. All labels were available in Braille.

Information Source:

<http://www.cobbandco.qm.qld.gov.au/exhibits/federation.asp>

一個以突破定型觀念為題的青少年師友計劃，歡迎全港中學生報名參加，今年的嘉賓導師包括：
Join the EOC youth mentorship programme to break down the barriers of "stereotyping"! ALL secondary students are welcome to apply. This year's mentors are:



李麗珊
LEE Lai-shan
奧運金牌得主
Olympic Gold Medalist



陳婉嫻
The Hon CHAN Yuen-han
立法會議員及工會領袖
Legislative Councillor and
Trade Union Leader



莊臻有
CHONG Chan-yau
香港樂協會總幹事
Executive Director,
Oxfam Hong Kong



李樂詩博士
Dr Rebecca LEE
極地科學工作者及
中國極地博物館基金會創辦人
Polar Researcher and
Founder of China Polar
Museum Foundation



甄淑賢
YAN Suk-yan
政府飛行服務隊直昇機師
Helicopter Pilot,
Government Flying Service



蔣麗莉博士
Dr Lily CHIANG
環康集團有限公司主席及
香港總商會副主席
Chairman, Eco-Tek Holdings Limited,
and Vice-Chairman, Hong Kong
General Chamber of Commerce



古天農
KO Tin-lung
中英劇團藝術總監
Artistic Director,
Chung Ying Theatre Company



麥國風
The Hon Michael
MAK Kwok-fung
立法會議員及葵涌醫院部門
運作經理(精神科註冊護士)
Legislative Councillor and
Department Operations Manager,
Kwai Chung Hospital
(Registered Mental Nurse)



賴振榮
Frankie-M LAI
香港芭蕾舞團高級編舞員
Senior Soloist,
Hong Kong Ballet



陳英蕙
Emily CHAN
無國界醫生香港辦事處主席
President, Medecins Sans Frontieres
Hong Kong



平等機會委員會
EQUAL OPPORTUNITIES COMMISSION

無定型 新人類

截止報名日期：2003年9月30日
Entry deadline: 30 September 2003

索取報名表格及查詢詳情，請與公民教育老師聯絡，
或致電平等機會委員會。
電話：2106 2253
網址：<http://www.eoc.org.hk>

For application and enquiry, please contact your
civic education teachers, or the Equal Opportunities
Commission at 2106 2253, or
visit the Commission's website at
<http://www.eoc.org.hk>

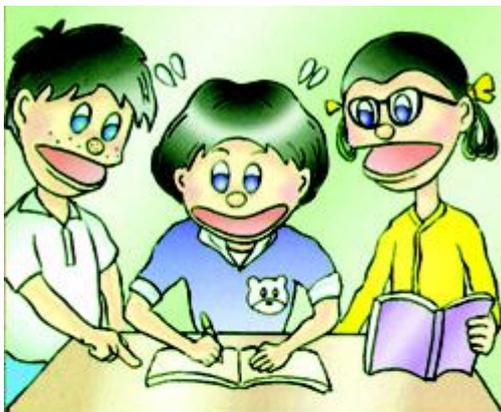
Career Challenge 2003



有型無型 自己決定

Kids Talk

Kids share their views after reading "Kids Talk", a booklet published by the EOC about intellectual and physical disabilities.



Elisa Cheng, Age: 14

Everybody needs care and support from others, regardless of their illnesses or disabilities. If we could put aside our prejudice, this world would become a happier place.

Lo Yin, Age: 7

We are all imperfect. Don't tease kids with disabilities - they are human beings like everyone else. Don't discriminate against others!

Leung Wing-yan, Age: 12

After reading "Kids Talk", I now realize that students with disabilities are no different from other people. They may encounter difficulties in learning, but they can achieve good results if they worked hard. I would love to learn and play with them.



Tam Mei-ling, Age: 12

I was scared of people with disabilities before I read "Kids Talk". But after becoming an "Integration Ambassador" at school, and having read this booklet, I feel that people with disabilities are the same as us. Everybody has strengths and weaknesses.

Click to "Kids Talk"(in Chinese only) at the EOC website:

http://www.eoc.org.hk/eoc/otherproject/chi/color/youthcorner/stories/kidstalk/kidstalk_index.html

社區活動巡禮

events calendar

「共融社區樂悠悠」嘉年華會

Inclusion and Integration
Community Carnival

31/8 14:00-17:00

協康會賽馬會家長資源中心
Heep Hong Society Jockey Club
Parents Resources Centre

<http://www.heephong.org>

2827 2830 (劉小姐 Miss Lau)

「你我要平等」遊戲日

"Equality for All" Fun Day

26/10 14:30-17:00

樂群社會服務處
Lok Kwan Social Service

<http://www.lok-kwan.org.hk>

8107 1339 (劉小姐 Miss Lau)

「聾人睇真D」機構探訪

"Knowing More about the
Deaf" Organization Visit

香港聾人協會
Hong Kong Association of the Deaf

<http://www.hongkongdeaf.org.hk/>

2327 2497

「協助弱勢社群—童創童講故事比賽」

Helping the Vulnerable Group —
Children Story Telling Competition

3/8 14:00-17:00

香港兒童啟迪協會
Distinctive Learning Society

<http://www.sld2000.com/index.php>

躍動2003舞蹈大賽

Dance Dynamics 2003

18/10 (初賽)(semi-final)

15/11 (總決賽)(final)

聖雅各福群會復康服務
St. James' Settlement Rehabilitation
Services

<http://www.sjsrd.org/>

2835 4385 (秦先生 Mr Chun)

2893 4322 (楊小姐 Miss Yeung)

攜手共聚暖我心—社區共融計劃

"Inclusion and Integration"
Community Programme

26/7 (10:00-12:00)

23/8 (8:30-14:30)

13/9 (待定)(To be confirmed)

香港唐氏綜合症協會白晝理家長資源中心/
基督教家庭服務中心勵志單親中心
Hong Kong Down Syndrome Association-
Bradbury Parents Resource Centre/
Christian Family Service Centre-
Lai Chi Single Parent Centre

2718 7777 (余姑娘 Ms Yu)

2997 8859 (李先生 Mr Li)

<http://www.hk-dsa.org.hk>

婦女健康專題講座

Women's Health Talk

12/7 15:30-17:00

「愛滋」事講座

Aids Talk

25/7 20:30-22:00

香港中華基督教青年會聯青聾人中心
Y's Men's Centre for the Deaf

<http://admiralty.pacific.net.hk/~deafctr/>

2717 1754

EO Reaches the Community

EO reaches the community



Ms Cammy Liu, the Commission's Senior Training Consultant speaks at the Trade Development Council's SME Market Day Seminar. She explains how the EOC's SME kit helps employers improve their productivity and meet their legal responsibilities. About 30,000 visitors participated in the annual TDC event.



The EOC's television API (Announcement of Public Interest) received the Honors Award in the Public Service Advertising Category of the Galaxy Awards 2002. The API "Put Prejudice Away" features top Hong Kong singer and Equal Opportunities Ambassador, Mr Hui Chi-on sharing moments of joy with children with and without disabilities.

To view the API:

<http://www.eoc.org.hk/eoc/GraphicsFolder/InforCenter/MediaCentre/VideoApiList.aspx>

After months of hard work, Year 2 Students from the HK Institute of Vocational Education (Tsing Yi) successfully launched a new search engine for the EOC website.



Equal Opportunities Musical 2003

Participate in the

1st Equal Opportunities Musical

Watch out for your chance to sing and dance in Hong Kong's first Equal Opportunities musical production! Jointly produced by the EOC and RTHK, you can win the opportunity to perform with professional artistes "live" on stage! Programme schedule of this annual EOC summer youth project includes:

August - Kick-off ceremony and recruitment of performers

September – Rehearsals

October - Opening Performance

Check the EOC Website on or after 23 July 2003 for more details (<http://www.eoc.org.hk>).

