

Equal Opportunity in the Business Community

**Executive Summary
of the survey on
Employees and Owners / operators of Small and
Medium Enterprises (SME)**

Equal Opportunities Commission

2002



Executive Summary

1 Current EO knowledge level in SME sector

1.1 Awareness of EO¹

- Almost all SME² employee and employer respondents were aware of the commonly used EO terms such as equal opportunity, discrimination and sexual harassment.
- Compared to the MLE³ sector, less SME employees (95% vs 97%) and employers (96% vs 100%) were aware of these terms.

1.2 Depth of knowledge

- Compared to other EO legislation, both SME employees and employers showed better understanding of the Sex Discrimination Ordinance especially regarding pregnancy discrimination.
- In the areas where the relevant EO legislation has not yet been established - such as race, religious belief, age and sexual orientation – a high level of SME employees and employers also thought the relevant discriminatory behaviour illegal.
- SME employers knew less about existing EO legislation than MLE employers. Employees in both sectors had a similar level of knowledge.

2 Perceptions of EO

2.1 Benefits/ harm of complying / not complying with EO legislation

- Both SME employees and employers shared the same views - that the most prominent benefits were a better working relationship, higher work efficiency, and employees feeling stable in and confident with the company.
- They also shared the same views on the harm caused if EO legislation were not complied with. Most common were: a negative impact on employee spirit, tense relationships between colleagues, and poor business operation.

2.2 Common perceptions of EO compliance in the SME sector

- The employees had a clear understanding of the rights and protection that EO legislation give them. They also felt that employers should comply sooner rather than later.
- The employees did not agree with the argument that to keep their jobs they would put up with many things, nor did they agree that EO is not an issue for a small or family-run business because all the staff have a close relationship.

¹ Equal Opportunity of comply with EO

² Small and Medium Enterprises: employing 1-99 employees in the manufacturing sector, employing 1-49 employees in non-manufacturing sector

³ Medium and Large Enterprises: employing 100 employees or above in the manufacturing sector, employing 50 employees or above in non-manufacturing sector



- The employers recognised the value of implementing EO legislation and taking preventative measures, but they did not share the urgency of the employees.
- Employers did not think that the more employees know about EO legislation, the more trouble they would make, nor would they use lack of resources as an excuse for not complying.

3 Perceptions of EOC

3.1 Awareness

- Two thirds of SME employers (67%) and nearly two thirds (62%) of employees knew the EOC was the organisation responsible for EO issues in Hong Kong.
- SME employees and employers were less aware of the EOC's role than MLE employees and employers.

3.2 Perception / Knowledge

- 80% or more SME employees and employers considered almost all the listed functions of the EOC to be important or very important, especially receiving and handling complaints.
- 76% of SME employees and 69% of employers considered EOC to be impartial when it came to receiving and handling complaints.
- If they thought the EOC favoured one party, more said it was the complainant rather than the person being complained against.

4 Current EO status in the workplace

4.1 Incidence of EO complaints

- About 5% of SME employees (48 out of 1032) claimed they had personally experienced discrimination or sexual harassment.
- When talking about other people's experiences, more employees reported having observed discrimination or sexual harassment cases involving co-workers (9%).
- 1% of SME employers (14 out of 1047) said they had received complaints of discrimination or sexual harassment.

4.2 Reporting status

- In the SME sector, about 10% (5 out of 48) of the employees who had personal experience of discrimination or sexual harassment reported their cases.*
- All cases were reported to either the senior manager or immediate supervisor, or those responsible for employee matters.*
- In future, more channels would be used to report cases. As well as senior management or immediate supervisors, EOC was a popular choice.

* Readers should be cautious in interpreting the findings due to small size of sub-sample.



4.3 Reasons for non-reporting*

- Fear of losing job and lack of confidence about what would happen after reporting were the main reasons for not reporting cases.
- The same reasons were mentioned in the MLE sector.

5 Employer liability

5.1 Awareness

- Just under a third of SME employers (30%) realised they were legally liable for discrimination or sexual harassment that happened in their workplace. Significantly more SME employees than employers believed this (52% vs 30%).

5.2 Degree of concern

- After being informed of their liabilities, the majority of SME employers (93%) were concerned about, with a little over a third (36%) being very concerned..
- MLE employers showed more concern.

5.3 How to minimise liability

- 70% of SME employers said they would do something to minimise their liability.

5.4 Feedback on suggested measures

- A list of measures to minimize employers' liability under the existing EO legislation was provided for evaluation. In almost all suggested measures, significantly more employees than employers considered them to be practical, especially EO training and assigning designated EO staff.
- Both SME employees and employers duly recognised that telling all employees where to go and who to talk to if they have any complaints about EO was the most practical measure. This was followed by giving employees guidelines either produced by the EOC or prepared by the company about EO and how to follow legislation.

6 Current status of taking preventative action / good management practice

- Most SME employers (91%) have not yet done anything to prevent discrimination or sexual harassment.
- The three main reasons were: nothing like this has ever happened, it was unnecessary, and no need for this in a small company.

* Readers should be cautious in interpreting the findings due to small size of sub-sample.



7 Existing EO information

7.1 Receiving information about EO

- EOC was the main source of information (44%) for SME employees, followed by employers or relevant department in the workplace (27%).
- For MLE employees, employers or relevant departments were the main channel (47%), followed by the EOC (38%).

7.2 Received content and format

- EOC brochures were the most common mode of information SME employees received, followed by talks with managers or co-workers, and EO information posted on bulletin boards.
- For MLE employees, EOC brochures, seminars / talks and company memos were the common source of information received.

7.3 Usefulness of received information

- EOC brochure was the most common source of EO information for SME employees but not viewed as the most useful source. Compared to EOC brochure, less SME employees obtained EO information through Seminars / talks, talking to manager / supervisor / colleagues and company memo but they view these sources as more useful.
- MLE employees said external training courses were the most useful, followed by EOC brochures, seminars and talks, and company memos.

8 Continuing EO education

8.1 Willingness of employees to receive EO information/training

- More than half (55%) SME employees would like to receive EO-related information or training, but the remainder (45%) wouldn't.
- A lower percentage of MLE employees (46%) were keen.

8.2 Content needed for information/training

- The most important information is basic EO knowledge, followed by rights and responsibilities, and the protection available once they have lodged a complaint.

9 The Importance of Education Training

From the above, the current priority for EO implementation is education and training, not only for SME employers and employees, but also for Government agencies as role model.

The EOC is widely recognised as the authorised and designated organisation that is duty-bound to this role. Encouragingly, many SME employers also realised this responsibility.



The EOC will work closely with employers to continue to educate them about EO, especially teaching employees their rights and responsibilities.

It should be a continuous but targeted process. Since employees / employers with different levels of EO knowledge could face different challenges at different times, their need for information and education would evolve with the pace of their development.