

**SURVEY ON PUBLIC ATTITUDES TOWARDS
SEX AS A GENUINE OCCUPATIONAL QUALIFICATION**

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By

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EXECUTIVE SUMMARY

Part I Overview

Chapter 1 Introduction

- 1.1 The Equal Opportunities Commission (EOC) in 1997 commissioned the Gender Research Programme of the Hong Kong Institute of Asia-Pacific Studies, the Industrial-Organisational Psychology Programme of the Department of Psychology, and the Department of Management at the Chinese University of Hong Kong to conduct a study examining sex as a genuine occupational qualification (GOQ) in the recruitment process.
- 1.2 This study included a series of focus group discussions and a large scale public opinion survey. The specific objectives of the study were: (1) to examine the experience of the public, employers, and employees on the adoption of sex as one of the criteria in the recruitment process; (2) to examine the opinion of the public, employers, and employees on the exceptions allowed in the Sex Discrimination Ordinance (SDO) to use sex as one of the criteria in the recruitment process; and (3) to examine the public attitudes on specific jobs that need to be held by a man or a woman to preserve decency or privacy.

Part II Findings on Focus Group Study

Chapter 2 Study Design and Methodology

- 2.1 Five focus groups of employers, employment agencies, employees, university students, and the general public were conducted between December 1997 and May 1998. The sizes of the focus groups ranged between 6 and 10. The total number of discussants was 43, including 16 men and 27 women.

Executive Summary

- 2.2 Discussants of the Employer group represented different industries including retailing, banking, garment trading, car-park, and residential home for senior persons. The sizes of the represented organisations ranged between 4 and 14,000 employees.
- 2.3 The employment agencies were specialised in the recruitment for financial services, information technologies, trading, manufacturing, banking, administrative, accountancy, and secretarial services. The years of establishment ranged from 6 months to 48 years.
- 2.4 The Employee group included 5 men and 5 women, aged between 20 and 35. They were insurance consultants, salespersons, research assistants, administrators, and clerks. They came from the banking, manufacturing, retailing, real estate, engineering, social services, and business industries.
- 2.5 The discussants of the General Public group were 5 men and 5 women, with their ages ranging from 16 to 73 years. Three discussants were married, and the rest of them were single. Two discussants were employed at the time of the focus group meeting, while 2 discussants were retired. Their levels of educational attainment ranged from primary school to Form 7.
- 2.6 Five male and 5 female college students from a variety of academic disciplines also participated, and their ages were between 19 and 21. Some had previous working experiences as private tutors, receptionists, or clerks.

Chapter 3 Major Findings of Focus Group Discussions

- 3.1 Discussants in all 5 focus groups were aware of the importance of recruitment criteria in determining whether sex discrimination existed. However, they failed to recognise that general differences between men and women did not imply that any one man would be different from any one woman in the same way. Consequently, all 5 groups held the notion that if applicants of a certain sex generally outperformed applicants of the other sex, then it was not discrimination to hire the former group only.

Executive Summary

- 3.2 The Employer and Employment Agency groups had a more thorough and accurate understanding of what constituted sex discrimination than the other groups. Only the Employer group had some initial understanding that sex could be a GOQ.
- 3.3 Despite a decrease in blatant discriminatory practices like specifying sex in the recruitment advertisements, the Employee, General Public, and Student groups were able to recount a number of past discriminatory experiences, although they did not have firm evidence to prove so. Discussants were also aware that it was very difficult to know whether a person was being discriminated in the recruitment process. Even if he/she intended to initiate legal proceeding, the time consuming process and the possibility of being stigmatised as a “trouble-maker” would prevent him/her from doing so.
- 3.4 The Employer and Employment Agency groups were aware of the implications of the SDO and took it seriously. The Employer group reported taking precautionary measures to avoid any lawsuits. They felt that sometimes the SDO was not in line with the Personal Data Privacy Ordinance in record-keeping. They were uncertain as to the duration to keep job applicants’ materials and interview records.
- 3.5 Members of the Employment Agency group found themselves in the middle and helpless position. On the one hand they had to meet the employers’ needs and requirements; on the other hand, they had the responsibility to educate and warn the employers of any potential discriminatory practices which were not under the control of the employment agencies.
- 3.6 Only one employer had experiences with sex as a recruitment criterion. The employer, running a small-scale hostel for senior persons, believed the organisation had a firm ground to recruit only women to care for the elderly. The Labour Department rejected their sex-specific recruitment advertisement because of possible sex discrimination.
- 3.7 Regarding the 7 exceptions adapted from the SDO Code of Practice on Employment where sex is a GOQ (EOC, 1997), only after some discussion did group participants accepted that physical strength and stamina could not be used to justify sex as a GOQ. Discussants usually had difficulties understanding what

would be included as physiology if physical strength and physical stamina were excluded.

- 3.8 The interpretation of “decency” also posed some problems to the discussants who found it vague. They would like to see a more precise definition which was elaborated with examples. When asked to define “decency”, the discussants said the usual definitions included (a) conforming traditional Chinese thinking and customs, e.g., “men and women should avoid bodily contact”, “men and women are different”, and “see no evil, hear no evil”, (b) not embarrassing, (c) relating to reputation and moral values, (d) customers not feeling uncomfortable with the services provided, (e) having class or face, (f) being traditional, and (g) feeling right or wrong according to the current educational and cultural background.
- 3.9 Some discussants opined that the lack of sanitary or accommodation facilities for a particular sex could not be justified as a GOQ. The Employer group even suggested that the employers actually had the responsibility to provide such facilities, as in the case of remodelling stairs as a ramp in order to accommodate persons with a disability.
- 3.10 Regarding the GOQ exception of the provision of the most effective personal welfare and educational services, the discussants were unclear of how the “effectiveness” could be measured. And according to them, the part regarding “educational” services seemed to imply that this exception literally could be applied to all teaching and education jobs.
- 3.11 All 5 focus groups cited gender stereotypes based on strong traditional Chinese culture being responsible for most of the sex discriminatory practices and misconceptions. The government and the EOC have been in the right direction in promoting the awareness of equal opportunities, but more should be done. Due to the deeply rooted traditional cultural values, discussants understandably did not expect to see discriminatory practices to disappear in the near future.

Part III Findings on Public Opinion Survey

Chapter 4 Methodology

- 4.1 The sample size included 1,000 Hong Kong Chinese people aged 16 or above. A cross-sectional multi-stage household design was adopted. With the replicated systematic sampling method, a random sample of 3,000 residential addresses were obtained from the Census and Statistics Department. Where there were more than one household that had persons aged 16 or above at the selected address, a random numbers table pre-attached to each address was used to select one household or one person. If the drawn household had more than one person aged 16 or over, a random selection grid was employed to select one interviewee for face-to-face interview.
- 4.2 Data were collected through face-to-face interviews with respondents. The survey took place from March to September 1998. The response rate was 43.3%. The socio-demographic and employment characteristics of the respondents largely corresponded to the general population as reported in the Hong Kong 1996 By-census.
- 4.3 Among the 1,000 respondents, 49.5% were men and 50.5% were women. About 64.8% were currently married, 26.8% had never married and 8.4% were either widowed, divorced, separated, or cohabited. About 25% of them received primary or no education, about 60% had secondary school education, and 14% completed tertiary education. The overall labour force participation rates were 67.2% for the entire sample, 82% for male respondents, and 52.7% for female respondents. Among the respondents, 4.7% were self-employed, 4.3% were employers, and 55.4% were employees. About 33% of them earned less than \$10,000, 43.2% from \$10,000 to \$19,999, and 23.8% over \$20,000 per month.
- 4.4 A structured interview questionnaire in Cantonese was designed by the research team to study the public's perception of sex as a GOQ in the recruitment process. The questionnaire contained 5 sections, namely personal background, employment characteristics and recruitment criteria, gender stereotypes and attitudes, occupational sex-typing, and endorsement of sex as a GOQ and reactions to sex discrimination at work.

Chapter 5 Gender Role Attitudes

- 5.1 This chapter explored Hong Kong people's perceptions towards the typical personality traits associated with men and women. Their attitudes towards various roles of men and women in marriage, parenthood, education, employment, and social interactions were also examined.
- 5.2 The respondents evaluated a series of personality traits on how each of them characterised mostly men, mostly women, or both gender. Results showed that the respondents were generally very gender stereotypical, i.e., perceiving most items in the masculine subscale of the Bem Sex Role Inventory (Bem, 1981) as being more representative of men than women, and all the items in the feminine subscale as being more representative of women than men.
- 5.3 Group comparisons showed that each gender held more rigid stereotypes for its own gender than for the other gender. There were no difference in gender stereotype perceptions between currently working and non-working respondents. Among those who were currently working, employees tended to hold the most rigid female stereotypes, followed by employers, and then self-employed individuals. These three groups did not differ in their perceptions of male stereotypes.
- 5.4 Respondents' attitudes towards the equality of men and women in marital, parental, education, employment, and social roles were examined by the short version of the Sex Role Egalitarian Scale (King & King, 1993).
- 5.5 Respondents held the most egalitarian attitudes towards education role, followed by employment role, then marital and parental role, and finally social role. Age and education were robust demographic predictors of respondents' attitudes towards these roles.
- 5.6 Group differences showed that women were more egalitarian than men in all 5 domains. Currently working respondents as compared to currently non-working respondents were more egalitarian towards the parental role. Among the currently working respondents, employees tended to hold the most egalitarian views regarding marital, parental, and employment roles.

Chapter 6 Occupational Sex Stereotyping and Sex-typing

- 6.1 This part examined the extent of job sex stereotyping and sex-typing in Hong Kong by exploring respondents' perceptions of the importance of various recruitment criteria and their gender preferences in various jobs. The likelihood of respondents using various recruitment channels was also examined.
- 6.2 Respondents rated the importance of a list of recruitment criteria. Applicants' sense of responsibility, related work experiences, qualifications, and performance during interviews were given the highest importance ratings; whereas number of children, marital status, and nationality were given the lowest importance ratings. Only 35.4% of the respondents perceived sex as an important requirement in recruitment.
- 6.3 Compared to women, men tended to consider related working experience, physical ability, and sex of the applicant as more important criteria in recruitment decisions despite sex being rated as an unimportant recruitment criterion by both genders. On the other hand, compared to men, women tended to rate the following criteria as more important: qualification, appearance, marital status, number of children, pregnancy status, family responsibility, and performance during interviews, although both men and women rated appearance, marital status, number of children, pregnancy status, and family responsibility as unimportant criteria.
- 6.4 Compared to those who were currently not working, the working respondents rated working experience, sense of responsibility, and sex as more important despite both groups rated sex as an unimportant criterion. The latter group also perceived number of children, family responsibility, and staff recommendation as less important recruitment criteria. Employees, employers, and self-employed respondents did not differ in their perception of sex as an unimportant criterion, but held different perceptions in about 1/3 of the given criteria.
- 6.5 Among all respondents, over half of them sought recruitment information through newspapers and friends/relatives. Women as compared to men, employees as compared to employers, female employees as compared to male employees were less likely to use friends as the primary channel for recruitment

Executive Summary

information, but depended more on newspapers advertisement, employment agencies, or street notices.

- 6.6 Respondents indicated their gender preferences of 15 occupations which included 6 men's jobs, 7 women's jobs, and 2 jobs common to both genders. Results showed that Hong Kong people generally adhered closely to occupational sex stereotyping and sex-typing, preferring men for "masculine" jobs and women for "feminine" jobs, although about half of the respondents also showed acceptance of both genders in some traditional sex-typed jobs.
- 6.7 Compared to women, men tended to show more sex-typed gender preferences in jobs. Employees, employers, and self-employed respondents were equally vulnerable to job sex stereotyping and sex-typing, and showed no difference in their gender preferences for jobs.

Chapter 7 Sex Discrimination and Sex as a Genuine Occupational Qualification

- 7.1 This chapter explored respondents' opinion on and application of the various exceptions listed in the SDO where sex is a GOQ for a particular job. Respondents' reactions to sex discrimination in work settings, views regarding redress for victims of sex discrimination, and ways to promote equal opportunities were also examined.
- 7.2 The respondents indicated their views towards each of the exceptions listed in Section 12 of the SDO. Results showed that they were generally supportive of adopting sex as a GOQ in the given exceptions. Above 90% indicated that it was reasonable to establish sex as a GOQ in some jobs to preserve decency or privacy, and for reasons of physiology or authenticity; and about 85% agreed that sex could be specified in the recruitment for jobs that could most effectively be performed by one sex, jobs involving working in or living in someone's house and having significant physical or social contact with the residents, and jobs in single-sex settings requiring special supervision or attention. Relatively less but still a majority of the respondents (about 75%) also indicated that sex was a GOQ in jobs where live-in quarters were provided by the employers but alternative premises were unavailable, and in jobs that required duties in a place

where the customs or laws were such that the duties could not be performed effectively by a woman.

- 7.3 Men tended to agree more strongly than women to adopt sex as a GOQ for reasons of physiology or authenticity. Compared to those who were not working currently, working respondents agreed more strongly with 4 out of the 7 given exceptions. Among the latter group, employers showed the strongest tendency to adopt sex as a GOQ for reasons of physiology or authenticity and to preserve decency or privacy as compared to employees and self-employed respondents.
- 7.4 Respondents' ability to apply information regarding exceptions of the SDO and sex as a GOQ was explored by asking them to indicate whether specifying a particular sex in recruitment was unlawful in the 9 given jobs.
- 7.5 While most of the respondents were able to identify the exceptions that were similar to those described in the SDO, they were less capable of detecting the subtle differences between GOQ and sex stereotyping and sex-typing in some jobs. Some respondents, particularly those who were not currently working, tended to determine the lawfulness of specifying a particular sex in the recruitment by sex stereotyping and sex-typing. With two exceptions, there was no gender disparity in the perception of the lawfulness of sex specification in various jobs.
- 7.6 Respondents (excluding employers) indicated their possible reactions to employment-related sex discrimination experiences. A majority of the respondents would or might complain to the head of their company (80.6%) or the EOC (68.3%), 63.6% to the labour union, and 40% to the media such as radio or newspaper. Only 33.2% would or might file a lawsuit against the company, 28.3% would or might organise industrial actions, and just over 20% would or might report to the police. About 50% of them would or might also engage in passive responses such as resignation or accepting the situation to avoid trouble. Compared to male respondents, female respondents were less likely to accept sex discrimination and would have a higher tendency to complain to the director or resign. About 21.9% of the employees reported having experiences of sex discrimination during the recruitment procedure, with being denied employment due to one's sex as the most common.

- 7.7 Regarding redress for persons experiencing sex discrimination in recruitment, about 72.9% of the respondents preferred the EOC to conduct mediation between the concerned parties. About 65% suggested informing the victims of the relevant legislative provisions or requiring the company to set up equal opportunities policy, slightly over 1/3 indicated providing financial assistance to the victims for litigation or offering the job applied for or similar jobs to the victims as compensation, and only 20% supported financial compensations. Women and currently working employees were the least likely to suggest financial compensation to victims of sex discrimination in recruitment.
- 7.8 While over 80% of the respondents had heard about the EOC and the SDO, they also considered that it was important to further promote the concept of equal opportunities to the public. A majority of them perceived the coverage of sex discrimination case examples on television and introducing equal opportunities themes into the primary school curriculum as the most effective means.

Chapter 8 Associations Between Gender Attitudes and Recruitment Criteria, Perceptions of GOQ, and Reactions to Sex Discrimination

- 8.1 This section aimed to integrate the findings of previous chapters. It explored the relationships between gender attitudes and various recruitment-related variables and reactions to sex discrimination. Group differences were also examined.
- 8.2 Results generally supported the predictions that occupational sex stereotyping and sex-typing was related to traditional attitudes towards the roles of men and women. In other words, respondents who had the tendency for occupational sex stereotyping and sex-typing also tended to have stereotypic perceptions of men and women. Those with stereotypic gender preference for jobs were also more likely to demonstrate traditional attitudes towards the roles of men and women in marriage, parenthood, education, employment, and social interaction. Different groups were similarly vulnerable to the influence of their gender attitudes in their sex preferences for various jobs with only four exceptions.
- 8.3 The associations between respondents' gender attitudes and their evaluation of the importance of various recruitment criteria tended to be weak. Those with traditional views of men tended to perceive applicants' sex and

recommendations by other staff as more important criteria, but perceived applicants' qualification and appearance as less important criteria. Those with egalitarian attitudes, as compared to those with traditional attitudes towards women and men in various life domains, tended to rate applicants' sex as a less important criterion in recruitment.

8.4 Respondents' endorsement of sex as a GOQ was generally not related to their gender attitudes. However, traditional attitudes towards people's marital roles were related to the broad endorsement of the given GOQ situations.

8.5 Women with egalitarian attitudes towards marital and social roles were less likely to endorse the given GOQ conditions. Regardless of the sex of the respondents, compared to those who were currently not working, less items of the gender attitudes of the working respondents were associated with their endorsement of the GOQ situations.

8.6 Respondents' plausible reactions to sex discrimination were grouped into active and passive reactions. Those with egalitarian attitudes to different roles were more likely to engage in active reactions if they encountered sex discrimination at work, while those with traditional gender role attitudes across various domains tended to behave passively. Gender attitudes in various roles were important factors for both active and passive reactions to sex discrimination for men and women as well as for both working and non-working respondents. However, there were more domains of gender attitudes associated with both the active and passive reactions for women than for men, and for working than for non-working respondents.

8.7 Respondents' age was generally unrelated to their sex preferences in job recruitment and the endorsement of the GOQ conditions, but appeared to be a better predictive factor than gender attitudes in various roles in determining their importance ratings of various recruitment criteria. Older respondents, as compared to their younger counterparts, tended to perceive job applicants' age and physical ability as more important recruitment criteria, but evaluated the followings as less important: related working experience, qualifications, interest, right personality, interviewing performance, and recommendation letters. Older respondents were also less likely to engage in active reactions to sex discrimination at work.

Part IV Conclusion

Chapter 9 Summary, Discussions, and Recommendations

- 9.1 This chapter integrates and discusses the major findings of the focus group discussions and the public opinion survey. It also provides recommendations based on the findings.
- 9.2 The foci of the discussions include: 1) the relationships between people's gender attitudes and their perceptions and reactions to sex discrimination in the work settings, 2) people's understanding of the SDO and of the exceptions to the SDO, 3) people's difficulties in understanding and interpreting the GOQ conditions specified in the statute and in the EOC's Code of Practice on Employment, and 4) people's expectations of the EOC.
- 9.3 Based on the results of the study, recommendations were made with the aim to eliminate or reduce sex biases in the recruitment. These include the promotion of public education on anti-sex discrimination in the work settings to various target groups. The contents of the public education programmes should include basic ideology and principles of equal opportunities; myths about sex stereotypes and its impact on recruitment; advantages of creating fair and equal opportunities recruitment procedures; information about the SDO, GOQ, and other related statutes such as PDPO; identifications of both blatant and subtle forms of sex-discrimination in recruitment; various ways of seeking redress; and importance of anti-discriminatory policy and code of practice in the work setting. The EOC's current efforts in the promotion of public education programmes via various means should be continued.
- 9.4 The GOQ section of the EOC's Code of Practice on Employment should be revised in simple terms with examples and elaboration, especially regarding the scope of physiology, what could be included as personal services, assessment of the effectiveness of services, definition of decency or privacy, and circumstances under which the employment of a particular sex are allowable. Section 12 (4) of the SDO should be included in the Code of Practice as it lists out exceptions to GOQ as an exception. This subsection states that employers cannot specify sex of the job applicants in the GOQ conditions when they already have employees 1) who are capable of carrying out the duties; 2) whom

it would be reasonable to employ on those duties; and 3) whose numbers are sufficient to meet the employer's likely requirements in respect of those duties without undue inconvenience. Besides, the leaflet on sex as a GOQ issued by the EOC can be improved by given more examples to illustrate the concept of sex as a GOQ, guideline for non-discriminatory recruitment practices, forms of redress, and channels where people can seek redress for sex discrimination in recruitment.

- 9.5 The GOQ exceptions in Section 12 of the SDO should also be reviewed. In Section 12 (2) (a), examples should be added to what would be considered as physiology if excluding physical strength or stamina. The term "decency" in Section 12 (2) (b) has been considered by some participants as redundant and may be deleted as the term "privacy" in this section is a more neutral term and covers nearly similar situations. Also they think that Section 12 (2) (c) and (d) can be combined as they also involve the principle of privacy. Section 12 (2) (d) (ii) should include an explicit requirement for employers to justify "undue hardship" similar to Section 12 (3) (b) of the Disability Discrimination Ordinance. Section 12 (2) (e) needs no revision, while Section 12 (2) (f) needs to be rewritten with more precise wordings and examples.
- 9.6 The EOC's Code of Practice on Employment includes clear guidelines on good management practices to eliminate sex discrimination as well as on essential information on non-biased hiring procedures. The Code of Practice should be made available to employees, employers, and organisations. The EOC should maintain close liaison with the top management and employers of organizations to raise their awareness of sex discrimination and to foster their commitment to its eradication by developing and adopting equal opportunities policy in the hiring and selection process. The EOC should also continue its current effort in initiating litigation against sex-biased recruitment advertisement to bring public and legal attention to the matter.
- 9.7 In order to promote public education, establish close liaison with employers, and collect statistics on sex discrimination in all aspects of employment, the EOC should develop a registry of Equal Opportunity Employers (EOE) as recognition to those employers who have fulfilled the criteria of an EOE.

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