

# **Equal Opportunity in the Business Community**

**Executive Summary  
of the survey on  
Employees and Employers of Medium to Large  
Enterprises (MLE)**

**Equal Opportunities Commission**

**2002**



## Executive Summary

### 1 *Current EO<sup>1</sup> knowledge level in the MLE<sup>2</sup> sector*

#### 1.1 **Awareness of EO**

- Almost all MLE employee (97%) and all employer (100%) respondents were aware of the commonly used EO terms equal opportunity, discrimination and sexual harassment.
- Compared with the SME<sup>3</sup> sector, more MLE employees (97% vs 95%) and employers (100% vs 96%) were aware of these commonly used terms.

#### 1.2 **Depth of knowledge**

- Almost all the MLE employees (97%) and all the employers (100%) could give some definition of the above three terms, but not all clearly understood illegal behaviour under current legislation.
- As compared to other EO legislation, both MLE employees and employers showed better understanding of the Sex Discrimination Ordinance, especially pregnancy discrimination. However, in areas where there is no EO legislation - such as race, religious belief, age and sexual orientation – a high level of MLE employees and employers also thought the relevant discriminative behaviour illegal.
- Compared with the SME sector, MLE employers had more knowledge of existing EO legislation. Employees in both sectors displayed a similar level of knowledge.

### 2 *Perceptions of EO*

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

- Both MLE employees and employers shared the same views, that the most prominent benefits of complying with EO were a better working relationship, higher work efficiency, and employees feeling stable in and confident with the company.
- The most common harmful aspects of not complying with EO were that the company name would be ruined; there would be a negative impact on employee spirit; and it may cause tense relationships among colleagues.

### 3 *Perceptions of EOC<sup>4</sup>*

#### 3.1 **Awareness**

- Significantly more MLE employers than employees (89% vs 74%) knew that the EOC is the organisation responsible for EO issues in Hong Kong.

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<sup>1</sup> Equal Opportunity of comply with EO

<sup>2</sup> Medium to Large Enterprises: employing 100 employees or above in the manufacturing sector, employing 50 employees or above in non-manufacturing sector

<sup>3</sup> Small to Medium Enterprises: employing 1-99 employees in the manufacturing sector, employing 1-49 employees in non-manufacturing sector

<sup>4</sup> Equal Opportunitives Commission



- Compared with the SME sector, MLE employees and employers were significantly more aware of the role of the above (Employee: MLE 74% vs SME 62%. Employer: MLE 89% vs SME 67%).

### 3.2 Perception / Knowledge

- The majority (about 80% or higher) of MLE employees and employers considered almost all listed EOC functions being important or very important, especially receiving and handling complaints, helping change people's attitudes, and encouraging good workplace practice.
- In terms of the EOC's role in handling complaints, a significant number of employees and employers (83% and 68%) considered the EOC impartial during the process.
- Where the employees or employers thought the EOC acted in favour of one party, more believed the EOC acted on behalf of the complainant.
- A similar pattern was shown in the SME sector, but on a different scale.

## 4 Current EO status in the workplace

### 4.1 Incidence of EO complaints

- 4% (21 out of 516) of MLE employees 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 (15%).
- 6% (31 out of 541) of MLE employers said they had received discrimination or sexual harassment complaints.

### 4.2 Reporting status

- In the MLE sector, about 10% (2 out of 21) of the employees who had personal experience of discrimination or sexual harassment reported their cases. They reported to either the most senior management/ immediate supervisor, or staff responsible for employee matters. \*
- In future, multiple channels would be used to report cases. As well as the most senior management or immediate supervisors, EOC was one of the popular choices.

### 4.3 Reasons for not reporting\*

- Being afraid of losing their job and a lack of confidence about the outcome after reporting a case were the main reasons for not reporting cases.
- The same reasons were mentioned in the SME sector.

## 5 Employer liability

### 5.1 Awareness

- A third of the MLE employers (34%) realised that they were legally liable for discrimination or sexual harassment that happened in their

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



workplace. Significantly more employees believed this than their employers (45% vs 34%).

### **5.2 Degree of concern**

- After realizing their liability, almost all MLE employers (99%) were concerned about their legal liability.
- In the SME sector, employers seemed less concerned.

### **5.3 How to minimise liability**

- 42% of MLE employers were aware that they could do something to minimise their liability for EO matters.
- Of those who knew something could be done, more than half (60%) said they would educate / train employees.

### **5.4 Feedback on suggested measures**

- A list of measures to minimize employers' liability under the current EO legislation was provided for evaluation. Comparatively speaking, getting support from senior management is duly recognised by both MLE employers and employees as the most necessary measure. This was followed by implementing EO and establishing an internal complaint handling system.

## **6 Current status of taking preventative action / good management practice**

### **6.1 Action already taken**

- Only 13% of MLE employers had undertaken all four basic preventive measures identified for the purpose of the survey to measure whether companies had incorporated good EO management practices.
- Of the four requirements, most of the MLE employers (70%) have set up a formal internal channel to address grievances / complaints, and at least 13% have arranged EO training for employees.
- Whether an MLE company has taken any action to prevent discrimination or sexual harassment in the workplace was related to the size of the company. Namely, the bigger the company, the more likely it is to have taken preventative steps.
- If an MLE employer were aware of his/her legal liability for discrimination or sexual harassment happening in the workplace, he/she would be more likely to appoint staff to handle EO matters in the workplace.

### **6.2 Feedback on proposed action**

- Nearly all (95%) MLE employees and employers (98%) agreed that setting up a formal internal channel to redress grievances / complaints was essential, regardless whether the measure has been taken or not.
- State EO in company policy or staff handbook if any", "Circulate / post memos about EO matters" and "State EO in employment contract or letter if any" were also highly regarded by both MLE employees and employers.



- In terms of “Arranging EO training sessions” and “Appointing staff responsible for company’s EO”, the employers were keener than the employees.

### **6.3 Main reasons for not taking action**

- The main reasons for MLE employers doing nothing are: it has not happened before, relationships among employees are good, and no relevant information was on hand.

## **7 Existing EO information**

### **7.1 Receiving information about EO**

- Employers or relevant workplace were the main channel (47%), followed by the EOC (38%).
- For SME employees, the EOC was the main channel.

### **7.2 Received content and format**

- EOC brochures, seminars / talks and company memos were the most common sources of EO information for MLE employees.
- For SME employees, EOC brochures were the dominating format, followed by EO information posted on bulletin boards and talking with manager / supervisor / colleagues.

### **7.3 Usefulness of received information**

- External training courses were nominated the most useful for obtaining information by MLE employees. These were followed by EOC brochures, seminars and talks, and company memos.
- For SME employees, the most useful information received was from talks with management / supervisor / colleagues, then EOC TV ads and seminars / talks.

## **8 Continuing EO education**

### **8.1 Willingness of employees to receive EO information / training**

- Nearly half (46%) of the MLE employees indicated willingness to receive EO related information or training.
- A higher percentage of SME employees (55%) indicated the same willingness.

### **8.2 Content needed for information / training**

- The most important things required by MLE employees are their EO responsibilities and rights, followed by violation of EO laws and basic knowledge of EO.



### **8.3 MLE-specific EO services / training needs**

- The majority (72%) of MLE employers would prefer the EOC to assess their EO training needs and provide tailor-made training, or relevant EO information products, advice and support.
- Most MLE employers would like to concentrate on understanding Hong Kong's EO legislation for training / education and information products. This was followed by what to do in the workplace to minimise employer liability, and how to handle EO-related complaints / grievances within the company.

## **9 The Importance of Education and Training**

From the above, the current priority for EO implementation is education, not only for MLE 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 MLE employers also sense this responsibility.

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

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