

**Minutes of the One Hundred and Thirty-first Meeting of
The Equal Opportunities Commission
held on 17 June 2021 (Thursday) at 2:30 p.m. in the
Equal Opportunities Commission's Conference Room**

Present

Mr Ricky CHU Man-kin, IDS	Chairperson [C/EOC]
Ms Queenie CHAN Lai-kwan, MH	
Prof Cecilia CHAN Lai-wan, JP	(via telephone-conferencing)
Hon Vincent CHENG Wing-shun, MH, JP	
Prof Andy CHIU Man-chung	
Ms Rosanna CHOI Yi-tak	
Dr Theresa CUNANAN	
Mr Mohan DATWANI	(via telephone-conferencing)
Ms Maisy HO Chiu-ha, BBS	
Mr Simon LAM Ken-chung	
Dr Sigmund LEUNG Sai-man, BBS, JP	
Dr Henry SHIE Wai-hung	
Ms Anna THOMPSON	
Ms Linda TSANG Chi-man	
Dr Rizwan ULLAH, MH	
Miss Rabi YIM Chor-pik	
Dr Ferrick CHU Chung-man	Secretary Executive Director (Operations) [ED/O]

Absent with apology

Mr Gary WONG Chi-him

In attendance

Mr Ivan LUK Chi-cheung	Executive Director (Enforcement) [ED/E]
Mr Oska LI Kam-hung	Director, Corporate Planning and Services [DCPS]
Mr Tony SIU Kit-hung	Director, Complaint Services [DCS]
Miss Kitty LAM Kit-ye	Head, Policy, Research and Training [HPRT]
Mr Allan MAN Sui-lun	Chief Legal Counsel [CLC]

Ms Shana WONG Shan-nar

Miss Gloria YU Wai-ling

Ms Hollis LING Yin-har

Head, Corporate Communications [HCC]

Senior Equal Opportunities Officer,
Administration & Personnel [SAP]

Equal Opportunities Officer, Administration
& Personnel [EAP]

I. Introduction

1. The Chairperson (C/EOC) welcomed all Commission Members (Members) to the 131st Meeting, in particular Ms Queenie CHAN, Ms Rosanna CHOI, Dr Theresa CUNANAN, Ms Linda TSANG, Ms Rabi YIM, who were new Members joining the meeting for the first time. C/EOC said that apology for absence was received from Mr Gary WONG who had prior engagements. Prof Cecilia CHAN and Mr Mohan DATWANI would join the meeting via telephone conference and Prof CHAN would need to leave the meeting at around 3:30pm. Hon Vincent CHENG, Dr Sigmund LEUNG, Dr Henry SHIE, and Ms Anna THOMPSON would join the meeting at a later time.

2. C/EOC said that there were no special issues for informing the media, hence no press briefing would be held after the meeting.

II. Matters Arising (Agenda Item No. 1)

3. There were no matters arising from previous meetings that required Members' attention in this meeting.

III. New Agenda Items

Update on the EOC's 25th Anniversary Programme

(EOC Paper No. 6/2021; Agenda Item No. 2)

4. C/EOC said that EOC Paper No. 6/2021 provided an update on the

activities and programmes of the EOC's 25th anniversary campaign from 2020 to 2021. From July 2020 onwards, a series of activities had been launched to engage different sectors of the community which included (i) Equal Opportunity Employer Recognition Scheme; (ii) Visual Storytelling Project and Roving Exhibitions; (iii) Asia-Pacific Women Caregivers with Disabilities Conference 2020; (iv) online / social media promotions and photo competition; (v) Generation i Children's Colouring & Drawing Competition; (vi) logo and dedicated website; and (vii) collaterals, publications and souvenirs.

5. HCC highlighted the updated status of each programme of the 25th anniversary campaign for Members' information. Members noted that the Equal Opportunity Employer Recognition Scheme (the Scheme), launched on 4 November 2020, aimed to give recognition to companies and organisations that excelled in the implementation of equal opportunities (EO) employment policies, and raised awareness of the benefits of these policies, such that more organisations would be motivated to implement EO policies, helping to create an equal and inclusive workplace for employees in Hong Kong. By the application deadline of 31 January 2021, the EOC received 420 applications from 192 organisations and companies with more than 220,000 employees. Subsequently, the EOC successfully invited 29 adjudicators for the assessment panels (including EOC Chairperson, EOC Members and relevant stakeholders) to consider and select the Equal Opportunity Employers in each of the four categories, i.e. Gender Equality, Equality for Diverse Abilities, Family Status Equality and Racial Equality and Inclusion.

6. Members noted that a presentation ceremony was held on 14 May 2021 at the EOC office to present trophies and certificates to awarded organisations. Mr Erick TSANG Kwok-wai, IDSM, JP, Secretary for Constitutional and Mainland Affairs was the officiating guest. There were 14 companies winning the Equal Opportunity Employer Gold Award which had excelled in all of the four categories, and 10 small- and medium-sized enterprises (SMEs) with impressive EO policies were given the Outstanding SME Award. A dedicated website for the Scheme

(www.eoc.hk/s/eoemployer) had been created. Related results and photos for the presentation ceremony had been uploaded on the website.

7. As regards the Visual Storytelling Project and Roving Exhibitions, the EOC, in collaboration with 14 NGOs, had collected nearly 140 original photographic works from people with disabilities, ethnic minorities, migrant domestic workers, woman carers, newly arrived immigrants from mainland China, people living with mental illness, as well as members of the LGBT community facing multiple challenges. The EOC organized exhibitions to tour at The Mills in Tsuen Wan and The University of Hong Kong from late January to late March 2021. The final stop of the exhibition would be held at Hong Kong Cultural Centre from 23 to 28 August 2021. As a spin-off project, a seminar titled “Marginalisation and Empowerment: Voices of Hong Kong Women” co-organised with the Committee on Gender Equality and Diversity (CGED) under the Faculty of Arts at the University of Hong Kong was held on 7 March 2021 via web conferencing. The seminar aimed to encourage discussion on the everyday challenges facing women of lower socioeconomic status and ethnic minority women in Hong Kong.

8. The Asia-Pacific Women Caregivers with Disabilities Conference (the Conference) was a programme collaborated with the Association of Women with Disabilities Hong Kong (AWDHK). The Conference had originally been scheduled for November 2020, but was deferred due to the outbreak of COVID-19. The Conference eventually was live broadcast on 22 January 2021. Participants were invited to join the Conference either on site or via EOC’s social media platforms. The number of viewers on social media platforms exceeded 1,000.

9. Members noted that the EOC had stepped up its online and social media promotions and would keep on launching online promotion campaigns on popular websites to promote EO messages. Apart from the corporate page on LinkedIn already in place, an Instagram page would be launched in Q3/2021. In

association, a photo competition to engage the younger generation and drive traffic to the EOC social media account would be launched in Q3/2021.

(Dr Sigmund LEUNG and Ms Anna THOMPSON joined the meeting at this juncture.)

10. HCC said that a distinct logo was created by Professor T.H. TSE (a former Co-opted Member of the Community Participation & Publicity Committee) on pro-bono basis. The logo had been used consistently on the EOC website, social media platforms and various promotions so as to generate remembrances by the public. Moreover, a dedicated website on the 25th anniversary campaigns had been set up to chronicle the major events and projects of the EOC over the past 25 years. A commemorative video featuring C/EOC as the narrator was released on the dedicated website as well as on the EOC's YouTube channel to showcase the history and milestones of the EOC, and the impact created through the years.

11. Members expressed their appreciation for the launch of the 25th anniversary campaign, in particular the commemorative video and the Equal Opportunity Employer Recognition Scheme, which asserted the work of the EOC and engaged participation of different sectors and the community at large.

(Hon Vincent CHENG and Dr Henry SHIE joined the meeting at this juncture.)

12. C/EOC said that the award-winning Equal Opportunity employers were important contact points to the EOC. Partnering with them and engaging them in various activities, including sharing sessions and activities of the EO Club would be beneficial to mainstreaming the value of equal opportunities. C/EOC added that to accentuate its importance, the Equal Opportunity Employer Recognition Scheme would best be organized at an interval of about every three years, rather than as an annual event.

13. Members noted EOC Paper No. 6/2021.

Chairperson’s Quarterly Report

(EOC Paper No. 7/2021; Agenda Item No. 3)

14. EOC Paper No. 7/2021 was the ninth quarterly report which summarized the important work of C/EOC for the period from March to May 2021.

15. Members noted EOC Paper No. 7/2021.

Reports of the Legal & Complaints Committee, Community Participation & Publicity Committee, Policy, Research & Training Committee and Administration & Finance Committee

(EOC Paper No. 8/2021; Agenda Item No. 4)

16. EOC Paper No. 8/2021 presented the important matters raised and decisions made at the four EOC Committee meetings held during the period from March to May 2021.

17. In response to a question raised by a Member, ED/O and HPRT said that the “Online Training Module (OTM) on Preventing Sexual Harassment on Campus” was produced by the EOC under a consultancy agreement with the eight UGC-funded universities. The production of the OTM was fully funded by the eight UGC-funded universities, thus the OTM would be used exclusively by their students. The EOC would collaborate with the same studio producing the UGC-funded OTM to create an EOC OTM for students of non-UGC funded tertiary institutions. The eight UGC-funded universities had kindly allowed the EOC to use part of the animated videos in their OTM for the EOC OTM. Hence, the EOC would adapt part of the UGC-funded OTM and develop some more new contents to meet the needs of non-UGC funded tertiary institutions in producing the EOC OTM.

18. Members noted EOC Paper No. 8/2021.

IV. Any Other Business

Provision of Vaccination-related Incentive Measures

19. A Member raised a general enquiry concerning the lawfulness of employers in offering employees with incentives to receive COVID-19 vaccination. C/EOC said that he had commented on this topic in a media interview and his view was that such kind of incentive would unlikely fall foul of the anti-discrimination ordinances. ED/E supplemented that as the incentive measures were usually applied to all employees regardless of their individual backgrounds, any argument from the angle of direct discrimination would unlikely be successful. As for indirect discrimination, there was a good chance for employers to justify their decisions in applying those incentive measures for the protection of public health.

20. A Member joined the discussion and agreed that the incentive measures would unlikely contravene the anti-discrimination legislation. But he reminded that if any of those incentive measures had constituted a unilateral alteration of employment terms, individual employees might have the rights to follow up the matter in accordance with relevant employment legislation.

(Prof Cecilia CHAN left the meeting at this juncture.)

21. C/EOC said concerns from the public over discrimination had arisen after the Government announced plans to introduce a “vaccine bubble” scheme for restaurants and mandatory vaccination for foreign domestic helpers. DCS added that the number of enquiries received subsided after C/EOC had explained how the anti-discrimination ordinances might apply through releasing of a statement and attending interviews with various media. In addition, no abnormal surge in the number of enquiries received was observed following the recent rolling-out of

vaccination-related incentive measures by the Government and business sector.

Promotion of Anti-Sexual Harassment Hotline to Universities

22. A Member said he was delighted to learn that the Anti-Sexual Harassment Hotline had been in operation since January 2021. He suggested the EOC to take a proactive approach in informing universities about the launch of the new hotline and reminding them the need to prevent sexual harassment at orientation camps.

Line-to-take and News Report of Topical Issues

23. HCC would follow up on Members' suggestion to circulate line-to-takes and news reports of topical issues to them.

24. There being no other business, the Meeting was adjourned at 3:40 pm.

V. Date of Next Meeting

25. The next regular EOC Meeting was scheduled for **16 September 2021 (Thursday) at 2:30 p.m.**

Equal Opportunities Commission
July 2021