

### EO Training Brings Business Benefits

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Whether you are an employee or an employer, you are probably aware that managing a successful business is no easy task. In the current economic climate, choosing the right persons and retaining them for the jobs has become all the more important for any company. Equal opportunity, which is based on the notions of merit and fairness, enables employers to select the best suitable person. If employees recognize employers' stance on equal opportunities, then their loyalty, respect and diligence will increase greatly.



Social expectations of companies have also changed in recent years. Consumers are expecting businesses to operate in a fair and open manner. These include fair employment opportunities for everyone. Employers now see the benefits of bringing in the concept of equal opportunities in the workplace. No wonder since the launch of the EOC's training & consultancy service in 2001, it has received an exponential increase in the number of requests for such service.

#### Compliance with the EO law

Equal opportunity in the workplace is required by law. Employers are vicariously liable for their employees' acts of discrimination or harassment during the course of the employment, whether or not these were committed with the employers' knowledge or approval, unless it can be shown that the employers have taken reasonably practicable steps to prevent such unlawful behaviour. Equal opportunity training, appropriate policies and practices help prevent costly, time-consuming and disruptive workplace discrimination and disputes.

#### Our services

The EOC's Training & Consultancy Team provides a range of services, including expert advice and support, and assistance with EO policy review. The team also conducts an in-house calendar programme of workshops throughout the year, and tailored-made training programmes delivered on-site.



We aim to assist companies and organizations to prevent discrimination and harassment from occurring and if problems arise equip them with the skills and procedures to deal with the different scenarios within their own organizations. The training also aims to assist employers to discharge their vicarious liability by developing practical steps to implement equal opportunity in all aspects of operation e.g. reviewing appropriate equal opportunity policies, establishing mechanism to deal with complaints, and providing information and training about equal opportunity to all staff.

All our trainers have extensive experience in handling enquiries and complaints on discrimination cases which allow them a better understanding of the needs of complainants, respondents and organizations. Therefore, our training programmes have incorporated the different perspectives and experiences of individuals as well as organizations.

## Feedback from our clients

It is rewarding for the EOC's Training & Consultancy Team to maintain relationships with many organizations over a period of years. Since the operation of the team in 2001 it has delivered more than 600 talks and workshops for over 35,000 employers, human resources professional, lawyers, senior managers and employees. Feedback from course attendees are overwhelmingly encouraging.



"We have met with the EOC trainers to develop a common understanding of objectives of the workshop. As a result, the training was very relevant and useful."

"The use of court cases and complaint cases for illustration and analysis helped us to have a far better understanding of the legislation as well as the vicarious liability of employers."

"The course was well structured and the case studies generated good discussion. The trainer takes a very clear, concise and direct approach to a subject that could otherwise be heavy and difficult. The trainer facilitated well and I really enjoyed her presentation."



"The EOC did not deliver a 'standard' programme, but tailored the content to meet our needs. At the end of the programme we were better equipped to handle issues that may arise in the future. Questions were answered to-the-point."

"I have now gained a far better understanding on the concept of equal opportunities and how it benefits my business. My next step is to invite the EOC trainer to deliver talks to my staff, as well as to develop a company policy as testimony to my commitment to equal opportunity!"

## Get set now

If you want to know more about our customized training and consultancy service, the details of the calendar training programmes, our fee schedule or how we can assist you with any EO issue, please contact Catherine Cheung at [catherine@eoc.org.hk](mailto:catherine@eoc.org.hk) or 2106 2155.



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## Free Subscription of EOC News

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## New Gender-Friendly Games for University Students

### New Gender-Friendly Games

#### for University Students

Adjudicators of the "Orientation Camp Game Design Contest to Promote Gender Awareness" had a hard time picking out the winner, after five teams from Baptist University, Hong Kong Polytechnic University (PolyU), City University of Hong Kong, Hong Kong University of Science & Technology and Lingnan University made it to the finals, held on 21 July 2005.

Earlier a total of 12 teams from 8 universities submitted their game plans. The finalists were selected based on the games' effectiveness of promoting gender awareness and equality, other factors included team building, creativity and entertainment value. The students from Hong Kong Polytechnic University won the competition. One of the adjudicators EOC Member Dr. Lo Wing-lok explained, "All the entrants today fulfilled the criteria but the students from PolyU came up with the most appropriate concept for university orientation, that is a chance for all students to meet each other, and learn about what their University has to offer." The clever game did not involve any budget, and could be participated by any number of students.



Game participants and the adjudicators - Mr. Raymond Tang, EOC Chairperson; Dr. Lo Wing-lok, EOC Member; Mrs. Peggy Lam and Ms Ophelia Cheung, WoC Members; and radio host Mr. Zac Koo celebrate the event's success.

The 1st runner-up was Lingnan University, while the 2nd runner-up went to a mixed team from City University and Baptist University. The fun filled event was a joint initiative, organized by the Equal Opportunities Commission (EOC) and the Women's Commission (WoC). EOC Chairperson Mr Raymond Tang said, "This contest is an effort to promote a deeper understanding of the issues of gender equality. The enthusiastic participation of the students in this event has shown growing awareness among students about the concept of gender equality and the importance of learning in an environment free of sexual harassment." "There will be less harassment and discrimination if women and men have gender roles that are equally valued," WoC Chairperson Mrs Sophie Leung added.

In light of the concerns about games played at orientation camps in recent years, the EOC, in collaboration with the WoC, organized a forum last year with eight universities to discuss ways of preventing sexual harassment on campus.

For details of the game plan proposals please check out the EOC website  
<http://www.eoc.org.hk/EOC/HTML/Eng/GameDesign.htm>



The enthusiastic teams demonstrated fun and interesting games to promote the concept of gender equality and gender awareness.

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## **Come and Join our "EO Through Your Eyes" Photo Exhibition**

**Come and Join our**

### **"EO Through Your Eyes" Photo Exhibition**

What does equal opportunity mean to you? Close to 600 entries were submitted to the "Equal Opportunities (EO) Through Your Eyes" Photo Competition co-organized by the EOC and Commercial Radio, of which more than 40 entries came from mainland China and overseas. To find out how the aspiring photographers captured the essence of equal opportunities, come and join our photo exhibition.

**Date : 6 - 15 August 2005**

**Venue : Lobby, 1/F., Central Plaza, 18 Harbour Road, Wan Chai, Hong Kong**

**Time : 10:00 am to 7:00 pm**

**Enquiries : 2511-8211**

The photo competition promoted gender equality, inclusion of persons with a disability and equal opportunities of persons with family status. Our adjudicators were Mr. Raymond Tang, Chairperson of the EOC; Ms. Ko Po-ling, Ex-Convenor of the Public Education and Research Committee of the EOC; Ms. May Chan,



Chairperson of the Hong Kong News Executives' Association (HKNEA) and Director of News and Public Affairs of Commercial Radio; Mr. Water Poon, renowned photographer and Mr. Leo Lam, President of Hong Kong Rehab Power.

The adjudicators selected the winning entries based on creativity and quality.

### **Open Division**



Champion : Lee Sai-ho  
"Racing Together - athletes with visual  
impairment  
and guide runners working in tandem"



First Runner-up : Au Cheong-chuen  
"Road to Equal Opportunities"



Second Runner-up : Adeline Ko  
"We Are All Together"



Second Runner-up : Ke Bing  
"Gender Equality Contributes to Social  
Harmony"

## Youth Division



Champion : Wong Chun-sing  
"Equality Irrespective of Disability"



First Runner-up : Leung Wai-ting  
"The Joy of Sports"



Second Runner-up : Shing Ho-chi  
"A Tank in the City - a wheelchair  
aid helps users access the MTR"



Second Runner-up : Wong Chung-kwan  
"Hand in Hand to Build a Brighter Future"

**Professional Photographer Division**





Champion : Cheng Ping-hang  
"I Can Feel It Too"



First Runner-up : Ng Sze-wai  
"No Barriers"



Second Runner-up : Cheng Ping-hang  
"Sharing Family Responsibilities"



Second Runner-up : Fu Chun-wai  
"Everyone Can Contribute"

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# Disability Discrimination Case - Convenience Store So Inconvenient

## Disability Discrimination Case

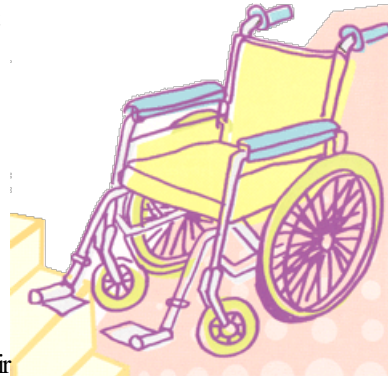
### Convenience Store So Inconvenient

#### The Complaint

"I'm just a mere step away from the only convenience store in my neighbourhood, but I can't get in by myself!" Mr Wong complained. Mr Wong, a wheelchair user, was totally frustrated by the discrimination he faced every time he tried to shop in his corner store.

Mr Wong found his local convenience store really inconvenient for wheelchair users. The entrance of the store was built on an elevated platform one foot high. Without a ramp at the entrance, he had to get help from the shop assistant or other shoppers in order to patronize the store.

"The owner of the convenience store should be responsible for improving the accessibility for all customers. It's not only for my benefit, but also for other wheelchair users and those pushing baby strollers. By just installing a ramp, they will attract more business."



#### What the EOC did

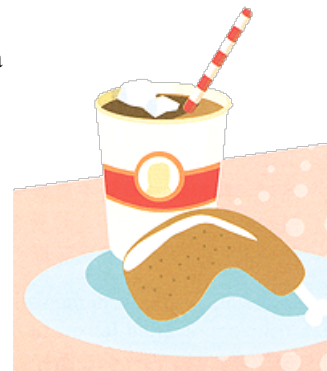
Upon receipt of Mr Wong's complaint, the EOC investigator first examined the building plan of the premises, and realized that there used to be a purposely-built ramp at the entrance of the shop.

Then, the investigator approached the owner of the convenience store. "The ramp was removed by the ex-tenant. We wanted to rebuild it at another location in order to match the design of our store. But the property management did not permit us to do so because of certain technical difficulties." The shop owner continued, "More importantly, I think the landlord of the premises should also be responsible for the re-installation of the ramp."

The landlord of the premises responded, "We were unaware that the preceding tenant had demolished the ramp. But we are willing to rectify the problem together with the incumbent tenant." The three parties agreed to proceed to conciliation, and a permanent ramp was finally installed at the entrance of the convenience store.

#### What the law says

Under the Disability Discrimination Ordinance (DDO), it is unlawful to discriminate against a person on the ground of disability in the provision of access to premises that the public is entitled to enter. In Mr Wong's case where the original ramp of the premises had been demolished, both the landlord and the tenant were liable for disability discrimination. Joint efforts made by the two respondents proved to be an efficient and effective resolution to improve accessibility.



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# Sex Discrimination Case - Zero Tolerance

## Sex Discrimination Case

### Zero Tolerance

#### The Complaint

"My high school teacher warned us that sexual harassment can happen to anyone, anytime and any place. But I never thought that it could happen to me. Soon after I had graduated from high school, I joined a servicing company as a temporary customer service assistant, with a half-year contract. Being a new member to the company, I was glad to be working closely with Mr. Wong who had taught me a lot about the job. He was very experienced and had worked for the company for a long time," said May, the complainant.



"The first few weeks were my honeymoon period, as everything went very smoothly. However, his attitude gradually changed. He started to stare at me, which made me uncomfortable. I began to avoid him," May continued.

But, May's plan soon failed. "On several occasions when there was nobody around, he touched my face, my head and my hands. I could no longer bear it and lodged a complaint with my immediate supervisor. However, she commented that it was just a trivial matter and I should concentrate on my work. I was very disappointed," May recounted her trauma. She left the company when her contract ended.

#### What the EOC did

May lodged a complaint with the Equal Opportunities Commission (EOC) against her colleague Mr. Wong for sexually harassing her, and against the company for being vicariously liable for the unlawful act of its employee Mr. Wong. May was frustrated by the irresponsible and evasive attitude of her supervisor.

Upon receipt of the complaint, the EOC contacted Mr. Wong who denied all allegations. However, he did admit that he might have treated May too much like his own daughter. This might have caused some misunderstanding, but he stressed he never had any intention of hurting May. After several rounds of negotiations, Mr. Wong agreed to write May an apology letter.

As for the servicing company, the company representative agreed to conciliate by offering another short-term contract to May.



#### What the law says

Sexual harassment includes any unwanted and uninvited sexual behaviour which a reasonable person would anticipate would offend, humiliate or intimidate the recipient of that behaviour. Under the Sex Discrimination Ordinance, sexual harassment in employment is unlawful.

It is worth noting that, although an employer might not encourage any act of sexual harassment, or may have no knowledge of it, the employer may nevertheless be held vicariously liable for the unlawful act of an employee, unless the employer can prove that all reasonably practicable steps have been taken to prevent such an act from taking place.

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## EO Reaches the Community

### EO Reaches the Community

Building capacity to foster equal opportunities values since 1997, the EOC has provided funding to over 450 non-governmental organizations, community groups and schools to initiate their own projects to promote the message of equal opportunities. This year the Community Participation Funding Programme has again attracted large groups of participants, and the EOC would like to thank all project organizers for their tremendous efforts!



Kids enjoy learning something new - sign language!



Performing together -children with and without a disability.



Building a better tomorrow...a new mural depicting "Equal Opportunities for All".



Breaking gender stereotypes to widen horizons!



Fun and games - knowing more about developmental disabilities through play.





What's happening? Students are blindfolded to experience difficulties faced by the visually impaired.



EOC 9th Anniversary Celebrations! Students and teachers from the John F Kennedy Centre joined EOC Members in front of the "Colourful World for All" mural the students created back in 1997 to mark the Commission's 1st anniversary.

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## Around the World

### Around the World

#### Scotland makes it a crime to prevent public breastfeeding

Scotland is to become the first part of the UK where it will be a criminal offence to prevent a mother from breastfeeding her child in public. Shops, restaurants, bars and buses face £ 2,500 fines for breaking the new law.

The measure is a Private Member's Bill sponsored by a Member of the Scottish Parliament Elaine Smith, who decided to launch the legislation after learning of an incident where a woman was put off a bus while attempting to breastfeed her child.



Information Source :

<http://www.timesonline.co.uk/article/0,,2-1364979,00.html>

#### Iraqi women set to make history in Arab politics

Iraqi women take almost one-third of seats in the new national assembly following the country's recent elections, bringing about a situation unprecedented in Arab politics. Women have taken 86 of the 275 seats thanks to a new quota system. The country's law stipulates that women must make up at least 25% of the national assembly.

Council Member Mahmud Othman admitted that it was a new experience and men will have to make particular efforts to ensure that women's presence in parliament is not just decorative, but effective.

Information Source :

<http://www.middle-east-online.com/english/?id=12689>

#### US EEOC wins \$8M verdict for blind worker

An \$8 million verdict for the U.S. Equal Employment Opportunity Commission (EEOC) in a lawsuit alleging that EchoStar Communications Corp., a provider of advanced digital television services based in Colorado, violated the Americans with Disabilities Act of 1990 (ADA) when it refused to provide reasonable accommodation in the application process or in the job to Dale Alton, a qualified blind employee.



The verdict awards \$2,000 in back pay, \$5,000 in compensatory damages, and \$8 million in punitive damages for Mr. Alton. The ruling reminds employers that refusing to accommodate individuals with disabilities can be costly and employers must remember that disability does not mean inability.

Information Source :

<http://www.infozine.com/news/stories/op/storiesView/sid/7611>

## **Ghana considers ways to help students with a disability**

The University of Ghana, in Legon, is exploring ways of creating an enabling environment for students with a physical disability to cope with the academic activities on campus.

Dr Vladimir Antwi-Danso, Dean of Students says the policies include extending examination time and creating accessible centres for students with special needs. A charity fund has just been set up to support these students in cash or in kind including computers, tape recorders and Braille machines. Backed by the University's Vice Chancellor, all existing and future buildings will be made disabled-friendly.

Information Source :

<http://allafrica.com/stories/200504110986.html>

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## EOC Visitors

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Students, judges, lawyers, academics, doctors and government officials from the Mainland and around the world visit the EOC for a closer look at Hong Kong's anti-discrimination laws.

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## Events Calendar

**社區活動巡禮**  
**Events Calendar**

**「邁向新里程」離異家庭  
生活適應課程**  
Training Course for Single Parents  
23/8/2005 - 27/9/2005  
勵智社婦女義工訓練  
Volunteer Training Programme for Women  
9/9/2005、23/9/2005 (14:30 -16:30);  
18/7/2005、26/9/2005 (14:00 - 15:30)  
香港家庭福利會  
Hong Kong Family Welfare Society  
2771 1891

**社區共融活動計劃 —**  
義工訓練、網頁設計比賽、展覽、演藝  
活動、探訪及才藝表演  
"An Inclusive Society for All"  
Campaign 2005/06 —  
Volunteer Training, Website Design  
Competition, Exhibitions, Variety Shows,  
Visits & Performances  
5/2005 - 3/2006  
心理衛生會  
Mental Health Association of Hong Kong  
2528 0196  
www.mhahk.org.hk

**讀寫障礙學童家長  
支援小組分享會**  
Sharing Sessions – Support Group for Parents of  
Children with Dyslexia  
持續活動  
On-going Programme  
基督教靈實協會家庭生活教育組  
Haven of Hope Christian Service Family Life Education Unit  
2704 5511

**殘疾人士科技回家工程 —  
電腦回收行動**  
Computer Recycle Plan to  
Benefit Persons with Disabilities  
全年活動  
A Year-round Project  
香港傷健協會  
Hong Kong PHAB Association  
2551 4199

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