Apr 2010 Issue No. 52

Message from the Chairperson - My Vision

MESSAGE FROM THE CHAIRPERSON



EOC Chairperson Mr. Lam Woon-kwong attending a community event

My Vision

Earlier this year, I attended a meeting of the Panel on Constitutional Affairs of the Legislative Council where I expressed my vision and mission as the new Chairperson of the Equal Opportunities Commission (EOC).

My vision is very clear. The EOC should be a defender of equal opportunities and human rights, always voicing out our views on various discrimination issues. Under the four equal opportunities ordinances, we would do our best in carrying out our statutory duties of investigation, conciliation and legal assistance with the goal of assisting people who have experienced discrimination. We also have the important moral obligation of being a strong advocate on other discrimination issues which are not covered by the existing legislation.

I will be at the forefront to actively promote equal opportunities and directly communicate with our stakeholders. We will collaborate with all sectors to mainstream the idea of equal opportunities in Hong Kong.



To effectively implement our anti-discrimination work, the EOC needs the support of members of the public, the Legislative Council as well as the Government. Although most of our resources come from the Government, the EOC has always operated independently as an autonomous statutory body. We act independently within the confines of the law to seek redress for aggrieved persons and will not be subject to undue influence or pressure.

No matter who the discriminator is, we will act impartially - including cases involving the Government.

Recently, there have been news reports on incidences of racial discrimination in Hong Kong. For me, this was another reminder of the enormous challenge ahead and how important our mission is.

Providing equal opportunities for aggrieved persons does not only achieve social justice, it also realizes the important principle of meritocracy and ensures progress and achievement for the entire society. The continuing success of Hong Kong depends on whether the talents of all individuals are fully utilized. Equal opportunities laws facilitate the creation of a level-playing field where everyone has equal and fair access to fulfill one's potential.

It is no easy task to change mindsets and attitudes, but we will be proactive and empathetic in engaging stakeholders. Suggestions and comments from all sectors are always welcome.

The EOC will move to a more open mode and make our operations more transparent. Working closely with all our partners, we will try our best to eliminate discrimination and advance equal opportunities at all levels.

This article has been uploaded to the EOC webpage "Things We Do, People We Meet". For more articles or speeches on equal opportunities issues, please click view the EOC website.

http://www.eoc.org.hk



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Consultation Now Open - Revised Code of Practice on Employment under the Disability Discrimination Ordinance

The codes of practice (CoP) on employment under the anti-discrimination ordinances, except for the Race Discrimination Ordinance, issued by the Equal Opportunities Commission (EOC) have been in use for more than ten years. With the increase in awareness among the public about the law, the number of complaints related to employment have increased over the years. Particularly in the employment field, the issue is no longer about complying with the law but rather about the implementation of equal opportunities in the organization for better fulfillment of corporate social responsibility.



In keeping with these developments and equipped with the enforcement experiences accumulated over a decade, the EOC has undertaken to revise the CoPs on Employment with the CoP under the Disability Discrimination Ordinance (DDO) leading the exercise. The practical guide interprets important concepts in the DDO in greater details and makes suggestions on good employment practices.

The public consultation period will last for 3 months until 8 July 2010. Copies of the draft CoP are made available to public in Chinese, English and six other ethnic minority languages, namely Hindi, Indonesian, Nepali, Tagalog, Thai and Urdu for comments. They are obtainable from Public Enquiry Service Centres of the Home Affairs Department, the EOC office, and on the EOC website.

Public Consultation Meetings on the Revised Code of Practice on Employment under the Disability Discrimination Ordinance

會議場次* Meeting No.	日期 Date	時間 Time	地點 Venue	地址 Address	語言 Language
1	2010年4月17日 (星期六) 17 April, 2010 (Saturday)	上午11時至 下午1時 11am – 1pm	香港社會服務聯會202 室 Room 202, The Hong Kong Council of Social Service	香港還仔軒尼詩道15號 溫莎公爵社會服務大厦 Duke of Windsor Social Service Building, 15 Hennessy Road, Wanchai, HK	廣東話(現場備 有手語翻譯) Cantonese (Sign language interpretation available)
2	2010年5月8日 (星期六) 8 May, 2010 (Saturday)	下午2時半至4時半 2:30 - 4:30pm	技能訓練中心(觀塘) 禮堂 Hall, Skills Centre (Kwun Tong)	九龍觀塘道487號 487 Kwun Tong Road, Kwun Tong, Kowloon	廣東話 Cantonese
3	2010年5月22日 (星期六) 22 May, 2010 (Saturday)	下午2時半至4時半 2:30 - 4:30pm	平等機會委員會 會議室 Conference Room, Equal Opportunities Commission	香港太古城太古灣道14號 太古城中心三座19樓 19/F, Cityplaza Three, 14 Taikoo Wan Road, Taikoo Shing, HK	英語(廣東話即 時傳譯) English (Simultaneous Interpretation in Cantonese)
4	2010年6月12日 (星期六) 12 June, 2010 (Saturday)	下午2時半至4時半 2:30 - 4:30pm	明愛樂進學校禮堂 School Hall, Caritas Lok Jun School	新界沙田大園文禮路39號 39 Man Lai Road, Tai Wai, Shatin, N.T.	廣東話 Cantonese

報名表格 Enrollment Form

傳真號碼 Fax Number	:	2877 7600 電郵 Email: karentang@eoc.org.hk	1
地址	:	香港太古城太古灣道14號太古城中心三座19樓	1
Address	:	19/F, Cityplaza Three, 14 Taikoo Wan Road, Taikoo Shing, Hong Kong	

本人報名參加第 1 / 2 / 3 / 4 * 次的諮詢會議。(請圈出 閣下選擇的場次) I would like to participate in Consultation Meeting No. 1 / 2 / 3 / 4*. (Please circle your chosen meeting number)

	機構名稱 (如適用) Organization (if applicable)	電話 Telephone	修真 Fax	電郵 Email address
1				
2				
3				

請註明參與會議所需的特別安排 Please indicate the special arrangement required

□ 手語翻譯 Sign Language ロ 點字體印刷 Braille Print ロ大字體印刷 Larger Print

□ 朝助龍力儀器 Assistive Listening Device □ 無障礙交通服務 Accessible Transport Arrangement □ 其他語言翻譯 Language Interpretation □ 其他 Others:_____

請填妥報名表格,以郵遞、傳真(號碼: 2877 7600)或電郵(karentang@eoc.org.hk)方式交回平等機 會委員會。名額有限,報名從速,請 閣下盡量以傳真或電郵報名,以便及早預留座位,大會將會以電 郵或電話通知參加者有關詳情。

Please complete the enrollment form and return it to us by post, fax (fax number: 2877 7600) or email (karentang@eoc.org.hk). Places are limited and are available on a first-come, first-served basis. Registration by fax or email may help you secure a place earlier. Bookings will be confirmed by telephone or email.

Enquiries: 2511 8211

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Realizing the

Impossible

Dream

The EOC's annual youth mentorship programme "Career Challenge", which underlines the importance of breaking down stereotypes to achieve personal goals, is running for the eighth year. Each year, about 500 students in average from 80 schools would participate in this programme since its launch in 2002. Participating students were able to broaden their horizons after joining mentors' sharing sessions or visiting special agencies. In 2009/10, we invited eight outstanding achievers from different professions to serve as Career Challenge Mentors, and share with us their success stories of breaking down barriers and living their lives to the fullest.

Mr. Bernard Chan, Chairperson of the Hong Kong Council of Social Service

Mr. Bernard Chan was originally an economics major in university. Later, he was diagnosed of vasoconstriction. Since he had to visit hospital frequently, he could not attend classes regularly. To allow himself flexibility to study and complete assignments, Mr. Chan gave up economics and took up art. He said, in those days, he tried to distinguish his work by using a drawing method that had never been used before. He tried using correction fluid to draw and it turned out to be



must be more innovative and make more efforts to excel ourselves. Mr. Chan said there are now 5 artificial blood vessels in his body and he has to take 5 types of medicine every day. He exercises two hours every morning to maintain his good health so that he is capable of handling all his daily tasks.

Focus not Just Yourself, But also on Others

Ms Caroline Mak said she had to earn a living from a very young age and started working fulltime after graduating from Form 5. In a pursuit for higher education, she attended evening schools continuously after work. Caroline is glad that she was able to work for many growing companies, which allowed her talent to flourish and provided her with opportunities



to get promoted. In her journey from a typist to the chief executive officer of a large corporation, Caroline said her motto of success came not from any famous person but her mother. Her mother said, "Life is like making a door –make sure you can go through the door and so can others". It means we have to be considerate and objective and we need to put ourselves in other people's shoes. Caroline mentioned that no one can take up all the tasks at work and advised everyone to prioritize work according to the importance and learn to delegate. No wonder she admires the former US President Ronald Reagan who is well known for identifying the right persons for the right jobs.

Mr. Raymond Tang, Former Chairperson of the Equal Opportunities Commission

The Road to Equal Opportunities



Mr. Tang explained the meaning and importance of equal opportunities to his audience, "We are from different backgrounds and of var y ing abilities. Everyone is unique. We have to ensure access to equal opportunities so that everyone can achieve their full potential." Mr. Tang shared his experience of charting life into 3 phases. He used his first 25 years to study hard, the second to work hard and build a career, and the third to reap the harvest and also to pay back to the community.

Ms Anna WU Lai-fong, Senior Station Officer of the Fire Services Department

No Take Two for Life

On 8 March 2010, the International Women's Day, Ms Anna Wu (Madam Wu) shared how she overcame all obstacles to become the first female Senior Station Officer in Hong Kong. She recalled that she was a sickly child and not physically fit in youth. She even contracted meningitis and tuberculosis in her teens. Madam Wu decided to overcome her illnesses and exercised a great deal to train for a healthy body. She pointed out that men may have advantage in



physical fitness over women but women have better muscle flexibility. In one of the rescues she talked out a stressed woman from jumping out of a building with her soft and empathetic approach. The incident convinced her that female firefighters also have their own edge. In the morning of her mentorship session a fireman died while battling a blaze. Madam Wu was saddened by the accident, but told the students that the value of life does not lie in its length but in our doings - whether we have done anything worth to be proud of when we are alive.

Mutual Acceptance - Key to Racial Harmony

Stand-up comedian Mr. Vivek Ashok Mahbubani kicked off the 2009/10 Career Challenge Youth Mentorship



Programme. Vivek poked fun at his own appearance saying that he may look like one of the terrorists in movies and this could be the reason why he is always stopped by the police to check his identity. He does not mind getting checked and always maintains a very positive attitude. When he turned all these "anecdotes" into jokes, everybody burst into laughter. Vivek believes that mutual respect is the key to racial harmony. He feels lucky that his parents urged him to learn Cantonese from childhood as they believe that the best way to integrate into a society is to learn the local language.

Mr. Bennet Ha, Developer of "Windows Light" Screen Reading Software

"Windows Light" Brings Hope

Mr. Bennet Ha lost his sight to illness at the age of two. He shared his life experience with the mentees at his alma mater Ebenezer School for the Visually Impaired where he also met the current students of the school. Mr. Ha works very hard not just to prove that he can excel but also to change public perception and show that persons with visual impairment can also lead a productive life. Fueled by determination, he developed a new screen reading software "Windows Light", which outputs speech in English, Cantonese and Putonghua, and allows users with visual impairment read text in Braille. He urged the students of the Ebenezer School to work hard and took the opportunity to encourage others to give more chance to those with visual impairment. He is glad to have studied in two mainstream schools— St.



Paul's College and St. Stephen's Girls' College—where he could study together with the normal sighted classmates. With the support and encouragement from teachers and fellow classmates, he studied hard and was admitted to the University of Hong Kong. After graduation, he worked for the Hong Kong Government as an Executive Officer II and retired after 25 years from the position of Chief Executive Officer.

Dr. Camoes Tam Chi-keung, News Commentator/Host/Adjunct Professor

Critical and Judicious Thinking

Adjunct Professor and News Commentator Dr. Tam pointed out that objectification of women in media portrayal would lead to gender stereotyping and affect women in a negative way, and he emphasized the importance of critical thinking when reading media reports. He said it was difficult to convey a message from China to Europe a hundred years ago. It



usually took 30 months. Nowadays, messages can be transmitted worldwide within a few seconds. However, in the era of information explosion we frequently receive some unwanted information, of which, some are even harmful to us. As a result, we must analyze what we learn through judicious thinking so that we would not be misled. He advised those who want to take up journalism to learn more about news ethics so as to report news in an accurate and neutral manner.

Dr. Ting Sik-chuen, Chairman of the Hong Kong Society of Psychiatrists

Living with Learning Difficulties



As a child with dyslexia, Dr. Ting tried to learn Chinese by memorizing ancient Chinese poems and by taking part in recitation competitions where he nurtured confidence. Dr. Ting said students with dyslexia can start with short passages, such as "Aesop's Fables", which tell meaningful stories with simple English. He admitted that he had often misspelled some long and difficult medical terms, but fortunately his university professors allowed him to take oral examinations. He believes that schools should provide reasonable ac commodat ion for students with special needs, so as to enable them to enjoy equal opportunities in learning.

Video Highlights :



Please log on to the EOC website to view the photos, clips and highlights of the sharing sessions: http://www.eoc.org.hk/eoc/OtherProject/eng/color/

youthcorner/programmes/careerchallenge2009/ sharing.html

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Understanding Cultures

Understanding

Cultures



EOC

news

香港約有百分之五人口為少數族裔人士。雖然我們與他們的長相不同,但他們與大部份市民一樣,以香 港為家。現在,讓我們多認識這些可能彼此為鄰、共事或交往的朋友吧……

About 5% of people in Hong Kong are ethnic minorities. While our appearance may be different, they see Hong Kong as their home just like everybody else. Let's learn more about them who could be our neighbours, colleagues or friends.



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EO Club Corner: Practical Guidelines on Preventing Race Discrimination in the Workplace

EO CLUB CORNER

Practical Guidelines on Preventing Race Discrimination in the Workplace



Since the Race Discrimination Ordinance (RDO) and its Code of Practice (CoP) on Employment came into full effect in July 2009, the EOC has been organizing briefing sessions on the provisions of the law and the CoP for EO Club members, who are mostly human resources practitioners. The CoP provides practical guidelines for employees on preventing racial discrimination as well as promoting racial equality in the workplace.

Referring to the specific sections of the ordinances, the speakers at the briefing sessions elaborated on various scenarios which may or may not constitute discrimination. Citing an example of an employer refusing to hire an applicant because of his/her inability to read and write Chinese, the speakers referred to the CoP and reminded employers to include language requirements only when it is essential to the performance of the job. They must ensure that any language requirement (including academic qualification, fluency and accent requirement) for a job is relevant to and commensurate with the requirements of the job.

The speakers pointed out that where the workforce includes people who are not proficient in Chinese, employers should put in place an effective method of communication to ensure that essential information (such as health and safety) and other matters relevant to their employment are made clear to them.

Responding to a question related to religion such as making alternative food arrangement for Muslim colleagues who do not eat pork, the speakers explained that although the RDO does not cover religion, requirements or conditions having an impact on people's religious practices may indirectly discriminate against certain racial groups, and when this is so the RDO applies. For instance, if an organization has a canteen that serves food to all staff but serves pork only despite having Muslim staff who can't eat pork due to religious reasons, then the Muslim staff would be disadvantaged and this could be considered indirectly discriminating against a certain racial group whose members are mostly Muslim. It is therefore advisable for the organization to provide food choices for its employees.

To learn more about the employment related provisions of the RDO, please refer to the CoP which explains the law in simple terms with cases and examples. It is obtainable from the EOC office and its website.



http://www.eoc.org.hk/eoc/GraphicsFolder/cops1.aspx?cops_type=rdo



加入「平等機會之友會」

「平等機會之友會」為僱主、人力資源從 業員、職場培訓員和負責平等機會事宜的 工作人員建立網絡平台,並向他們提供 資訊、培訓及專業意見。會籍由七月起生 效,如欲申請加入,請致電2106-2155與 張小姐聯絡。

Join the EO Club

The EO Club offers information, training and advice to a wide network of employers, human resources practitioners, workplace trainers and equal opportunities officers. The membership year starts from July. If you wish to join the EO Club, please call us at 2106-2155 (Ms Cheung).

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DISABILITY DISCRIMINATION CASE

Discriminatory Seating Arrangement



The complaint

The complaint Mr. Lee, who is blind, went travelling with his friends. Some of them were also persons with visual impairment. They took a flight to and from Hong Kong and requested the check-in staff to give them seats together so that the ones without visual impairment could offer help to those with visual impairment. However, after they boarded the plane, the cabin crew requested all those with visual impairment to change their seats and sit next to the windows without giving reasons. Mr. Lee and his friends were then scattered during the flight and the visually impaired passengers were left alone.

Mr. Lee was upset and frustrated. He felt that he and his friends were treated unfairly because they were deprived of their right to sit together due to their visual impairment, leaving some of them unaccompanied. Later, Mr. Lee lodged a complaint of disability discrimination against the airline with the Equal Opportunities Commission (EOC).

What the EOC did

Upon receiving the complaint, the EOC's case officer contacted both Mr. Lee and the airline. During the conciliation meeting, the airline representative said that the concerned staff made the changes because he thought it was the requirement under the Civil Aviation Department (CAD)'s guideline on passenger safety, but the representative admitted that that "window seat arrangement" for persons with visual impairment was not specified in the guideline and it was the company's own interpretation. Both parties opted for early conciliation and the airline agreed to offer a few short trip air tickets for free to the affected passengers. The case was settled amicably.

What the law says



Under the Disability Discrimination Ordinance, it is unlawful to discriminate against a person with

disability in the terms or conditions on which to use the services and facilities (DDO, Section 26). People with visual impairment have the same rights as those without impairment to choose their companion and seats during flights, subject to the availability of seats. In this case, the airline, being the service provider, should have ensured that the policies they implemented would not result in less favourable treatment for customers with disabilities. Considering that the aggrieved passengers had visual impairment, cabin crew should have been sensitive towards their needs to sit next to a companion. It would



be advisable for service providers to provide sensitivity training to staff who deal with people with different needs.

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New videos Online





Education Changes Life

All parents want to do their best to prepare their children for a good future and hope that they will succeed in life. What are the hopes and expectations of parents and teachers of students with intellectual disabilities (ID)? Do only students with good academic results deserve a better chance for education? How about the ID students? Check out our latest video "Education Changes Life" where ID students, their parents and educators share their stories of fighting for equal access to education while showing us their abilities and potentials.



www.youtube.com/user/hkeoc

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RACE DISCRIMINATION CASE

Unlawful Act of Inciting Hatred Through the Internet



The complaint

Ms. X, a South East Asian national, came across racially derogatory and demeaning remarks, such as "swine" and "meaner than dogs", targeted at the people of her nationality while surfing a discussion forum at a website.

Ms. X felt humiliated and lodged a complaint of race discrimination against the website company with the Equal Opportunities Commission (EOC) as the company had allowed its members to post the remarks which could incite hatred towards people of her race.

What the EOC did

The EOC case officer investigated into the matter and sent a letter to the website company informing it about the complaint. The company replied that its forum master was unaware of the derogatory remarks. The website company, however, immediately removed the comments from the discussion forum. The case was quickly settled as the company agreed, shortly after a discussion with the EOC, to post a notice reminding users and members that it is against the Race Discrimination Ordinance (RDO) to post racially derogatory remarks. It also reminded its members that the company would delete the message and deactivate the account of its members if they post unlawful discriminatory remarks.

What the law says



Under S45 of the RDO on the subject of vification, it is unlawful for a person (in this case the writer who has written and posted the derogatory remarks), by any activity in public, to incite hatred towards, serious contempt for, or severe ridicule of, another person or members of a class of persons on the ground of the race of the person or members of the class of persons. There is a similar legal provision on the subject of vilification under the Disability Discrimination Ordinance (DDO). Under S46 of the DDO, it is unlawful to incite hatred towards, or serious contempt for persons with disabilities.



Under S48 of the RDO, the website company could be seen as aiding the unlawful act if it allowed its members to post such remarks.

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Equal Opportunities Diversity Project



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Around the World

Around the World

England

Walking Tall – The Baby Blade Walker

A British girl who lost her hands and lower legs as a toddler is now able to walk and even run on prosthetic blades. The carbon-fibre made prosthetic blades, produced in England which is also used by leading "blade runners" in the Paralympic Games, was tailor-made in a junior version for the girl. Despite the teething troubles in balancing, the 5 year-old English girl has become the youngest person in the world to be fitted with the blades. Her successful case has raised hope among other kids with physical disability.



Information source:

http://www.dailymail.co.uk/health/article-1169147/The-baby-blade-runner-Walking-tall-little-girl-youngest-given-hi-tech-legs.html

USA

People, Who are Blind, can Drive

In the USA, the Virginia Tech College of Engineering has developed a test car that enables people with visual impairment to drive unassisted. Equipped with laser range sensor and an instant voice command interface, the vehicle provides information on speed and direction by vibration and sound. The intensity of vibration of the motor attached to the seat strap indicates the speed while audible clicks sent through headphone guides the driver on steering. Also, the vehicle features an emergency stop function when its speed exceeds the safety limit.



China

Films for All

A studio in Shanghai has recently released up to 7 "audio" films with special features which address the needs of the audiences with visual and hearing impairment. Popular films are edited as necessary and narrations describing the scenes are added in between the original dialogues, thereby enabling the audiences to understand the non-auditory aspects of the movies. Audiences, who are blind, can now enjoy these barrier-free films for free at the public libraries or through a free delivery service. The studio plans to produce 10 more movies this year.



Information source:

http://english.people.com.cn/90001/6636951.html

Timor-Leste

National Education Campaign on Gender Issues

Supported by the UNIFEM, the Office of the Secretary of State for the Promotion of Equality (SEPI) in Timor-Leste has launched a national public education campaign on gender issues. In the country's remote districts, a series of gender training have been carried out to educate the participants about the new domestic violence legislation. Realizing that women usually become victims of domestic and sexual violence, the national campaign aims to help in easing the widespread problems by educating the women about their legal rights.



Information source:

http://www.unifem.org/news_events/story_detail.php?StoryID=1001

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