

EQUAL OPPORTUNITIES PRACTICE AT WORKPLACE

A. PURPOSE

To state the policy statement of our company and serve as a guideline for staff members with the enforcement and implementation of Sex Discrimination Ordinance, Disability Discrimination Ordinance and Family Status Discrimination Ordinance at workplace.

B. POLICY STATEMENT OF DRAGONAIR

1. Dragonair will fully comply with the ordinances and codes of practice issued by the Equal Opportunities Commission (EOC).
2. Dragonair will observe its compliance with the respective local ordinances at its outpost offices.
3. Dragonair will maintain the equality and fairness to its applicants and employees.
4. Dragonair will select and treat its applicants and employees with consistent selection criteria and not by irrelevant considerations.
5. Dragonair will be responsible for eliminating any kind of harassment in workplace.
6. Dragonair will take initiative to deal with any issues of discrimination.
7. Dragonair will educate employees how to apply equal opportunities at workplace.

C. DEFINITIONS

The definitions of direct discrimination, indirect discrimination, harassment, victimization and vilification are quoted from the Codes of Practice on Employment issued by the EOC as follows:

- ◆ Direct discrimination means treating a person less favourably than another person in comparable circumstances.
- ◆ Indirect discrimination consists of applying the same treatments but is in practice discriminatory in its effect.
- ◆ Harassment means unwelcome conduct towards a person, or his/her associate, in circumstances where a reasonable person would have anticipated that the harassed person would be offended, humiliated or intimidated.
- ◆ Victimization arises where a person treats another person less favourably than other persons in comparable circumstances because the person victimized or a third person has done or intends to do, or is suspected to have done or to intend to do the proceedings as stipulated in the discrimination.
- ◆ Vilification means any “activity in public” to incite hatred towards, serious contempt for, or severe ridicule of, a person.

D. GENERAL GUIDELINE

As a fair employer, Dragonair provides equal opportunities for all its applicants and staff members on employment-related issues. Some good management practices are suggested as follows:

1. Adopt consistent selection criteria in all areas including recruitment, benefits, promotion, transfer, training and termination etc.
2. Apply measurable standards on job performance evaluation.
3. Guard against making assumptions in general about the abilities of applicants or employees on discriminatory grounds.
4. Avoid requesting irrelevant personal data which could lead to discrimination in recruitment process.
5. Provide any reasonable modification or adjustment to a job, an employment practice, or the working environment that makes it possible for an individual with a disability to enjoy equal employment opportunity.
6. Ensure employees will not be discriminated in their pay or benefits. Pay variance shall only be due to difference in job performance, individual educational qualification, working experience, company policy and situation and other conditions as set out in the Ordinances.

We shall not discriminate directly or indirectly, or harass, victimize, vilify any applicants or staff members on the ground of sex, pregnancy, marital status, family status, disability, age, race and / or other areas specified by the EOC.

E. NOTICE TO EMPLOYEE

Employees at all levels have the responsibilities to eliminate discrimination, harassment, victimization and vilification, especially when you are acting as a representative of Dragonair. This can promote the best interests of both Dragonair and you. The following guidelines will help you to uphold the principles of the relevant Ordinances:

General Practices

1. No single group, including but not limiting to sex, will be treated more favourably than the other.
2. All information relating to the disability of staff will be kept confidential.
3. Our company will maintain non-discriminatory employment practices.
4. Prevent any unwanted or uninvited behaviour, which a normal person regards as offensive, humiliating or intimidating.

Grievance Procedures

In case of any discrimination, vilification or harassment, staff members shall report to their department heads and / or General Manager – Personnel. Every reported incident will be thoroughly and promptly investigated in a confidential manner. Management will respect the confidentiality and sensitivity of all persons involved in the incident and take appropriate corrective actions ranging from counseling to termination of employment.

F. NOTICE TO ADMINISTRATORS / DEPARTMENT HEADS

As a fair employer, Dragonair provides equal opportunities for all applicants and staff members in all employment-related matters in which “consistent selection criteria” are adopted in all areas including recruitment, benefits, promotion, transfer, training and termination, etc.

RECRUITMENT

All recruitment decisions should be made on the basis of consistent selection criteria, which should be the inherent requirement defined according to the skill and knowledge required for a particular position. Therefore, each individual will be assessed according to his or her capabilities to carry out a given job and will not be judged by irrelevant considerations. For example, we should not assume that only men or only women are able to do certain kinds of work except for those where sex is a genuine occupational qualification.

Advertising

1. Ensure the contents of advertisements are based on consistent selection criteria in order to encourage applications from suitable applicants of both sexes, regardless of disability or family status etc.
2. Ensure all advertising materials and accompanying literature relating to employment do not present any sex or persons with disability or family status in stereotypical roles.
3. Replace titles with sex implications by gender-neutral ones, or pair them with the other sex equivalent.
4. Avoid requests for photographs at the initial application stage but such request can be made at the interview stage for identification purpose.

Shortlisting

1. Use consistent selection criteria as the basis for shortlisting to measure the corresponding experience and capability of each applicant.
2. Guard against making assumptions in general about the abilities of persons on any ground of discrimination.
3. Train the staff who involve in recruitment to avoid generalization and discrimination and to use objective comparisons when shortlisting.

Vetting Applications

1. Avoid questions on application forms which could lead to discrimination on any grounds.
2. Only job-related information on disability and medical history be requested.
3. Process application forms of any one group of candidates the same way as to process applications of the other.

Interviewing

1. Ensure all the staff who involve in interviewing adopt non-discriminatory practice.
2. At interviews, only ask questions related directly to the essential requirements of the job.
3. Where it is necessary to assess whether personal circumstances will affect performance of the job, ensure that interviewers discuss this objectively without questions about marital and family status, child care arrangements or children and domestic obligations.
4. Candidates with a disability should be permitted to use auxiliary aids or other assistance during the interview process.
5. Interview processes should be flexible and adjusted to the special needs of applicants with a disability.
6. Rather than making assumptions, interviewers should ask if the applicant would have any special needs to enable him or her to meet the inherent requirements of the job.
7. Interviewers shall record, immediately after the interview, the assessment which shall be based on the applicant's ability to meet the consistent selection criteria. This practice will not only ensure a logical assessment of the applicant's strengths and weaknesses but will also serve as a valuable explanation and defence against any unfounded suggestion of bias.
8. Keep record of interviews to show the reasons for appointment or rejection for a period not less than 12 months.

Requests for Information

1. Should not ask for the information about children or dependants at the application stage which may be regarded as an intention to discriminate on the ground of family status.
2. Should not inquire about an applicant's child-bearing plans but should point out to the applicant if certain work conditions could pose a danger to an unborn child.
3. Should not request information from applicants, which applicants without a disability would not ordinarily be requested to provide.

Medical Information

1. Keep in mind that having a disability does not adversely affect a person's general ability.
2. Avoid asking questions of a medical nature in the recruitment process unless directly relevant to the performance of the inherent requirements of the job.
3. Ensure that any decision based on the medical information relates to the applicant's ability to perform the work.
4. Ensure that all the medical information in the pre-employment medical check is relevant to the particular duties and responsibilities of the job.
5. If an applicant is not hired after the medical check, ensure that such decision is based on the applicant's inability to perform the inherent requirements of the work.

Test

1. Use tests that are specifically related to the job and / or the career requirements and should measure an applicant's actual or potential ability to do the job.
2. The administration and content of tests should be flexible and adjusted to the needs of applicants with a disability.
3. Review tests regularly to ensure that they remain relevant and be free from any bias, either in content or in scoring.

Post-hiring Enquiries

1. Draw a distinction between pre-employment and post-hiring enquiries.
2. All information relating to the disability of a staff should be kept confidential and should not be released without the explicit consent of the staff member concerned.
3. Personal information such as family details, medical details, etc will be kept in the personal file after hiring.

Recruitment through Third Party

1. Where recruitment is done through a third party, e.g. an employment agency, it should be advised to comply with all discrimination ordinances.
2. Should specify the vacancies are open to all suitably qualified persons.

TERMS & CONDITIONS OF EMPLOYMENT

Dragonair will not treat any groups of staff members less favourably. Pay variance among staff in Dragonair is mainly due to difference in job performance, length of service, individual educational qualification and working experience, company policy and situation or any other conditions as set out in the Ordinances but not on the ground of discrimination.

Job Titles

If the job titles do not imply a genuine difference in the nature of the work done, they should be changed to the same title.

Workplace Policies

1. Our workplace should be gender-neutral and free from any kind of discrimination.
2. Should it deem necessary to prescribe a particular form of grooming, the requirements specified shall not be discriminatory.
3. Provide reasonable accommodation to assist staff members with a disability to carry out the requirements of the job.

PROMOTION, TRANSFER & TRAINING

1. Staff members shall be promoted on merit and the criteria adopted should not be discriminatory.

2. Measurable standards for evaluating job performance should be established.
3. Selection for promotion should be as the same lines as recruitment – according to the consistent selection criteria.
4. Assess all possible candidates, and if promotion is by nomination, ensure that everyone suitable is considered and that nobody with potential has been overlooked.
5. Keep records of consideration on promotions, transfers and training for a reasonable period of time and then destroy them.
6. Review and change rules which restrict or preclude transfer between certain jobs if they are found to be discriminatory. Avoid concentration of staff members on one sex in any sections without real justification.
7. Examine policies and practices regarding selection for training and other opportunities for personal development with a view to ensuring that they do not entail discrimination.

GRIEVANCE PROCEDURES

1. Take particular care to ensure that staff members who lodge a complaint in respect of discrimination, vilification or harassment do not receive less favourable treatment than others.
2. Handle disciplinary procedures uniformly.
3. Follow the rule of confidentiality and respect the right of both complainant and respondent.

Discrimination in employment may result in penalty imposed by the EOC. It is a good management practice to apply consistent selection criteria and avoid any kind of discrimination in the above or related areas.

This guideline is not intended as a definitive interpretation of the Discrimination Ordinances issued by EOC. Full interpretation should be based on the Ordinances and respective Codes of Practice.