



## 平等機會政策 Equal Opportunities Policy

### 1. 理念 **Concept**

本會深信每個會員都享有尊嚴，應互相尊重，共享平等機會。

Hong Kong China Swimming Association (the Association) believes that all members of the Association are entitled to be treated with dignity and respect, and have equal opportunities.

### 2. 目的 **Aim**

本會致力提供一個和諧、融洽而平等的工作環境，會採取一切必要措施，確保所有執行委員會會員、其他委員會會員、註冊教練、註冊裁判、義務工作人員、職員不會因性別、婚姻狀況、懷孕、家庭崗位、殘疾或種族的原因在工作環境中受到騷擾、歧視或傷害。

The Association is committed to providing a harmonious and inclusive workplace with equal opportunities. We will take all necessary steps in order to ensure that all Executive Committee Members, Committee Members, Registered Coaches, Officials, Volunteer officials and employees are not subject to any unlawful acts of harassment, discrimination or abuse on the grounds of sex, marital status, pregnancy, family status, disability or race of that person.

### 3. 政策內容 **Policy Content**

凡本會所有執行委員會會員、其他委員會會員、註冊教練、註冊裁判、義務工作人員、職員均須遵守《性別歧視條例》、《殘疾歧視條例》、《家庭崗位歧視條例》及《種族歧視條例》的規定。如基於性別、婚姻狀況、懷孕、家庭崗位、殘疾或種族理由，作出騷擾、歧視或傷害性的行為，均屬違法，須對自己所作的行為承擔個人責任。（詳情參平機會網頁 <http://www.eoc.org.hk>）

All Executive Committee Members, Committee Members, Registered Coaches, Officials, Volunteer officials and employees should observe the requirements of the Sex Discrimination Ordinance, the Disability Discrimination Ordinance, the Family Status Discrimination Ordinance and the Race Discrimination Ordinance. They may be personally liable for unlawful acts of harassment, discrimination and vilification on the grounds of sex, marital status, pregnancy, family status, disability or race committed by them. Details could be found at <http://www.eoc.org.hk>



#### 4. 歧視定義 Definitions

歧視屬法律用語，指基於某人某項受法例保障不得予以歧視的個人特點而給予較差待遇。歧視分為直接和間接兩類。根據香港法例，歧視個案包括性別、殘疾、家庭崗位(包括婚姻及懷孕狀況)、及種族歧視。

Discrimination is a legal term. It means treating a person less favourably than another person in comparable circumstances. There are two kinds of discrimination- direct discrimination and indirect discrimination. The existing anti-discrimination ordinances in Hong Kong deal with cases of discrimination on the grounds of sex, disability, family status (including marital status and pregnancy) and race.

- i) 直接歧視指某人基於其性別、家庭崗位、種族及 / 或殘疾狀況，而受到比另一人較差的待遇。

Direct discrimination means treating a person less favourably than another person in comparable circumstances, because of a person's sex, family status, race or disability.

- ii) 間接歧視指向所有人一律施以劃一的條件或要求，但實際上並無充份理由需要加上該等條件或要求，而這樣做亦對某個性別、家庭崗位、種族及/或殘疾狀況的人士不利。

Indirect discrimination occurs when a condition or requirement, which is not justifiable, is applied to everyone, but in practice it adversely affects persons of a particular sex, family status, race or with a disability.

- iii) 「使人受害」的歧視指在類似的情況下，任何人〔歧視者〕給予他人〔受害人士〕較差的待遇，原因是該歧視者知悉該受害人士或第三者已作出或擬作出下列事情，或懷疑該受害人士或第三者已作出或擬作出下列事情：

Victimization occurs where a person (the discriminator) treats another person (the person victimized) 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 following:

- 根據《性別歧視條例》、《殘疾歧視條例》、《家庭崗位歧視條例》及《種族歧視條例》對該歧視者或任何其他人士提出法律程序；

Bringing proceedings against the discriminator or any other person under the Anti-Discrimination Ordinances.



- 就任何人根據《性別歧視例》、《殘疾歧視條例》、《家庭崗位歧視條例》及《種族歧視條例》對該歧視者或任何其他人提出的法律程序提供證據或資料；  
Giving evidence or information in connection with proceedings brought by any person against the discriminator or any other person under the Anti-Discrimination Ordinances.
- 根據或援引《性別歧視條例》、《殘疾歧視條例》、《家庭崗位歧視條例》及《種族歧視條例》對該歧視者或任何其他人作出任何其他事情；或  
Otherwise doing anything under or by reference to the Anti-Discrimination Ordinances in relation to the discriminator or any other person, or
- 指稱該歧視者或任何其他人曾作出一項構成《性別歧視條例》、《殘疾歧視條例》、《家庭崗位歧視條例》及《種族歧視條例》所指的違法作為。  
Alleging that the discriminator or any other person has committed an act which is unlawful under the Anti-Discrimination Ordinances.

## 5. 投訴機制 **Complaints Handling Mechanism**

### 5.1 基本原則 In principle:

- 5.1.1 所有與投訴相關的資料和記錄必須保密，只准按需要向有關人士披露。  
All complaint details and records will be kept confidential, and only be disclosed to relevant persons on a need-to-know basis.
- 5.1.2 盡快處理投訴，務求迅速解決事件。  
All complaints should be handled promptly.
- 5.1.3 投訴人應受保護，以免因投訴事件而受害，各當事人均應得到公平對待。  
Complainants should be protected against victimization because of the complaint case. All complaints should be handled in a just and impartial manner to ensure that all parties concerned are fairly treated.



5.1.4 在處理投訴時務須小心謹慎，不要讓投訴人及其他有關人士受到不必要的困擾。

Complaint cases should be handled discreetly so that the complainant or other related parties would not be unnecessarily distressed.

## 5.2 申訴程序: Complaint procedure

任何一位與本會有來往人士如認為受到歧視或「使人受害」的歧視行為，均可採取下述申訴程序。除了採用以下程序，投訴人亦可以直接向平等機會委員會提出申訴，或向法庭提出訴訟。

If anyone who has dealing with the Association feels that one has experienced discrimination or victimization, one may lodge a complaint following the procedures below. One may also lodge a complaint directly with the Equal Opportunities Commission or take action in the District Court.

5.2.1 投訴人可以向本會提出申訴。本會會要求投訴人提供有關資料，並會就指稱的歧視或「使人受害」的行為徵集其他證據。

After receiving a complaint, the Association will seek further information or clarification from the complainant, and collect relevant evidence of the alleged unlawful act of discrimination or victimization.

5.2.2 本會會成立小組委員會就有關投訴進行初步調查，以決定是否有表面證據證明有關本會成員、職員曾經歧視他人。初步調查的目的是確保有足夠資料證明有理由進行全面的調查，以及篩選出明顯不是歧視的投訴。

The Association will form an Investigation Panel to make preliminary inquiry and assess whether it is a prima facie case against a relevant individual of the Association to be screened in for full investigation. This preliminary inquiry aims to make sure that there is enough evidence to support further proceedings and screen out non-persuasive allegations.

5.2.3 如事件需循正式程式提出申訴，本會會轉交平等機會委員會處理

If formal proceedings should be initiated, the Association will hand over the complaint to Equal Opportunities Commission for further action.