**Meeting of the Ethnic Minorities Forum**

**11 December 2013 at 3:00 p.m.**

**30/F Conference Room, Southorn Centre, Wan Chai**

**Present**

**Home Affairs Department (HAD)**

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| Assistant Director of Home Affairs (3) | Miss Dora Fu (Acting Chairperson) |
| Chief Executive Officer (3) | Mr K Y Cheng |
| Senior Programme Officer (Race Relations Unit) | Ms Shirley Chan (Secretary) |

**Government representatives**

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| Principal Assistant Secretary, Constitutional and Mainland Affairs Bureau  | Mr D C Cheung |
| Senior Labour Officer (Employment Services) (Operation), Labour Department | Miss Cindy L K Yim |
| Job Centre Manager (Employment Services Division), Labour Department | Mr William W L Ng |
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| **Representatives of public authorities** |  |
| Senior Manager (Course Development), Employees Retraining Board | Ms Sue Wong |
| Training Consultant, Employees Retraining Board | Mr Chi Kwong Lam |
| Senior Corporate Communications Officer, Equal Opportunities Commission | Mr Sam Ho |
| Corporate Communications Officer, Equal Opportunities Commission | Ms Devi Novianti |
| **Non-governmental Organisations (NGOs)**  |
| Caritas – Hong Kong | Mr Lay Yan Piau, Bill |
| Christian Action | Ms Brian WongMs Amy Cheng |
| Federation of Muslim Association in Hong Kong | Mr Khan Muhammad Malik, MH |
| Hong Kong Human Rights Monitor | Ms Astor Chan |
| Hong Kong Integrated Nepalese Society | Mr Buddhi Bahadur Thapa, MH |
| Hong Kong Nepalese Federation | Ms Rita Gurung |
| Hong Kong SKH Lady MacLehose Centre | Mr Jonathan ChanMr Lo Kai Chung |
| Hong Kong Unison Ltd. | Ms Annie Li |
| Idara Minhajul Quran Hong Kong | Mr Mohamed Ibramsa SikkanderBatcha |
| Indian Businessmen’s Association | Mr Gul T Mirpuri |
| International Human Rights Forum Ltd. | Mr Syed Muhammad Naeem Asim |
| International Social Service – Hong Kong Branch (ISS-HK) | Ms Adrielle M Panares, MH |
| Kirat Yakthung Chumlung Hong KongMission for Migrant Workers Ltd. | Mr Krishna Raj Limbu Ms Cynthia C Abdon-Tellez |
| Nepali Social Service Hong Kong | Mr M B Thapa |
| New Home Association  | Mr Chan Yee Fei |
| Nigerian Union Hong KongSouthern Democratic Alliance | Mr Prince Chukwu ClementMr Saran Kumar Limbu |
| The Hong Kong Institute of Education | Dr Francis Mok |
| The Incorporated Trustees of the Islamic Community Fund of Hong Kong | Mr Uddin Saeed, BBS, MH |
| The India Association Hong KongThe Pakistan Association of Hong Kong Ltd. | Mr Kavi KhiytaniMr Zaman Minhas Qamar |
| The Zubin Mahtani Gidumal Foundation Ltd. | Ms Shalini Mahtani |
| Yang Memorial Methodist Social Service | Ms Tina Yim |

1. **Employment Services for Ethnic Minorities provided by the Labour Department**

1.1 At the invitation of the Chairman, Miss Yim of the Labour Department (LD) briefed attendees on LD’s dedicated employment services for ethnic minorities (EMs) and measures to enhance the employment opportunities of EMs with the aid of a PowerPoint presentation.

1.2 Issues raised by attendees and the discussions were summarised below:

1. **Information on job vacancies**

1.2.1 Some attendees raised concerns that job cards displayed in Job Centres and job advertisements on the Labour Department’s (LD) website were not always bilingual. Miss Yim (LD) said that some job cards displayed in Job Centres might be in both English and Chinese depending on the nature of certain vacancies. Nonetheless, job seekers might obtain essential bilingual information of all vacancies posted with the LD in the Interactive Employment Service website and the Vacancy Search Terminals installed in Job Centres and other strategic locations. As the LD handled on average some 5,000 new vacancies every working day, it would be practically impossible for the LD to provide full translation of all information of every vacancy without affecting the overall efficiency in posting up the vacancies for application by the job-seeking public.

1.2.2 Some attendees pointed out that job requirements should be commensurate with the actual operational needs of the posts concerned and race should not be used as a ground for determining who should be offered employment. Miss Yim (LD) said that the LD had repeatedly reminded employers that the terms of employment, entry requirements and job descriptions of the post should not violate any equal opportunities legislation in Hong Kong. The LD would not accept or display any vacancy orders with requirements that might be discriminatory in nature.

1. **Statistics of EM job seekers**
	* 1. Some attendees enquired about the numbers of EMs who had registered with the LD for employment services and, among them, the number of those who succeeded in securing employment, with a breakdown by ethnicities. Miss Yim (LD) replied that, in 2012, the number of EMs who registered with the LD for employment services was 981. The top four EM groups by ethnic origins were Pakistani (25%), Indian (19%), Filipino (16%) and Nepalese (10%).

1.2.4 Miss Yim (LD) added that of these 981 EM job seekers in 2012, 61 placements were secured through referral services of the LD. She explained that job seekers who had registered with the LD for employment services might be placed into employment either through the referral services of the LD or by direct applications to employers who advertised their vacancies through the LD. Currently, over 90% of the vacancies advertised through the LD were open for direct applications by job seekers. Those who had secured employment through direct applications were not required to report their placements to the LD.

**(c)** **Collaboration with employers**

* + 1. An attendee suggested that the LD should collaborate with EM business organisations to encourage EMs’ patronage of the employment programmes provided by the LD. Miss Yim (LD) endorsed the suggestion. She added that the LD had maintained active liaison and interflows with employers and non-governmental organisations providing services to EMs through visits and participation in various activities. The Department also liaised with employers to canvass vacancies suitable for EM job seekers and encouraged them to give employment opportunities to EMs.
		2. Another attendee opined that the LD should consider measures to avoid employers screening out prospective EM candidates by setting unnecessarily high standards of language proficiency requirements. Miss Yim (LD) responded that the LD advised employers of the need to consider the genuine occupational needs when specifying the language requirements in the job orders. Employers were also reminded to consider the capability of job seekers and followed the relevant codes of practice against discrimination in employment.

**(d) LD’s staff serving the EMs**

1.2.7Some attendees considered it necessary for the LD to employ EM staff to provide culturally sensitive employment services for EM job seekers. Miss Yim (LD)responded that all civil service grades were normally required to specify Chinese and English language proficiency requirements for appointment in view of maintaining a bilingual civil service to effectively and efficiently meet the operational needs. In case of serving EM job seekers who were unable to communicate in Chinese and English, the Department could arrange interpretation services by appointment where necessary to enhance the effectiveness of service provision for clients of EMs. The relevant publicity leaflets were made available in various EM languages. Miss Yim (LD) thanked attendees for their views and agreed to take them into consideration as and when appropriate.

**(e) Conclusion**

1.2.8 The Chairperson said that in the context of the public engagement exercise on Population Policy, the Government considered EMs, amongst others, would continue to contribute to the development of Hong Kong through participation in the labour market. She suggested closer partnership be fostered among representatives of Support Service Centres for EM, the LD and EM organisations to enhance job opportunities for EMs. In addition, the Chairperson requested the Department to consider disseminating information on job vacancies suitable for EMs through the Support Service Centres for EMs.

*[Post-meeting note: The Secretariat confirmed with* *the Support Service Centres for EMs* *that they have provided hyperlinks to the LD’s Interactive Employment Service website to facilitate EM job seekers in job search, advice on training and retraining opportunities available and job referral services.]*

1. **Training for Ethnic Minorities provided by the Employees Retraining Board**

2.1 At the invitation of the Chairman, Ms Wong of the Employees Retraining Board (ERB) gave a PowerPoint presentation on a wide range of training and employment support services for EMs provided by ERB and its training bodies.

* 1. Issues raised by attendees and the discussions were summarised below:

1. **Statistics of EM trainees**

2.2.1 Upon some attendees’ queries on statistics of EM trainees, Ms Wong (ERB) informed attendees that the average number of trainees of EM origins admitted to ERB dedicated courses for the EMs in the past three years was about 250 and the average placement rate of EM graduates from placement-tied courses was over 60%.

2.2.2 Some attendees pointed out that the utilization of training places provided by the ERB was significantly below that provided by the Support Service Centres for EMs. Ms Wong (ERB) explained that the Home Affairs Department (HAD) funded Support Service Centres for EMs to provide language courses to facilitate the integration of EMs into the community while the ERB provided dedicated training courses for EMs to improve their employability and support their training and job search. The ERB and HAD had been in contact for collaborations that were conducive to the facilitation of training for EMs, e.g. the Pilot Taster Programme as a mean to reach out to the EMs and promote the ERB courses and services to the EMs.

1. **Training needs of EMs**

2.2.3 An attendee said that the ERB had commissioned Hong Kong Unison Ltd. (“Unison”) to conduct a study on the training needs of EMs in March 2011. She asked how the ERB would implement the measures proposed in the study. Ms Wong (ERB) responded that, among various proposed measures, the ERB had developed standardized training materials on various dedicated courses for EMs including workplace Cantonese and Chinese reading and writing skills. Further training in workplace Cantonese had also been incorporated in various dedicated courses for EMs for specific industries. The ERB had also coordinated training bodies to participate in workshops organised by the Hong Kong University for the enhancement of skills in teaching the EMs Chinese Language. In addition, to promote understanding of the culture of the EMs and enhance the sensitivity of staff in rendering services to the EMs, the ERB had organised a number of workshop in collaboration with the Hong Kong Unison Ltd. for front-line officers of the ERB and the training bodies on the cultural characteristics of the EMs. Similar workshops would be held annually to reinforce the cultural awareness and understanding on the EMs of the staff of the ERB and training bodies. In 2012-13, the ERB lined up over 20 employers to offer more than 1,200 vacancies to non-Chinese speaking EMs through Support Service Centres for EMs.

1. **Special measures for EMs**

2.2.4 An attendee proposed to adjust upward the amount of retraining allowance for EM trainees. Ms Wong (ERB) said that the adjustment of the retraining allowance involved financial implication on the general policy of provision of training/retraining services by the ERB. She would relay the views to the relevant colleagues for consideration.

2.2.5 Some attendees said that EMs were discouraged to take ERB’s dedicated courses for EMs due to the long waiting period. They requested the ERB to strengthen measures to attract more EM trainees to their training programmes. Ms Wong (ERB) explained that the ERB had been handling on a flexible basis the requirement of class size for training courses dedicated for EMs with a view to encouraging their active participation. The ERB also introduced measures to attract EMs to come forward to utilize the courses and services provided by the ERB, e.g. sponsoring Training Bodies to organise district-based promotional activities targeting EMs and employers. In addition, the ERB had strengthened publicity efforts by promoting ERB courses to EMs, in collaboration with the Support Service Centres for EMs.

2.2.6 An attendee asked if the ERB would extend the eligibility criteria for the training courses and services to include foreign domestic helpers. Ms Wong (ERB) confirmed that the Employees Retraining Ordinance stipulated the service targets of the ERB were those eligible employees aged 15 or above with an education attainment at sub-degree level or below. The “eligible employees” meant those persons with no restrictions of stay including permanent residents of HKSAR and new arrivals. In this connection, foreign domestic helpers were not the ERB’s service targets.

**3.**  **The Work of Equal Opportunities Commission on the Promotion of Racial Equality**

* 1. At the invitation of the Chairman, Ms Novianti of the Equal Opportunities Commission (EOC)briefed attendees about the work of the EOC and the highlight of its public education and publicity programmes in a PowerPoint presentation.

3.2 Issues raised by attendees and the discussions were summarised below:

1. **Funding programmes**

3.2.1 An attendee opined that the successful projects under the EOC’s Community Participation Funding Programme were not sufficiently funded to meet the project expenditure and applicants were not given enough time to prepare applications. Ms Novianti (EOC) explained that applications for the Community Participation Funding Programme were evaluated by the Community Participation Committee of the EOC comprising 9 EOC Members and 3 Co-opted Members. Approval for applications was based on a number of factors including cost-effectiveness of the project, the impact of activities and the extent of the general public’s participation in the activities. Two batches of applications were available in each year. Applications for the first batch and the second batch should be submitted by May and July respectively.

3.2.2 An attendee enquired about the numbers of applications for the Funding Programme of Research Projects on Equal Opportunities 2013/14 and, among them, the number of proposed research projects covering the topic of EM issues. Ms Novianti (EOC) confirmed that a total of 9 applications were received by the first deadline for application. She agreed to provide the number of applications relating to EM issues to the attendee through the Secretariat.

*[Post-meeting note:* *Ms Novianti (EOC) confirmed that 2 applications out of the 9 applications were proposed research projects on EMs.]*

1. **Complaints handling**

3.2.3 An attendee asked the language support provided for a complainant who was unable to communicate in Chinese and English when lodging a complaint with the EOC. Ms Novianti (EOC) said the EM staff of the EOC answered enquires about the complaint handling procedures in EM languages and court interpreters of EM origins would be arranged for EM complainants during the course of an investigation.

3.2.4 An attendee opined that the complaint driven approach adopted by the EOC did not seek to address institutionalised discrimination, such as those “designated schools” for separating non-Chinese speaking (NCS) students from mainstream students and the use of the same Chinese Language curriculum and testing system for the assessment of both mainstream students and NCS students. Ms Novianti (EOC) said that the Commission had assumed a more proactive part to enhance the promotion on the EOC’s complaint handling/enquiry service and procedures so as to make the service more user-friendly.

3.2.5 Ms Novianti (EOC) supplemented that, apart from complaint handling mechanism, the EOC had advocated for a co-ordinated approach at the policy levels so that issues of discrimination and equal opportunities could be reviewed and policies developed for implementation. In addition, existing provisions in the existing anti-discrimination ordinances provided the EOC to deal with discriminatory practices by way of formal investigation. The Commission had been urging the Government to provide systematic and holistic support for NCS students, including an alternative Chinese curriculum. The Commission would consider conducting a formal investigation if the Government did not address the concerns in the coming Policy Address.

1. **Equal Opportunities Tribunal**

3.2.6 Upon an attendee’s query on the establishment of an Equal Opportunities Tribunal, Ms Novianti (EOC) said that the EOC had recommended the establishment of an Equal Opportunities Tribunal in order to provide an informal adjudication system and enable the parties to deal with their own cases promptly and effectively. Because of the lack of support from the Judiciary, the EOC would continue to discuss the matter with the community and stakeholders before further pursuing the proposal with the Government.

1. **The Discrimination Law Review**

3.2.7 Some attendees pointed out that it was of utmost importance to review the discrimination legislation to ensure consistency in the protected attributes in the existing legislation and keep abreast of international trends. Ms Novianti (EOC) advised that the EOC had started to embark on another round of review on the four anti-discrimination ordinances in early 2013 and had reached a stage to beef up the document for consideration and consultation with the public in 2014.

1. **Promotional activities**

3.2.8 Some attendees asked about the promotional strategy to raise awareness of EM women’s entitlements under the existing four ordinances. Ms Novianti (EOC) said that close cooperation with NGOs and EM organisations was made to strengthen the public education for EM women. The Commission also established links with religious organisations to identify inactive EM women and explain ways to address their concerns.

1. **Any other business:**

4.1 The Chairperson welcomed attendees’ suggestions on the topics to be discussed. Attendees would be notified of the date of next meeting nearer the time.

Home Affairs Department

July 2014