

Eliminating Age Discrimination in Employment

A Simple Guide to Employers

Labour Department

Employers have the prime responsibility for encouraging equal employment opportunities and for eliminating discrimination in the workplace.

It is also in the employers' interest to ensure equal opportunities in employment. In doing so, employers will –

- gain trust and respect from their employees; and
- have a larger pool of talents from which to select the most suitable staff to meet the manpower needs of the company.

What is Age Discrimination in Employment?

Age discrimination in employment occurs when an employee or job seeker is subject to unfair or different treatment in respect of his or her employment on the ground of age.

How to Eliminate Age Discrimination in Employment?

- Consistent Selection Criteria
 - Develop a set of consistent selection criteria so as to provide clear guidelines for use in recruitment, training, promotion, transfer, dismissal and redundancy situations.
- Recruitment
 - Provide training in non-discriminatory practices to all employees involved in staff recruitment.
 - Use the consistent selection criteria to assess the capabilities of each applicant.
 - Avoid making any generalizations or assumptions about the abilities of persons in a particular age group since each individual has different strengths.
- Recruitment Advertisement
 - Advertise for jobs based on consistent selection criteria and in neutral terms so as to encourage applications from suitable candidates of all ages.
 - Do not specify an age range when placing job advertisements unless age is a genuine occupational requirement e.g. child performer in a children's programme.

- Job Interview
 - Ask questions that either relate directly to the genuine requirements of the job or facilitate a better understanding of the applicant's personality and aptitude.
 - Avoid asking questions that would lead to age discrimination.
- Employment Terms and Conditions
 - Offer employees with the employment terms and conditions, benefits and facilities that are commensurate with their rank, duties and experience, irrespective of age.
- Appraisal, Promotion, Transfer and Training
 - Establish measurable standards for evaluating job performance.
 - Ensure that employees are promoted on merit and that the assessment criteria are not age discriminatory.
 - Examine the rules on job transfer and policies on selection for training to ensure that they do not entail age discrimination.
- Dismissal and Redundancies
 - Review dismissal and redundancy procedures to ensure that they are not age discriminatory.
 - If retrenchment is unavoidable, the decision should be made on the basis of fair, non-punitive and non-discriminatory criteria, such as the need for the job to be deleted, nature of work and job skills of an individual employee, rather than on the ground of age.
- Grievance Procedures
 - Set up internal grievance procedures to deal with complaints of age discrimination and encourage employees to use them when necessary.

Practical Guidelines for Employers on Eliminating Age Discrimination in Employment

- The Government has published a “Practical Guidelines for Employers on Eliminating Age Discrimination in Employment”, which is available free-of-charge at –
 - ✍ Job Centres and the Workplace Consultation Promotion Division of the Labour Department
 - ✍ The Labour Department homepage : <http://www.labour.gov.hk>

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January 2006