

These Guidelines are issued by the Labour Department. They form part of a programme of public education, publicity and self-regulation<sup>(1)</sup>. They represent the Government's commitment to the elimination of all forms of discrimination.

Although these Guidelines are not backed by legislation, they set forth the best practices, which employers and employment agencies are encouraged to follow on a voluntary basis to the best of their ability. 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.



## 甚麼是就業方面的年齡歧視？

### WHAT IS MEANT BY AGE DISCRIMINATION IN EMPLOYMENT?

就業方面的年齡歧視，是指僱員或可能獲得聘用的人士，因為年齡而在僱傭上受到不公平或不同的待遇。年齡歧視可能出現在招聘、晉升、調職或培訓、僱用條款和條件、員工自行離職或公司的裁員計劃、退休政策等安排，以及投訴和申訴處理程序。為增加公平機會，協助不同年齡組別人士克服困難而自發地採取的措施，則不算年齡歧視。這些措施包括為年長人士提供再培訓課程或就業輔導，以協助他們尋找合適的工作。這類措施沒有歧視成分，因為其他年齡組別的人士亦獲得職業訓練及就業輔導服務。

Age discrimination in employment occurs when an employee or prospective employee is subject to unfair or different treatment in respect of his or her employment on the ground of age. It may occur in the arrangements for recruitment, promotion, transfer or training, the access to terms and conditions of employment, voluntary departure or redundancy schemes, or retirement policies and the procedures for handling complaints and grievances. It does not refer to measures taken voluntarily – in the spirit of promoting equal opportunities – to help persons of different age groups overcome disadvantages. Examples of such measures include the provision of retaining courses or employment services to the aged to help them find a suitable job. Such measures are not discriminatory as vocational training and employment services are also provided to other age groups as well.

(1) 自行規管是指僱主亦有責任確保不論任何年齡的人士，在就業的每一方面都獲得公平對待，除非有關工作確實需要某一年齡或年齡組別的人士負責。

(1) Self-regulation means that employers also have the responsibility to ensure fair treatment in all aspects of employment, irrespective of age unless the essential nature of the job calls for a person of a particular age or age group.