

# 4. 消除在工作場所中的年齡歧視

## ELIMINATING AGE DISCRIMINATION IN WORKPLACE

### 評核、晉升、調職和培訓

僱員有權按本身的能力、經驗和年資，獲得晉升、調職或培訓機會。除非有關職位或工作確實需要年齡規定，否則年齡不應是一個相關的考慮因素。我們認為：

- (i) 如機構設有評核制度，僱主應檢討評核準則，確保僱員是因為表現出色而獲晉升，以及所採取的準則並沒有歧視成分。制定可量度的標準評估僱員的工作表現，是良好的做法；
- (ii) 僱主應根據上文第三章招聘員工的建議方法，甄選員工晉升。方法包括按照客觀及劃一的甄選準則，詳細評估所有合資格僱員的能力及才能，為求選出的員工，具備最符合工作需要的條件；
- (iii) 如有晉升、培訓或調職的機會時，僱主應把申請條件及程序通知所有合資格的僱員；
- (iv) 如晉升遴選是透過提名方式進行，僱主應確保所有合資格僱員均在考慮之列，沒有遺漏任何有潛質的員工；
- (v) 在考慮合資格僱員是否適合晉升、調職及接受培訓時，僱主應以書面摘要記錄所有考慮事項；最好把這些記錄保留一段合理時間後才銷毀；
- (vi) 檢討某些職位之間的調職限制或禁止規定，如有歧視成分便要修改；及
- (vii) 檢討甄選僱員接受培訓及為僱員提供發展機會的政策和方法，確保並無歧視成分。

### APPRAISAL, PROMOTION, TRANSFER AND TRAINING

All employees are entitled to opportunities for promotion, posting, or training in accordance with their ability, experience and seniority. Age should not be a relevant consideration, unless it is a genuine job or occupational requirement. We recommend that employers should:

- (i) examine the assessment criteria where an appraisal system exists to ensure that employees are promoted on merit and that the criteria adopted are not discriminatory. It is a good practice to establish measurable standards for evaluating job performance;
- (ii) organise selection for promotion along the same lines as those recommended for recruitment in Chapter 3 above. This would entail detailed assessment of all candidates' abilities and qualities against objective and consistent criteria. The aim is to ensure the selection of the individual whose profile best fits the job requirements;
- (iii) where opportunities for promotion, training or transfer arise, inform all eligible employees of the conditions and procedures for application;
- (iv) where promotion is by nomination, ensure that all suitable candidates are considered and that nobody with potential is overlooked;
- (v) keep records of notes taken in the course of considering candidates for promotions, transfers and training. It is a good practice to retain these records for a reasonable period of time before destroying them;
- (vi) review rules that restrict or preclude transfer between certain jobs and change them if they are found to be discriminatory; and
- (vii) examine policies and practices on selection for training and other opportunities for personal development with a view to ensuring that they do not entail discrimination.