



僱主簡明指引

消除就業方面的年齡歧視

A SIMPLE GUIDE TO EMPLOYERS

ELIMINATING AGE DISCRIMINATION IN EMPLOYMENT



僱主有重要的責任，促進平等就業機會，及消除在工作場所的年齡歧視。

僱主確保平等的就業機會，對公司也有積極的作用，因為可以：

- 獲得僱員的信任和尊重；以及
- 吸引更多人才，從中挑選最合適的員工，以應付公司的人力需求。

甚麼是就業方面的年齡歧視？

就業方面的年齡歧視，是指僱員或求職人士，因為年齡而在僱備上受到不公平或不同的待遇。

消除年齡歧視的僱傭實務指引

政府已編製了一本《僱傭實務指引—消除就業方面的年齡歧視》。這指引可於各勞工處就業中心及勞資協商促進科免費索閱，或於勞工處網頁<http://www.labour.gov.hk>下載。

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>



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.

查詢 Enquiries

勞工處就業科
Employment Services Division, Labour Department

☎ : 2852 4155

勞工處勞資協商促進科
Workplace Consultation Promotion Division, Labour Department

☎ : 2399 2209

二零零六年一月
January 2006

香港特別行政區政府
The Government of the Hong Kong
Special Administrative Region

不論年齡 唯才是用
COUNT ON TALENT NOT AGE IN EMPLOYMENT

如何消除就業方面的年齡歧視？

劃一的甄選準則

- 制定劃一的甄選準則，確保在招聘、培訓、晉升、調職、解僱及裁員方面有明確的指引。

招聘

- 向參與招聘工作的員工提供訓練，使他們認識如何避免年齡歧視；
- 按照劃一的甄選準則，評估應徵者的工作能力；
- 避免以偏概全，對某一年齡組別人士的能力作出假設，因為工作能力是因人而異的。

招聘廣告

- 以劃一的甄選準則和中立的措辭刊登招聘廣告，吸引不同年齡的合適人士應徵；
- 除非有關職位確實需要年齡規定，例如兒童劇場的小演員，否則不要在招聘廣告內列明應徵者須介乎某個年齡。

面試

- 面試時提出的問題，只應直接與工作的真正需要有關，或有助瞭解應徵者的性格和能力；
- 不要提出一些帶有年齡歧視成分的問題。

僱用條款

- 不論僱員的年齡，僱主都應該提供與職級、職責、經驗等相配的僱用條款、福利和設施。

評核、晉升、調職和培訓

- 制定可量度的準則評估僱員的工作表現；
- 確保僱員是因為工作表現出色而獲晉升，以及所採取的評核準則並沒有年齡歧視成分；
- 檢討調職規定及揀選僱員接受培訓的政策，確保並無年齡歧視成分。

解僱及裁員

- 檢討解僱和裁員的程序，確保這些程序並無歧視某一年齡組別的員工；
- 如果裁員確實是無可避免，僱主應根據公正無私、不帶懲罰或歧視成分的準則，例如對須減省的工作的需求、工作性質及個別僱員的職業技能等，來決定裁減那些僱員，而非基於僱員的年齡而作出決定。

申訴程序

- 僱主可設立內部申訴程序，處理與年齡歧視有關的投訴，並鼓勵僱員在有需要時循申訴程序表達不滿。



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.