

THE EDUCATION UNIVERSITY OF HONG KONG

Best Practices for Handling Discrimination and Harassment: For Supervisors

Overview

1. The University has zero tolerance for discrimination and harassment. We require all its staff, especially those who hold pedagogic, supervisory or evaluative responsibility, to strictly observe professional conduct at all times and take all necessary steps to ensure that any member, staff or student of the University, or any other person who has dealings with the University is not subject to discrimination and harassment.
2. As supervisors play a critical role in creating an inclusive and respectful work and study environment for staff and students, and reducing discrimination and harassment situation, this document includes guidance on University's Policy, the responsibilities and roles of supervisors, and tips to help supervisors to prevent and resolve the matters. This document is applicable to supervisors at all levels as they have the role to ensure a safe and inclusive workplace and/or study environment.

Equal Opportunities Policy of the University

3. The University's [Equal Opportunities Policy](#) sets out the mechanisms for handling discrimination and harassment complaints regarding the prohibited acts in relation to the 4 anti-discrimination ordinances in Hong Kong and sexual orientation harassment.
4. All 4 anti-discrimination ordinances forbid both direct and indirect discrimination, harassment, and vilification in various areas, including employment, education, provision of goods, services and/or facilities, disposal and/or management of premises, and participation in clubs and sporting activities, and they also prohibit victimisation.
5. The following are examples of discrimination/harassment covered under the University's policy:
 - Sexual harassment: Telling sexual or obscene jokes around the workplace/classroom;
 - Sex discrimination: The department head refuses to employ an individual as a secretary because the applicant is a male as he/she believes that a female will do a better job;
 - Pregnancy discrimination: The department terminates the employment of a female staff on her return from maternity leave without any legitimate reasons for termination;
 - Disability discrimination: The department denies admission to a student on the grounds of disability;
 - Family status discrimination: A supervisor, believing that the staff will not be able to perform some tasks due to his/her family role, transfers a staff with

caregiving responsibilities to another team despite his/her actual performance was not affected by his/her family role;

- Breastfeeding discrimination: Because of the extra time a breastfeeding colleague has taken off to express milk twice a day, a supervisor gives her a lower appraisal rating and hence a lower salary increase;
- Racial discrimination: An ethnic minority is not being selected for an interview for a position that requires Chinese capability because the department assumes that he/she cannot speak fluent Cantonese based on his/her surname on the application form;
- Sexual orientation harassment: A colleague made negative comments repeatedly about the sexual orientation of another colleague in front of others.

The definition, detailed list of examples and some exclusion situations under each protected characteristic can be found in [Appendix I of the Equal Opportunities Policy](#).

6. Discrimination and harassment do not include constructive feedback/advice on one's performance, nor do they cover the fair application of performance management processes. This also excludes lawful disciplinary actions, proper work allocation, organisational changes, staff transfers or redeployments, etc.

Responsibilities and roles of supervisors in managing discrimination and/or harassment situation

7. Neglecting or failure to manage discrimination and/or harassment complaints effectively would create a hostile work environment, which negatively impacts staff morale and engagement. Furthermore, individual supervisors could be held accountable if they fail to respond timely and appropriately to complaints of discrimination and/or harassment, or if they retaliate against individuals who report such issues. Therefore, supervisors need to deliver swift support and counsel to the staff or students affected once the report is received.
8. When inappropriate behaviour that may amount to discrimination and/or harassment is observed, supervisors should deal with the situation immediately. Here are some actions supervisors should take:
 - Have a conversation with the staff or student whose behavior is concerning;
 - Explain that the behavior may be seen as offensive and inappropriate for the workplace or educational setting and remind him/her that discrimination and harassment are against the University's policy;
 - Explore possibilities/measures to mitigate the risk and ensure a safe work or study environment, such as assessing whether immediate risk is identified in the physical workspace, separation of the complainant and respondent concerned during the course of investigation, etc.
9. In addition, for cases that investigations have been carried out by the University under formal investigation, supervisors are responsible for ongoing monitoring to ensure that

all remedial and disciplinary actions are completed and that no further discrimination or harassment takes place in the workplace/study environment as per the deliberations and decisions from the Equal Opportunities Complaint Committee and/or Disciplinary Committee for staff or the Student Disciplinary Committee.

Useful tips for supervisors for resolving potential discrimination and/or harassment situation

10. When dealing with discrimination and/or harassment situations, supervisors should prioritise confidentiality and sensitive handling. By protecting the privacy of everyone involved, supervisors can foster an atmosphere of trust, encouraging individuals to come forward with their concerns without fear of repercussions.
11. Taking immediate action to resolve the situation serves the interests of all parties. Supervisors may encourage staff/students concerned to take the initiative to address discrimination and/or harassment directly if circumstances allow. If they feel comfortable, they might express their concerns to the individual involved, making it clear that the behavior is unacceptable.
12. When an individual reports a situation of discrimination and/or harassment, supervisors should demonstrate authentic concern by practising active listening and adopting a non-judgmental stance. This supportive approach not only reassures the individual but also paves the way for a more constructive resolution.
13. Supervisors can seek confidential advice or assistance from the Equal Opportunities and Disability Officer at Human Resources Office or Student Affairs Office respectively for guidance on matters related to discrimination and harassment:

	For cases involving staff	For cases involving students
Respective Office	Human Resources Office	Student Affairs Office
Phone no.	2948 8773	2948 6012
Email	eodao@eduhk.hk	

Implementing preventive measures

14. Supervisors need to actively monitor their department/office for any signs of discrimination and harassment, as the absence of reports does not imply that these issues are not present. By proactively checking in and fostering a supportive environment, supervisors can help prevent potential issues from escalating.
15. Supervisors have a vital role in fostering a culture of respect and inclusivity within the workplace and learning environment. To effectively address discrimination and harassment, consider the following actions:

- **Cultivate an Inclusive Environment:** Create a safe and welcoming workplace and/or learning environment free from discrimination and harassment;
- **Communicate Policies Clearly:** Regularly and transparently share the University's policies with staff and students in the department/office;
- **Provide Training for Staff:** Ensure that staff members in the department/office receive training on preventing discrimination and harassment, as well as on fostering inclusivity, to equip them with the knowledge and skills necessary to support a respectful environment;
- **Model Exemplary Behavior:** Set a positive tone by demonstrating exemplary behavior in all aspects; and
- **Stay Informed:** Remain updated on diversity, equity and inclusion issues by attending relevant training and understanding University procedures.