

**Subcommittee on Rights of Ethnic Minorities
Issues Related to the Employment of Ethnic Minorities**

Submission from the Equal Opportunities Commission

Purpose of the Paper

This paper is supplementary to the previous submissions from the Equal Opportunities Commission (EOC) on 9 January 2017 and 19 February 2017 regarding employment issues of ethnic minorities (EMs) made to the Subcommittee on Rights of Ethnic Minorities.

Previous submissions

2. In the last submissions, the EOC made the following recommendations to the Government:
 - a. Ensure interpretation services are provided proactively, consistently and in a timely manner in the employment support services provided by the Labour Department;
 - b. Hire EM full-time staff in the Labour Department's Job Centres to better cater to EM job seekers' needs;
 - c. Take the lead in recruiting more EMs by requiring Government Bureaux and Departments to critically review the language proficiency requirements of their job vacancies on a regular basis;
 - d. Widen the employer base for EMs by conducting promotional campaigns, offering incentives and other measures to spread the message of equal opportunities and diversity in employment;
 - e. Intensify language support in vocational training institutions for EMs;
 - f. Develop workplace Chinese courses that are tied to relevant industries and are brought under the Qualification Framework so as to help EMs reach the functional Chinese level to cope with their work;
 - g. Make employers responsible for ensuring that their EM employees have been explained the safety requirements of their jobs and the details of their employment contracts in a language and manner that

they fully comprehend.;

- h. Set up a regulatory body with powers to promote and oversee the quality of community interpretation services by developing quality control standards, formalising training and qualification accreditation, and introducing a registration system.

3. It is encouraging to note that some of the recommendations made above have been acted upon to some degree:

- a. The Labour Department has established two full-time posts of employment assistants proficient in EM languages at the Kowloon West Job Centre and the Employment in One-stop at Tin Shui Wai to provide support for EM job-seekers;
- b. In response to the commitment made in the 2017 Policy Address to conduct a comprehensive review on the entry requirements relating to Chinese proficiency for all the grades of the civil service, the Civil Service Bureau has recently announced that 22 new grades will lower their Chinese language proficiency requirements (LPRs) bringing the number of grades that have lowered/will lower their Chinese LPRs since 2010 to 53¹.
- c. The EOC was recently funded by the Government to conduct a study on the potential model of an accreditation system for interpreters of EM languages, with the aim to professionalize the interpretation services for the EM communities.

4. The EOC urges the relevant Government Bureaux/Departments to follow up on the outstanding issues and strengthen the new initiatives. Meanwhile, additional recommendations are provided below:-

¹ Civil Service Bureau (2018), *Employment of Non-ethnic Chinese in the Civil Service*, LC Paper No. CB(4)627/17-18(05). Retrieved from www.legco.gov.hk/yr17-18/english/panels/ps/papers/ps20180226cb4-627-5-e.pdf

Further Recommendations

Civil Service Jobs

5. While the EOC commends the Government's efforts at reviewing the LPRs for Civil Service jobs and its lowering of the Chinese LPRs for more grades, the requirements may still be too high for many non-Chinese to clear.

6. Of the 22 grades with adjusted Chinese LPRs, 8 belong to degree/professional grades and the remaining 14 involve technical or operational duties². For the degree/professional grades, the Chinese LPRs will be lowered from Level 2 result of the Use of Chinese paper of the Common Recruitment Examination (CRE) to Level 1 result, equivalent to Level 4 result of the HKDSE (Chinese Language) Examination. However, most EMs are currently studying simplified curriculums of Chinese language, such as GCE/GSCE (Chinese Language) Examinations or HKDSE Applied Learning (Chinese) Examination, that results in their being unable to match the standards of their Chinese peers. According to the Education Bureau, there were 1,072 non-Chinese speaking students from local curriculum public sector and Direct Subsidy Scheme schools sitting the HKDSE Examination in 2017, of which only 106 (i.e. about 9.9%) took the HKDSE (Chinese Language) Examination. Among the 106, only 28 attained Level 3 or above, i.e. 2.6% of the total³. The review may help some EMs join the civil service for technical/operational posts but will have limited effect on facilitating their entry to professional grades even though they have gone through the relevant professional training in tertiary education.

7. The Chinese LPR for the post of Assistant Primary School Master/Mistress (English Language) in government primary schools serves an example on how EMs are screened out from a professional grade position. The primary duty of the post is teaching English but a CRE Level 2 Chinese language result (equivalent to Level 5 result of the HKDSE Chinese

² Same as footnote 1.

³ Education Bureau (2018), Reply to Legislative Council Question No. 14: Learning of Chinese Language by Non-Chinese Speaking Students.

Examination) is required. The EOC is following up with the Education Bureau why such a Chinese LPR is commensurate with the actual needs of the job. Otherwise, it would appear that this level of Chinese proficiency requirement for an English teaching post is unjustified.

8. The EOC urges the Government to monitor the actual number of EMs recruited into various grades, particularly the ones mentioned above, to assess whether its stated objective of increasing government job opportunities for EMs is actually being met. If not, the government is recommended to look into possible reasons including the recruitment criteria.

Functional Chinese

9. Chinese proficiency is somehow necessary in a majority of job settings in Hong Kong as a society comprising over 90% Chinese population. However, it is common for many employers to adopt a “one-size-fits-all” approach in laying down recruitment criteria, such as Chinese LPRs in recruitment, in many cases HKDSE Chinese Examination result, without considering that workplace Chinese usually serves the purpose of communication in a particular job setting where English can also be used as an alternative way for report or record. Taking the healthcare sector as an example, one of the minimum entry requirements for the training of enrolled nurses is Level 2 result in HKDSE Chinese Examination. Further, all existing training programmes for Health Workers, a prerequisite for registration as a Health Worker, are conducted in Chinese only. Despite the critical manpower shortage in the nursing and residential care industries, EMs who are locally educated (but learn Chinese in a simplified curriculum) and can speak fluent Cantonese are still barred from joining the ranks.

10. The EOC continues to urge vocational training and tertiary institutions to facilitate the development of workplace Chinese courses. These courses that can be brought under the Qualifications Framework will help EMs reach the functional Chinese proficiency required to cope with their work and pursue careers in these sectors. More importantly is for regulatory and registration

bodies, such as the Social Welfare Department and Nursing Council in the healthcare sector, to recognize the potential of our EM workforce and make genuine and urgent efforts to develop and incorporate functional Chinese learning into the training programmes and registration requirements so as to remove language hurdles in pursuing a professional career and upward mobility in respective sectors.

Corporate Sector Jobs

11. Feedback received from the corporate sector points to a lack of requisite vocational/professional skills, besides language skills, being a reason for many EMs in not being recruited for jobs. The 2017 Poverty Report, in pointing out the higher poverty levels among South Asians, says that one of the likely reasons is the lower employment earnings owing to lower educational attainments among many. In order to improve the employability and career progression of EMs, they should be provided with more opportunities to enhance and upgrade their skills, including language. On the one hand this may require compensating the job seeker for lost income during the time spent acquiring additional skills; on the other hand, employers may need to be incentivized to allow these employees to undergo on-the-job training or enroll for courses. The government is also urged to help relevant agencies working in this area to widen the employer base for EMs by conducting promotional campaigns, offering awards and other measures to spread the message of equal opportunities and diversity in employment.

12. A potential area of opportunity for EMs is employment in businesses and investments by Hong Kong companies in countries along the Belt and Road. Companies involved in these investments must recognise the advantages in terms of language skills and cultural familiarity that EMs possess in doing business with countries covered by the Belt and Road initiative. The government is recommended to promote employment of EMs for this initiative by encouraging the business sector to make use of these valuable soft skills. Campaigns, promotional materials, recruitment advice etc. may be used to inform and educate employers.

Conclusion

13. In conclusion, there needs to be great efforts at various levels in order to improve the employment situation of EMs. Undoubtedly, language is the biggest barrier, which requires concerted effort on the part of the government and its agencies to help overcome. Employers too need to review job requirements while educators and training bodies must look at the language for conducting training in order to make sure EMs get a fair chance at pursuing jobs and careers that are available to everybody else.

Equal Opportunities Commission
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