

Index page

Director of Bureau : Secretary for Labour and Welfare

Session No. : 17

File name : LWB(L)-e1.doc

Reply Serial No.	Question Serial No.	Reply Serial No.	Question Serial No.	Reply Serial No.	Question Serial No.
LWB(L)001	0062	LWB(L)026	2461	LWB(L)051	0811
LWB(L)002	0063	LWB(L)027	0318	LWB(L)052	1168
LWB(L)003	1245	LWB(L)028	1525	LWB(L)053	1178
LWB(L)004	1251	LWB(L)029	0398	LWB(L)054	1179
LWB(L)005	1261	LWB(L)030	0456	LWB(L)055	3144
LWB(L)006	1262	LWB(L)031	0457	LWB(L)056	3145
LWB(L)007	1263	LWB(L)032	0458	LWB(L)057	3146
LWB(L)008	0263	LWB(L)033	0459	LWB(L)058	2248
LWB(L)009	0264	LWB(L)034	2211	LWB(L)059	2249
LWB(L)010	0265	LWB(L)035	1652	LWB(L)060	2250
LWB(L)011	0266	LWB(L)036	0677	LWB(L)061	2251
LWB(L)012	0267	LWB(L)037	0678	LWB(L)062	2252
LWB(L)013	0268	LWB(L)038	0682	LWB(L)063	2253
LWB(L)014	0269	LWB(L)039	0683	LWB(L)064	2254
LWB(L)015	1177	LWB(L)040	1891	LWB(L)065	2255
LWB(L)016	0270	LWB(L)041	1892	LWB(L)066	2256
LWB(L)017	0271	LWB(L)042	1893	LWB(L)067	2257
LWB(L)018	0272	LWB(L)043	1894	LWB(L)068	2258
LWB(L)019	0273	LWB(L)044	1895	LWB(L)069	2259
LWB(L)020	0274	LWB(L)045	3382	LWB(L)070	2260
LWB(L)021	0275	LWB(L)046	3767	LWB(L)071	2261
LWB(L)022	0276	LWB(L)047	2030	LWB(L)072	2262
LWB(L)023	0277	LWB(L)048	0808	LWB(L)073	2263
LWB(L)024	1623	LWB(L)049	0809	LWB(L)074	2264
LWB(L)025	1624	LWB(L)050	0810	LWB(L)075	2265

Reply Serial No.	Question Serial No.	Reply Serial No.	Question Serial No.	Reply Serial No.	Question Serial No.
LWB(L)076	2266	LWB(L)103	0956	LWB(L)130	2573
LWB(L)077	2267	LWB(L)104	2694	LWB(L)131	2574
LWB(L)078	2268	LWB(L)105	2695	LWB(L)132	2575
LWB(L)079	2269	LWB(L)106	2696	LWB(L)133	2576
LWB(L)080	2270	LWB(L)107	2699	LWB(L)134	3695
LWB(L)081	2271	LWB(L)108	2700	LWB(L)135	3696
LWB(L)082	2311	LWB(L)109	2701	LWB(L)136	3697
LWB(L)083	2314	LWB(L)110	2919	LWB(L)137	3698
LWB(L)084	2315	LWB(L)111	2790	LWB(L)138	3699
LWB(L)085	2316	LWB(L)112	3788	LWB(L)139	3700
LWB(L)086	2317	LWB(L)113	3789	LWB(L)140	3701
LWB(L)087	0896	LWB(L)114	3790	LWB(L)141	3702
LWB(L)088	0897	LWB(L)115	3791	LWB(L)142	3703
LWB(L)089	0942	LWB(L)116	3792	LWB(L)143	3704
LWB(L)090	0943	LWB(L)117	3793	LWB(L)144	3705
LWB(L)091	0944	LWB(L)118	3794	LWB(L)145	3706
LWB(L)092	0945	LWB(L)119	3795	LWB(L)146	3707
LWB(L)093	0946	LWB(L)120	3796	LWB(L)147	3708
LWB(L)094	0947	LWB(L)121	2564	LWB(L)148	1090
LWB(L)095	0948	LWB(L)122	2565	LWB(L)149	1091
LWB(L)096	0949	LWB(L)123	2566	LWB(L)150	1093
LWB(L)097	0950	LWB(L)124	2567	LWB(L)151	3737
LWB(L)098	0951	LWB(L)125	2568	LWB(L)152	3738
LWB(L)099	0952	LWB(L)126	2569	LWB(L)153	3739
LWB(L)100	0953	LWB(L)127	2570	LWB(L)154	3740
LWB(L)101	0954	LWB(L)128	2571	LWB(L)155	3487
LWB(L)102	0955	LWB(L)129	2572	LWB(L)156	3488

Reply Serial No.	Question Serial No.	Reply Serial No.	Question Serial No.	Reply Serial No.	Question Serial No.
LWB(L)157	3489	LWB(L)162	3495	LWB(L)167	3778
LWB(L)158	3490	LWB(L)163	3496	LWB(L)168	3779
LWB(L)159	3492	LWB(L)164	3497	LWB(L)169	3780
LWB(L)160	3493	LWB(L)165	3203	LWB(L)170	3781
LWB(L)161	3494	LWB(L)166	3548	LWB(L)171	3782

**Replies to initial written questions raised by Finance Committee Members in
examining the Estimates of Expenditure 2011-12**

**Director of Bureau : Secretary for Labour and Welfare
Session No. : 17**

Reply Serial No.	Question Serial No.	Name of Member	Head	Programme
LWB(L)001	0062	CHEUNG Yu-yan, Tommy	90	Employee Rights and Benefits
LWB(L)002	0063	CHEUNG Yu-yan, Tommy	90	Employment Services
LWB(L)003	1245	CHEUNG Yu-yan, Tommy	90	Employee Rights and Benefits
LWB(L)004	1251	CHEUNG Yu-yan, Tommy	90	Employee Rights and Benefits
LWB(L)005	1261	CHEUNG Yu-yan, Tommy	90	000 Operational expenses
LWB(L)006	1262	CHEUNG Yu-yan, Tommy	90	Employee Rights and Benefits
LWB(L)007	1263	CHEUNG Yu-yan, Tommy	90	Employee Rights and Benefits
LWB(L)008	0263	PAN Pey-chyou	90	Labour Relations
LWB(L)009	0264	PAN Pey-chyou	90	Employment Services
LWB(L)010	0265	PAN Pey-chyou	90	Safety and Health at Work
LWB(L)011	0266	PAN Pey-chyou	90	Safety and Health at Work
LWB(L)012	0267	PAN Pey-chyou	90	Employee Rights and Benefits
LWB(L)013	0268	PAN Pey-chyou	90	Employee Rights and Benefits
LWB(L)014	0269	PAN Pey-chyou	90	Employee Rights and Benefits
LWB(L)015	1177	PAN Pey-chyou	90	Employee Rights and Benefits
LWB(L)016	0270	IP Wai-ming	90	Labour Relations
LWB(L)017	0271	IP Wai-ming	90	Employment Services
LWB(L)018	0272	IP Wai-ming	90	Employment Services
LWB(L)019	0273	IP Wai-ming	90	Employment Services
LWB(L)020	0274	IP Wai-ming	90	Employment Services
LWB(L)021	0275	IP Wai-ming	90	Safety and Health at Work
LWB(L)022	0276	IP Wai-ming	90	Employee Rights and Benefits

Reply Serial No.	Question Serial No.	Name of Member	Head	Programme
LWB(L)023	0277	IP Wai-ming	90	Employment Services
LWB(L)024	1623	IP Wai-ming	90	Employee Rights and Benefits
LWB(L)025	1624	IP Wai-ming	90	Employment Services
LWB(L)026	2461	IP Wai-ming	90	Employee Rights and Benefits
LWB(L)027	0318	LAU Wong-fat	90	Employee Rights and Benefits
LWB(L)028	1525	IP LAU Suk-ye, Regina	90	Labour Relations
LWB(L)029	0398	HO Chung-tai, Raymond	90	Employment Services
LWB(L)030	0456	WONG Kwok-kin	90	Labour Relations
LWB(L)031	0457	WONG Kwok-kin	90	Employment Services
LWB(L)032	0458	WONG Kwok-kin	90	Safety and Health at Work
LWB(L)033	0459	WONG Kwok-kin	90	Employee Rights and Benefits
LWB(L)034	2211	WONG Kwok-kin	90	Employee Rights and Benefits
LWB(L)035	1652	SHEK Lai-him, Abraham	90	000 Operational expenses
LWB(L)036	0677	LI Fung-ying	90	Employee Rights and Benefits
LWB(L)037	0678	LI Fung-ying	90	Employment Services
LWB(L)038	0682	LI Fung-ying	90	Employment Services
LWB(L)039	0683	LI Fung-ying	90	700 General non-recurrent
LWB(L)040	1891	CHEUNG Kwok-che	90	Labour Relations
LWB(L)041	1892	CHEUNG Kwok-che	90	Labour Relations
LWB(L)042	1893	CHEUNG Kwok-che	90	Employment Services
LWB(L)043	1894	CHEUNG Kwok-che	90	000 Operational expenses
LWB(L)044	1895	CHEUNG Kwok-che	90	Employment Services
LWB(L)045	3382	CHEUNG Kwok-che	90	Employment Services
LWB(L)046	3767	CHEUNG Kwok-che	90	Employment Services
LWB(L)047	2030	LEUNG Kwok-hung	90	Employment Services
LWB(L)048	0808	WONG Kwok-hing	90	Employment Services
LWB(L)049	0809	WONG Kwok-hing	90	Safety and Health at Work

Reply Serial No.	Question Serial No.	Name of Member	Head	Programme
LWB(L)050	0810	WONG Kwok-hing	90	Employee Rights and Benefits
LWB(L)051	0811	WONG Kwok-hing	90	Employee Rights and Benefits
LWB(L)052	1168	WONG Kwok-hing	90	Labour Relations
LWB(L)053	1178	WONG Kwok-hing	90	Employee Rights and Benefits
LWB(L)054	1179	WONG Kwok-hing	90	Employee Rights and Benefits
LWB(L)055	3144	WONG Kwok-hing	90	000 Operational expenses
LWB(L)056	3145	WONG Kwok-hing	90	000 Operational expenses
LWB(L)057	3146	WONG Kwok-hing	90	000 Operational expenses
LWB(L)058	2248	FUNG Kin-kee, Frederick	90	Labour Relations
LWB(L)059	2249	FUNG Kin-kee, Frederick	90	Labour Relations
LWB(L)060	2250	FUNG Kin-kee, Frederick	90	Employment Services
LWB(L)061	2251	FUNG Kin-kee, Frederick	90	Employment Services
LWB(L)062	2252	FUNG Kin-kee, Frederick	90	Employment Services
LWB(L)063	2253	FUNG Kin-kee, Frederick	90	Employment Services
LWB(L)064	2254	FUNG Kin-kee, Frederick	90	Employment Services
LWB(L)065	2255	FUNG Kin-kee, Frederick	90	Employment Services
LWB(L)066	2256	FUNG Kin-kee, Frederick	90	Employment Services
LWB(L)067	2257	FUNG Kin-kee, Frederick	90	Employment Services
LWB(L)068	2258	FUNG Kin-kee, Frederick	90	Employee Rights and Benefits
LWB(L)069	2259	FUNG Kin-kee, Frederick	90	Labour Relations
LWB(L)070	2260	FUNG Kin-kee, Frederick	90	Employment Services
LWB(L)071	2261	FUNG Kin-kee, Frederick	90	Labour Relations
LWB(L)072	2262	FUNG Kin-kee, Frederick	90	Labour Relations
LWB(L)073	2263	FUNG Kin-kee, Frederick	90	Safety and Health at Work
LWB(L)074	2264	FUNG Kin-kee, Frederick	90	Employee Rights and Benefits
LWB(L)075	2265	FUNG Kin-kee, Frederick	90	Employment Services
LWB(L)076	2266	FUNG Kin-kee, Frederick	90	Employee Rights and Benefits

Reply Serial No.	Question Serial No.	Name of Member	Head	Programme
LWB(L)077	2267	FUNG Kin-kee, Frederick	90	Employee Rights and Benefits
LWB(L)078	2268	FUNG Kin-kee, Frederick	90	Labour Relations
LWB(L)079	2269	FUNG Kin-kee, Frederick	90	Employment Services
LWB(L)080	2270	FUNG Kin-kee, Frederick	90	Employment Services
LWB(L)081	2271	FUNG Kin-kee, Frederick	90	Employment Services
LWB(L)082	2311	CHAN Kin-por	90	Employment Services
LWB(L)083	2314	CHAN Kin-por	90	Labour Relations
LWB(L)084	2315	CHAN Kin-por	90	Safety and Health at Work
LWB(L)085	2316	CHAN Kin-por	90	Employee Rights and Benefits
LWB(L)086	2317	CHAN Kin-por	90	Employee Rights and Benefits
LWB(L)087	0896	CHAN Mo-po, Paul	90	Labour Relations Employee Rights and Benefits
LWB(L)088	0897	CHAN Mo-po, Paul	90	Employee Rights and Benefits
LWB(L)089	0942	LEE Cheuk-yan	90	Labour Relations
LWB(L)090	0943	LEE Cheuk-yan	90	Labour Relations
LWB(L)091	0944	LEE Cheuk-yan	90	Labour Relations
LWB(L)092	0945	LEE Cheuk-yan	90	Employment Services
LWB(L)093	0946	LEE Cheuk-yan	90	Employment Services
LWB(L)094	0947	LEE Cheuk-yan	90	Employment Services
LWB(L)095	0948	LEE Cheuk-yan	90	Employment Services
LWB(L)096	0949	LEE Cheuk-yan	90	Safety and Health at Work
LWB(L)097	0950	LEE Cheuk-yan	90	Safety and Health at Work
LWB(L)098	0951	LEE Cheuk-yan	90	Employee Rights and Benefits
LWB(L)099	0952	LEE Cheuk-yan	90	Employee Rights and Benefits
LWB(L)100	0953	LEE Cheuk-yan	90	Employee Rights and Benefits
LWB(L)101	0954	LEE Cheuk-yan	90	Employee Rights and Benefits
LWB(L)102	0955	LEE Cheuk-yan	90	Employee Rights and Benefits

Reply Serial No.	Question Serial No.	Name of Member	Head	Programme
LWB(L)103	0956	LEE Cheuk-yan	90	Employee Rights and Benefits
LWB(L)104	2694	LAM Tai-fai	90	Employment Services
LWB(L)105	2695	LAM Tai-fai	90	Employment Services
LWB(L)106	2696	LAM Tai-fai	90	Employee Rights and Benefits
LWB(L)107	2699	LAM Tai-fai	90	Employee Rights and Benefits
LWB(L)108	2700	LAM Tai-fai	90	Employment Services
LWB(L)109	2701	LAM Tai-fai	90	Employee Rights and Benefits
LWB(L)110	2919	LAM Tai-fai	90	Employee Rights and Benefits
LWB(L)111	2790	IP Kwok-him	90	Employment Services
LWB(L)112	3788	IP Kwok-him	90	Safety and Health at Work
LWB(L)113	3789	IP Kwok-him	90	Employee Rights and Benefits
LWB(L)114	3790	IP Kwok-him	90	Labour Relations
LWB(L)115	3791	IP Kwok-him	90	Employment Services
LWB(L)116	3792	IP Kwok-him	90	Employment Services
LWB(L)117	3793	IP Kwok-him	90	700 General non-recurrent
LWB(L)118	3794	IP Kwok-him	90	Employment Services
LWB(L)119	3795	IP Kwok-him	90	Employment Services
LWB(L)120	3796	IP Kwok-him	90	Employment Services
LWB(L)121	2564	WONG Sing-chi	90	Safety and Health at Work
LWB(L)122	2565	WONG Sing-chi	90	Safety and Health at Work
LWB(L)123	2566	WONG Sing-chi	90	Safety and Health at Work
LWB(L)124	2567	WONG Sing-chi	90	Safety and Health at Work
LWB(L)125	2568	WONG Sing-chi	90	Safety and Health at Work
LWB(L)126	2569	WONG Sing-chi	90	Safety and Health at Work
LWB(L)127	2570	WONG Sing-chi	90	Safety and Health at Work
LWB(L)128	2571	WONG Sing-chi	90	Safety and Health at Work
LWB(L)129	2572	WONG Sing-chi	90	Safety and Health at Work

Reply Serial No.	Question Serial No.	Name of Member	Head	Programme
LWB(L)130	2573	WONG Sing-chi	90	Labour Relations
LWB(L)131	2574	WONG Sing-chi	90	Labour Relations
LWB(L)132	2575	WONG Sing-chi	90	Labour Relations
LWB(L)133	2576	WONG Sing-chi	90	Labour Relations
LWB(L)134	3695	WONG Sing-chi	90	Labour Relations
LWB(L)135	3696	WONG Sing-chi	90	Labour Relations
LWB(L)136	3697	WONG Sing-chi	90	Employment Services
LWB(L)137	3698	WONG Sing-chi	90	Employment Services
LWB(L)138	3699	WONG Sing-chi	90	Employment Services
LWB(L)139	3700	WONG Sing-chi	90	Employment Services
LWB(L)140	3701	WONG Sing-chi	90	Employee Rights and Benefits
LWB(L)141	3702	WONG Sing-chi	90	Employee Rights and Benefits
LWB(L)142	3703	WONG Sing-chi	90	Employee Rights and Benefits
LWB(L)143	3704	WONG Sing-chi	90	Employee Rights and Benefits
LWB(L)144	3705	WONG Sing-chi	90	Employee Rights and Benefits
LWB(L)145	3706	WONG Sing-chi	90	Employee Rights and Benefits
LWB(L)146	3707	WONG Sing-chi	90	Employee Rights and Benefits
LWB(L)147	3708	WONG Sing-chi	90	Employee Rights and Benefits
LWB(L)148	1090	LEUNG Yiu-chung	90	Employment Services
LWB(L)149	1091	LEUNG Yiu-chung	90	Safety and Health at Work
LWB(L)150	1093	LEUNG Yiu-chung	90	Labour Relations
LWB(L)151	3737	LEUNG Yiu-chung	90	Employee Rights and Benefits
LWB(L)152	3738	LEUNG Yiu-chung	90	Employee Rights and Benefits
LWB(L)153	3739	LEUNG Yiu-chung	90	Employee Rights and Benefits
LWB(L)154	3740	LEUNG Yiu-chung	90	Employee Rights and Benefits
LWB(L)155	3487	TONG Ka-wah, Ronny	90	Employment Services
LWB(L)156	3488	TONG Ka-wah, Ronny	90	Employment Services

Reply Serial No.	Question Serial No.	Name of Member	Head	Programme
LWB(L)157	3489	TONG Ka-wah, Ronny	90	Employment Services
LWB(L)158	3490	TONG Ka-wah, Ronny	90	Employment Services
LWB(L)159	3492	TONG Ka-wah, Ronny	90	Employment Services
LWB(L)160	3493	TONG Ka-wah, Ronny	90	Employment Services
LWB(L)161	3494	TONG Ka-wah, Ronny	90	000 Operational expenses
LWB(L)162	3495	TONG Ka-wah, Ronny	90	Labour Relations
LWB(L)163	3496	TONG Ka-wah, Ronny	90	Safety and Health at Work
LWB(L)164	3497	TONG Ka-wah, Ronny	90	Employee Rights and Benefits
LWB(L)165	3203	TAM Wai-ho, Samson	90	
LWB(L)166	3548	LAU Kin-yee, Miriam	90	Safety and Health at Work
LWB(L)167	3778	LEONG Kah-kit, Alan	90	Labour Relations
LWB(L)168	3779	LEONG Kah-kit, Alan	90	Employment Services
LWB(L)169	3780	LEONG Kah-kit, Alan	90	Employee Rights and Benefits
LWB(L)170	3781	LEONG Kah-kit, Alan	90	Employee Rights and Benefits
LWB(L)171	3782	LEONG Kah-kit, Alan	90	Employee Rights and Benefits

Examination of Estimates of Expenditure 2011-12

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)001

Question Serial No.

0062

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the embarkment of a policy study on standard working hours, please provide the details, including the scope of study, the implementation timetable, manpower arrangement and the required provision, etc.

Asked by: Hon. CHEUNG Yu-yan, Tommy

Reply:

The policy study on working hours will cover the regime and experience of other places in regulating working hours, and the working hour situation in Hong Kong. We aim to complete the study by mid-2012. We have started to gather information on working hours arrangements in other places and are examining ways for collecting the statistics on working hours in Hong Kong.

The study is being undertaken with existing manpower at this stage and thus does not require additional funding.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)002

Question Serial No.

0063

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the Youth Pre-employment Training Programme and Youth Work Experience and Training Scheme (YPTP&YWETS) launched in September 2009 for young people with employment difficulties, what is its progress? What is the number of participants? What is the percentage of placement of the participants after receiving training under the scheme? What are the respective breakdowns by the business nature of the participating enterprises, and by the training positions provided?

Asked by: Hon. CHEUNG Yu-yan, Tommy

Reply:

The revamped YPTP&YWETS programme offers trainees 12 months' support services covering pre-employment training, workplace attachment, on-the-job training and personalised career guidance. The personalised career guidance may be extended by another 12 months for trainees who have secured employment.

In its first programme year from September 2009 to August 2010, the revamped programme enrolled 15 543 trainees. Altogether, 6 884 trainees attended pre-employment training and 4 595 trainees were placed into training vacancies. As trainees were enrolled on a year-round basis, some might attend pre-employment training and be placed into training vacancies in the following programme year. The breakdown of the number of the trainees' placements by industry and occupation is tabulated as follows:

Breakdown by Industry

Industry	No. of placements
Community, social and personal service	1 333
Wholesale, retail and import/export trades, restaurants and hotels	950
Construction	758
Transport, storage and communications	509
Financing, insurance, real estate and business services	460
Manufacturing	169
Government sector	190
Others	226
Total	4 595

Breakdown by Occupation

Occupational Group	No. of placements
Clerks	1 120
Craft and related works	1 027
Service workers	862
Associate professionals	848
Sales workers	648
Plant and machine operators and assemblers	51
Elementary occupations	22
Others	17
Total	4 595

In early 2011, YPTP&YWETS office conducted a trainee development survey on trainees who were enrolled in the 2009/10 Programme and completed the 12 months' support services. The result showed that 70.6% of the sampled trainees were in employment.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)003

Question Serial No.

1245

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the wage offences, please provide information on the number of intelligence collected and the number of successful convictions against employers contravening the wage provisions in the past three years (i.e. 2008 to 2010)? What are the respective figures involving the catering, construction and import and export industries?

Asked by: Hon. CHEUNG Yu-yan, Tommy

Reply:

The intelligence on wage offences collected by the Labour Department in 2008, 2009 and 2010 numbered 544, 578 and 420 respectively. The figures involving the catering, construction and import/export industries were as follows:

Industry	2008	2009	2010
Catering	120	119	75
Construction	94	77	56
Import/Export	29	7	12

The number of convictions of employers for contravening wage offences in 2008, 2009 and 2010 was 958, 1 314 and 1 481 respectively. The figures involving the catering, construction and import/export industries were as follows:

Industry	2008	2009	2010
Catering	230	212	268
Construction	149	267	185
Import/Export	49	109	99

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)004

Question Serial No.

1251

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please set out in a table, by the amount of payments and number of applications per year, the top three industries that account for the largest number of applications for payment under the Protection of Wages on Insolvency Fund (PWIF) in the past three years (namely 2008 to 2010). What was the financial position of PWIF in the past three years (namely 2008-09 to 2010-11) respectively and the estimated financial position in 2011-12?

Asked by: Hon. CHEUNG Yu-yan, Tommy

Reply:

The information sought is provided below:

(a) Top three industries by the amount of payment made by PWIF

Year	Industry	Amount of payment (\$ million)
2008	Air transport	15.8
	Restaurants	11.9
	Construction	11.3
	Others	57.3
	Total	96.3
2009	Import and Export trade	32.6
	Retail trade	25.1
	Food and beverage service activities*	17.9
	Others	98.6
	Total	174.2
2010	Food and beverage service activities	18.4
	Import and Export trade	17.1
	Motion picture, video and television programme production, sound recording and music publishing activities	12.2
	Others	51.6
	Total	99.3

(b) Top three industries by the number of applications to PWIF

Year	Industry	Number of applications
2008	Restaurants	1 217
	Retail	1 001
	Construction	760
	Others	3 470
	Total	6 448
2009	Food and beverage service activities*	1 862
	Import and Export trade	1 181
	Construction	947
	Others	3 270
	Total	7 260
2010	Food and beverage service activities	1 149
	Construction	697
	Other personal service activities	568
	Others	2 039
	Total	4 453

* Starting from 2009, the former industrial classification in respect of “Restaurants” has been renamed “Food and beverage service activities”.

(c) Financial position of PWIF

Year	Income (\$ million)	Expenditure (\$ million)	Surplus (\$ million)
2008-09	471.2	153.7	317.5
2009-10	467.1	177.6	289.5
2010-11 (up to 31 January 2011)	442.4	95.4	347.0
2011-12 Estimates	514.0	158.1	355.9

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)005

Question Serial No.

1261

Head : 90 – Labour Department

Subhead (No. & title) :

000 Operational
expenses

Programme :

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the increase of 326 non-directorate posts in 2011-12, please provide, in table form, the respective grade, duties and annual remuneration expenses of these posts, and explain what services will be improved following the creation of such posts.

Asked by : Hon. CHEUNG Yu-yan, Tommy

Reply:

The grades and annual salaries of the 326 posts estimated to be created are provided as follows :

Grade	No. of Posts	Annual Salaries (at mid-point) in \$million
Labour Officer	40	\$17.9
Labour Inspector	26	\$9.2
Occupational Safety Officer	15	\$6.4
Executive Officer	32	\$16.5
Clerical Officer/Clerical Assistant	203	\$43.4
Analyst/Programmer	3	\$1.6
Treasury Accountant / Accounting Officer	3	\$1.4
Information Officer	1	\$0.7
Personal Secretary	1	\$0.3
Workman	2	\$0.2
Total:	326	\$97.6

The creation of these posts will strengthen the services provided by Labour Department in the following areas :

- (a) safeguarding the rights and benefits of employees through the enforcement of the Minimum Wage Ordinance, and their safety and health at work;
- (b) enhancing employment support for vulnerable groups through the operation of a one-stop employment and training centre in Tin Shui Wai; and
- (c) implementing the Work Incentive Transport Subsidy Scheme to help employed members of low-income families in meeting their travelling expenses commuting to and from work.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)006

Question Serial No.

1262

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

With regard to implementing and publicising the statutory minimum wage (SMW) regime, please provide the details including the specific measures, manpower arrangement and the required provision, etc.

Asked by: Hon. CHEUNG Yu-yan, Tommy

Reply:

For implementing the SMW regime, the following measures will be taken: staging territory-wide promotional and publicity campaigns on SMW; conducting seminars and formulating reference guidelines to help employers and employees better understand the provisions and application of the Minimum Wage Ordinance (MWO); rendering consultation and conciliation services to members of the public on the requirements under the MWO; deterring breaches of the MWO through conducting proactive workplace inspections to establishments of various trades, mounting targeted enforcement campaigns for low-paying sectors and undertaking prompt investigation into complaints received; and providing support to the Minimum Wage Commission.

In addition to the 14 existing staff put on SMW work, 67 civil service posts will be created in 2011-12 in connection with the implementation of the SMW. The operating cost and staff cost for implementing and publicising the SMW regime are estimated to be \$41.9 million and \$34.3 million respectively in the year.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)007

Question Serial No.

1263

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding conducting proactive inspections to workplaces and launching targeted enforcement campaigns to safeguard employees' entitlements following the implementation of the Minimum Wage Ordinance (MWO), please provide the details including the number of specific actions, manpower arrangement and the required provision, etc.

Asked by : Hon. CHEUNG Yu-yan, Tommy

Reply :

The Labour Department will adopt a multi-pronged strategy to ensure compliance with MWO, through conducting proactive workplace inspections, mounting targeted enforcement campaigns for low-paying sectors and undertaking prompt and investigation into complaints received. For 2011, we plan to conduct 142 000 inspections to workplaces to check compliance of with labour laws including MWO.

In 2011-12, 25 labour inspectors posts will be created to strengthen the manpower for workplace inspections and follow-up investigations arising mainly from the implementation of MWO. As labour inspectors enforce various labour laws in the course of duty, the manpower and provision required for enforcing MWO cannot be separately identified.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)008

Question Serial No.

0263

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The provision for 2011-12 is \$6.3 million higher than the revised estimate for 2010-11. What is the total estimated expenditure for the posts created? Please also provide the titles and salary levels of the posts to be created. After creating these posts, is the waiting time for consultation meetings and conciliation service expected to be shortened, and how many additional employment claims can be handled in a year?

Asked by: Hon. PAN Pey-chyou

Reply:

In 2011-12, 17 additional posts are to be created under the Labour Relations Programme at an expenditure of \$5.2 million. The ranks and salary ranges of these posts are provided as follows:

Rank	Number of Posts	Salary Range (per month)
Labour Officer	1	\$49,480 – 74,675
Assistant Labour Officer I	7	\$38,685 – 48,670
Assistant Labour Officer II	8	\$19,945 – 36,945
Assistant Clerical Officer	1	\$10,250 – 20,950

The new posts to be created are for handling, among others, the anticipated additional workload arising from the implementation of the Minimum Wage Ordinance and the Employment (Amendment) Ordinance 2010. The waiting time for consultation and conciliation meetings is hence not expected to be shortened.

Regarding the number of additional employment claims to be handled in a year, it depends on factors such as the prevailing economy and labour market situation. It is thus difficult to make an accurate estimate at this stage.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the Pilot Employment Navigator Programme (ENP) and the Special Employment Project for Vulnerable Youths launched at the end of 2010, would the Administration advise this Committee on the following:

- (a) details of these programmes, as well as the manpower and expenditure involved;
- (b) when and how will the effectiveness of these programmes be assessed?

Asked by: Hon. PAN Pey-chyou

Reply:

The information sought is provided as follows:

- (a) Launched in December 2010, the Pilot ENP aims to encourage the unemployed to settle and sustain in employment. Participants will be provided with in-depth and personalised employment consultation services to enhance their job search skills. As an encouragement, a cash incentive of up to \$5,000 will be paid to those who have successfully secured work and stayed in employment after receiving the employment consultation services provided. The financial commitment for launching the two-year programme is \$124.5 million. A total of 19 time-limited posts have been created to administer the Pilot ENP.

Regarding the special employment project for vulnerable young people, it was launched in July 2010, targeting young persons aged between 15 and 24 with acute employment difficulties due to low educational attainment, emotional/behavioural problems or learning difficulties. Under this project, non-governmental organisations (NGOs) are commissioned to nominate vulnerable youths and provide on-the-job training opportunities to them for a period of 12 months. The estimated expenditure for the two-year project is \$33 million covering wages, employer's contributions to the Mandatory Provident Fund, pre-employment training and reimbursement of course and examination fees of up to \$4,000 for 500 trainees. As the project is administered by existing staff among their other employment service work, the manpower and expenditure involved cannot be separately identified.

- (b) Both the Pilot ENP and the special employment project for the vulnerable youth will operate for two years and an overall review will be conducted towards the end of the two-year period. The Pilot ENP will be evaluated on the basis of the number of job seekers enrolled and the number of job seekers placed into the employment. As for the employment project for the vulnerable youth, LD will evaluate in consultation with the host NGOs, the effectiveness of the project on the basis of the number of trainees enrolled, the number of trainees who have completed the on-the-job training and

the development of positive work attitude in the trainees as reflected by the NGOs and the trainees themselves.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)010

Question Serial No.

0265

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

With respect to the matters requiring special attention in 2011-12, would the Government advise this Committee on the following:

- (a) It is stated that large-scale promotional campaigns will be launched for the construction and catering industries. What are the relevant content, time of implementation, estimated number of participants, expenditure, manpower and method of assessment?
- (b) Apart from the construction and catering industries, has the Administration allocated additional resources for similar large-scale promotional campaigns in other industries? If yes, what are the details and estimated expenditure? If no, what are the reasons?

Asked by: Hon. PAN Pey-chyou

Reply:

The information sought is provided as follows:

- (a) In 2011-12, we will launch two large-scale promotional programmes to promote the safety and health awareness of employers and employees in the catering and construction industries.

Both of the programmes will feature a territory-wide competition on safety and health performance, together with other publicity activities, including safety quizzes, roving exhibitions, promotional visits, broadcasting of Announcements in the Public Interest on television and radio, radio programmes, fun days and award presentation ceremonies. Experience of award-winning catering establishments and construction sites will also be recorded on compact discs for distribution to workplaces in the two industries and for broadcast on mobile media.

The promotional programme targeting the catering industries will be implemented between July 2011 and November 2011, and that for the construction industry between October 2011 and March 2012. We estimate that more than 250 catering establishments and 150 construction sites will participate in the programmes. The expenditure on the catering and construction promotional programmes will be around \$1.5 million and \$1.7 million respectively, to be shared between the Labour Department (LD) and other co-organisers.

The two promotional programmes will contribute to the three-pronged strategy of enforcement, publicity and education, advocated by LD in promoting occupational safety.

- (b) The construction and catering industries are the major sectors of concern for occupational safety and health performance, with the construction industry recording the highest accident rate and number of fatalities, and the catering industry topping the number of accidents. LD has no plan for organising large-scale promotional programmes for other industries, but will promote occupational safety and health in them through other means, such as publishing industry-specific materials, leaflets and guidelines, and collaborating with relevant industry organisations in launching publicity and promotional programme.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the enforcement of the Occupational Safety and Health Ordinance (OSHO), the Factories and Industrial Undertakings Ordinance (FIUO) and the Boilers and Pressure Vessels Ordinance (BPVO), please provide a list of the industries or establishments with poor performance records and advise on the action taken against these industries or establishments in 2010-11.

Asked by: Hon. PAN Pey-chyou

Reply:

In 2010-11, the construction and catering industries remained the major areas of concern in respect of occupational safety and health performance, with the construction industry recording the highest accident rate and number of fatalities, and the catering industry topping the list among all industries in the number of accidents.

The Labour Department (LD) continues to promote occupational safety and health problems in these two industries through a strategy of enforcement, promotion and publicity.

On enforcement, LD conducts surprise inspections of construction sites and catering establishments, including launching special enforcement campaigns. In 2010-11, we paid special attention to high-risk activities, such as building repair, maintenance, alteration and addition (RMAA) works, work-at-height, and use of scaffolds, tower cranes, construction vehicles and mobile plant on construction sites, and took rigorous enforcement actions to deter unsafe practices. In the year, we conducted 52 503 inspections to construction sites and 12 562 inspections to catering establishments, resulting in 1 213 and 240 prosecutions respectively.

On promotion and publicity, we organise large-scale promotional campaigns to enhance the safety awareness of employers and employees in the two industries, in collaboration with the Occupational Safety and Health Council (OSHC) and relevant organisations in the two industries. The promotion activities include safety seminars and talks, roving exhibitions, joint promotion with District Councils, Announcements in the Public Interest on television and radio, and broadcast of promotional films on mobile advertising media. In 2010, we also launched a two-year publicity programme targeting RMAA works and work-at-height in collaboration with OSHC, and conducted 26 safety seminars and talks for RMAA contractors engaged by various public sector bodies and government departments e.g. the Housing Department, Home Affairs Department, Hong Kong Housing Society and various universities. There are also arrangements for these bodies to report unsafe practices to LD for follow up actions.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)012

Question Serial No.

0267

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please provide the number of prosecutions taken in 2010-11 by industry and class of prosecution.

Asked by: Hon. PAN Pey-chyou

Reply:

The information sought is provided as follows:

Industry	2010	
	No. of Prosecutions	No. of Convictions
Catering	1 247	989
Manufacturing	347	253
Construction	373	271
Import/Export	481	385
Wholesale/Retail	812	763
Transport, Storage and Communication	227	190
Finance, Insurance, Real Estate and Business Services	453	366
Community, Social and Personal Services	755	670
Others	252	222
Total	4 947	4 109

The prosecutions were mainly related to wage offence, holiday offence and failure to take out employees' compensation insurance. In 2010, the corresponding numbers of these prosecutions were 1 854, 1 305 and 1 373, resulting in 1 481, 1 005 and 1 294 convictions respectively.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)013

Question Serial No.

0268

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the statutory minimum wage (SMW) regime, please advise on the following:

- (a) What approach or action will the Administration take to publicise the SMW regime? What are the details of the relevant plan and the estimated expenditure involved? How will the Administration evaluate the effectiveness of the publicity programmes?
- (b) What are the estimated number and frequency of proactive inspections to workplaces conducted to safeguard employees' entitlements following the implementation of the Minimum Wage Ordinance (MWO) (Cap. 608)?
- (c) To tie in with the implementation of the SMW regime, will the Administration employ additional manpower to increase the frequency of surprise inspections so as to quickly identify employers or employees who are in breach of the relevant legislation? If yes, what are the details?

Asked by: Hon. PAN Pey-chyou

Reply:

The information sought is provided as follows:

- (a) The Labour Department (LD) will continue to launch extensive publicity and promotional activities to familiarise the community with the SMW legislation and facilitate employers and employees in understanding their respective obligations and entitlements under the MWO. Promotional activities include broadcasting TV and radio announcements of public interest through different media channels; advertising on public transports and in publications of target organisations; publishing leaflets and posters for wide distribution and display; inserting promotional message in electricity and water bills; placing newspaper supplements; issuing reference guidelines on the MWO; conducting briefings on the SMW for employers, employees, various target groups and the public; staging roving exhibitions; and hanging banners for outdoor publicity. The estimated expenditure for publicising SMW in 2011-12 is \$5.4 million. Officers of LD will collect feedback from various stakeholders to help assess the effectiveness of its work.
- (b) LD will adopt a multi-pronged strategy to ensure compliance with the MWO, through conducting proactive workplace inspections, mounting targeted enforcement campaigns for low-paying sectors and undertaking prompt investigations into complaints received. For 2011, we plan to conduct 142 000 inspections to workplaces to check compliance with labour laws including the MWO.

- (c) In 2011-12, 25 posts of labour inspectors will be created to strengthen the manpower for workplace inspections and follow-up investigation arising mainly from the implementation of MWO.

Signature	_____
Name in block letters	<u>CHEUK WING HING</u>
Post Title	<u>Commissioner for Labour</u>
Date	<u>19.3.2011</u>

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)014

Question Serial No.

0269

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Of the employment complaints received over the past 3 years (i.e. 2008-09 to 2010-11), how many involved age discrimination? How many were substantiated cases? In 2011-12, will the Administration plan to allocate more resources for conducting a review of the existing policy on age discrimination?

Asked by: Hon. PAN Pey-chyou

Reply:

A survey conducted from December 2008 to March 2009 indicated that the majority of the community did not consider age an important factor in employment and age discrimination in employment did not seem prevalent. From 2008-09 to 2010-11, the Labour Department (LD) received 64 complaints concerning age discrimination in relation to employment. No evidence of age discrimination was found in 45 of these cases. In the remaining 19, the employers admitted to having asked about the age of the job seekers and LD reminded them to consider only the genuine occupational requirements of the job and the ability of the job seekers in the selection process. We have no plan to review the existing policy on age discrimination in employment.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)015

Question Serial No.

1177

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please provide the following information:

- (a) In order to ensure wage protection for persons with disabilities, how will the Administration make sure that the results of the productivity assessment under the statutory minimum wage (SMW) regime are absolutely impartial and reasonable?
- (b) What are the details of the assessment methods? Have they been implemented overseas? If yes, please state the names of the places and the dates of initial implementation. Has any study been carried out on the assessment methods to ensure their accuracy? If yes, what are the details? If no, what are the reasons?
- (c) What is the number of training hours of the assessors and the provision for training? Are the assessors required to undergo regular tests to assess their capability? If yes, how often will a test be conducted?
- (d) If persons with disabilities have doubt and dissatisfaction over the assessment results, what department should they approach for assistance and complaint? If the complaint is substantiated, how will the department concerned deal with it? If more than a complaint is made against an assessor, how will the department concerned deal with it?
- (e) Has any complaint mechanism been devised and more resource been allocated for proper supervision of the assessments to ensure impartiality?
- (f) What is the estimated total expenditure and manpower for the productivity assessment in 2011-12?

Asked by: Hon. PAN Pey-chyou

Reply:

The information sought is provided as follows:

- (a) Productivity assessments under the Minimum Wage Ordinance (MWO) will be conducted by approved assessors who are registered occupational therapists, registered physiotherapists, registered social workers and vocational rehabilitation practitioners with the requisite years of relevant experience. All are required to complete satisfactorily training arranged by the Labour Department (LD). Approved assessors are also required to conduct assessments in accordance with the methods and procedures stipulated in the MWO, its subsidiary legislation and the administrative guidelines to be issued by LD.

- (b) The Minimum Wage (Assessment Methods) Notice specifies the methods for assessing the degree of productivity of persons with disabilities under the SMW regime. The United States of America and Australia have put in place their systems to assess the productivity of persons with disabilities since 1986 and 1994 respectively. The productivity assessment mechanism under the MWO is devised having regard to local circumstances and the views of stakeholders, including: persons with disabilities, parent groups, rehabilitation organisations, employers of persons with disabilities, relevant professional associations of assessors and the Equal Opportunities Commission.
- (c) The training for assessors will last for about one day. It will be part of LD's work for implementing the MWO and the expenditure involved cannot be separately identified. We will set a validity period for approval granted to assessors and require those who intend to continue to become approved assessors to complete training satisfactorily. Our plan is to appoint the first batch of approved assessors for a term of three years.
- (d) A person with disabilities who considers that the approved assessor has committed misconduct or malpractice when discharging the duties may lodge a complaint with LD and/or the professional association of the approved assessor concerned. LD may withdraw the approval granted to an assessor who is considered unable or unfit to carry out the duties of the approved assessor owing to poor performance or any justifiable cause.
- (e) and (f)
LD will regulate the performance of approved assessors through different channels, such as undertaking surprise checking, monitoring the performance of approved assessors, collecting feedback from persons with disabilities and employers, and investigating complaints thoroughly. The productivity assessment mechanism for persons with disabilities will be administered by staff of LD among their other duties for implementing the MWO and the manpower and expenditure involved cannot be separately identified. In 2011-12, the Administration has reserved a provision of \$30 million for meeting the assessment fees for approved assessors.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L) 016

Question Serial No.

0270

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

How will the Administration conduct a review of the existing arrangement for replacement holiday in the event of a Lunar New Year holiday falling on a Sunday? What are the estimated expenditure and manpower arrangement involved?

Asked by: Hon. IP Wai-ming

Reply:

We have conducted the review on replacement holiday in the event of a Lunar New Year holiday falling on a Sunday. The review was undertaken by existing staff among their other duties. The manpower and expenditure involved cannot be separately identified.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)017

Question Serial No.

0271

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please provide a breakdown of the number of workers successfully imported under the Supplementary Labour Scheme (SLS) in the past 3 years (i.e. 2008-09 to 2010-11) by industry, post, monthly salary, weekly working hours and region/country of origin, and what was its proportion of the number of applications?

Asked by: Hon. IP Wai-ming

Reply:

In 2008, 2009 and 2010, employers applied to import 2 440, 1 656 and 2 340 workers respectively under the SLS. The corresponding numbers of imported workers approved were 1 082, 797 and 1 180, representing 44.3%, 48.1% and 50.4% of the numbers of imported workers applied for.

A breakdown of the numbers of imported workers approved in 2008, 2009 and 2010 by industry, job title and wage level is provided at Annexes 1 to 3.

The majority of imported workers under the SLS have a normal working time of either eight or nine hours per day. We do not keep information on their weekly working hours and the number of workers imported by region/country of origin.

Signature	_____
Name in block letters	CHEUK WING HING
Post title	Commissioner for Labour
Date	18.3.2011

**Number of imported workers approved under the
Supplementary Labour Scheme in 2008, 2009 and 2010
with breakdown by industry**

Industry	2008	2009	2010
1. Agriculture and fishing	229	311	311
2. Manufacturing	132	87	124
3. Construction	5	7	1
4. Wholesale, retail and import/ export trades, restaurants and hotels	41	45	58
5. Transport, storage and communication	125	2	0
6. Financing, insurance, real estate and business services	2	1	3
7. Community, social and personal services	548	344	683
Total	1 082	797	1 180

**Number of imported workers approved under the
Supplementary Labour Scheme in 2008, 2009 and 2010
with breakdown by job title**

Job title	2008	2009	2010
1. Care Worker (Elderly Service)	522	295	636
2. Livestock/ Poultry/ Fish/ Crops Farm Worker	205	276	280
3. Gardening Worker	19	29	40
4. Bean Curd/ Soya Bean/ Bean Sprout Processing Worker	35	31	39
5. Cook	15	19	28
6. Knitting Machine Operator	33	26	20
7. Machine Operator	13	12	18
8. Steel Fabricator/ Steel Worker	3	0	16
9. Quality Controller/ Inspector/ Control Supervisor	14	14	14
10. Others	223	95	89
Total	1 082	797	1 180

**Number of imported workers approved under the
Supplementary Labour Scheme in 2008, 2009 and 2010
with breakdown by wage level**

Monthly wage	2008	2009	2010
1. \$6,000 or below	18	2	13
2. \$6,001-\$8,000	639	393	739
3. \$8,001-\$10,000	216	295	309
4. \$10,001-\$12,000	37	24	56
5. \$12,001-\$14,000	12	26	27
6. \$14,001-\$16,000	19	9	8
7. \$16,001-\$18,000	6	18	19
8. \$18,001-\$20,000	128	1	0
9. Above \$20,000	7	29	9
Total	1 082	797	1 180

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)018

Question Serial No.

0272

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

In 2011-12, how many people are expected to be eligible for the Work Incentive Transport Subsidy (WITS) in the whole territory? What is the expenditure for subsidy involved? Please provide a breakdown by District Council (DC) district.

Asked by: Hon. IP Wai-ming

Reply:

According to the General Household Survey (GHS) conducted by the Census and Statistics Department, it is estimated that there were about 436 000 employed persons working 36 hours or more a month living in households which fell within the income thresholds for WITS in the second quarter of 2010. Assuming that half of them will come forward and apply for WITS and can meet the eligibility criteria, there will be 218 000 persons and the estimated amount of subsidy pay-out in 2011-12 will be \$1,147 million. As the sample size of the GHS conducted quarterly is not sufficiently large for compiling reliable statistics by DC district, we are unable to estimate the number of potential WITS applicants by DC district.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)019

Question Serial No.

0273

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

In 2010-11, what was the total number of ethnic minority job seekers registered with the Labour Department (LD)? What was the number of placements made? What were the types of jobs offered, their wages and weekly working hours? If such data are unavailable, will the Administration consider conducting a statistical survey in this regard?

Asked by: Hon. IP Wai-ming

Reply:

In 2010, a total of 1 234 ethnic minority job seekers registered for the employment services of LD.

Job seekers may be placed into employment either through the referral services of LD or by direct application to employers who advertise their vacancies via LD. Job seekers who secure employment through direct application are not required to report their placement positions to LD. We, therefore, do not have a breakdown on the number of ethnic minority job seekers placed into employment out of those registered for LD's service.

We have no plan to collect information on the placements of the job seekers. As the majority of job seekers are placed into employment through direct application, asking them to report their placements to LD would cause them inconvenience.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)020

Question Serial No.

0274

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please list in the table below the monthly salaries and weekly working hours of the job positions registered with the Labour Department (LD) in the past year (namely 2010-11); if relevant figures are unavailable, will the Administration consider undertaking a statistical survey in this regard?

Weekly working hours Monthly salary (\$)	6-8 hours		8-10 hours		10-12 hours		over 12 hours	
	Male	Female	Male	Female	Male	Female	Male	Female
3,001-3,500								
3,501-4,000								
4,001-4,500								
4,501-5,000								
5,001-5,500								
5,501-6,000								
6,001-6,500								
6,501-7,000								
7,001-7,500								
7,501-8,000								
8,001-8,500								
8,501-9,000								
9,001-9,500								
9,501-10,000								
Total								

Asked by: Hon. IP Wai-ming

Reply:

In 2010, LD received a total of 755 017 vacancies. Of these, 555 270 vacancies (or 73.5%) fell within the monthly salary range of \$3,001 to \$10,000.

A breakdown of these vacancies by monthly salary is provided as follows:

Monthly salary (\$)	No. of vacancies
3,001-3,500	14 233
3,501-4,000	13 704
4,001-4,500	10 519
4,501-5,000	20 961
5,001-5,500	26 828
5,501-6,000	45 085
6,001-6,500	62 214
6,501-7,000	80 619
7,001-7,500	69 740
7,501-8,000	69 333
8,001-8,500	45 121
8,501-9,000	41 016
9,001-9,500	23 905
9,501-10,000	31 992
Total	555 270

(Note: Vacancies with monthly salary below \$4,000 were mostly part-time or temporary jobs.)

We do not keep information on the weekly working hours of the vacancies and have no plan to embark on a survey in this regard.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)021

Question Serial No.

0275

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

In the past three years (i.e. 2008-09 to 2010-11), what were the numbers of accidents and work injuries involving lower limb disorders? What were the major industries involved? What are the additional resources earmarked for publicity programmes on the prevention of such diseases in 2011-12? What is the expenditure involved?

Asked by: Hon. IP Wai-ming

Reply:

In 2008, 2009 and the first three quarters of 2010, there were a total of 9 370, 8 834 and 6 983 occupational accidents involving the lower limbs respectively, primarily involving the catering industry, transport and related services, and business services.

In 2011-12, the Labour Department (LD) will, in collaboration with the Occupational Safety and Health Council, launch a focused publicity campaign to raise the awareness among employers and employees of the prevention of lower limb disorders. The publicity campaign is part of LD's occupational safety and health promotion efforts and the expenditure cannot be separately identified.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)022

Question Serial No.

0276

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the importation of labour, please advise on the following:

- (a) Of the complaints relating to the employment of imported workers investigated last year (i.e. 2010-11), how many were substantiated cases? How many illegal workers were found? What are the numbers of arrests and convictions?
- (b) In 2011-12, has the Administration planned to allocate additional funding and manpower for conducting a comprehensive review and study of the existing policy on importation of labour, with a view to enhancing the protection for local workers? If yes, what is the expenditure involved?

Asked by: Hon. IP Wai-ming

Reply:

The information sought is provided as follows:

- (a) In 2010, the Labour Department (LD) received 10 complaints involving imported workers under the Supplementary Labour Scheme (SLS). Two were substantiated, with prosecution taken out in one case, and written warning issued in the other.
- (b) LD has no plan to conduct a comprehensive review and study of the existing policy on importation of labour. There is hence no need to allocate additional funding and manpower for such work in 2011-12.

Signature

Name in block letters

Post title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)023

Question Serial No.

0277

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the Special Employment Project for Vulnerable Youths (the Project), please provide the following information:

- (a) details of the Project;
- (b) the number of participants in 2010-11 and their age and qualification profile; the number of participants securing placements under the Project;
- (c) has the Administration allocated additional resources in 2011-12 to step up the publicity and promotion of the Project? If yes, what is the expenditure involved?

Asked by: Hon. IP Wai-ming

Reply:

The information sought is provided as follows:

- (a) In July 2010, the Labour Department (LD) launched a special employment project targeting vulnerable young people aged between 15 and 24 with acute employment difficulties owing to low educational attainment, emotional/behavioural problems or learning difficulties. Under this project, non-governmental organisations (NGOs) are commissioned to nominate vulnerable youths and provide on-the-job training opportunities to them for a period of 12 months.
- (b) Since November 2010, 109 trainees have been enrolled in the project and commenced their on-the-job training at the host NGOs. The breakdown by age and educational attainment is as follows:

Breakdown by age

Age Group	No. of Trainees
15 – 19	31
20 or above	78
Total	109

Breakdown by educational attainment

Educational attainment	No. of Trainees
F.4 or below	36
F.5	60
F.6 or above	13
Total	109

- (c) Under the project, NGOs are responsible for the recruitment, training and provision of the on-the-job training opportunities to the trainees. LD will maintain close liaison with the host NGOs to secure their support for the project. Provision for publicity and promotion is not required.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)024

Question Serial No.

1623

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

With respect to the arrangement for productivity assessment of persons with disabilities under the statutory minimum wage (SMW) regime, would the Administration advise this Committee on the following:

- (a) What is the progress of preparation for conducting these assessments? When is the arrangement expected to formally commence?
- (b) What is the estimated number of persons with disabilities applying for a productivity assessment in 2011-12?
- (c) Upon the implementation of the arrangement, how many approved assessors are expected to be available for the assessment work? What is the average number of persons with disabilities for whom each assessor will conduct the productivity assessment? What is the estimated expenditure on remuneration for the assessors in 2011-12?

Asked by: Hon. IP Wai-ming

Reply:

The information sought is provided as follows:

- (a) The Labour Department (LD) is conducting publicity activities to apprise persons with disabilities of their rights under the relevant provisions of the Minimum Wage Ordinance (MWO). We have also embarked on the recruitment of assessors for conducting productivity assessments. We will provide training and guidelines for approved assessors and conduct territory-wide briefings on the mechanism to stakeholders, including: persons with disabilities, employers of persons with disabilities, rehabilitation organisations, parent groups, relevant professional associations of assessors and other interested parties. The assessment mechanism will commence on 1 May 2011.
- (b) Opting for productivity assessment is voluntary under the MWO for persons with disabilities. The number of persons with disabilities requiring the assessment cannot be estimated. Since the mechanism is subject to the free choice of persons with disabilities, we are unable to provide a meaningful estimate on the number of persons with disabilities requiring assessments in 2011-12.
- (c) We estimate that a few hundred persons in the vocational rehabilitation sector will meet the criteria for approved assessors. As the number of persons with disabilities requiring the assessment is not known, we cannot estimate the average number of productivity assessments to be conducted by each approved assessor. In 2011-12, the Administration has reserved a provision of \$30 million for meeting the assessment fees for approved assessors.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)025

Question Serial No.

1624

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding employment services, please advise whether the Administration is aware of the fact that some industries are already facing a succession problem among the new and the old employees, or even the risk of acute shortage of staff in some ranks as this is the case of certain middle level technical staff. If yes, please provide the names of the industries and the posts involved? Does the Administration have any plans to solve this problem?

Asked by: Hon. IP Wai-ming

Reply:

The Labour Department (LD) is responsible for providing employment services to job seekers and recruitment services to employers. Employers who have recruitment needs can approach LD for assistance. We help employers disseminate their vacancy information to job seekers speedily through various channels, including a network of 12 Job Centres, two industry-based recruitment centres, the Interactive Employment Service website and exhibitions. Employers may also join our job fairs to recruit suitable employees.

As for the problem of labour shortage in individual industries, the bureaux/departments concerned would refer to a wide range of statistics and research studies, and consider appropriate measures to address the needs of the industries within their purview.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)026

Question Serial No.

2461

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

To tie in with the implementation of the statutory minimum wage (SMW), and to better safeguard employees' entitlements, it is necessary for the Administration to legislate on the standard working hours as soon as possible. In this connection, could the Government please advise this Committee on the following:

- (a) The latest progress of the Administration's study on standard working hours, timetable of the study and specific arrangement.
- (b) Will any targeted research and survey on standard working hours be conducted in 2011-12, in order to find out the working hours of local employees? If yes, what are the details? If no, what are the reasons?
- (c) What are the manpower and expenditure incurred for the entire study on standard working hours?

Asked by: Hon. IP Wai-ming

Reply:

The information sought is provided as follows:

- (a) The policy study on working hours will cover the regime and experience of other places in regulating working hours, and the working hour situation in Hong Kong. We have started to gather information on working hours arrangements in other places and are examining ways for collecting the statistics on working hours in Hong Kong. We aim to complete the study by mid-2012.
- (b) As we are now examining ways for collecting the relevant statistics, we are unable to provide details at this stage.
- (c) The study is being undertaken by existing staff at this stage and does not require additional funding.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)027

Question Serial No.

0318

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the implementation of the Minimum Wage Ordinance (MWO), what is the manpower involved? Will they conduct proactive investigations to enforce the Ordinance?

Asked by: Hon. LAU Wong-fat

Reply:

In addition to the 14 existing staff put on MWO work, 67 civil service posts will be created in 2011-12 in connection with the implementation of the Ordinance.

To ensure compliance with the MWO, LD will adopt a multi-pronged strategy, through conducting proactive workplace inspections, mounting targeted enforcement campaigns for low-paying sectors, undertaking prompt investigations into complaints and suspected cases, as well as instituting prosecutions for substantiated offences.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)028

Question Serial No.

1525

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the indicator “working days lost from labour disputes known” under this Programme, the actual figure decreased from 1 080 days in 2009 to 329 days in 2010 and the estimated figure for 2011 is 330, similar to the actual figure for 2010. What are the reasons for the significant decrease in the actual figure for 2010 as compared with that for 2009?

Asked by: Hon. IP LAU Suk-ye, Regina

Reply:

The number of “working days lost from labour disputes known” depends largely on the number of strikes and the number of employees involved in them. In 2010, both numbers recorded a significant decrease as compared to 2009 and hence the significant decrease in the number of “working days lost from labour disputes known”.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)029

Question Serial No.

0398

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

In the 2011-12 financial year, the Labour Department (LD) has planned to set up a pioneer one-stop employment and training centre in Tin Shui Wai. What are the estimated expenditure involved and the number of people expected to benefit? When will a review be conducted and what are the criteria for assessing its effectiveness?

Asked by: Hon. HO Chung-tai, Raymond

Reply:

The estimated recurrent expenditure for the pioneer one-stop employment and training centre (one-stop centre) to be set up in Tin Shui Wai for 2011-12 is about \$10 million and the annual staff cost is about \$6.5 million. The one-stop centre will provide employment services to all job seekers of the Yuen Long District and we expect that it will serve about 10 000 job seekers a year. We plan to review the operation of the one-stop centre two years after it has commenced operation. Its effectiveness will be evaluated on the basis of the number of job seekers registered, vacancies canvassed, job referrals made, placements achieved, recruitment activities organised, and the users' satisfaction with the services provided.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)030

Question Serial No.

0456

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the figures of labour disputes and claims under the indicators in paragraph 7, could the Administration please provide the number of cases handled last year (the whole year of 2010) where the employers concerned were insolvent or could not be reached and those cases where the employers were reached but absent at the conciliation meetings? Does the Administration have the estimated number of these cases for 2011-12?

Asked by: Hon. WONG Kwok-kin

Reply:

The information sought is provided as follows:

Year	Employers concerned were insolvent	Employers could not be reached for conciliation
2010	122	674

We have no separate statistics or estimates on the number of cases where the employers concerned were reached but absent at the conciliation meetings.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)031

Question Serial No.

0457

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

It is stated under the Analysis of Financial and Staff Provision that 247 posts will be created in 2011-12 for implementing the Work Incentive Transport Subsidy (WITS) Scheme and enhancing the employment support services. In this connection, would the Government advise this Committee on the following:

- (a) the total estimated expenditure for enhancing the employment support services, and its proportion of the increased provision; and
- (b) the items to be covered by these support services; the estimated expenditure and details of each item; when will a review of the implementation of these items be conducted, and how to evaluate their effectiveness?

Asked by: Hon. WONG Kwok-kin

Reply:

The information sought is provided as follows:

- (a) In 2011-12, an additional provision of about \$28.7 million is allocated for enhancing the employment support services. This accounts for 21.5% of the increased provision under the Employment Services Programme.
- (b) The enhanced employment support services include (i) the strengthening of employment support to vulnerable groups; and (ii) the setting up of a pioneer one-stop employment and training centre (one-stop centre) in Tin Shui Wai.

As regards (i), the Labour Department administers various specialised employment programmes to cater for vulnerable groups in need of employment support. These include the Youth Pre-employment Training Programme and Youth Work Experience and Training Scheme (YPTP&YWETS) for the youths, the Employment Programme for the Middle-aged (EPM) and the Work Orientation and Placement Scheme (WOPS) for persons with disabilities.

The total estimated recurrent expenditure for administering these programmes in 2011-12 is \$122.9 million. The estimated expenditure include training fees paid to training bodies, allowances paid to job seekers for attending pre-employment training, financial incentive to employers for offering on-the-job training etc.

The three employment programmes have been running for six to 11 years and are subject to review from time to time. Their effectiveness is evaluated in terms of the number of participants enrolled, the number of participants who received pre-employment training or placed into on-the-job training, or the number of participants placed into employment.

As regards (ii), the one-stop centre will provide new and enhanced features to assist job seekers in securing employment, in addition to a full range of employment services and programmes normally available in a job centre. Individual job seekers' employment needs will be assessed and tailor-made case management and employment support services will be provided to needy job seekers.

The estimated recurrent expenditure for the one-stop centre is about \$10 million for 2011-12, covering fees for the case management and employment support services to be provided by a non-governmental organisation, maintenance cost of the IT system, accommodation cost and publicity expenses etc. The annual staff cost is about \$6.5 million.

We plan to review the operation of the one-stop centre two years after it has commenced operation. The one-stop centre will be evaluated in terms of the number of job seekers registered, vacancies canvassed, job referrals made, placements achieved and recruitment activities organised, and users' satisfaction with the services provided.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)032

Question Serial No.

0458

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding occupational safety and health, would the Administration advise on the following:

- (a) In 2009 and 2010, the number of inspections conducted under the Factories and Industrial Undertakings Ordinance (FIUO) and the Occupational Safety and Health Ordinance (OSHO) are 119 029 and 124 010 respectively, but the number planned for 2011 is drastically reduced to 109 000. What are the reasons?
- (b) What are the numbers of field inspectors conducting inspections under the FIUO and the OSHO, their form of employment, remuneration and weekly working hours in 2009, 2010 and 2011 (plan); and
- (c) Is there any plan to employ more field inspectors to increase the number of inspections in this year (i.e. 2011)?

Asked by: Hon. WONG Kwok-kin

Reply:

The information sought is provided as follows:

- (a) The planned number of inspections is only a target based on work programmes which have been planned. The actual number of inspections in a year will depend on the number of special enforcement campaigns launched to take account of the situation of accidents.

For 2009 and 2010, the planned number of inspections under FIUO and OSHO were set at 103 050 and 108 450 respectively. The number of inspections actually conducted overshoot the target, owing to a number of special enforcement campaigns launched.

The planned number of inspections under FIUO and OSHO for 2011, set at 109 000, is already higher than the target set in 2010.

- (b) In 2009 and 2010, the number of Occupational Safety Officers (OSOs) deployed to carry out inspections under FIUO and OSHO were 231 and 241 respectively. Fifteen additional OSO posts will be provided in 2011-12. OSOs are employed on civil service terms with conditioned hours of 44 per week. Their total staff cost (at mid-point salary) in 2009, 2010 and 2011 amounted to \$114.2 million, \$117.3 million and \$124.6 million respectively.
- (c) We have recently completed a recruitment exercise for the OSO Grade, and will offer appointment to the successful candidates in March/April 2011.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)033

Question Serial No.

0459

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the extension of the scope of the Protection of Wages on Insolvency Fund (PWIF) to cover pay for untaken annual leave and statutory holidays under the Employment Ordinance (EO) mentioned under the matters requiring special attention in 2011-12, would the Government advise this Committee whether the Administration has planned to recruit more staff in 2011-12 for expediting the preparatory work for the legislative amendment to the relevant ordinance? If yes, what is the estimated expenditure involved and how long will the preparatory work take?

Asked by: Hon. WONG Kwok-kin

Reply:

The preparatory work for introducing the legislative amendments in 2011-12 is undertaken by existing manpower. We have no plan for seeking additional manpower and funding for this work.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)034

Question Serial No.

2211

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Since the problem of false self-employment in the labour market remains serious, does the Administration have any new strategies or measures to take legal action against the persons involved in the coming year (i.e. 2011-12)? If yes, what are the details? What is the manpower and expenditure involved in tackling false self-employment in the coming year (2011-12)?

Asked by: Hon. WONG Kwok-kin

Reply:

The Labour Department (LD) is determined to tackle the problem of false self-employment by adopting a three-pronged approach, viz. publicity, consultation/conciliation and enforcement (which includes conducting inspections to workplaces to check employers' compliance with the law). In 2011-12, we will adhere to this strategy to safeguard the rights of employees in false self-employment. Employees who suspect that their employers have deprived them of statutory rights and benefits under the pretext of self-employment can approach LD to report their cases through either a complaint hotline (2815 2200) or branch offices of the Labour Relations Division. If it is found that an employer involved in suspected false self-employment fails to pay wages or statutory benefits to his employees, rigorous follow-up actions will be taken to safeguard employees' interests. Suspected breaches will be thoroughly investigated and prosecution will be instituted against the offending employers if there is sufficient evidence.

As implementation of the aforementioned strategy is undertaken by existing staff among their other duties, the manpower and expenditure involved in tackling false self-employment cannot be separately provided.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)035

Question Serial No.

1652

Head : 90 – Labour Department

Subhead (No. & title) :

000 Operational expenses

Programme :

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

In 2011-12, the Labour Department will increase 326 non-directorate posts. What are the justifications for such an increase? What is the actual expenditure involved? Please also provide a breakdown for the 326 posts including their ranks and salaries, and the distribution of these posts.

Asked by: Hon. SHEK Lai-him, Abraham

Reply:

The ranks, salary ranges and distribution of the 326 posts estimated to be created are provided as follows:

Programme Area	Rank	No. of Posts	Salary Range (per month)
Labour Relations	Labour Officer	1	\$49,480 - \$74,675
	Assistant Labour Officer I	7	\$38,685 - \$48,670
	Assistant Labour Officer II	8	\$19,945 - \$36,945
	Assistant Clerical Officer	1	\$10,250 - \$20,950
Employment Services	Senior Labour Officer	1	\$77,375 - \$89,140
	Assistant Labour Officer I	1	\$38,685 - \$48,670
	Assistant Labour Officer II	13	\$19,945 - \$36,945
	Chief Executive Officer	2	\$77,375 - \$89,140
	Senior Executive Officer	7	\$49,480 - \$74,675
	Executive Officer I	7	\$38,685 - \$48,670
	Executive Officer II	16	\$20,950 - \$36,945
	Clerical Officer	44	\$22,005 - \$28,065
	Assistant Clerical Officer	136	\$10,250 - \$20,950
	Clerical Assistant	10	\$9,040 - \$15,875
	Systems Manager	1	\$49,480 - \$74,675
	Analyst/Programmer I	1	\$38,685 - \$48,670
	Analyst/Programmer II	1	\$22,005 - \$36,945
	Treasury Accountant	1	\$42,410 - \$74,675
	Accounting Officer II	2	\$19,945 - \$36,945
	Personal Secretary I	1	\$22,005 - \$28,065
Workman II	2	\$9,035 - \$10,655	
Safety and Health at Work	Occupational Safety Officer I	6	\$40,515 - \$48,670
	Occupational Safety Officer II	9	\$18,990 - \$38,685
Employee Rights and Benefits	Senior Labour Officer	1	\$77,375 - \$89,140
	Labour Officer	1	\$49,480 - \$74,675

	Assistant Labour Officer I	4	\$38,685 - \$48,670
	Assistant Labour Officer II	3	\$19,945 - \$36,945
	Chief Labour Inspector	1	\$49,480 - \$60,890
	Senior Labour Inspector	4	\$40,515 - \$48,670
	Labour Inspector I	6	\$29,400 - \$38,685
	Labour Inspector II	15	\$14,975 - \$28,065
	Senior Information Officer	1	\$49,480 - \$60,890
	Clerical Officer	1	\$22,005 - \$28,065
	Assistant Clerical Officer	11	\$10,250 - \$20,950
	Total:	326	

The creation of these posts are mainly required for strengthening the services provided by Labour Department in the following areas:

- (a) safeguarding the rights and benefits of employee through the enforcement of the Minimum Wage Ordinance, and their safety and health at work;
- (b) enhancing employment support for vulnerable groups through the operation of a one-stop employment and training centre in Tin Shui Wai; and
- (c) implementing the Work Incentive Transport Subsidy Scheme to help employed members of low-income families in meeting their travelling expenses commuting to and from work.

The annual staff cost (at mid-point salary) of the 326 posts is \$97.6 million in 2011-12.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)036

Question Serial No.

0677

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

In relation to this Programme, would the Administration provide:

- (a) the information about the 49 posts to be created, including the ranks, job descriptions and remuneration expenses;
- (b) the expenditure and manpower involved for implementing the Minimum Wage Ordinance (MWO) and the Employment (Amendment) Ordinance (EAO) 2010, and the estimated number of inspections to be conducted under the two ordinances?

Asked by: Hon. LI Fung-ying

Reply:

The information sought is provided as follows:

- (a) One of the 49 posts to be created will be offset by deletion of one time-limited post. The ranks and annual salaries of the other 48 posts are provided below.

Rank	No. of Posts	Annual Salaries (at mid-point) in \$million
Senior Labour Officer	1	\$1.0
Labour Officer	1	\$0.7
Assistant Labour Officer I	4	\$2.1
Assistant Labour Officer II	3	\$1.0
Chief Labour Inspector	1	\$0.7
Senior Labour Inspector	4	\$2.1
Labour Inspector I	6	\$2.4
Labour Inspector II	15	\$4.0
Senior Information Officer	1	\$0.7
Clerical Officer	1	\$0.3
Assistant Clerical Officer	11	\$2.1
Total	48	\$17.1

These posts will be responsible for staging territory-wide promotional and publicity campaigns on statutory minimum wage (SMW); conducting seminars and formulating reference guidelines to help employers and employees better understand the provisions and application of the MWO; deterring breaches of the MWO through conducting proactive workplace inspections to establishments of various trades, mounting targeted enforcement campaigns for low-paying sectors, undertaking prompt

investigation into complaints received and instituting prosecutions for substantiated offences; and providing support to the Minimum Wage Commission.

- (b) In addition to the 14 existing staff put on SMW work, 48 civil service posts will be created under this Programme in 2011-12 mainly for implementing the MWO and the EAO 2010. The operating cost and staff cost involved are estimated to be \$41.9 million and \$26.1 million in the year.

For 2011, we plan to conduct 142 000 workplace inspections to check employers' compliance with various labour laws. As enforcement of the MWO and the EAO 2010 is integral to the overall inspection and investigation work, the number of inspections to be conducted for these two ordinances cannot be separately identified.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)037

Question Serial No.

0678

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please provide a breakdown of the number of applications and approved applications under the Supplementary Labour Scheme (SLS) by industry and job title over the past three years.

Asked by: Hon. LI Fung-ying

Reply:

In 2008, 2009 and 2010, the Labour Department received 589, 561 and 808 SLS applications, involving 2 440, 1 656 and 2 340 vacancies respectively. In these three years, 479, 393 and 562 SLS applications were approved, involving 1 082, 797 and 1 180 vacancies respectively. Breakdowns by industry and job title of the vacancies received and approved in 2008, 2009 and 2010 are at Appendices 1 to 4.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

**Breakdown by industry
of vacancies received and approved under the
Supplementary Labour Scheme in 2008, 2009 and 2010**

Industry	Number of vacancies received			Number of vacancies approved		
	2008	2009	2010	2008	2009	2010
1. Agriculture and fishing	305	437	479	229	311	311
2. Manufacturing	585	149	369	132	87	124
3. Construction	188	18	38	5	7	1
4. Wholesale, retail and import/ export trades, restaurants and hotels	173	107	265	41	45	58
5. Transport, storage and communication	152	10	33	125	2	0
6. Financing, insurance, real estate and business services	166	160	57	2	1	3
7. Community, social and personal services	871	775	1 099	548	344	683
Total	2 440	1 656	2 340	1 082	797	1 180

**Breakdown by job title
of vacancies received and approved under the
Supplementary Labour Scheme in 2008**

Job title	Number of vacancies received	Number of vacancies approved
1. Care Worker (Elderly Service)	719	522
2. Livestock/ Poultry/ Fish/ Crops Farm Worker	253	205
3. Aircraft Maintenance Technician	140	124
4. Alloy Welder	100	0
5. Anti-corrosion Lining Worker	85	0
6. Knitting Machine Operator	68	33
7. Cook	48	15
8. Flue Gas Desulphurisation Specialist Welder	45	0
9. Electric Arc and Gas Welder	42	0
10. Others	940	183
Total	2 440	1 082

**Breakdown by job title
of vacancies received and approved under the
Supplementary Labour Scheme in 2009**

Job title	Number of vacancies received	Number of vacancies approved
1. Care Worker (Elderly Service)	540	295
2. Livestock/ Poultry/ Fish/ Crops Farm Worker	370	276
3. Gardening Worker	63	29
4. Cook	45	19
5. Bean Curd/ Soya Bean/ Bean Sprout Processing Worker	39	31
6. Machine Operator	27	12
7. Quality Controller/ Inspector/ Control Supervisor	20	14
8. Care Worker (Disabled Service)	19	9
9. General Sewing Machine Operator	10	6
10. Others	523	106
Total	1 656	797

**Breakdown by job title
of vacancies received and approved under the
Supplementary Labour Scheme in 2010**

Job title	Number of vacancies received	Number of vacancies approved
1. Care Worker (Elderly Service)	984	636
2. Livestock/ Poultry/ Fish/ Crops Farm Worker	396	280
3. Gardening Worker	76	40
4. Cook	70	28
5. Machine Operator	66	18
6. Bean Curd/ Soya Bean/ Bean Sprout Processing Worker	52	39
7. Quality Controller/ Inspector/ Control Supervisor	50	14
8. Knitting Machine Operator	47	20
9. Steel Fabricator/ Steel Worker	43	16
10. Others	556	89
Total	2 340	1 180

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)038

Question Serial No.

0682

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Provision for 2011-12 is \$133.4 million higher than the revised estimate for 2010-11. Please provide a breakdown of the provision under this Programme.

Asked by: Hon. LI Fung-ying

Reply:

The breakdown of the \$133.4 million increase in provision is provided as follows:

Item	Amount (\$m)
Pilot Employment Navigator Programme	59.1
Work Incentive Transport Subsidy Scheme	37.9
Enhancement of employment support services	28.7
Special Employment Project for Vulnerable Youths	5.5
Others	2.2
Total :	133.4

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

18.3.2011

Examination of Estimates of Expenditure 2011-12

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)039

Question Serial No.

0683

Head : 90 – Labour Department

Subhead (No. & title) :

700 (864) Internship
Programme for University
Graduates

Programme :

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Internship Programme for University Graduates has ceased accepting applications from graduates for internship positions after 31 March 2010. How will the balance of \$85,734,000 under this item be handled?

Asked by: Hon. LI Fung-ying

Reply:

The amount of \$85,734,000 is an estimated balance of funding commitment for the Internship Programme for University Graduates. Subject to the actual payments to be made in 2011-12, the unspent funding commitment will be returned to the Government.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)040

Question Serial No.

1891

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

In 2010, there were 19 706 labour disputes and claims with conciliation service rendered, and 14 362 labour disputes and claims resolved through conciliation. What is the breakdown of these two types of cases by category? Regarding the resolved cases, did the Administration continue to provide follow-up services? What is the breakdown of the unresolved cases by category?

Asked by: Hon. CHEUNG Kwok-che

Reply:

In 2010, the Labour Department (LD) handled a total of 20 502 labour disputes (involving over 20 employees) and claims (involving 20 or less employees), of which 68 were disputes and 20 434 were claims. A breakdown of the labour disputes and claims by cause is provided as follows:

Breakdown of labour disputes by cause

Cause	Number of labour disputes
Cessation of business	22
Disputes involving principal contractor and subcontractor	17
Non-payment of wages	6
Insolvency	4
Retrenchment	3
Variation of terms of employment contract	3
Dismissal	1
Others	12
Total	68

Breakdown of claims by cause

Cause	Number of claims
Termination of contract	9 726
Non-payment of wages	6 052
Non-payment of holiday pay/ annual leave pay/ rest day pay/ sickness allowance	2 238
Cessation of business	386
Retrenchment	137
Lay-off	58
Insolvency	46
Variation of terms of employment contract	45
Others	1 746
Total	20 434

However, we do not have similar breakdown for the 19 706 labour disputes and claims with conciliation service rendered, and the 14 362 labour disputes and claims resolved through conciliation.

After a dispute or claim case is resolved through conciliation, the employers or employees involved normally do not require any further follow-up services. This said, should any employers or employees concerned request for follow-up services, LD would render assistance.

In 2010, among the 19 706 labour disputes and claims with conciliation services rendered, 5 344 labour disputes and claims were not resolved through conciliation. Of these 5 344 disputes and claims, 3 780 and 1 564 were referred to the Labour Tribunal and the Minor Employment Claims Adjudication Board respectively for adjudication, depending on the claim amount and number of claimants of each case.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)041

Question Serial No.

1892

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Of the 2 112 claims adjudicated by the Minor Employment Claims Adjudication Board (MECAB) in 2010, how many were resolved? For the unresolved cases, did the Administration continue to assist the claimants to pursue their cases? If yes, what are the results? If no, what are the reasons?

Asked by: Hon. CHEUNG Kwok-che

Reply:

Of the 2 112 claims cases adjudicated by MECAB in 2010, 1 961 cases were concluded, 84 were withdrawn by claimants for various reasons, and another 67 were transferred to the Labour Tribunal for adjudication owing to reasons such as the cases were falling outside MECAB's jurisdiction.

Similar to the enforcement of other civil judgements, the claimant is responsible for enforcing the judgement if the employer fails to comply with the MECAB award. This said, the newly enacted Employment (Amendment) Ordinance 2010, which came into force in October 2010, makes the wilful non-payment of MECAB awards a criminal offence, thus helping to deter non-compliance of MECAB awards.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	18.3.2011

Examination of Estimates of Expenditure 2011-12

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)042

Question Serial No.

1893

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

What are the numbers of workers by occupation imported under the Supplementary Labour Scheme (SLS) from 2009-10 to 2010-11? What are the average salary levels by occupation?

Asked by: Hon. CHEUNG Kwok-che

Reply:

In 2009 and 2010, the Labour Department granted approval for employers to import 797 and 1 180 workers respectively under the SLS. A breakdown of the numbers of imported workers in these two years by job title, with the average monthly wage, is at Annex.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	18.3.2011

**A breakdown by job title and average monthly wage
of the number of imported workers approved under the
Supplementary Labour Scheme in 2009 and 2010**

Job title	2009	2010	Average monthly wage in 2009 and 2010
1. Care Worker (Elderly Service)	295	636	\$7,150
2. Livestock/ Poultry/ Fish/ Crops Farm Worker	276	280	\$8,613
3. Gardening Worker	29	40	\$8,559
4. Bean Curd/ Soya Bean/ Bean Sprout Processing Worker	31	39	\$8,608
5. Cook	19	28	\$12,964
6. Knitting Machine Operator	26	20	\$6,288
7. Machine Operator	12	18	\$8,185
8. Steel Fabricator/ Steel Worker	0	16	\$11,611
9. Quality Controller/ Inspector/ Control Supervisor	14	14	\$16,508
10. Others	95	89	Not applicable*
Total	797	1 180	Not applicable*

* Not applicable as many job titles were involved

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)043

Question Serial No.

1894

Head : 90 – Labour Department

Subhead (No. & title) :

000 Operating expenses

Programme :

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

In 2011-12, the Labour Department will increase 326 posts. What is the expenditure involved? Please also provide a breakdown of these posts by rank. What are the reasons for the increase of manpower?

Asked by: Hon. CHEUNG Kwok-che

Reply :

The annual staff cost (at mid-point salary) of the 326 posts estimated to be created is \$97.6 million in 2011-12. Their ranks are provided as follows:

Rank	No. of Posts
Senior Labour Officer	2
Labour Officer	2
Assistant Labour Officer I	12
Assistant Labour Officer II	24
Chief Labour Inspector	1
Senior Labour Inspector	4
Labour Inspector I	6
Labour Inspector II	15
Occupational Safety Officer I	6
Occupational Safety Officer II	9
Chief Executive Officer	2
Senior Executive Officer	7
Executive Officer I	7
Executive Officer II	16
Systems Manager	1
Analyst/Programmer I	1
Analyst/Programmer II	1
Treasury Accountant	1
Accounting Officer II	2
Senior Information Officer	1
Clerical Officer	45
Assistant Clerical Officer	148
Clerical Assistant	10
Personal Secretary I	1
Workman II	2
Total:	326

The creation of these posts are required mainly for strengthening the services provided by Labour Department in the following areas:

- (a) safeguarding the rights and benefits of employees through the enforcement of the Minimum Wage Ordinance, and their safety and health at work;
- (b) enhancing employment support for vulnerable groups through the operation of a one-stop employment and training centre in Tin Shui Wai; and
- (c) implementing the Work Incentive Transport Subsidy Scheme to help employed members of low-income families in meeting their travelling expenses commuting to and from work.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)044

Question Serial No.

1895

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Labour Department (LD) has launched the two-year Pilot Employment Navigator Programme (ENP) since 13 December 2010 and provided a total of 22 000 places. What is the effectiveness of the programme up to now? How many participants have received cash incentives? Did the Administration follow up on their employment situation after they have received the cash incentives?

Asked by: Hon. CHEUNG Kwok-che

Reply:

Up to 28 February 2011, 1 270 job seekers have been enrolled in the Pilot ENP launched on 13 December 2010.

Up to 28 February 2011, 261 participants have secured employment under the programme and 42 have submitted applications for cash incentive. LD will provide participants with suitable support to help them settle and sustain in employment within the first three months of employment. Further employment assistance will be offered to the participants as appropriate.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)045

Question Serial No.

3382

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Minimum Wage Ordinance (MWO) will come into force on 1 May 2011. Many persons with disabilities are worried that the unemployment problem they face may be worsening. However, no corresponding measures are found in the Budget to assist the persons with disabilities who are likely to lose their jobs or seeking employment. Would the Administration advise on the strategy and measures to help the persons with disabilities?

Asked by: Hon.CHEUNG Kwok-che

Reply:

The Labour Department administers a Work Orientation and Placement Scheme (WOPS) which provides pre-employment training and work trial placements for persons with disabilities in need of employment services. Under WOPS, financial incentives are also offered to employers for providing the persons with disabilities with on-the-job training and employment opportunities. In anticipation of the implementation of MWO, we will enhance our promotion of WOPS to employers to solicit more vacancies by various means, including promotion via public utilities companies and non-governmental organisations; advertisements on Mass Transit Railway trains and buses; display of publicity posters and messages at offices and websites of relevant government departments; newsletters and leaflets; and promotional visits. We will closely monitor the impact of MWO on the employment opportunities of the persons with disabilities and will consider further enhancing WOPS where appropriate.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)046

Question Serial No.

3767

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

It is stated in the Budget that employment support for young people will be strengthened to address youth unemployment following the implementation of the minimum wage. Apart from extending the Programme Worker post for one year, will the Administration devise any new long-term strategies and measures in light of the relevant situation?

Asked by: Hon. CHEUNG Kwok-che

Reply:

To tie in with the implementation of the statutory minimum wage (SMW), the Labour Department (LD) will continue its all-out efforts to administer the Youth Pre-employment Training Programme and Youth Work Experience and Training Scheme (YPTP&YWETS) to provide comprehensive training and employment support to school leavers aged 15 to 24 with educational attainment at sub-degree level or below. Since July 2010, LD has also launched a special employment project targeting young people aged between 15 and 24 with acute employment difficulties due to low educational attainment, emotional/behavioural problems or learning difficulties. We will closely monitor the impact of SMW on the labour market and continue to promote youth employment through a multi-pronged approach.

The Employees Retraining Board (ERB) provides young people aged 15 or above and with education level at sub-degree or below with full-time placement-tied or part-time skills upgrading and generic skills training courses. To help non-engaged youth aged 15 to 20 better understand their career preferences, ERB also offers a Youth Training Programme which provides vocational and foundation skills training while cultivating among the trainees a positive attitude to life and self-confidence. ERB will closely monitor changes in the labour market following the implementation of the SMW and will adjust the provision of training places flexibly to meet different training needs.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)047

Question Serial No.

2030

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

It has come to my notice that the Financial Secretary (FS) has not put forward any new initiatives for the employment support programmes this year. The Pilot Employment Navigator Programme (ENP) and the one-stop employment and training centre in Tin Shui Wai are both work programmes of last year.

FS stated that the employment services for middle-aged people, those with disabilities and young people would be strengthened. Could the Secretary please advise this Committee on the following:

- (a) Since 2009, an additional provision of about \$600 million has been allocated for provision of employment support and training. Has the Government evaluated the effectiveness of the provision?
- (b) What is the effectiveness of ENP implemented last year? How many people have secured placements under the programme? How many are able to work for a continuous period of three months, over half a year or a year?
- (c) How many middle-aged women have benefited under the above initiatives and what is their percentage? What is the nature of their placements?
- (d) Why is the setting up of a one-stop employment and training centre in Tin Shui Wai postponed to the end of this year despite being announced in last year's Budget? Tin Shui Wai is a district with serious unemployment problem. Does the Labour Department (LD) fail in discharging its duties?
- (e) The 500 one-year employment places for young people aged between 15 and 24 with low educational qualifications announced by FS last year are not mentioned this year. What is the effectiveness of this initiative? Will it continue this year? Since the unemployment rate of young people remains high, has the Administration reviewed the effectiveness of its existing strategies on providing employment support for young people? Will new strategies be put forward?

Asked by: Hon. LEUNG Kwok-hung

Reply:

The information sought is provided as follows :

- (a) In 2009-10, LD was allocated about \$400 million to enhance the Youth Pre-employment Training Programme and Youth Work Experience and Training Scheme (YPTP&YWETS), the Employment Programme for the Middle-aged (EPM) and the Work Orientation and Placement Scheme (WOPS). We were also allocated \$140 million for launching an Internship Programme for University Graduates (GIP) and \$13 million for providing employment assistance to those made redundant during the financial crisis. LD closely monitored the effectiveness of these employment initiatives

and reported their progress and performance to the LegCo Manpower Panel in May 2010.

- (b) The Pilot ENP was launched on 13 December 2010. Up to 28 February 2011, 1 270 job seekers have been enrolled in ENP. While many are still receiving in-depth employment consultation services, 261 job seekers have already secured employment. As the programme has only been operated for about two months, there is no placement record of three months or more.
- (c) As at end February 2011, out of 6 721 participants placed under the enhanced EPM, 3 996 (59%) were female. They were mainly engaged as cleaners, security guards, packers, shop assistants and office assistants.
- (d) The one-stop employment and training centre (the one-stop centre) will be housed in the Amenity and Community Building at Tin Ching Estate, Tin Shui Wai. The building is still under construction and is expected to be ready for occupation in May 2011. As time is required for fitting out, we expect the one-stop centre to commence operation by the end of 2011.
- (e) In July 2010, LD launched a special employment project targeting vulnerable young people aged between 15 and 24 with acute employment difficulties due to low educational attainment, emotional/behavioural problems or learning difficulties. Under this project, non-governmental organisations (NGOs) are commissioned to nominate vulnerable youths and provide on-the-job training opportunities to them for a period of 12 months. Since November 2011, 109 trainees were enrolled in the project and commenced their on-the-job training at the host NGOs. This special employment project will be operated for two years and a review will be conducted towards the end of the implementation period.

LD has always worked in close collaboration with various stakeholders and evaluated the effectiveness of its employment support services rendered to young people. We will closely monitor the local labour market situations and continue to introduce appropriate services to meet changing needs.

Signature	
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)048

Question Serial No.

0808

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the job search and employment of new arrivals, please advise on the following:

- (a) What are the number of new arrival job seekers registered with the Labour Department (LD) and the number of placements made in 2010-11? Please set out the figures by gender, age, job type, salary, weekly working hours and district of residence. If these figures are not available, will the Administration conduct a relevant study in 2011-12?
- (b) Has the Administration estimated the number of new arrival job seekers to be registered for employment services in 2011-12?
- (c) In 2011-12, will there be any new initiatives to assist new arrivals with their job search and employment? If yes, what are the details? Please also provide the manpower and estimated expenditure involved.

Asked by: Hon. WONG Kwok-hing

Reply:

The information sought is provided as follows:

- (a) In 2010, a total of 9 941 new arrival job seekers registered for the employment services of LD.

Job seekers may be placed into employment either through the referral services of LD or by direct application to employers who advertise their vacancies via LD. Job seekers who secured employment through direct application are not required to report their placement positions to LD. Therefore, we do not have the number of new arrival job seekers placed into employment out of those registered for LD's service.

Since the majority of the job seekers are placed into employment through direct application, requiring them to report to LD detailed information on the placements would be inconvenient to them. We have no plan as such to collect the above-mentioned information from successful job seekers.

- (b) We believe the number of new arrival job seekers requiring our employment service in 2011 will be similar to that of 2010. Depending on the actual demand, we can redeploy resources to meet the needs of new arrival job seekers.
- (c) On top of a wide range of employment services available for all job seekers, we have specifically set up resource corners and special counters to assist new arrival job seekers at all the job centres. Tailor-made employment briefings are organised to help them better understand the local labour market situation and improve job search skills. Those who have difficulties in finding jobs are encouraged to

participate in various specialised employment programmes to enhance employability. In 2011-12, we will closely monitor the employment needs of the new arrivals to provide suitable employment services.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)049

Question Serial No.

0809

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding accidents in the construction industry, please provide the following information:

- (a) A breakdown of accidents in the construction industry by type of accident and their percentage share among all construction accidents, the number of injuries and the amount of compensation claimed for work injuries in the past three years (i.e. 2008-09, 2009-10 and 2010-11); and
- (b) Has the Administration drawn up any new preventive and enforcement measures? If yes, what are the details and the estimated expenditure?

Asked by: Hon. WONG Kwok-hing

Reply:

The information sought is provided as follows:

- (a) In 2008, 2009 and in the first three quarters of 2010¹, the numbers of industrial accidents in the construction industry were 3 033, 2 755, and 2 147 respectively. A breakdown of these accidents by types of accidents is set out at Annex.

Regarding employees' compensation cases settled in 2008, 2009 and 2010 in the construction industry, the amounts of compensation payable to injured employees or dependants of deceased employees were \$254.7 million, \$234.6 million and \$181.4 million respectively.

- (b) In 2011-12, the Labour Department (LD) will continue to proactively promote the safety and health of our construction workforce through the three-pronged approach of enforcement, training and publicity, and work in close partnership with interested parties, including the Occupational Safety and Health Council, Construction Industry Council, trade associations, workers' unions, professional bodies as well as district councils and other government bureaux/departments. In the light of the commencement of a number of major infrastructure projects and the upsurge in repair, maintenance, alteration and addition (RMAA) works, LD will intensify its enforcement action on work-at-height and lifting safety, enhance cooperation with the Development Bureau and relevant departments to ensure that attention is given to safety issues from the design stage to project implementation and delivery, and step up promotional and enforcement work targeting RMAA works. In 2011-12, 15 Occupational Safety Officer I /II posts will be created to help deliver the above initiatives, at an annual staff cost (at mid-point salary) of about \$6.4 million.

¹ The occupational accident statistics for the full year of 2010 will only be available by mid-April 2011.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

**Industrial Accidents in Construction Industry in 2008, 2009 and
the 1st Three Quarters of 2010 – analysed by Type of Accident**

Type of Accident	2008	2009	1st Three Quarters of 2010	Total	%
Trapped in or between objects	67	93	61	221	2.8%
Injured whilst lifting or carrying	592	576	413	1 581	19.9%
Slip, trip or fall on same level	576	513	424	1 513	19.1%
Fall of person from height	388 (8)	397 (15)	293 (6)	1 078 (29)	13.6%
Striking against fixed or stationary object	281	219	236	736	9.3%
Striking against or struck by moving object	517 (4)	424 (2)	333	1 274 (6)	16.1%
Stepping on object	22	19	19	60	0.8%
Exposure to or contact with harmful substance	24	8	5	37	0.5%
Contact with electricity or electric discharge	19 (5)	5	5 (1)	29 (6)	0.4%
Trapped by collapsing or overturning object	10 (2)	0	1	11 (2)	0.1%
Struck by falling object	101 (1)	87 (1)	51 (1)	239 (3)	3.0%
Struck by moving vehicle	25	17	7	49	0.6%
Contact with moving machinery or object being machined	246	199	175 (1)	620 (1)	7.8%
Drowning	0	1 (1)	0	1 (1)	0.0%
Exposure to fire	11	8	2	21	0.3%
Exposure to explosion	1	4	3	8	0.1%
Injured by hand tool	97	137	77	311	3.9%
Injured by fall of ground	2	1	0	3	0.0%
Asphyxiation	3	0	0	3	0.0%
Contact with hot surface or substance	22	21	20	63	0.8%
Injured by animal	0	0	0	0	0.0%
Injured in workplace violence	0	0	0	0	0.0%
Others	29	26	22	77	0.9%
TOTAL	3 033 (20)	2 755 (19)	2 147 (9)	7 935 (48)	100.0%

Note : Figures in brackets denote the number of industrial fatalities.

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)050

Question Serial No.

0810

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The actual number of inspections to workplaces per field labour inspector in 2010 is 830. How many field labour inspectors were involved? What is the estimated number of field labour inspectors involved in conducting the relevant work in 2011? Is there any plan to employ additional manpower to increase the number of inspections?

Asked by: Hon. WONG Kwok-hing

Reply:

In 2010, 169 field labour inspectors of the Labour Department conducted 140 267 workplace inspections to check compliance with various labour laws. In 2011-12, 25 posts of labour inspectors will be created to strengthen the manpower for workplace inspections and follow-up investigations arising mainly from the enforcement of the Minimum Wage Ordinance. We plan to conduct 142 000 inspections to workplaces in 2011.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)051

Question Serial No.

0811

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please provide the number of warnings issued in 2010-11 by industry and type of warning.

Asked by: Hon. WONG Kwok-hing

Reply:

In 2010, the Labour Department issued a total of 607 warnings to employers breaching the provisions of the Employment Ordinance and the Employees' Compensation Ordinance. A breakdown of the warnings by industry is provided as follows :

Industry	No. of warnings issued
Wholesale, retail, import/export and hotel	150
Finance, insurance, real estate and business service	117
Construction	105
Catering	85
Transport, storage and communication	64
Community, social and personal services	59
Manufacturing	27
Total	607

The warnings were mostly issued on wage and holiday offences, as well as on employers' failure to display the notices of insurance at workplaces.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)052

Question Serial No.

1168

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the promotion of the Employment Ordinance (EO) and good people management practices, would the Government advise this Committee on the following:

- (a) When will the production work of the leaflet on the reasonable excuse clause under the EO be completed and when will it be available for public distribution? What is the number of the leaflet produced and the estimated expenditure?
- (b) Apart from producing the leaflet, what other relevant measures will be taken? Please set out the names, implementation time and the resources required for each measure.

Asked by: Hon. WONG Kwok-hing

Reply:

The information sought is provided as follows :

- (a) The Labour Department (LD) will publish in mid-2011 20 000 copies of the leaflet on the reasonable excuse clause under the EO. Copies of the leaflets will be distributed to employers, employer associations, human resources practitioners and trade unions. They will also be made available at the Labour Tribunal, Minor Employment Claims Adjudication Board, offices of LD's Labour Relations Division, Support and Consultation Centre for Small and Medium Enterprises of the Industry and Trade Department as well as Public Enquiry Service Centres of the Home Affairs Department. An electronic version will also be uploaded onto LD's website for public viewing. The estimated expenditure of producing the leaflet is around \$30,000.
- (b) Apart from the above leaflet, LD plans to carry out a series of promotional activities in 2011-12 to enhance public understanding on the EO and good people management practices including family-friendly employment practices (FFEP).

The activities in the first half of 2011 include: producing leaflets on Employment (Amendment) Ordinance 2010 (EAO) in nine different languages including Chinese and English; arranging poster display on EAO at various poster sites of the Information Services Department; introducing new publications and promotional materials to encourage wider use of written employment contract and proper keeping of wage and employment records; producing thematic promotional materials to boost the receptiveness of FFEP in the workplace; and placing advertisement about differentiating an employee from a self-employed person in public transport. In the second half of 2011, we will produce a new radio Announcement in the Public Interest to continue the promotional work on tackling false self-employment; organise a workshop to enhance effective communication and foster collaboration between employers and employees; and promote FFEP through local newspaper. Moreover, in 2011-12, we plan to stage six roving exhibitions in different districts to enhance public understanding of their

rights and benefits under the EO and good people management practices. The estimated expenditure for the above activities is around \$820,000.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)053

Question Serial No.

1178

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Prior to the implementation of the minimum wage, some unscrupulous employers have exploited their employees by various means even including false self-employment, cutting working hours, wage reduction and piecemeal employment etc. In this respect, would the Government advise this Committee on the following:

- (a) Will the Administration conduct a follow-up survey upon the implementation of the statutory minimum wage (SMW) regime on employee earnings and working hours and submit the findings to the Legislative Council (LegCo) for review purposes after completing the statistical analysis? If yes, what are the details, timetable and expenditure? If no, what are the reasons?
- (b) Has the Administration allocated additional resources, in particular manpower, for closely monitoring the criminalisation of wage defaults so as to ensure wage protection for employees? If yes, what are the details? If no, what are the reasons?

Asked by: Hon. WONG Kwok-hing

Reply:

The information sought is provided as follows:

- (a) The Census and Statistics Department (C&SD) will conduct the 2011 Annual Earnings and Hours Survey covering the period from May to June 2011 after the implementation of the SMW. The Administration will be ready to brief the LegCo Panel on Manpower after the release of the survey results in the first quarter of 2012. In C&SD, a total of 15 non-directorate posts were created in 2009-10 and 28 non-directorate posts have been redeployed permanently within the department to support data collection and statistical analysis related to the SMW. As these staff also undertake other duties, the expenditure involved in the survey cannot be separately identified.
- (b) To enhance protection for employees' statutory entitlements including wages, 25 labour inspector posts will be created in 2011-12 to strengthen the manpower for workplace inspections and enforcement actions.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)054

Question Serial No.

1179

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please advise on the following:

- (a) Which countries/regions have legislated for paternity leave? Please provide the names of these countries/regions and list out the dates when the relevant legislation came into operation ;
- (b) What is the progress of the study on paternity leave? When will the study be completed and a clear legislative timetable set?
- (c) Has additional resource been allocated to speed up the relevant study for an early implementation of the policy?

Asked by: Hon. WONG Kwok-hing

Reply:

The information sought is provided as follows :

- (a) In places such as the United Kingdom, France, Sweden, New Zealand and some provinces of the Mainland etc., the right of male employees to paternity leave is laid down by statute. We do not have information on when the relevant legislation came into force in each and every place that has statutory provision on paternity leave.
- (b) In studying the feasibility of legislating for paternity leave in Hong Kong, we have made reference to the relevant policies, social backdrop and legislation in other economies. We have also conducted surveys among local establishments to better understand the latest position regarding the provision of paternity leave by private enterprises in Hong Kong. In this regard, we have recently conducted another round of in-depth survey with human resources managers on their practices in granting paternity leave. In deliberating whether we should legislate for paternity leave, we have to consider the actual circumstances of Hong Kong and carefully assess the possible impact of legislating for such leave on employers (especially small-and-medium-sized enterprises) and the economy as a whole. We also need to examine the various issues that may possibly emerge in the process of implementation and consider whether there is a general consensus in the community on the matter. In view of the complexity of the issues involved, we expect to complete the study within the next few months.
- (c) The above study is conducted with existing resources. We will keep our manpower resources under constant review and arrange for re-deployment of available resources where necessary.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)055

Question Serial No.

3144

Head : 90 – Labour Department

Subhead (No. & title) :

000 Operational expenses

Programme :

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the employment of non-civil service contract (NCSC) staff, please provide the following information:

	2011-12	2010-11	2009-10	2008-09
Number of NCSC staff	()	()	()	()
Particulars of NCSC staff posts				
Expenditure on the salaries of NCSC staff	()	()	()	()
Distribution of monthly salary level of NCSC staff				
• \$30,001 or above	()	()	()	()
• \$16,001 – \$30,000	()	()	()	()
• \$8,001 – \$16,000	()	()	()	()
• \$6,501 – \$8,000	()	()	()	()
• \$5,001 – \$6,500	()	()	()	()
• \$5,000 or below	()	()	()	()
• Number of staff with monthly salary lower than \$5,824	()	()	()	()
• Number of staff with monthly salary between \$5,824 and \$6,500	()	()	()	()
Length of employment of NCSC staff				
• 5 years or above	()	()	()	()
• 3 – 5 years	()	()	()	()
• 1 – 3 years	()	()	()	()
• Less than 1 year	()	()	()	()
Number of NCSC staff successfully turning into civil servants	()	()	()	()
Number of NCSC staff failing to turn into civil servants	()	()	()	()
NCSC staff as a percentage of the total number of staff in the department	()	()	()	()
Staff costs on NCSC staff as a percentage of the total staff costs in the department	()	()	()	()
Number of NCSC staff with remunerated meal break	()	()	()	()

Number of NCSC staff without remunerated meal break	()	()	()	()
Number of NCSC staff on five-day week	()	()	()	()
Number of NCSC staff on six-day week	()	()	()	()

Figures in () denote year-on-year changes

Asked by: Hon. WONG Kwok-hing

Reply:

The information sought is provided as follows:

	2011-12	2010-11 (Note 2)	2009-10	2008-09
Number of NCSC staff		170(-)	188(-7.4%)	203(-)
Particulars of NCSC staff posts		Note (3)		
Expenditure on the salaries of NCSC staff		\$28.5 million (-)	\$36.0 million (-3.7%)	\$37.4 million (-)
Distribution of monthly salary level of NCSC staff				
• \$30,001 or above		3(-)	3(-25%)	4(-)
• \$16,001 – \$30,000		71(-)	86(+8.9%)	79(-)
• \$8,001 – \$16,000		96(-)	99(-18%)	120(-)
• \$6,501 – \$8,000		-(-)	-(-)	-(-)
• \$5,001 – \$6,500		-(-)	-(-)	-(-)
• \$5,000 or below	(Note 1)	-(-)	-(-)	-(-)
• Number of staff with monthly salary lower than \$5,824		-(-)	-(-)	-(-)
• Number of staff with monthly salary between \$5,824 and \$6,500		-(-)	-(-)	-(-)
Length of employment of NCSC staff				
• 5 years or above		64(-)	48(+12%)	43(-)
• 3 – 5 years		57(-)	75(+63%)	46(-)
• 1 – 3 years		26(-)	40(-51%)	81(-)
• Less than 1 year		23(-)	25(-24%)	33(-)
Number of NCSC staff successfully turning into civil servants		20(-)	13(+86%)	7(-)
Number of NCSC staff failing to turn into civil servants		(Note 4)		
NCSC staff as a percentage of the total number of staff in the department		8.6%(-)	9.4%(-1.0%)	10.4%(-)
Staff costs on NCSC staff as a percentage of the total staff costs in the department		4.8%(-)	4.6%(-0.2%)	4.8%(-)
Number of NCSC staff with remunerated meal break	(Note 1)	163(-)	181(-7.7%)	196(-)
Number of NCSC staff without remunerated meal break (Note 5)		7(-)	7(0)	7(-)
Number of NCSC staff on five-day week		111(-)	123(-10%)	137(-)
Number of NCSC staff on six-day week		59(-)	65(-1.5%)	66(-)

Figures in () denote year-on-year changes

Note 1 : Figures are not available at this stage as the number of NCSC staff may vary in the light of changing service and operational requirements.

Note 2 : For 2010-11, figures are only available up to 31 December 2010.

Note 3 : The particulars of the NCSC posts are :

Service Area	Post Title
Operational Support	<ul style="list-style-type: none">• Chinese Medicine Advisor• Senior Programme Officer/Programme Officer• Investigation Adviser/Investigation Officer• Clerk
Information Technology (IT)	<ul style="list-style-type: none">• IT Support Officer• Senior Technical Support Officer/Technical Support Officer
Publicity	<ul style="list-style-type: none">• Information Assistant
Survey and Statistics	<ul style="list-style-type: none">• Survey Executive

Note 4 : The Department does not keep this information. NCSC staff are also not obliged to report the information to the Department.

Note 5 : The NCSC staff are remunerated on an hourly basis.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION

Reply Serial No.

LWB(L)056

Question Serial No.

3145

Head : 90 – Labour Department

Subhead (No. & title) : 000 Operational expenses

Programme :

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

On engaging agency workers, please provide the following information:

	2011-12	2010-11	2009-10	2008-09
Number of contracts of engaging employment agencies	()	()	()	()
Contract sum paid to each employment agency	()	()	()	()
Total amount of commission paid to each employment agency	()	()	()	()
Length of contract for each employment agency	()	()	()	()
Number of agency workers	()	()	()	()
Details of the positions held by agency workers				
Distribution of monthly salary level of agency workers				
• \$30,001 or above	()	()	()	()
• \$16,001 – \$30,000	()	()	()	()
• \$8,001 – \$16,000	()	()	()	()
• \$6,501 – \$8,000	()	()	()	()
• \$5,001 – \$6,500	()	()	()	()
• \$5,000 or below	()	()	()	()
• Number of workers with monthly salary lower than \$5,824	()	()	()	()
• Number of workers with monthly salary between \$5,824 and \$6,500	()	()	()	()
Length of service of agency workers				
• 5 years or above	()	()	()	()
• 3 – 5 years	()	()	()	()
• 1 – 3 years	()	()	()	()
• Less than 1 year	()	()	()	()
Percentage of agency workers in the total number of staff in the department	()	()	()	()
Percentage of amount paid to employment agencies in the total departmental staff cost	()	()	()	()
Number of workers with remunerated meal break	()	()	()	()

Number of workers without remunerated meal break	()	()	()	()
Number of workers on five-day week	()	()	()	()
Number of workers on six-day week	()	()	()	()

Figures in () denote year-on-year changes

Asked by: Hon. WONG Kwok-hing

Reply:

The information sought is provided as follows:

	Type of contract	2011-12 (Note 1)	2010-11 (as at 30.9.2010)	2009-10	2008-09
Number of contracts of engaging employment agencies	Others		3 (-)	3 (+200%)	1(-)
	T-contract (Note 2)		8 (-)	7 (0%)	7 (-)
Contract sum paid to each employment agency (\$ million) (Note 3)	Others		0.04 to 0.65 (-)	0.03 to 0.90 (-22%)	1.16 (-)
	T-contract		0.14 to 9.83 (-)	0.13 to 10.09 (+35%)	0.25 to 7.54 (-)
Total amount of commission paid to each employment agency	Others	We do not pay commission to employment agencies.			
	T-contract				
Length of contract for each employment agency (Note 3)	Others		3 – 12 months (-)	2 – 12 months (0%)	12 months (-)
	T-contract		12 months or less (-)	12 months or less (0%)	12 months or less (-)
Number of agency workers (Note 3)	Others		2 to 31 (-)	2 to 19 (+14%)	7 to 22 (-)
	T-contract		1 to 23 (-)	1 to 24 (+41%)	1 to 17 (-)
Details of the positions held by agency workers	Others		Order processing, data input	Order processing, data input	Order processing, data input
	T-contract		Information technology	Information technology	Information technology
Distribution of monthly salary level of agency workers	Please see Note 4.				
• \$30,001 or above					
• \$16,001 – \$30,000					
• \$8,001 – \$16,000					
• \$6,501 – \$8,000					
• \$5,001 – \$6,500					
• \$5,000 or below					
• Number of workers with monthly salary lower than \$5,824					

<ul style="list-style-type: none"> Number of workers with monthly salary between \$5,824 and \$6,500 					
Length of service of agency workers	Please see Note 4.				
<ul style="list-style-type: none"> 5 years or above 					
<ul style="list-style-type: none"> 3 – 5 years 					
<ul style="list-style-type: none"> 1 – 3 years 					
<ul style="list-style-type: none"> Less than 1 year 					
Percentage of agency workers in the total number of staff in the department	Others	()	2.12% (-)	1.85% (+1.5%)	0.36% (-)
	T-contract	()	3.38% (-)	3.15% (+0.44%)	2.71% (-)
Percentage of amount paid to employment agencies in the total departmental staff cost	Others	()	0.23% (-)	0.21% (+0.06%)	0.15% (-)
	T-contract	()	3.45% (-)	3.25% (+0.24%)	2.77% (-)
Number of workers with remunerated meal break	Please see Note 4.				
Number of workers without remunerated meal break					
Number of workers on five-day week					
Number of workers on six-day week					

Figures in () denote year-on-year changes

Note 1: Figures for 2011-12 are not available as the number of agency workers varies over time in accordance with the changing service needs.

Note 2: T-contract refers to term contract centrally administrated by the Office of the Government Chief Information Officer.

Note 3: The largest figure in the year is used as the basis for comparison.

Note 4: The contracts that we entered with employment agencies only specify our job requirements and the service fees charged by the latter in providing agency workers. We do not require the employment agencies to provide information on the wage, length of service and condition of service of the agency workers. The information is thus unavailable to us.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION

Reply Serial No.

LWB(L)057

Question Serial No.

3146

Head : 90 – Labour Department

Subhead (No. & title) :

000 Operational expenses

Programme :

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

On engaging “outsourced workers”, please provide the following information:

	2011-12	2010-11	2009-10	2008-09
Number of outsourced service contracts	()	()	()	()
Total amount paid to outsourced service providers	()	()	()	()
Length of contract for each outsourced service provider	()	()	()	()
Number of workers engaged through outsourced service providers	()	()	()	()
Details of the positions held by outsourced workers (e.g. customer service, property management, security, cleaning and information technology)				
Distribution of monthly salary level of outsourced workers				
• \$30,001 or above	()	()	()	()
• \$16,001 – \$30,000	()	()	()	()
• \$8,001 – \$16,000	()	()	()	()
• \$6,501 – \$8,000	()	()	()	()
• \$5,001 – \$6,500	()	()	()	()
• \$5,000 or below	()	()	()	()
• Number of workers with monthly salary lower than \$5,824	()	()	()	()
• Number of workers with monthly salary between \$5,824 and \$6,500	()	()	()	()
Length of service of outsourced workers				
• 5 years or above	()	()	()	()
• 3 – 5 years	()	()	()	()
• 1 – 3 years	()	()	()	()
• Less than 1 year	()	()	()	()
Percentage of outsourced workers in the total number of staff in the department	()	()	()	()
Percentage of amount paid to outsourced service providers in the total departmental staff	()	()	()	()

cost				
Number of workers with remunerated meal break	()	()	()	()
Number of workers without remunerated meal break	()	()	()	()
Number of workers on five-day week	()	()	()	()
Number of workers on six-day week	()	()	()	()

Figures in () denote year-on-year changes

Asked by: Hon. WONG Kwok-hing

Reply:

The information sought is provided as follows:

	2011-12 (Estimated)	2010-11	2009-10	2008-09
Number of outsourced service contracts	7 (+0%)	7 (-42%)	12 (+50%)	8 (-)
Total amount paid to outsourced service providers (\$ million)	4.752 (+9.6%)	4.337 (-2.0%)	4.424 (+8.2%)	4.089 (-)
Length of contract for each outsourced service provider (Note 1)	12-24 months (-41%)	12-41 months (-2%)	12-42 months (+75%)	12-24 months (-)
Number of workers engaged through outsourced service providers	69 (+23%)	56 (+0%)	56 (+24%)	45 (-)
Details of the positions held by outsourced workers (e.g. customer service, property management, security, cleaning and information technology)	Cleaning, security service, information technology, management service of the youth employment resources centres.			
Distribution of monthly salary level of outsourced workers	Please see Note 2.			
• \$30,001 or above				
• \$16,001 – \$30,000				
• \$8,001 – \$16,000				
• \$6,501 – \$8,000				
• \$5,001 – \$6,500				
• \$5,000 or below				
• Number of workers with monthly salary lower than \$5,824				
• Number of workers with monthly salary between \$5,824 and \$6,500				
Length of service of outsourced workers				
• 5 years or above				
• 3 – 5 years				
• 1 – 3 years				
• Less than 1 year				
Percentage of outsourced workers in the total number of staff in the department	2.76% (-0.06%)	2.82% (+0.02%)	2.80% (+0.50%)	2.30% (-)
Percentage of amount paid to outsourced service providers in the total departmental staff cost	0.55% (-0.18%)	0.73% (+0.17%)	0.56% (+0.03%)	0.53% (-)
Number of workers with remunerated meal break	Please see Note 2.			

Number of workers without remunerated meal break	
Number of workers on five-day week	
Number of workers on six-day week	

Figures in () denote year-on-year changes

Note 1: The largest figure in the year is used as the basis for comparison.

Note 2: Our outsourced service contracts only specify the services that we require without stipulating the salaries, length of service of outsourced workers and conditions of service the contractors have to provide in the contracts. Hence, we do not have the information as requested.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)058

Question Serial No.

2248

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

As the minimum wage will come into force on 1 May this year, it is expected that cases of labour disputes, employers exploiting employees or loopholes in the legislation, etc. will arise. Has the Labour Department earmarked additional resources to handle the possible increase in labour disputes? If yes, what are the estimated additional manpower and resources involved?

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

To cope with the anticipated increase in briefing, conciliation and other work given rise by the implementation of the Minimum Wage Ordinance and the Employment (Amendment) Ordinance 2010, 17 additional posts will be created in 2011-12 under the Labour Relations Programme of the Labour Department, at an estimated expenditure of \$5.2 million.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)059

Question Serial No.

2249

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the prevalence of five-day week, would the Administration advise this Committee if any survey on the prevalence of five-day week has been conducted? What is the estimated number of employees on five-day week at present and what is its percentage share in the total number of employees? Has the Administration set a target for the prevalence rate? If no relevant survey has been conducted by the Administration, what are the reasons? Would the Administration consider conducting such a survey in the coming year?

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

A survey on “Patterns of hours of work of employees” has been conducted by the Census and Statistics Department to find out, among other things, the prevalence of five-day work. According to the results of this survey, during January to June 2008, 849 100 employees¹ worked with a fixed number of contractual days of work per week at 5 days and less, accounting for 33% of all employees with a fixed number of contractual days of work per week.

We have not set a target for the prevalence rate of employees on five-day week.

¹ Excluding employees in the government sector, foreign domestic helpers, outworkers and full-time students being on summer vacation and taking up a summer job at the time of enumeration.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)060

Question Serial No.

2250

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Could the Administration inform this Committee of the following: the latest implementation situation of the Pilot Employment Navigator Programme (ENP), the number of participants with breakdown by occupation, the balance of the \$124.5 million earmarked for the Programme, and participants' response to the Programme as compared with the replaced Job Matching Programme.

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

Up to 28 February 2011, 1 270 job seekers have been enrolled in the Pilot Employment Navigator Programme (ENP) launched on 13 December 2010. Of these, 261 have secured employment and 42 have submitted applications for cash incentive. A total of \$185,845 was spent in the two months after the Pilot Programme was launched.

A breakdown of the participants by previous occupation is provided below:

Previous occupation of Participants	Number
Managers and Administrators	27
Professionals	25
Associate Professionals	132
Clerical Support Workers	348
Service Workers	141
Shop Sales Workers	108
Agriculture, Animal Husbandry and Forestry Workers and Fishermen	2
Craft and Related Workers	21
Plant and Machine Operators and Assemblers	33
Elementary Occupations	230
Others	87
No previous occupation	116
Total:	1 270

The Pilot ENP aims at motivating and assisting the unemployed to seek and sustain in employment through the provision of intensive employment consultation services. Participants will be assisted to draw up job search plans. The employment officers will follow up with them regularly on their job search progress and provide them with suitable support in improving their job search and interviewing skills. Where appropriate, the employment officers will refer the participants to attend suitable retraining courses or participate in work trials to enhance their employability. A cash incentive will be given as an encouragement to those who have secured employment after receiving the employment consultation services. Compared with the Job Matching Programme (JMP) that mainly offers referral services to job seekers, the employment services provided under the Pilot ENP are much more comprehensive. As the Pilot ENP is newly introduced, it is too early to make a meaningful comparison with the JMP in terms of participants' response.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)061

Question Serial No.

2251

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Could the Administration advise this Committee whether any manpower analysis has been conducted on the general labour market to understand the possible mismatch and its underlying reasons? If yes, what are the findings? Has any comparison been made and analysis conducted for different occupations regarding the vacancies published in the Labour Department and the job requirements of its job-seekers, in order to understand the differences? If no such analysis has been conducted, what are the reasons? Will the Administration contemplate conducting similar analysis?

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

In studying the specific employment and manpower situation and considering the implementation of appropriate measures to address the needs of the industries within their purview, the bureaux/departments concerned would, inter alia, make reference to a wide range of statistics and research studies. Such studies include the Manpower Projection, which assesses the future manpower requirement and supply as well as manpower balance by educational level at the macro level, the manpower surveys conducted by the Vocational Training Council, which forecast the near-term manpower requirements for specific sectors, etc.

The Labour Department conducts weekly comparison of the most-sought-after jobs by our registrants and occupations with the largest number of vacancies. The information, publicised at our website and job centres, provides a handy reference for job seekers and employers to keep abreast of the latest labour demand and supply situation. We also make reference to the information in canvassing suitable vacancies and organising recruitment activities.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)062

Question Serial No.

2252

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Government launched the Transport Support Scheme (TSS) on a pilot basis in June 2007 to provide transport allowance to needy job seekers and low-income workers living in four designated remote districts. In this respect, would the Administration advise this Committee on the respective numbers of job seekers and low-income workers receiving the transport subsidy, the total expenditure, total amount of subsidy and other administrative costs under the TSS since 2007?

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

Under the TSS, a qualified applicant who is seeking employment is entitled to a Job Search Allowance (JSA) of up to \$600, whereas a qualified applicant who is in employment is entitled to an On-the-job Transport Allowance (OTA) of \$600 per month, up to 12 months.

From June 2007 to February 2011, 2 332 and 38 190 participants were granted JSA and OTA respectively. In the period, the total expenditure incurred was \$226.3 million, of which \$211.6 million was allowances paid, \$11.5 million was payment to non-governmental organisations engaged for implementing the TSS and \$3.2 million was for publicity and other administrative expenses.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)063

Question Serial No.

2253

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

With regard to “launching a Work Incentive Transport Subsidy (WITS) Scheme” mentioned under the matters requiring special attention in 2011-12, would the Administration advise this Committee on the latest estimated timetable of implementation and receiving application; the expenditure for additional manpower and accommodation for the Scheme; and the percentage of the estimated annual administrative costs in total expenditure of the Scheme? How does the Administration ensure that the Scheme is made known to those low-income earners in need and that the application processing unit is easily accessible? Will simple application process be devised?

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

Our plan is to start receiving applications for WITS from October 2011 onwards. The estimated administrative costs for implementing the Scheme will be around 8.5% of its total financial commitment, with an annual staff cost of \$78.8 million. The WITS office will be accommodated in government premises and does not incur extra accommodation cost. Territory-wide publicity activities will be organised to promote public awareness of the Scheme. We will endeavour to make the application process as user-friendly as practicable.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)064

Question Serial No.

2254

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding “setting up a pioneer one-stop employment and training centre in Tin Shui Wai to streamline, integrate and enhance the existing employment and training/retraining services of the Labour Department (LD), Social Welfare Department (SWD) and Employees Retraining Board (ERB)” mentioned under the matters requiring special attention in 2011-12, would the Administration inform this Committee of the latest progress of this work, the estimated annual recurrent expenditure and manpower requirement after the one-stop centre comes into operation, as well as a comparison of the expenditure and manpower involved with that before integration (with the services provided separately).

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

The pioneer one-stop employment and training centre (the one-stop centre) will be housed in the Amenity and Community Building (ACB) at Tin Ching Estate, Tin Shui Wai. ACB is still under construction and is expected to be ready for occupation in May 2011. As time is required for fitting-out, we expect the one-stop centre to commence operation by the end of 2011.

The estimated recurrent expenditure for the one-stop centre in 2011-12 is about \$10 million and the annual staff cost is about \$6.5 million. At the one-stop centre, there will be 26 LD staff providing employment services, and a non-governmental organisation will be engaged to provide case management and employment support services to needy job seekers. The one-stop centre will try out a new service model aiming at integrating and streamlining existing employment and training/retraining services of LD, SWD and ERB. Comparison cannot be readily drawn between the one-stop centre and the other existing services in terms of expenditure and manpower.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Would the Administration inform this Committee of the following: the reasons for an increase of 256 in the applications under the Supplementary Labour Scheme (SLS) processed in 2010 over 2009 as shown under Indicators; the number of applications (by occupation, job title and wage level) under the SLS each year over the past two years; the number of complaints relating to the importation of workers under the SLS received each year over the past two years and the follow-up actions taken by the Labour Department (LD)? As a number of major infrastructure projects are expected to commence in the coming years resulting in an increase in the demand for the relevant workers, how will the Administration ensure priority of employment to local workers?

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

In 2010, LD processed 855 applications under the SLS, an increase of 256 applications over the 599 applications processed in 2009. The increase was chiefly due to more SLS applications received from employers with earnest staffing needs amidst the vibrant local economy in 2010.

Applications under the SLS usually involve more than one vacancy. In 2009 and 2010, the LD received 561 and 808 SLS applications, involving 1 656 and 2 340 vacancies respectively. Due to a time lag, the number of applications received in a year will differ from the number of applications processed in the same year. A breakdown of the numbers of vacancies received in 2009 and 2010 by industry, job title and wage level is provided at Annexes 1 to 3.

In 2009 and 2010, the LD received 12 and 10 complaints respectively involving imported workers under the SLS. None of the complaints received in 2009 was substantiated. Two of the complaints received in 2010 were substantiated, with prosecution taken out in one case, and written warning issued in the other.

To accord priority of employment to local construction workers for delivering the infrastructure projects coming on stream, the Administration strives to produce sufficient supply of workers with the needed skills. On this front, the Development Bureau secured a one-off funding of \$100 million in May 2010 to support the Construction Industry Council to strengthen its training and trade testing services, and to enhance promotion and public education to attract more people to join the construction industry. The initiative will also help train up a multi-skilled construction workforce.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

**Vacancies received under the
Supplementary Labour Scheme in 2009 and 2010
with breakdown by industry**

Industry	Number of vacancies received	
	2009	2010
1. Agriculture and fishing	437	479
2. Manufacturing	149	369
3. Construction	18	38
4. Wholesale, retail and import/ export trades, restaurants and hotels	107	265
5. Transport, storage and communication	10	33
6. Financing, insurance, real estate and business services	160	57
7. Community, social and personal services	775	1 099
Total	1 656	2 340

**Vacancies received under the
Supplementary Labour Scheme in 2009 and 2010
with breakdown by job title**

Job title	Number of vacancies received	
	2009	2010
1. Care Worker (Elderly Service)	540	984
2. Livestock/ Poultry/ Fish/ Crops Farm Worker	370	396
3. Gardening Worker	63	76
4. Cook	45	70
5. Machine Operator	27	66
6. Bean Curd/ Soya Bean/ Bean Sprout Processing Worker	39	52
7. Quality Controller/ Inspector/ Control Supervisor	20	50
8. Knitting Machine Operator	9	47
9. Steel Fabricator/ Steel Worker	0	43
10. Others	543	556
Total	1 656	2 340

**Vacancies received under the
Supplementary Labour Scheme in 2009 and 2010
with breakdown by wage level**

Monthly wage	Number of vacancies received	
	2009	2010
1. \$6,000 or below	54	40
2. \$6,001-\$8,000	718	1 282
3. \$8,001-\$10,000	502	552
4. \$10,001-\$12,000	107	230
5. \$12,001-\$14,000	60	71
6. \$14,001-\$16,000	85	33
7. \$16,001-\$18,000	30	69
8. \$18,001-\$20,000	19	20
9. Above \$20,000	81	43
Total	1 656	2 340

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)066

Question Serial No.

2256

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the provision of “labour market information to all job seekers, including ... ethnic minorities” stated in the Brief Description, could the Administration advise this Committee on the following: What are the respective numbers and success rates of ethnic minority job seekers registered with the Labour Department (LD) for employment service in each of the past two years? What are the targeted measures to help the ethnic minorities at present? What is the expenditure and manpower incurred by these initiatives? Has the effectiveness of the initiatives been evaluated? Would LD consider using the success rate of minority job seekers in securing placements as the benchmark for evaluating the effectiveness of these initiatives?

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

In 2009 and 2010, the numbers of ethnic minority job seekers registered with LD for employment service were 2 215 and 1 234 respectively.

Job seekers may be placed into employment either through the referral services of LD or by direct application to employers who advertise their vacancies via LD. Job seekers who secure employment through direct application are not required to report their placement positions to LD. Therefore, we do not have the number of ethnic minority job seekers placed into employment out of those registered for LD’s service.

In addition to a wide range of employment services available for all job seekers, we have specifically set up resource corners and special counters to assist ethnic minority job seekers at all job centres. Tailor-made employment briefings are organised to help them better understand the local labour market situation and improve job search skills. Those who have difficulties in finding jobs are encouraged to participate in various employment programmes to enhance employability.

The employment services provided to ethnic minority job seekers are provided as part of the services of the Job Centres. A separate breakdown of expenditure and manpower is not available.

We have constantly kept in view the effectiveness of our employment services provided to the ethnic minority job seekers. We do not propose to adopt placement rate as the indicator of the effectiveness of the employment services, as whether a job seeker can successfully find work is affected by many uncontrollable factors, including his employability and the employment market situation.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)067

Question Serial No.

2257

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Would the Administration inform this Committee of the respective numbers and total numbers of job vacancies displayed by the Labour Department (LD) from the private sector and the public sector/government over the past two years (please provide a breakdown by industry, job title and level of salary)? What was the rate of successful recruitment for each year?

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

In 2009, LD received a total of 593 853 vacancies, of which 589 564 were from the private sector and 4 289 vacancies were from the government sector. In 2010, the corresponding numbers were 755 017, of which 752 323 were from the private sector and 2 694 from the government sector. Breakdowns of the vacancies by industry, occupation and salary range are provided as follows:

Industry	Number of vacancies	
	2010	2009
Manufacturing	49 344	38 365
Construction	33 982	26 544
Wholesale, retail and import/export trades, restaurants and hotels	295 385	218 089
Transport, storage and communications	49 379	33 061
Financing, insurance, real estate and business services	197 954	166 510
Community, social and personal services	68 354	105 268
Government sector	2 694	4 289
Others	57 925	1 727
Total	755 017	593 853

Occupation	Number of vacancies	
	2010	2009
Managers & administrators	13 150	13 228
Professionals	14 305	13 109
Associate professionals	169 130	147 365
Clerical Support Workers	128 885	91 736
Service Workers	147 707	105 267
Shop Sales Workers	71 855	54 926
Agriculture, animal, husbandry, forestry & fisherman	1 416	1 255
Craft and related workers	28 134	22 606
Plant & machine operators and assemblers	24 157	13 669
Elementary occupation	154 897	128 957
Unclassified	1 381	1 735
Total	755 017	593 853

Monthly salary range	Number of vacancies	
	2010	2009
Below \$4,000	99 194	87 595
\$4,000 - \$5,999	21 654	22 976
\$5,000 - \$5,999	57 814	59 917
\$6,000 - \$6,999	124 243	105 585
\$7,000 - \$7,999	142 669	101 677
\$8,000 - \$8,999	99 454	69 281
\$9,000 - \$9,999	58 798	38 889
\$10,000 or above	151 191	107 933
Total	755 017	593 853

Job seekers may be placed into employment either through the referral services of LD or by direct application to employers who advertised their vacancies via LD. Job seekers who secure employment through direct application are not required to report their placement positions to LD. We therefore are not able to provide the rate of successful recruitment.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)068

Question Serial No.

2258

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

It is mentioned in the Brief Description that “the Department safeguards the rights and benefits of all employees and combats illegal employment through inspections to workplaces and other premises, processing employees’ compensation claims, administering the Protection of Wages on Insolvency Fund (PWIF), and investigating complaints relating to the employment of imported workers.” Could the Administration please inform this Committee of the respective numbers and total number of illegal workers found each year as a result of public reports, inspections by the Labour Department and joint operations with other enforcement departments to combat illegal employment over the past three years?

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

In the past three years, the number of suspected illegal workers detected during Labour Department’s workplace inspections and joint operations with other departments was as follows:

	Number of suspected illegal workers detected		
	2008	2009	2010
Workplace inspections	169	196	53
Joint operations	582	414	438
Total	751	610	491

We do not keep statistics on the number detected due to public reports.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)069

Question Serial No.

2259

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

It is stated in the Brief Description that “The Labour Department (LD) provides voluntary conciliation service to assist employers and employees to settle their disputes and claims.” Would the Administration advise this Committee on the annual figures, by cause, industry, and occupation, on the labour disputes handled by LD in the past two years?

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

The information sought is provided as follows:

Breakdown by cause

Cause	Number of labour disputes	
	2009	2010
Cessation of business	37	22
Disputes involving principal contractor and subcontractor	44	17
Non-payment of wages	5	6
Insolvency	24	4
Retrenchment	9	3
Variation of terms of employment contract	3	3
Dismissal	2	1
Others	19	12
Total	143	68

Breakdown by industry

Industry	Number of labour disputes	
	2009	2010
Construction	46	21
Restaurants and hotels	33	14
Community, social and personal services	8	11
Manufacturing	24	9
Transport, storage and communication	15	8
Wholesale, retail and import/export trades	9	3
Financing, insurance, real estate and business services	8	2
Total	143	68

We do not have breakdown of labour disputes by occupation.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)070

Question Serial No.

2260

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the “Transport Support Scheme which provides time-limited transport allowances” as stated in the Brief Description, could the Administration please advise this Committee on the prevalence of fraud and abuse of transport allowances in each of the past two years. Please provide breakdowns by year and by the manner of fraud and abuse (e.g. transferring assets among family members to circumvent the personal asset limit). How will the Administration follow up on these fraud and abuse cases? What is the amount of resources and manpower committed by the Labour Department (LD) to investigate and follow up on the abuse cases? What is the percentage compared with the overall expenditure of the programme?

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

The Transport Support Scheme (TSS) Office of LD conducts preliminary investigation into cases of suspected fraudulent applications. On substantiation of prima facie evidence, these cases will be referred to the Police for criminal investigation. In parallel, the applicants will be required to repay the allowances that have already been granted.

From July 2008 to February 2011, a total of 32 suspected fraudulent cases were referred to the Police for further investigation. A breakdown by type of abuse is provided as follows:

Type of abuse	Number of suspected fraudulent cases
1. Non-disclosure/transfer of personal assets	21
2. Provision of false information on the monthly income	7
3. Provision of false information on the number of hours worked	3
4. No fee-paying home-to-work commuting/within 10 minutes' home-to-work walking distance	1
Total number of cases involved	32

The TSS Office is staffed by 16 officers. Staff cost is absorbed by LD internally and is not a part of the TSS expenditure.

Signature	_____
Name in block letters	<u>CHEUK WING HING</u>
Post Title	<u>Commissioner for Labour</u>
Date	<u>19.3.2011</u>

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)071

Question Serial No.

2261

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Could the Administration please advise this Committee: Regarding the promotion of employment practices to support working parents, what specific work has been carried out in this area in the past two years ? What are the resources and manpower incurred? Were any studies made on policies to support working parents? If yes, what are the findings? Will the Administration consider introducing paternity leave and parental leave, etc., as early as possible? If no, what are the reasons?

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

To help working parents take care of their family needs, the Labour Department (LD) has been actively encouraging the adoption of family-friendly employment practices (FFEP) in the workplace. In 2009, we organised a large-scale seminar on FFEP for over 320 employers and human resources practitioners and launched a new video on FFEP. In 2010, we distributed DVDs on FFEP to the public and introduced a new video for broadcast in public transport. In the past two years, enlightened FFEP were also promoted among employers, human resources practitioners and members of the public through LD's promotional activities such as briefings and roving exhibitions etc. The total expenditure for these activities was around \$1,176,000. As these promotional activities were conducted as part of our various ongoing tasks, the manpower requirement involved cannot be separately identified.

In studying the feasibility of legislating for paternity leave in Hong Kong, we have made reference to the relevant policies, social backdrop and legislation in other economies. We have also conducted surveys among local establishments to better understand the latest situation regarding the provision of paternity leave by private enterprises in Hong Kong. In this regard, we have recently conducted another round of in-depth survey with human resources managers on their practices in granting paternity leave. In deliberating whether we should legislate on paternity leave or parental leave, we have to consider the actual circumstances of Hong Kong and carefully assess the possible impact of legislating for such leave on employers (especially small-and-medium-sized enterprises) and the economy as a whole. We need also to consider whether there is a general consensus in the community on the matter. Meanwhile, we will continue to place the focus of our promotional efforts on FFEP to help working parents balance work and family commitments.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)072

Question Serial No.

2262

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please provide relevant information about the studies undertaken by the Administration each year on labour policies and issues including their names, purposes, the organisation engaged and the amount involved over the past two years, as well as the studies to be conducted in the next two years and the amount of provision earmarked for the studies.

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

In 2009-10 and 2010-11, Labour Department (LD) commissioned the Census and Statistics Department to collect and compile statistical data and information to facilitate the review on the definition of continuous employment under the Employment Ordinance. The total expenditure incurred was about \$1.56 million.

In 2011-12, LD will conduct a study to examine the working hours situation in Hong Kong and study the regime and experience of other places in regulating working hours. The study will be undertaken by LD's existing staff and does not require additional funding.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

18.3.2011

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

LWB(L)073

2263

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding “organising talks, lectures and seminars” under the Targets, could the Administration advise this Committee on whether the increase in the actual numbers of talks on occupational safety and health, etc. organised in the past two years over the target figure reflected a great demand for such talks from the public and the trades concerned? Will the Administration consider raising the target figure and providing more resources for these activities? If no, what are the reasons? Besides, has the Administration made any assessment on the effectiveness of these activities? What are the comments of the participants and their level of satisfaction?

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

The target number of talks, lectures and seminars is only a planning target. The Labour Department (LD) will deploy more resources to conduct more promotion when there is an increase in demand, or when there are work safety issues requiring special attention. LD evaluates the effectiveness of these talks, lectures and seminars, through evaluations and suggestions collected from participants. The feedback is generally positive.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)074

Question Serial No.

2264

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please provide, by industry, the number of applications with percentage and the amount of payments with percentage under the Protection of Wages on Insolvency Fund (PWIF) in the past two years.

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

The information sought is provided as follows:

(a) Number of PWIF applications received

Year	Industry	Number of applications	Percentage
2009	Food and beverage service activities	1 862	25.7%
	Import/ Export trade	1 181	16.3%
	Construction	947	13.0%
	Manufacture of wearing apparel	315	4.3%
	Other personal service activities	279	3.8%
	Retail trade	272	3.8%
	Land transport	261	3.6%
	Others	2 143	29.5%
	Total	7 260	100.0%
2010	Food and beverage service activities	1 149	25.8%
	Construction	697	15.6%
	Other personal service activities	568	12.8%
	Import/ Export trade	351	7.9%
	Motion picture, video and television programme production, sound recording and music publishing activities	345	7.7%
	Sports and other entertainment activities	199	4.5%
	Manufacture of textiles	172	3.9%
	Others	972	21.8%
		Total	4 453

(b) Amount of PWIF payment made

Year	Industry	Amount of payment (\$ million)	Percentage
2009	Import/ Export trade	32.6	18.7%
	Retail trade	25.1	14.4%
	Food and beverage service activities	17.9	10.3%
	Manufacture of wearing apparel	13.2	7.6%
	Construction	11.0	6.3%
	Other personal service activities	8.2	4.7%
	Other manufacturing	8.2	4.7%
	Others	58.0	33.3%
	Total	174.2	100.0%
2010	Food and beverage service activities	18.4	18.5%
	Import and export trade	17.1	17.2%
	Motion picture, video and television programme production, sound recording and music publishing activities	12.2	12.3%
	Construction	11.7	11.8%
	Manufacture of textiles	6.0	6.0%
	Land transport	3.6	3.6%
	Sports and other entertainment activities	2.9	2.9%
	Others	27.4	27.7%
	Total	99.3	100.0%

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)075

Question Serial No.

2265

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Will the Administration inform this Committee of the reasons for a decrease of 16.7% (or about \$78 million) in the revised financial provision for 2010-11 under the above Programme against the original estimate? What service areas have a reduction of expenditure? What are the implications on the services and the programmes?

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

The Youth Pre-employment Training Programme and the Youth Work Experience and Training Scheme (YPTP&YWETS) and the Transport Support Scheme (TSS) were the main areas of reduction in expenditure.

The decrease for YPTP&YWETS was largely attributed to a longer-than-expected time taken by employers and training bodies for seeking payment of on-the-job training allowances and case management service fees respectively. The payments deferred will be made in the following financial year and sufficient provision has been made in the 2011-12 Estimate.

In the case of TSS, the decrease was attributed to a significant drop in the number of applications, resulting in a reduction in the payment for transport allowances. As TSS was launched in June 2007 and, most of the qualified applicants would probably have joined the scheme and exhausted their 12 months' entitlement, a continual reduction in the number of fresh applications is expected.

The level and standard of services provided under YPTP&YWETS and TSS entitlement are not affected by the reduction in expenditure.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)076

Question Serial No.

2266

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

It is stated in the Brief Description that “to promote equal employment opportunities, the Department has launched publicity campaigns to enhance public awareness of the importance of eliminating age discrimination in employment”. Would the Administration advise this Committee on the annual expenditure for such publicity and educational work in the past three years? Has the Administration conducted any study on age discrimination at work? What is the prevalence of age discrimination in the labour market? Will the Administration consider further legislating to tackle the problem of age discrimination in employment?

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

In the past three years, about \$550,000 was incurred each year on education and publicity relating to the elimination of age discrimination in employment.

A survey was conducted from December 2008 to March 2009 to collect the public's view on the importance of age factor in employment. According to the findings, the great majority of the community did not consider age an important factor in employment and age discrimination in employment did not seem prevalent. We have no plan to introduce legislation on age discrimination in employment.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)077

Question Serial No.

2267

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding “embarking on a policy study on standard working hours” mentioned in the matters requiring special attention, and the fact that a policy study on standard working hours will be conducted as announced by the Chief Executive in his 2010-11 Policy Address, would the Administration inform this Committee of the latest progress of the above work and the latest direction, scope of study as well as the timetable for the policy study? What is the estimated expenditure and manpower involved in the entire study? Would the Administration engage relevant academic institutions to conduct the policy study?

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

The policy study on working hours will cover the regime and experience of other places in regulating working hours, and the working hour situation in Hong Kong. We have started to gather information on working hours arrangements in other places and are examining ways for collecting the statistics on working hours in Hong Kong. We aim to complete the study by mid-2012. The study is being undertaken with existing manpower at this stage and does not require additional funding. We have no plan to engage academic institutions for the study.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)078

Question Serial No.

2268

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

It is mentioned in the Brief Description that “the Department promotes family-friendly employment practices (FFEP) with a view to assisting employees to maintain a balance between work and family responsibilities...”. Would the Administration inform this Committee of the family-friendly practices promoted by the Administration in the past two years, and the expenditure and manpower involved? Have any targets been set to assess the effectiveness of the promotional efforts and the employers’ attitude and eagerness towards the implementation of the FFEP? Has any assessment been made on the latest implementation of FFEP by employers in Hong Kong? If yes, what is the outcome?

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

To help employees balance work and family commitments, the Labour Department (LD) has been actively encouraging the adoption of FFEP in the workplace. In 2009, we organised a large-scale seminar on FFEP for over 320 employers and human resources practitioners, and produced a new video on FFEP. In 2010, we distributed DVDs on FFEP to the public, and broadcast a new video in public transport. In the past two years, enlightened FFEP were also promoted among employers, human resources practitioners and members of the public through LD’s promotional activities such as briefings and roving exhibitions etc. The expenditure for these activities was around \$1,176,000. As the activities undertaken by existing staff among their other duties, the manpower involved cannot be separately identified.

As with other promotional activities, LD collects feedback from various stakeholders to help assess the effectiveness of its work. As far as the promotion of FFEP is concerned, the feedback so collected shows that employers in general are becoming more receptive to the idea of implementing FFEP. For example, in 2007-08, about 1 200 companies which took part in the Caring Company Scheme organised by the Hong Kong Council of Social Service reported that they had adopted family-friendly measures to employees. In 2008-09, the number of such companies increased to more than 1 400. In 2009-10, 1 740 companies provided their employees with paid leave in addition to that specified in the Employment Ordinance, including emergency leave for family matters and paternity leave, and 1 380 companies provided or subsidised supporting services for staff and their family members.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)079

Question Serial No.

2269

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the \$33 million allocated by this Committee last year for the implementation of the Special Employment Project for Vulnerable Youth (the Project), could the Administration advise this Committee on its latest progress? How many young people with employment difficulties are participating in the 12-month on-the-job training provided by the non-governmental organisations (NGOs) under the Project? What is the response of NGOs to the Project? Would the trainees' salary (\$4,500 per month at present) be increased following the implementation of the minimum wage requirements? Would there be an expected increase in the overall provision?

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

In July 2010, Labour Department (LD) launched a special employment project targeting vulnerable young people aged between 15 and 24 with acute employment difficulties due to low educational attainment, emotional/behavioural problems or learning difficulties. Under this project, NGOs are commissioned to nominate vulnerable youths and provide on-the-job training opportunities to them for a period of 12 months. Since November 2010, 109 trainees have enrolled in the project and commenced their on-the-job training at the host NGOs.

We are reviewing the wage level offered under the project with respect to the legal requirements of the Minimum Wage Ordinance.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)080

Question Serial No.

2270

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

With respect to “launching a Work Incentive Transport Subsidy (WITS) Scheme” stated under the matters requiring special attention in 2011-12, would the Administration advise this Committee on the estimated number of low-income earners unable to benefit from the above scheme but eligible for allowances under the former Transport Support Scheme (TSS)? Will the Administration contact those low-income applicants under the old scheme to understand their actual situation and will they be provided with other practical assistance? Will a promise be made to review the household-based application principle after the WITS Scheme has implemented for a year? If no, what are the reasons?

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

Applicants for TSS need only to provide information about their income and assets on an individual basis. We do not have sufficient information to estimate how many of them are eligible for allowances under TSS but not the WITS Scheme as the latter adopts a household-based means test. While we have no plan to contact applicants of TSS to enquire about their household situation, we will organise territory-wide publicity activities to promote public awareness of the WITS Scheme. They can apply for WITS if they are eligible. They also have access to a comprehensive range of employment assistance and counselling services provided by the Labour Department.

A comprehensive review of the WITS Scheme, including its objectives, eligibility criteria, modus operandi and effectiveness, will be conducted having regard to the experience gained during the first three years of operation. A mid-term review will also be carried out after the first year of operation.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)081

Question Serial No.

2271

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the provision of “labour market information to all job seekers, including new arrivals...” as mentioned in the Brief Description, would the Administration advise this Committee on the respective numbers and success rates of placements of new arrival job seekers registered with the Labour Department (LD) in each of the past two years. What are the targeted measures to help them find jobs?

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

In 2009 and 2010, the numbers of new arrival job seekers who registered with LD for employment service were 13 084 and 9 941 respectively.

Job seekers may be placed into employment either through the referral services of LD or by direct application to employers who advertise their vacancies via LD. Job seekers who secure employment through direct application are not required to report their placement positions to LD. Therefore, we do not have a breakdown on the number of new arrival job seekers placed into employment out of those registered for LD’s service.

LD provides employment services to all job seekers, including new arrivals, through a network of 12 Job Centres, two industry-based recruitment centres, a Telephone Employment Service Centre, an Interactive Employment Service (iES) website and a number of vacancy search terminals located in convenient locations in the territory. To enhance the dissemination of vacancy information, LD also organises large-scale as well as district-based job fairs which will be publicised to new arrival job seekers. All Job Centres have set up special counters and resource corners for new arrival job seekers. Employment briefings tailor-made for them are also organised to help them better understand the local labour market situation and improve job search skills. To facilitate their browsing of vacancy information, both the iES website and the vacancy search terminals can be viewed in either traditional or simplified Chinese characters. New arrival job seekers who have difficulties in finding jobs are also encouraged to join various specialised employment programmes that can meet their individual needs for enhancing employability and employment prospects.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

It is stated in paragraphs 142 and 143 of the Budget that the Administration will strengthen the support services for new arrivals and ethnic minorities. Please advise this Committee on the following:

- (a) Will the support services include employment support? If yes, what are the details?
- (b) Has the Administration earmarked resources for assessment of the demand and supply of new arrivals in the employment market in Hong Kong in the next 5 years (i.e. 2011-12 to 2015-16)? Will the implementation of the minimum wage aggravate their unemployment situation? What measures will the Administration take and whether resources have been earmarked for a study on related issues?

Asked by: Hon. CHAN Kin-por

Reply:

The information sought is provided as follows:

- (a) Services for new arrivals (NAs) and ethnic minorities (EMs) are provided by different bureaux and departments, including the Home Affairs Department (HAD), according to their own preview. In 2011-12, HAD will be allocated increased resources and set up a dedicated team to strengthen and integrate support services for NAs and EMs. The HAD would put in place three major initiatives, including the launch of district-based integration programmes, organising activities for prospective migrants from the Mainland to help them better understand the local environment before coming to live here, and introducing services to NAs and EMs by arranging those with similar backgrounds and experiences to reach out to them and make referrals to Government departments where necessary. The above support services focus on integration and understanding and therefore do not include direct employment support services.

The Constitutional and Mainland Affairs Bureau (CMAB) currently sponsors four non-governmental organisations to operate support services centres to provide various services for NAs and EMs. These services include, amongst others, employment seminars and job matching services. The support service centres would be transferred from the CMAB to and operate under the HAD with effect from 2011-12.

On top of a wide range of employment services available for all job seekers, Labour Department has specifically set up resource corners and special counters to assist NAs and EMs at all its job centres. Tailor-made employment briefings are organised to help them better understand the local labour market situation and improve job search skills. Those who have difficulties in finding jobs are encouraged to participate in various specialised employment programmes to enhance employability.

On vocational training, eligible NAs and EMs may apply for enrolment in courses provided by the Employees Retraining Board. We will closely monitor the employment and training needs of NAs and EMs to provide suitable services.

- (b) According to the estimation of the Provisional Minimum Wage Commission, at the initial statutory minimum wage (SMW) rate of \$28, the impact on the unemployment rate in Hong Kong is estimated to be relatively mild, particularly when viewed against the improving labour market conditions. The effect of SMW on the employment of NAs will depend on factors such as the prevailing economy and labour market situation, and it is difficult to make an estimation at this stage. We have no plan at present to earmark resources for a study on related issues.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)083

Question Serial No.

2314

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

It is stated under this Programme that the Labour Department (LD) will promote family-friendly employment practices (FFEP) with a view to assisting employees to maintain a balance between work and family responsibilities. Will funds and manpower be set aside for the Government to consider taking the lead in promoting a new occupational culture of work-life balance by taxation or other administrative means, so as to encourage enterprises introducing policies to meet employees' needs for work-life balance?

Asked by: Hon. CHAN Kin-por

Reply:

LD has been actively encouraging employers to adopt FFEP. As the operating circumstances of different organisations vary, we consider that individual employers are in the best position to decide which FFEP should be adopted. In partnership with the business community and relevant organisations, LD will continue to promote FFEP to help employees balance work and family commitments. We have at present no plan to provide additional financial incentives or introduce administrative measures to enterprises for implementing FFEP.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)084

Question Serial No.

2315

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

In view of the higher risk of accidents in construction industry as compared with other industries, will the Government set aside resources for a study on imposing heavier penalty on construction employers, contractors and sub-contractors with repeated convictions for greater deterrence? Besides, will the Government increase the manpower and resources to strengthen prosecution against contractors and workers who have failed to comply with the laws?

Asked by: Hon. CHAN Kin-por

Reply:

For repeat offenders, the Labour Department (LD) will, upon their conviction, provide their past convictions to the Court for consideration of sentencing. If LD considers the sentence lenient, it will request the Department of Justice to consider lodging a review/ an appeal. Undertaking a study on imposing heavier penalty does not appear to be necessary.

In 2011-12, 15 Occupational Safety Officer I/II posts will be created to help strengthen enforcement actions against breach of construction safety legislation.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)085

Question Serial No.

2316

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Administration stated that it would embark on a policy study on standard working hours in 2011-12. What are the coverage and timetable of the study? What is the required funding for the study?

Asked by: Hon. CHAN Kin-por

Reply:

The policy study on working hours will cover the regime and experience of other places in regulating working hours, and the working hour situation in Hong Kong. We aim to complete the study by mid-2012.

The study is being undertaken with existing manpower at this stage and does not require additional funding.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)086

Question Serial No.

2317

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Under Programme (4), the Administration will conduct proactive inspections to workplaces and launch targeted enforcement campaigns to safeguard employees' entitlements following the implementation of the Minimum Wage Ordinance (Cap. 608) (MWO) in 2011-12. What are the details of the work, and the provision and manpower earmarked?

Asked by: Hon. CHAN Kin-po

Reply:

The Labour Department will adopt a multi-pronged strategy to ensure compliance with the MWO, through conducting proactive workplace inspections, mounting targeted enforcement campaigns for low-paying sectors and undertaking prompt investigations into complaints received. For 2011, we plan to conduct 142 000 inspections to workplaces to check compliance with labour laws including the MWO.

In 2011-12, 25 labour inspectors posts will be created to strengthen the manpower for workplace inspections and follow-up investigations arising mainly from the implementation of the MWO. As labour inspectors enforce various labour laws in the course of duty, the manpower and financial provision required for enforcing the MWO cannot be separately identified.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)087

Question Serial No.

0896

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations
(4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

As the minimum wage will come into force on 1 May this year, the provisions for Programmes (1) and (4) for 2011-12 are increased by 5.4% and 27.4% over the revised estimate for 2010-11 respectively, in order to cope with the demand for consultation and conciliation under the Minimum Wage Ordinance (MWO) and the Employment (Amendment) Ordinance 2010. In the first year of the implementation of the MWO, what are the expected numbers of requests for consultation and conciliation to be received, the consultation and conciliation that can be handled, as well as the additional employment claims to be handled? Have any target and timetable been set for handling the consultation, conciliation and claims? What are the details?

Asked by: Hon. CHAN Mo-po, Paul

Reply:

With the implementation of the MWO, we anticipate that there will be increase in both the numbers and complexity of consultations, labour disputes and claims handled by the Labour Department. However, the increase in numbers will depend on a host of factors such as the prevailing economy and labour market situation. We are not able to make an accurate estimate at this stage.

Despite the anticipated additional workload, we will strive to meet the targets of keeping the waiting time for consultation meetings within 30 minutes and conciliation meetings for claims within five weeks.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)088

Question Serial No.

0897

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

It is mentioned under Matters Requiring Special Attention in 2011-12 that the Labour Department (LD) will embark on a policy study on standard working hours. What is the estimated expenditure for 2011-12 and 2012-13? What is the manpower involved? Will consultancy studies and overseas visits be involved in the study? What is the estimated expenditure and detailed arrangement? Will public consultation be involved in the policy study? What is the detailed arrangement?

Asked by: Hon. CHAN Mo-po, Paul

Reply:

The policy study on working hours will cover the regime and experience of other places in regulating working hours, and the working hour situation in Hong Kong. The study is being undertaken with existing manpower at this stage and does not require additional funding. We have as yet no plan to engage consultancy studies at this stage. We are now gathering information on working hours arrangements in other places and will consider conducting overseas visits in 2011-12, where necessary. At this stage of work, we do not have plans for conducting public consultation but will consider this after the study is completed.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)089

Question Serial No.

0942

Head : 90 – Labour Department

Subhead (No. & title) :

000 Operational
expenses

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Article 4 of the International Labour Convention No. 98 stipulates that the Administration shall adopt necessary measures to encourage and promote the determination of the terms and conditions of employment by means of collective agreements between employers (or employers' organisations) and workers' organisations. Would the Government advise this Committee on the following:

- (a) What measures will the Administration take in 2011-12 to encourage and promote the use of collective agreements? What is the expenditure involved?
- (b) Whether the Administration is aware of the current application of collective agreements in Hong Kong, including the employers (or employers' organisations) that have entered into collective agreements with workers' organisations, the number of workers covered by the agreements, whether the agreements are legally binding and whether any terms of collective agreements have been incorporated into individual employment contracts?

Asked by: Hon. LEE Cheuk-yan

Reply:

The information sought is provided as follows:

- (a) The Labour Department (LD) is committed to the promotion of voluntary and direct negotiation between employers and employees or their organisations concerned. We organised promotional activities at the enterprise and industry levels regularly to foster an environment and atmosphere conducive to voluntary and direct negotiation. At the enterprise level, we will continue to launch a wide range of promotional activities such as seminars, talks and sharing sessions to encourage employers and human resources practitioners to adopt good people management practices and maintain effective communication with their employees. At the industry level, we will strengthen tripartite cooperation and promote tripartite dialogue through activities organised on a regular basis for nine industry-based tripartite committees. In 2011-12, LD will organise a workshop to enhance effective communication and foster collaboration between employers, employees and workers' unions at an estimated expenditure of \$100,000.
- (b) There is no legal requirement for employers and employees or their organisations concerned to notify the Government of collective agreements that they have entered into. As such, the Government does not have statistics on the number of collective agreements reached and the number of employees they cover. That said, employers and employees or their organisations concerned of the construction, public bus, air transport, food processing and pig-slaughtering trades are known to have reached agreements on issues related to the terms and conditions of employment. Collective agreements are legally binding on both

parties if the terms of the agreements have been incorporated into individual employment contracts. In LD's experience, it is common for the terms of the collective agreements reached at enterprise level to form part of the terms of the employment of the employees covered by the agreements.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)090

Question Serial No.

0943

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the labour disputes handled in 2010, please provide a breakdown of the figures by industry and cause.

Asked by: Hon. LEE Cheuk-yan

Reply:

The breakdowns of labour disputes (involving over 20 employees) handled by the Labour Department in 2010 by industry and cause are as follows:

Breakdown by industry

Industry	Number of labour disputes
Construction	21
Restaurants and hotels	14
Community, social and personal services	11
Manufacturing	9
Transport, storage and communication	8
Wholesale, retail and import/export trades	3
Financing, insurance, real estate and business services	2
Total	68

Breakdown by cause

Cause	Number of labour disputes
Cessation of business	22
Disputes involving principal contractor and subcontractor	17
Non-payment of wages	6
Insolvency	4
Retrenchment	3
Variation of terms of employment contract	3
Dismissal	1
Others	12
Total	68

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)091

Question Serial No.

0944

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the claims handled in 2010, please provide a breakdown of the figures by cause.

Asked by: Hon. LEE Cheuk-yan

Reply:

The breakdown of labour claims (involving 20 or less employees) handled by the Labour Department in 2010 by cause is provided as follows:

Cause	Number of labour claims
Termination of contract	9 726
Non-payment of wages	6 052
Non-payment of holiday pay/ annual leave pay/ rest day pay/ sickness allowance	2 238
Cessation of business	386
Retrenchment	137
Lay-off	58
Insolvency	46
Variation of terms of employment contract	45
Others	1 746
Total	20 434

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

18.3.2011

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Under Programme (2) Employment Services, would the Administration provide this Committee with the following:

- (a) A breakdown of the figures by sex, age, industry, occupation and earnings in respect of the placements secured through the employment services of the Labour Department (LD) for the able-bodied job seekers in 2010;
- (b) Among the breakdown figures in (a), what are the respective numbers of part-time, temporary and full-time jobs with monthly earnings less than \$4,000?

Asked by: Hon. LEE Cheuk-yan

Reply:

The information sought is provided as follows:

- (a) In 2010, LD secured 149 609 placements for able-bodied job seekers. Of these, 20 533 placements were achieved through the referral services of LD and 129 076 placements were the outcomes of direct application by job seekers to employers who advertised their vacancies via LD. As job seekers who secured employment through direct application are not required to report their placement positions to LD, we do not have detailed statistics on such placements. Breakdowns of the placements achieved through the referral services of LD by sex, age, industry, occupation and earnings are as follows:

By sex and age

Age Group	Male	Female	No. of placements
15-19	878	1 158	2 036
20-29	4 336	4 034	8 370
30-39	1 278	1 721	2 999
40-49	1 285	2 708	3 993
50-59	974	1 748	2 722
60 or above	229	184	413
Total	8 980	11 553	20 533

By industry

Industry	No. of placements
Manufacturing	1 530
Construction	475
Wholesale, retail and import/export trades, restaurants and hotels	9 005
Transport, storage and communication	1 133
Financing, insurance, real estate and business services	2 527
Community, social and personal services	3 687
Others (including government sector)	2 176
Total	20 533

By occupation

Occupational group	No. of placements
Managers and administrators	308
Professionals	116
Associate professionals	1 622
Clerks	5 041
Service workers	3 591
Shop sales workers	3 566
Agriculture, animal husbandry and forestry workers and fishermen	71
Craft and related workers	351
Plant and machine operators and assemblers	408
Elementary occupations	5 408
Others	51
Total	20 533

By earnings

Monthly earnings	No. of placements
Below \$4,000	3 645
\$4,000 - \$4,999	1 044
\$5,000 - \$5,999	2 328
\$6,000 - \$6,999	4 113
\$7,000 - \$7,999	4 124
\$8,000 - \$8,999	2 629
\$9,000 - \$9,999	1 005
\$10,000 or above	1 645
Total	20 533

- (b) Of the 3 645 placements with monthly earnings below \$4,000, 3 563 were part-time or temporary jobs and 82 were full-time jobs.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)093

Question Serial No.

0946

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Under Programme (2) Employment Services, would the Administration provide this Committee with the following:

- (a) A breakdown of the figures, by sex, age, industry, occupation and earnings, of disabled job-seekers who secured placements through the employment services of the Labour Department (LD) in 2010;
- (b) Among the breakdown figures in (a), what are the respective numbers of part-time, temporary and full-time jobs with monthly earnings less than \$3,000?

Asked by: Hon. LEE Cheuk-yan

Reply:

The information sought is provided as follows:

- (a) In 2010, LD achieved 2 405 placements for job seekers with disabilities. Breakdowns of the placements by sex, age, industry, occupation and earnings are as follows:

By sex and age

Age group	Male	Female	No. of placements
15-19	49	46	95
20-29	525	445	970
30-39	319	392	711
40-49	217	205	422
50-59	116	59	175
60 and above	17	15	32
Total	1 243	1 162	2 405

By industry

Industry	No. of placements
Manufacturing	184
Construction	22
Wholesale, retail and import/export trades, restaurants and hotels	830
Transport, storage and communication	87
Financing, insurance, real estate and business services	475
Community, social and personal services	474
Others (including government sector)	333
Total	2 405

By occupation

Occupational group	No. of placements
Professional, technical and related workers	74
Administrative and managerial workers	21
Clerical and related workers	513
Sales workers	611
Service workers	619
Agricultural, animal husbandry, forestry workers and fishermen	1
Production workers, transport equipment operators and labourers	566
Total	2 405

By earnings

Monthly earnings	No. of placements
Below \$3,000	887
\$3,000 - \$3,999	202
\$4,000 - \$4,999	277
\$5,000 - \$5,999	365
\$6,000 - \$6,999	395
\$7,000 - \$7,999	156
\$8,000 - \$8,999	74
\$9,000 or above	49
Total	2 405

- (b) Of the 887 placements with monthly earnings below \$3,000, 627 involved part-time or temporary jobs and 260 involved full-time jobs.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)094

Question Serial No.

0947

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the establishment of a pioneer one-stop employment and training centre (one-stop centre) in Tin Shui Wai, would the Administration advise on the estimated expenditure and staffing of the programme in 2011-12 respectively?

Asked by: Hon. LEE Cheuk-yan

Reply:

The estimated recurrent expenditure for the one-stop centre to be set up in Tin Shui Wai for 2011-12 is about \$10 million and the annual staff cost is about \$6.5 million. At the one-stop centre, there will be 26 Labour Department staff providing employment services. In addition, a non-governmental organisation will be engaged to provide case management and employment support services to needy job seekers.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)095

Question Serial No.

0948

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding Programme (2) Employment Services, would the Administration advise on the following:

- (a) What is the estimated expenditure for Item 863 – Enhanced and Integrated Employment Programme (EIEP) in 2011-12? How many people are expected to benefit?
- (b) What is the estimated expenditure for Item 873 – Pilot Employment Navigator Programme (ENP) in 2011-12? How many people are expected to benefit?

Asked by: Hon. LEE Cheuk-yan

Reply:

The information sought is as follows:

- (a) Starting from 2011-12, the expenses incurred for the EIEP will be charged to the recurrent operating account. In 2011-12, the total estimated operating cost for administering the EIEP is \$122.9 million. We plan to provide employment assistance to 21 900 participants under the programmes.
- (b) The Pilot ENP will operate for two years and provides 22 000 places for job seekers in the two-year period. In 2011-12, 11 000 places will be provided, at an estimated expenditure of \$59.4 million.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)096

Question Serial No.

0949

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please provide the respective numbers of people suffering from diseases or injuries caused by, related to or aggravated by work among those who sought consultation service at the occupational health clinics in 2010. What was the number of patients who had illnesses or injuries unrelated to work?

Asked by: Hon. LEE Cheuk-yan

Reply:

In 2010, a total of 2 310 patients sought consultation at the Labour Department's occupational health clinics. Among them, 166 (7.2%) suffered from diseases or injuries caused by work, 1 850 (80.1%) from diseases related to or aggravated by work, and 294 (12.7%) from diseases unrelated to work.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)097

Question Serial No.

0950

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the patients seeking consultation at the occupational health clinics of the Labour Department in 2010, please give a breakdown by sex, age, industry, occupation and nature of disease on (i) the number of people suffering from diseases or injuries caused by, related to or aggravated by work and (ii) the number of patients who had diseases or injuries unrelated to work.

Asked by: Hon. LEE Cheuk-yan

Reply:

In 2010, a total of 2 310 patients sought consultation at the occupational health clinics of the Labour Department (LD). Among them, 2 016 (87.3%) suffered from diseases or injuries caused by work, related to work or aggravated by work, and 294 (12.7%) suffered from diseases or injuries unrelated to work.

The following tables provide a breakdown of the two groups of patients by sex, age, industry, occupation and nature of disease –

(A) By sex

Sex	Disease/injury			
	Caused by, related to or aggravated by work		Unrelated to work	
Male	715	(35.5%)	133	(45.2%)
Female	1 301	(64.5%)	161	(54.8%)
Total	2 016	(100%)	294	(100%)

(B) By age

Age group	Disease/injury			
	Caused by, related to or aggravated by work		Unrelated to work	
< = 20	3	(0.2%)	0	(0 %)
21-40	553	(27.4%)	69	(23.5%)
41-60	1 416	(70.2%)	206	(70.0%)
>60	44	(2.2%)	19	(6.5%)
Total	2 016	(100%)	294	(100%)

(C) By industry*

Industry	Disease/injury			
	Caused by, related to or aggravated by work		Unrelated to work	
Public administration, and social and personal services	951	(47.2%)	135	(45.9%)
Wholesale, retail and import/export trades, and accommodation and food services	455	(22.6 %)	55	(18.7%)
Financing, insurance, real estate, and professional and business services	205	(10.2%)	32	(10.9%)
Transportation, storage, postal, courier services, and information and communications	138	(6.9%)	20	(6.8%)
Manufacturing	120	(5.9%)	19	(6.5%)
Construction	99	(4.9%)	22	(7.5%)
Others	48	(2.3%)	11	(3.7%)
Total	2 016	(100%)	294	(100%)

(D) By occupation*

Occupation	Disease/injury			
	Caused by, related to or aggravated by work		Unrelated to work	
Elementary occupations	534	(26.5%)	68	(23.1%)
Professionals, associate professionals, technicians, plant and machine operators, assemblers, and craft and related trades workers	533	(26.4%)	89	(30.3%)
Services and sales workers	505	(25.1%)	59	(20.1%)
Clerical support workers	381	(18.9%)	59	(20.1%)
Others	63	(3.1%)	19	(6.4%)
Total	2 016	(100%)	294	(100%)

(E) By nature of disease

Nature of disease	Caused by, related to or aggravated by work		Unrelated to work	
Musculoskeletal	1 775	(88.1%)	190	(64.6%)
Neurological	23	(1.2%)	13	(4.4%)
Auditory	22	(1.1%)	4	(1.4%)
Skin	19	(0.9%)	8	(2.7%)
Respiratory	7	(0.3%)	5	(1.7%)
Visual	5	(0.2%)	0	(0%)
Others	165	(8.2%)	74	(25.2%)
Total	2 016	(100%)	294	(100%)

* Since 2010, LD has adopted the Hong Kong Standard Industrial Classification (HSIC) Version 2.0 for classifying industries, and the International Standard Classification of Occupations (ISCO) Version 08 for classifying occupations. The statistics have been compiled on the basis of the new industrial and occupation classifications respectively.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)098

Question Serial No.

0951

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Would the Administration please provide a breakdown of cases on the basis of time required to effect payment in respect of applications to the Protection of Wages on Insolvency Fund (PWIF) in 2010?

Asked by: Hon. LEE Cheuk-yan

Reply:

The information sought is provided as follows:

Payment Time	Number of Applications
4 weeks or less	3 844
More than 4 weeks to 6 weeks	345
More than 6 weeks to 8 weeks	98
More than 8 weeks to 10 weeks	72
Total	4 359

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)099

Question Serial No.

0952

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the employees' compensation claims processed in 2010, would the Administration provide a breakdown of the figures by industry? As at the end of 2010, how many cases had been resolved? How much compensation was involved?

Asked by: Hon. LEE Cheuk-yan

Reply:

In 2010, the Labour Department (LD) processed 58 791 employees' compensation claims reported under the Employees' Compensation Ordinance. Of these, 16 165 did not involve incapacitation of the employees for more than 3 days with no permanent incapacity. As the employers made direct payment of compensation to the employees in these cases, LD does not have a breakdown on the claims by industries. Of the remaining 42 626 cases, a breakdown by industries is provided as follows:

Industry*	Number of Cases
Public Administration, Social and Personal Services	8 877
Food and Beverage Services	8 298
Financing and Insurance, Real Estate, Professional and Business Services	6 920
Import/Export, Wholesale and Retail Trades, Accommodation Services	6 062
Transportation, Storage, Postal and Courier Services, Information and Communications	5 574
Construction	2 963
Manufacturing	2 907
Others	1 025
Total	42 626

* A new classification of industry (HSIC V2.0) as published by Census and Statistics Department is adopted since 1.1.2010.

Of all the 58 791 reported cases, 43 228 were resolved as at the end of 2010. The amount of employees' compensation involved is \$207.26 million. The remaining costs are awaiting expiry of sick leave, assessment of permanent incapacity or court judgement.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)100

Question Serial No.

0953

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Would the Administration provide a breakdown of the number of employees' compensation cases received by the branch offices of the Employees' Compensation Division in 2010?

Asked by: Hon. LEE Cheuk-yan

Reply:

In 2010, the Labour Department (LD) received 58 791 employees' compensation claims reported under the Employees' Compensation Ordinance. The breakdown of these cases reported to different branch offices of the Employees' Compensation Division of LD is as follows:

Branch Office	Number of Cases
Hong Kong East Office	6 077
Hong Kong West Office	9 120
Kowloon East Office	7 046
Kowloon West Office	5 044
Kwun Tong Office	7 197
Government Servants and Seamen Office	6 508
Kwai Chung Office	5 184
Tsuen Wan Office	5 501
Shatin Office	6 917
Fatal Cases Office	197
Total	58 791

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)101

Question Serial No.

0954

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding Programme (4) Employee Rights and Benefits, would the Administration please provide the following information:

- (a) a breakdown by industry and reason(s) for prosecutions regarding the prosecutions taken out by the Labour Department (LD) under this Programme in 2010.
- (b) the details on convictions and penalties.

Asked by: Hon. LEE Cheuk-yan

Reply:

- (a) The information sought is provided as follows:

Industry	2010	
	No. of Prosecutions	No. of Convictions
Catering	1 247	989
Manufacturing	347	253
Construction	373	271
Import/Export	481	385
Wholesale/Retail	812	763
Transport, Storage and Communication	227	190
Finance, Insurance, Real Estate and Business Services	453	366
Community, Social and Personal Services	755	670
Others	252	222
Total	4 947	4 109

The prosecutions were mainly related to wage offence, holiday offence and failure to take out employees' compensation insurance. In 2010, the corresponding numbers of these prosecutions were 1 854, 1 305 and 1 373, resulting in 1 481, 1 005 and 1 294 convictions respectively.

- (b) In the same year, the highest fine imposed on an individual case involving wage offence, holiday offence and failure to take out employees' compensation insurance was \$320,000, \$44,000 and \$10,000 respectively. Three directors and one employer convicted of wage offences were sentenced to imprisonment; the highest sentence was four months. The court also imposed community service orders on four directors, one manager and nine employers for committing wage offences.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)102

Question Serial No.

0955

Head : 90 – Labour Department

Subhead (No. & title) :

000 Operational expenses

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Would the Administration advise on the estimated manpower and expenditure involved in publicity, inspections to workplaces and enforcement due to the implementation of statutory minimum wage (SMW) in 2011-12?

Asked by: Hon. LEE Cheuk-yan

Reply:

In addition to the 14 existing staff put on SMW work, 67 civil service posts will be created in 2011-12 in connection with the implementation of the SMW. The operating and staff costs for publicising and implementing the SMW regime including inspections to workplaces and enforcement are estimated to be \$41.9 million and \$34.3 million respectively in the year.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)103

Question Serial No.

0956

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the embarkment of a policy study on standard working hours, would the Administration advise on the following:

- (a) Details of the study including the manpower and expenditure involved, as well as the expected completion date;
- (b) Has the Administration planned to conduct any overseas visit for the study in 2011-12? If yes, what are the details?

Asked by: Hon. LEE Cheuk-yan

Reply:

The information sought is provided as follows:

- (a) The policy study on working hours will cover the regime and experience of other places in regulating working hours, and the working hour situation in Hong Kong. The study is being undertaken with existing manpower at this stage and does not require additional funding. We aim to complete the study by mid-2012.
- (b) We are now gathering information on working hours arrangements in other places and will consider conducting overseas visits in 2011-12, where necessary.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)104

Question Serial No.

2694

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the number of applications made under the Supplementary Labour Scheme (SLS) in paragraph 13 (under the Targets of the Brief Description of the Programme), what were the numbers of applications processed by the Labour Department (LD) in the past three years (2008-09, 2009-10 and 2010-11)? Please provide a breakdown of the number of successful and unsuccessful applicants by age, job title and salary. What are the estimated expenditure and details of the measures to ensure priority of employment for local workers?

Asked by: Hon. LAM Tai-fai

Reply

In 2008, 2009 and 2010, the Labour Department (LD) processed 662, 599 and 855 applications under the SLS respectively. Applications under the SLS usually involve more than one vacancy. In these three years, LD granted approvals to employers to import workers to fill 1 082, 797 and 1 180 vacancies, and rejected the applications for 707, 481 and 525 vacancies. We do not have information on the age profile of the workers involved.

A breakdown of the numbers of vacancies approved and rejected in 2008, 2009 and 2010 by job title and wage level is provided at Annexes 1 to 4.

To ensure priority of employment for local workers, LD requires all SLS applications to undergo a four-week local recruitment exercise. During these exercises, LD conducts active job placements so that eligible local workers can have priorities in filling the available vacancies. Separately, labour inspectors conduct inspections to the employers concerned to ensure that both local and imported workers enjoy protection in accordance with the relevant labour legislation and conditions of the SLS. These aspects of work are subsumed under different work divisions of LD and the expenditure involved cannot be separately provided.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

**Vacancies approved under the
Supplementary Labour Scheme in 2008, 2009 and 2010
with breakdown by job title**

Job title	2008	2009	2010
1. Care Worker (Elderly Service)	522	295	636
2. Livestock/ Poultry/ Fish/ Crops Farm Worker	205	276	280
3. Gardening Worker	19	29	40
4. Bean Curd/ Soya Bean/ Bean Sprout Processing Worker	35	31	39
5. Cook	15	19	28
6. Knitting Machine Operator	33	26	20
7. Machine Operator	13	12	18
8. Steel Fabricator/ Steel Worker	3	0	16
9. Quality Controller/ Inspector/ Control Supervisor	14	14	14
10. Others	223	95	89
Total	1 082	797	1 180

**Vacancies approved under the
Supplementary Labour Scheme in 2008, 2009 and 2010
with breakdown by wage level**

Monthly wage	2008	2009	2010
1. \$6,000 or below	18	2	13
2. \$6,001-\$8,000	639	393	739
3. \$8,001-\$10,000	216	295	309
4. \$10,001-\$12,000	37	24	56
5. \$12,001-\$14,000	12	26	27
6. \$14,001-\$16,000	19	9	8
7. \$16,001-\$18,000	6	18	19
8. \$18,001-\$20,000	128	1	0
9. Above \$20,000	7	29	9
Total	1 082	797	1 180

**Vacancies rejected under the
Supplementary Labour Scheme in 2008, 2009 and 2010
with breakdown by job title**

Job title	2008	2009	2010
1. Care Worker (Elderly Service)	332	165	281
2. Steel Fabricator/ Steel Worker	6	16	27
3. Livestock/ Poultry/ Fish/ Crops Farm Worker	22	20	26
4. Quality Controller/ Inspector/ Control Supervisor	12	8	20
5. Fitter/ Mechanical Fitter	15	19	19
6. Gardening Worker	15	22	18
7. Care Worker (Disabled Service)	6	8	15
8. Machine Operator	20	37	15
9. Welder	20	16	15
10. Others	259	170	89
Total	707	481	525

**Vacancies rejected under the
Supplementary Labour Scheme in 2008, 2009 and 2010
with breakdown by wage level**

Monthly wage	2008	2009	2010
1. \$6,000 or below	21	2	8
2. \$6,001-\$8,000	360	208	315
3. \$8,001-\$10,000	135	55	62
4. \$10,001-\$12,000	49	64	83
5. \$12,001-\$14,000	79	110	19
6. \$14,001-\$16,000	20	5	2
7. \$16,001-\$18,000	11	11	32
8. \$18,001-\$20,000	16	7	0
9. Above \$20,000	16	19	4
Total	707	481	525

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)105

Question Serial No.

2695

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

In the past three years (i.e. 2008-09 to 2010-11), what were the respective numbers of new arrival and ethnic minority job seekers registered with the Labour Department (LD) each year? What were the respective numbers of placements made? Please provide a breakdown by age and wage. In 2011-12, will any targeted employment programmes be launched for the above two groups of people? If yes, what are the details and estimated expenditure? If no, what are the reasons?

Asked by: Hon. LAM Tai-fai

Reply:

The numbers of new arrival and ethnic minority job seekers registered with LD for employment service in the past three years are as follows:

Year	No. of new arrivals job seekers registered for employment service	No. of ethnic minority job seekers registered for employment service
2008	11 540	2 191
2009	13 084	2 215
2010	9 941	1 234

Job seekers may be placed into employment either through the referral services of LD or by direct application to employers who advertise their vacancies via LD. Job seekers who secure employment through direct application are not required to report their placement positions to LD. Therefore, we do not have the numbers of new arrival and ethnic minority job seekers placed into employment out of those registered for LD's service.

In addition to a wide range of employment services available for all job seekers, we have specifically set up resource corners and special counters to assist the new arrival and ethnic minority job seekers at all the job centres. Tailor-made employment briefings are organised to help them better understand the local labour market situation and improve job search skills. In 2011-12, we have no plan to launch targeted employment programmes for these two groups of job seekers, as they can participate in various specialised employment programmes currently provided by LD.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)106

Question Serial No.

2696

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

It is mentioned under Matters Requiring Special Attention in 2011-12 that the Labour Department (LD) is planning to conduct proactive inspections to workplaces and launch targeted enforcement campaigns to safeguard employees' entitlements following the implementation of the Minimum Wage Ordinance (MWO). What is the estimated expenditure involved? Please set out the details of the specific campaigns, estimated expenditure and the type of workplace to be inspected.

Asked by: Hon. LAM Tai-fai

Reply:

LD will adopt a multi-pronged strategy to ensure compliance with the MWO, through conducting proactive workplace inspections, mounting targeted enforcement campaigns for low-paying sectors and undertaking prompt investigations into complaints received. For 2011, we plan to conduct 142 000 inspections to workplaces to check compliance with labour laws including the MWO.

In 2011-12, 25 labour inspector posts will be created to strengthen the manpower for workplace inspections and follow-up investigations arising mainly from the implementation of the MWO. As labour inspectors enforce various labour laws in the course of duty, the manpower and financial provision required for enforcing the MWO cannot be separately identified.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)107

Question Serial No.

2699

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

It is stated in paragraph 25 under Brief Description of this Programme that targeted operations are mounted with the Police and the Immigration Department to combat illegal employment for protecting the job opportunities of local workers. Please set out, in table form, the number of operations, the number of illegal workers arrested, their nationality, the number of employers convicted and the nature of the jobs in the past three years (i.e. 2008-09, 2009-10 and 2010-11), as well as the estimated expenditure and details of the publicity programmes to be launched?

Asked by: Hon. LAM Tai-fai

Reply:

The information sought on joint operations with the Immigration Department and the Police to combat illegal employment and suspected illegal workers arrested in the past three years is provided as follows:

	2008	2009	2010
No of joint operations conducted	186	217	217
No. of suspected illegal workers arrested	582	414	438

Suspected cases of illegal employment are referred to the Immigration Department or the Police for investigation and prosecution. We therefore do not have the statistics sought on the nationality of the suspected illegal workers arrested, the number of employers convicted of employing illegal workers and the nature of the jobs involved.

The Labour Department launches publicity and promotional campaigns to drive home the serious consequences of employing illegal workers. Through the mass media, display of posters / advertisements on public transport and newspapers, and issuing of press releases on warranted cases, etc., we also encourage the reporting of suspected offences. The provision earmarked for launching publicity activities for 2011-12 is \$150,000.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)108

Question Serial No.

2700

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the setting up of a pioneer one-stop employment and training centre (the one-stop centre) in Tin Shui Wai mentioned in the matters requiring special attention in 2011-12, would the Government inform this Committee of the following:

- (a) Whether the Amenity and Community Building (ACB) under construction can be completed in the first half of 2011 as scheduled? When will it formally come into operation? Is it possible to commence operation earlier and what are the estimated annual operating costs?
- (b) What are the details and estimated expenditure for developing the career assessment kit and the design of the needs assessment tool for analysing the employment needs of individual job-seekers with respect to the preparatory work for setting up the one-stop centre?
- (c) What are the estimated expenditure for and progress of the development of the information technology system for data-sharing among the collaborative parties and the computer programme for administering the needs assessment tool for job seekers?
- (d) Is there any funding earmarked for a review of the services? If yes, what are the details? If no, what are the reasons?

Asked by: Hon. LAM Tai-fai

Reply:

The information sought is provided as follows:

- (a) The one-stop centre will be housed in the ACB at Tin Ching Estate, Tin Shui Wai. ACB is still under construction and is expected to be ready for occupation in May 2011. As time is required for fitting out, we expect the one-stop centre to commence operation by the end of 2011. The estimated recurrent expenditure for the one-stop centre in 2011-12 is about \$10 million and the annual staff cost is about \$6.5 million.
- (b) Both the development of the career assessment tool and the needs assessment tool have been completed. The estimated expenditure for developing the career assessment tool is about \$1 million and that for the needs assessment tool is about \$0.45 million.

- (c) The development of the information system has largely been completed and trial runs are now being conducted. The development cost is about \$9.1 million.
- (d) The review will be conducted with existing manpower and no additional provision is required for the purpose.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)109

Question Serial No.

2701

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

It is mentioned under Matters Requiring Special Attention in 2011-12 that the Labour Department (LD) will embark on a policy study on standard working hours. Could the Administration advise this Committee on the estimated expenditure and details of the study? Will a questionnaire-based survey be conducted among the trade associations as well as small and medium enterprises, and will the study's findings be published? If yes, when will it be published? If no, what are the reasons? Has any provision been earmarked for the public consultation on the findings of the study on standard working hours? If yes, what are the details? If no, what are the reasons?

Asked by: Hon. LAM Tai-fai

Reply:

The policy study on working hours will cover the regime and experience of other places in regulating working hours, and the working hour situation in Hong Kong. The study is being undertaken with existing manpower at this stage and does not require additional funding.

As we are still examining ways for collecting the relevant statistics, we will not be able to provide details. We have no plan to conduct public consultation during the study but will consider this after its completion.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

What is the estimated expenditure of the Labour Department (LD) for publicising the implementation of the statutory minimum wage (SMW) regime in 2011-12? Please provide specific details of the activities, expenditure, estimated number of employees and employers covered, and in particular the expenditure, details and the number of promotional activities targeted to small and medium enterprises (SMEs). Will publicity efforts be enhanced to address the problem of “false self-employment”? If yes, what is the estimated expenditure and details of the activities? If no, what are the reasons?

Asked by: Hon. LAM Tai-fai

Reply:

The estimated expenditure for publicising the SMW in 2011-12 is \$5.4 million. The activities include: broadcasting TV and radio Announcements in the Public Interest through different media channels; advertising on public transports and in publications of target organisations; publishing leaflets and posters for wide distribution and display; inserting promotional message in electricity and water bills; placing newspaper supplements; issuing reference guidelines on the Minimum Wage Ordinance; conducting briefings on the SMW for employers, employees, various target groups and the public; staging roving exhibitions; and hanging banners for outdoor publicity. These activities, covering also SMEs, will be organised flexibly to meet target groups' needs which will evolve over time. We are not able to put a number on the employers and employees covered by the activities.

To tie in with the implementation of the SMW, LD plans to carry out a series of promotional activities in 2011-12 to raise the awareness of the public on the differences in the rights and benefits between an employee and a self-employed person to tackle false self-employment. The estimated expenditure for the activities is around \$350,000. These activities include: producing a new radio Announcement in the Public Interest on differentiating an employee from a self-employed person; placing advertisements on public transports; producing new promotional materials; publishing feature articles in the website and newsletters of relevant organisations; staging roving exhibitions territory-wide; and delivering talks to stakeholders.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)111

Question Serial No.

2790

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please set out details of the 247 posts to be created in the Labour Department (LD) for implementing the Work Incentive Transport Subsidy (WITS) Scheme and enhancing employment support services, including the post titles and job descriptions. Please also advise on the mode of administrative operation of the WITS Scheme, and the specific measures for enhancing employment support services.

Asked by: Hon. IP Kwok-him

Reply:

Of the 247 posts estimated to be created, 214 posts are for implementing the WITS Scheme and 33 for enhancing employment support services.

Regarding the WITS Scheme, the 214 posts estimated to be created include the following grades of staff:

Grade	No. of Posts
Executive Officer	32
Clerical Officer	173
Analyst/Programmer	3
Treasury Accountant	1
Accounting Officer	2
Personal Secretary	1
Workman	2
Total	214

LD will set up a new WITS Division and these posts will perform all operational functions including processing applications, handling appeals, effecting subsidy payments, identifying and investigating fraudulent cases, organising publicity activities, etc. Payment will be made on the basis of proof of eligibility over the previous 12 months. Applicants can opt for a shorter review cycle of no less than six months. This means when the WITS Scheme is launched in October 2011, applicants may immediately apply for WITS for the previous six months dating back to April 2011 or submit an application later covering a longer payment period not exceeding one year. Subject to approval, the subsidy will be payable to the applicants through bank transfer.

Regarding the enhancement of employment support services, the 33 posts include the following grades of staff:

Grade	No. of Posts
Labour Officer	16
Clerical Officer	7
Clerical Assistant	10
Total	33

These posts will operate a pioneer one-stop employment and training centre (one-stop centre) in Tin Shui Wai and implement the enhanced employment support services to vulnerable groups including the youths, the middle-aged and persons with disabilities. They will provide employment services to job seekers and liaise with the working partners to ensure the operation of the employment programmes. They will also conduct promotional activities to publicise the employment services.

The one-stop centre in Tin Shui Wai will provide new and enhanced features to assist job seekers in securing employment, in addition to a full range of employment services and programmes normally available in a job centre. Individual job seekers' employment needs will be assessed and tailor-made case management and employment support services will be provided to needy job seekers. The specialised employment programmes for the vulnerable groups, including the Youth Pre-employment Training Programme and Youth Work Experience and Training Scheme for the youths, the Employment Programme for the Middle-aged and the Work Orientation and Placement Scheme for the persons with disabilities, will be enhanced by securing a permanent footing and staffing for these programmes. This can help provide stable manpower support and retain the expertise and experience in running the programmes.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)112

Question Serial No.

3788

Head : 90 – Labour Department Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please provide the number and ratio of those suffering from diseases or injuries related and unrelated to work by sex, age, industry, occupation and type of disease among the people attending the occupational health clinics of the Labour Department (LD) for consultation service in 2010.

Asked by: Hon. IP Kwok-him

Reply:

In 2010, a total of 2 310 patients sought consultation at the occupational health clinics of LD. Among them, 2 016 (87.3%) suffered from diseases or injuries caused by work, related to work or aggravated by work, and 294 (12.7%) suffered from diseases or injuries unrelated to work.

The following tables provide a breakdown of the two groups of patients by sex, age, industry, occupation and nature of disease –

(A)By sex

Age group	Disease/injury			
	Caused by, related to or aggravated by work		Unrelated to work	
Male	715	(35.5%)	133	(45.2%)
Female	1 301	(64.5%)	161	(54.8%)
Total	2 016	(100%)	294	(100%)

(B)By age

Age group	Disease/injury			
	Caused by, related to or aggravated by work		Unrelated to work	
< = 20	3	(0.2%)	0	(0 %)
21-40	553	(27.4%)	69	(23.5%)
41-60	1 416	(70.2%)	206	(70.0%)
> 60	44	(2.2%)	19	(6.5%)
Total	2 016	(100%)	294	(100%)

(C) By industry*

Industry	Disease/injury			
	Caused by, related to or aggravated by work		Unrelated to work	
Public administration, and social and personal services	951	(47.2%)	135	(45.9%)
Wholesale, retail and import/export trades, and accommodation and food services	455	(22.6%)	55	(18.7%)
Financing, insurance, real estate, and professional and business services	205	(10.2%)	32	(10.9%)
Transportation, storage, postal, courier services, and information and communications	138	(6.9%)	20	(6.8%)
Manufacturing	120	(5.9%)	19	(6.5%)
Construction	99	(4.9%)	22	(7.5%)
Others	48	(2.3%)	11	(3.7%)
Total	2 016	(100%)	294	(100%)

(D) By occupation*

Occupation	Disease/injury			
	Caused by, related to or aggravated by work		Unrelated to work	
Elementary occupations	534	(26.5%)	68	(23.1%)
Professionals, associate professionals, technicians, plant and machine operators, assemblers, and craft and related trades workers	533	(26.4%)	89	(30.3%)
Services and sales workers	505	(25.1%)	59	(20.1%)
Clerical support workers	381	(18.9%)	59	(20.1%)
Others	63	(3.1%)	19	(6.4%)
Total	2 016	(100%)	294	(100%)

(E) By nature of disease

Nature of disease	Caused by, related to or aggravated by work		Unrelated to work	
Musculoskeletal	1 775	(88.1%)	190	(64.6%)
Neurological	23	(1.2%)	13	(4.4%)
Auditory	22	(1.1%)	4	(1.4%)
Skin	19	(0.9%)	8	(2.7%)
Respiratory	7	(0.3%)	5	(1.7%)
Visual	5	(0.2%)	0	(0%)
Others	165	(8.2%)	74	(25.2%)
Total	2 016	(100%)	294	(100%)

* Since 2010, LD has adopted the Hong Kong Standard Industrial Classification (HSIC) Version 2.0 for classifying industries, and the International Standard Classification of Occupations (ISCO) Version 08 for classifying occupations. The statistics have been compiled on the basis of the new industrial and occupation classifications respectively.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
 INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)113

Question Serial No.

3789

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

- (a) Please provide a breakdown of cases on the basis of the time required to effect payment in respect of applications to the Protection of Wages on Insolvency Fund (PWIF) in 2010.
- (b) Please provide a breakdown of cases and the amount involved on the basis of industry in respect of applications to PWIF in the past year, i.e. 2010.

Asked by: Hon. IP Kwok-him

Reply:

The information sought in respect of PWIF in 2010 is provided as follows:

- (a) Time required to effect payment for approved applications

Payment Time	No. of Applications
4 weeks or less	3 844
More than 4 weeks to 6 weeks	345
More than 6 weeks to 8 weeks	98
More than 8 weeks to 10 weeks	72
Total	4 359

- (b) The number of applications received and the amount claimed as broken down by industries

Industry	No. of applications	Amount (\$ million)
Food and beverage service activities	1 149	26.4
Construction	697	17.3
Other personal service activities	568	11.9
Import/Export trade	351	34.7
Motion picture, video and television programme production, sound recording and music publishing activities	345	38.1
Sports and other entertainment activities	199	8.3
Manufacture of textiles	172	21.4
Others	972	68.8
Total	4 453	226.9

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)114

Question Serial No.

3790

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the claims handled by the Labour Department (LD) in 2010, please provide a breakdown of the figures by cause.

Asked by: Hon. IP Kwok-him

Reply:

The breakdown of labour claims (involving 20 or less employees) handled by LD in 2010 by cause is provided as follows:

Cause	Number of labour claims
Termination of contract	9 726
Non-payment of wages	6 052
Non-payment of holiday pay/ annual leave pay/ rest day pay/ sickness allowance	2 238
Cessation of business	386
Retrenchment	137
Lay-off	58
Insolvency	46
Variation of terms of employment contract	45
Others	1 746
Total	20 434

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)115

Question Serial No.

3791

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please provide a breakdown of the figures by age, sex, industry, occupation and monthly salary in respect of the placements secured through the employment services of the Labour Department (LD) for the able-bodied job seekers in 2010; among the breakdown figures, what are the respective numbers of part-time or temporary jobs and full-time jobs with monthly salary less than \$5,000?

Asked by: Hon. IP Kwok-him

Reply:

The information sought is provided as follows:

- (a) In 2010, LD secured 149 609 placements for able-bodied job seekers. Of these, 20 533 placements were achieved through the referral services of LD while 129 076 placements were through direct application by job seekers to employers who advertised their vacancies in LD. As job seekers who secured employment through direct application are not required to report their placement positions to LD, we do not have detailed statistics on such placements. The breakdown of the placements achieved through the referral services of LD by age, sex, industry, occupation and earnings is provided as follows:

By sex and age

Age Group	Male	Female	No. of placements
15-19	878	1 158	2 036
20-29	4 336	4 034	8 370
30-39	1 278	1 721	2 999
40-49	1 285	2 708	3 993
50-59	974	1 748	2 722
60 or above	229	184	413
Total	8 980	11 553	20 533

By industry

Industry	No. of placements
Manufacturing	1 530
Construction	475
Wholesale, retail and import/export trades, restaurants and hotels	9 005
Transport, storage and communication	1 133
Financing, insurance, real estate and business services	2 527
Community, social and personal services	3 687
Others (including government sector)	2 176
Total	20 533

By occupation

Occupational group	No. of placements
Managers and administrators	308
Professionals	116
Associate professionals	1 622
Clerks	5 041
Service workers	3 591
Shop sales workers	3 566
Agriculture, animal husbandry and forestry workers and fishermen	71
Craft and related workers	351
Plant and machine operators and assemblers	408
Elementary occupations	5 408
Others	51
Total	20 533

By earnings

Monthly earnings	No. of placements
Below \$5,000	4 689
\$5,000 - \$5,999	2 328
\$6,000 - \$6,999	4 113
\$7,000 - \$7,999	4 124
\$8,000 - \$8,999	2 629
\$9,000 - \$9,999	1 005
\$10,000 or above	1 645
Total	20 533

- (b) Of the 4 689 placements with monthly earnings below \$5,000, 4 142 were part-time or temporary jobs while 547 were full-time jobs.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)116

Question Serial No.

3792

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please provide a breakdown of the figures by age, sex, industry, occupation and monthly salary of the disabled job seekers who secured placements through the employment services of the Labour Department (LD) in 2010; among the breakdown figures, what are the respective numbers of part-time or temporary jobs and full-time jobs with monthly salary less than \$5,000?

Asked by: Hon. IP Kwok-him

Reply:

The information sought is provided as follows:

- (a) In 2010, LD achieved 2 405 placements for job seekers with disabilities. The breakdown of the placements by age, sex, industry, occupation and monthly earnings is provided as follows:

By age and sex

Age group	Male	Female	No. of placements
15-19	49	46	95
20-29	525	445	970
30-39	319	392	711
40-49	217	205	422
50-59	116	59	175
60 and above	17	15	32
Total	1 243	1 162	2 405

By industry

Industry	No. of placements
Manufacturing	184
Construction	22
Wholesale, retail and import/export trades, restaurants and hotels	830
Transport, storage and communication	87
Financing, insurance, real estate and business services	475
Community, social and personal services	474
Others (including government sector)	333
Total	2 405

By occupation

Occupational group	No. of placements
Professional, technical and related workers	74
Administrative and managerial workers	21
Clerical and related workers	513
Sales workers	611
Service workers	619
Agricultural, animal husbandry, forestry workers and fishermen	1
Production workers, transport equipment operators and labourers	566
Total	2 405

By monthly earnings

Monthly earnings	No. of placements
Below \$5,000	1 366
\$5,000 - \$5,999	365
\$6,000 - \$6,999	395
\$7,000 - \$7,999	156
\$8,000 - \$8,999	74
\$9,000 or above	49
Total	2 405

- (b) Of the 1 366 placements with monthly earnings below \$5,000, 747 involved part-time or temporary jobs and 619 involved full-time jobs.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)117

Question Serial No.

3793

Head : 90 – Labour Department

Subhead (No. & title) :

700 General
non-recurrent

Programme :

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

- (a) Please list the enrolments for the Youth Work Experience and Training Scheme (YWETS) in the past two years and provide the estimated enrolment figures in the coming year with an explanation of any increase or decrease.
- (b) Please list the number of trainees who were employed after completing YWETS in 2009-10, its percentage share of the total number of trainees, and compare the figures with the previous year.
- (c) What was the average wage level of the trainees who secured employment after completion of YWETS in 2009-10? What were the highest and lowest monthly wage rates in these cases? What were the industries in which the highest and the lowest wages were recorded? Please compare the figures with the past two years.

Asked by: Hon. IP Kwok-him

Reply:

The information sought is provided as follows:

- (a) In September 2009, the Labour Department integrated the Youth Pre-employment Training Programme (YPTP) and the Youth Work Experience and Training Scheme (YWETS) into a “through-train” programme – “YPTP&YWETS”. The revamped YPTP&YWETS programme admits trainees on a year-round basis and offers them 12 months’ support services covering pre-employment training, workplace attachment, on-the-job training and personalised career guidance.

In the first programme year running from September 2009 to August 2010, 15 543 trainees were enrolled. As the 2010-11 Programme will end in August 2011, full-year figures are not yet available. We are unable to accurately estimate the number of trainees of the 2011-12 Programme, as enrolment is demand-led and affected by a number of factors including the economic and labour market conditions then prevailing. The programme will however flexibly admit all eligible young people.

- (b) In early 2011, YPTP&YWETS office conducted a trainee development survey on trainees who were enrolled in the 2009-10 Programme and completed the 12 months’ support services. The result showed that 70.6% of the sampled trainees were in employment at the time of the survey.

The figures of YWETS and of the revamped YPTP&YWETS are not directly comparable, as the reference period and mode of operation of the two programmes are different.

- (c) For the training vacancies filled by the trainees of the 2009-10 Programme, the wages ranged from \$4,000 to \$10,000 per month, with an average wage of \$5,747. Training vacancies carrying relatively higher wages usually came from the information technology, manufacturing and construction and engineering sectors, while training vacancies carrying relatively lower wages usually came from the education services and construction and engineering sectors.

The figures of YWETS and the revamped YPTP&YWETS are not directly comparable as the reference period and mode of operation of the two programmes are different.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)118

Question Serial No.

3794

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

- (a) Please list the enrolments for the Youth Pre-employment Training Programme (YPTP) in the past two years and provide the estimated enrolment figures in the coming year with an explanation of any increase or decrease.
- (b) Please list the number of trainees who were employed after completing YPTP in 2009-10, its percentage share of the total number of trainees, and compare the figures with the previous year.
- (c) What was the average wage level of the trainees who secured employment after completion of YPTP in 2009-10? What were the highest and lowest monthly wage rates in these cases? What were the industries in which the highest and the lowest wages were recorded? Please compare the figures with the past two years.

Asked by: Hon. IP Kwok-him

Reply:

The information sought is provided as follows:

- (a) In September 2009, the Labour Department integrated the Youth Pre-employment Training Programme (YPTP) and the Youth Work Experience and Training Scheme (YWETS) into a “through-train” programme – “YPTP&YWETS”. The revamped YPTP&YWETS programme admits trainees on a year-round basis and offers them 12 months’ support services covering pre-employment training, workplace attachment, on-the-job training and personalised career guidance.

In the first programme year running from September 2009 to August 2010, 15 543 trainees were enrolled. As the 2010-11 Programme will end in August 2011, full-year figures are not yet available. We are unable to accurately estimate the number of trainees of the 2011-12 Programme, as enrolment is demand-led and is affected by a number of factors including the economic and labour market conditions then prevailing. Nevertheless, we will flexibly admit all eligible young people to the programme.

- (b) In early 2011, YPTP&YWETS office conducted a trainee development survey on trainees who were enrolled in the 2009-10 Programme and completed the 12 months’ support services. The result showed that 70.6% of the sampled trainees were in employment at the time of the survey.

The figures of YPTP and the revamped YPTP&YWETS are not directly comparable, as the reference period and mode of operation of the two programmes are different.

- (c) For the training vacancies filled by trainees of the 2009-10 Programme, the wages ranged from \$4,000 to \$10,000 per month, with an average wage of \$5,747. Training vacancies carrying relatively higher wages usually came from the information technology, manufacturing and construction and engineering sectors, while those carrying relatively lower wages usually came from the education services and construction and engineering sectors.

The figures of YPTP and the revamped YPTP&YWETS are not directly comparable, as the reference period and mode of operation of the two programmes are different.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)119

Question Serial No.

3795

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

- (a) How many trainees received “workplace attachment training” under the Youth Pre-employment Training Programme (YPTP) in 2009-10? What was their percentage share of the total number of YPTP trainees? What was the amount of workplace attachment allowance involved?
- (b) How many employers participated in YPTP in that year? How many training places were offered? What was the rate of increase or decrease compared with the previous year?
- (c) What is the estimated number of employers participating in YPTP and the training places offered in 2010-11? Please explain the reasons for the increase or decrease.

Asked by: Hon. IP Kwok-him

Reply:

The information sought is provided as follows:

- (a) In September 2009, the Labour Department integrated the Youth Pre-employment Training Programme (YPTP) and the Youth Work Experience and Training Scheme (YWETS) into a “through-train” programme – “YPTP&YWETS”. The revamped YPTP&YWETS programme admits trainees on a year-round basis and offers them 12 months’ support services covering pre-employment training, workplace attachment, on-the-job training and personalised career guidance.

In the first programme year running from September 2009 to August 2010, 610 trainees undertook the one-month workplace attachment training. This represented 3.9% of the total number of trainees of the 2009-10 Programme. The expenditure involved in payment of allowances to trainees having completed workplace attachment training was \$1,002,000.

- (b) In the 2009-10 Programme, 528 organisations participated in the revamped YPTP&YWETS, offering a total of 3 526 workplace attachment training places. It may not be appropriate to directly compare the figures of YPTP with those of the revamped YPTP&YWETS, as the reference period and mode of operation of the two programmes are different.
- (c) The revamped YPTP&YWETS programme accepts trainees on a year-round basis and the 2010-11 Programme will end in August 2011. We are unable to accurately estimate the number of participating organisations and workplace attachment training offered under the 2010-11 Programme, as this is affected by a number of factors including the prevailing economic and labour market conditions.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)120

Question Serial No.

3796

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

- (a) To tie in with the implementation of the minimum wage regime, the Labour Department launched the two-year Pilot Employment Navigator Programme (ENP) in the end of last year to assist the unemployed to secure employment. Please provide the number of applications received by the end of February 2011, and the number of cases where participants were paid cash incentives by stages for securing employment and staying in the job.
- (b) Please provide a breakdown of the number of cases, by industry, of those who have secured employment.

Asked by: Hon. IP Kwok-him

Reply:

The information sought is provided as follows:

- (a) The Pilot ENP was launched in December 2010. Up to end February 2011, it has registered 1 270 job seekers, of whom 261 participants have secured employment and 42 have submitted applications for cash incentive for securing employment.
- (b) A breakdown of ENP participants who have secured employment by industry is provided below:

Industry	No. of ENP participants
Manufacturing	27
Construction	5
Wholesale, retail and import/export trades, restaurants and hotels	80
Transport, storage and communication	22
Financing, insurance, real estate and business services	79
Community, social and personal services	35
Others (including government sector)	13
Total	261

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)121

Question Serial No.

2564

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Administration stated that two large-scale promotional programmes were launched to promote safety awareness in the catering and construction industries in 2010. Please provide the following information:

- (a) What are the details of the specific work and expenditure involved in the two large-scale promotional programmes and other publicity campaigns?
- (b) Did the Administration assess their effectiveness? If yes, what are the details? If no, what are the reasons?
- (c) Did the Government consider making improvements based on the experience gained in the campaigns launched in the past two years, and organising these publicity campaigns on a long-term basis? If yes, what are the details and expenditure involved? If no, what are the reasons?

Asked by: Hon. WONG Sing-chi

Reply:

The information sought is provided as follows:

- (a) In 2010-11, we launched two large-scale promotional programmes to promote the safety and health awareness of employers and employees in the catering and construction industries.

Both programmes included a territory-wide competition on safety and health performance, together with other publicity activities, such as safety quizzes, roving exhibitions, promotional visits, broadcast of Announcements in the Public Interest on television and radio, radio programmes, fun days and award presentation ceremonies. The experience of the award-winning catering establishments and construction sites was also recorded on compact discs for distribution to workplaces in the two industries and for broadcast on mobile media.

The expenditure on the catering and construction promotional programmes was around \$1.4 million and \$1.7 million respectively, shared between the Labour Department (LD) and other co-organisers.

- (b) Publicity is a crucial part of LD's three-pronged strategy of enforcement, publicity and education in promoting occupational safety in Hong Kong. Promotions of the kind contribute to the decline in accident tolls in the catering and construction industries, which saw a decrease of 40.5% and 80.4% respectively in the number of industrial accidents from 1999 to 2009.

- (c) LD has since 1999 been organising the two large-scale promotional programmes. The estimated expenditure for the catering and construction industry programmes for 2011-12 is \$1.5 million and \$1.7 million respectively.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)122

Question Serial No.

2565

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Administration stated that enforcement campaigns were conducted in several areas in 2010, including tower cranes, suspended working platforms and mobile plant operations, construction works (with emphasis on work-at-height and work activities on platforms inside lift shafts), and renovation, maintenance, alteration and addition works, etc. Please provide the following information:

- (a) What are the details of the specific work and expenditure involved in the above special enforcement campaigns?
- (b) Did the Administration assess their effectiveness? If yes, what are the details? If no, what are the reasons?
- (c) Did the Government consider conducting the above enforcement campaigns on a continuous basis in future? If yes, what are the details and expenditure involved? If no, what are the reasons?

Asked by: Hon. WONG Sing-chi

Reply:

The information sought is provided as follows:

- (a) In 2010, in addition to routine surprise inspections, LD launched 13 targeted enforcement campaigns. During these campaigns, rigorous enforcement actions were taken and improvement notices (INs) / suspension notices (SNs) were issued whenever necessary to secure compliance with the law and remove imminent risks of death or serious bodily injury. A total of 31 138 inspections were made, resulting in 507 prosecutions and the issue of 473 INs/SNs. LD does not keep separate breakdown of the expenditure for individual occupational safety and health enforcement campaigns.
- (b) In the follow-up visits made after the enforcement campaigns, LD in general observed that irregularities were rectified and imminent risks of death and serious bodily injury were removed. This demonstrated that enforcement campaigns were effective in securing compliance with the law and removing imminent risks of death or serious bodily injury.
- (c) In 2011-12, LD will continue to organise enforcement campaigns targeting high-risk operations and industries. As enforcement is an integral part of LD's occupational safety and health promotion strategy, separate breakdown of the expenditure in this area cannot be provided.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)123

Question Serial No.

2566

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

A focused publicity and enforcement campaign targeting outdoor workplaces with a higher risk of heat stroke was launched by the Labour Department (LD) in 2010. Please provide the following information:

- (a) What are the details and expenditure involved in the above publicity campaign?
- (b) Did the Government consider making improvements based on the experience gained in the campaigns launched in the past two years, and organising this publicity and enforcement campaign on a long-term basis? If yes, what are the details and expenditure involved? If no, what are the reasons?
- (c) Were any suspension notices issued to the responsible persons of workplaces regarding the risk of workers suffering from heat stroke in 2010-11? If yes, what is the number? If no, what are the reasons?

Asked by: Hon. WONG Sing-chi

Reply:

The information sought is provided as follows :

- (a) In 2010-11, LD continued to enhance publicity to promote awareness of heat stroke at work, targeting particularly outdoor workplaces with a higher risk, e.g. construction sites, outdoor cleansing workplaces and container yards, to ensure adequate protection of workers. In the year, apart from promoting a general checklist on “Risk Assessment for the Prevention of Heat Stroke at Work”, LD developed and publicised two specific checklists, one each for construction sites and outdoor cleansing workplaces, to provide further guidance for employers and employees in these two industries. We also broadcast educational videos through mobile advertising media, and issued press releases to remind employers and employees of the need for due care when working under hot weather. In addition, LD organised 81 public and outreaching health talks, reaching out to over 5 700 participants. The expenditure on individual publicity programmes cannot be separately identified.
- (b) Taking into account experience in the past two years, LD will continue to collaborate with the interested parties to promote the prevention of heat stroke at work through publicity and enforcement during the hot months to ensure adequate protection for workers. As such activities are conducted as part of our on-going occupational safety and health programmes, we do not have a separate breakdown of the expenditure they may involve.

- (c) In 2010-11, LD conducted 24 500 surprise inspections to outdoor workplaces with a higher risk of heat stroke between April and September 2010. A total of 57 warnings was issued. Suspension notice was not served as no imminent risk of heat stroke to workers was detected during the inspections.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Administration stated that this programme covers the enforcement of the Occupational Safety and Health Ordinance (OSHO), the Factories and Industrial Undertakings Ordinance (FIUO) and the Boilers and Pressure Vessels Ordinance (BPVO). Please provide the following information:

- (a) What are the details and expenditure involved in launching the publicity campaign for the above Ordinances in 2010-11?
- (b) Was any prosecution taken out to serve as a stern reminder to those who disregard the law and deter others from similar offence in 2010-11? If yes, what are the respective numbers of prosecution? If no, what are the reasons?
- (c) Were any suspension notices issued to the responsible persons of workplaces with irregularities regarding the health risks posed to workers in 2010-11? If yes, what are the numbers? If no, what are the reasons?

Asked by: Hon. WONG Sing-chi

Reply:

The information sought is provided as follows :

- (a) On promotion and publicity, we organised large-scale promotional campaigns to enhance the safety awareness of employers and employees in the construction and catering industries which remained the major sectors of concern in respect of occupational safety and health performance. The campaigns were launched in collaboration with the Occupational Safety and Health Council, major trade associations and labour unions in the two industries, District Councils and the related organisations and government departments.

We also launched publicity and promotion programmes targeting other industries by staging safety seminars and talks, roving exhibitions, out-reaching promotional visits; broadcasting of Announcements in the Public Interest on television and radio; and showing promotional films on mobile advertising media. The expenditure incurred for occupational safety and health promotion in 2010-11 was around \$3.28 million.

- (b) In 2010, the numbers of the prosecutions taken out under OSHO, FIUO and BPVO were 256, 1 631 and 10 respectively.

(c) In 2010, 110 suspension notices (SNs) were served under OSHO on employers or occupiers for imminent risks of death or serious bodily injury arising from work activities, use of plant or substances etc in the workplaces. Three of the SNs served were related to health risks posed to workers.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Administration stated that in 2011-12, there would be a new plan for reviewing the system for recognition and monitoring of mandatory safety training courses. Please provide the following information:

- (a) Details of the plan for 2011-12.
- (b) The budget of the plan for 2011-12.
- (c) Will the Government consider improving the plan by turning it into a long-term initiative? If yes, what are the details? If no, what are the reasons?

Asked by: Hon. WONG Sing-chi

Reply:

The information sought is provided as follows:

- (a) Safety training is one of the major tools for bringing sustained improvements in work safety. To enhance quality assurance for mandatory safety training (MST) courses, the Labour Department (LD) has initiated a review of the system for recognising and monitoring such courses. Under the review, LD has tapped the views of interested parties, including employers' and employees' organisations, professional bodies and MST course providers, and will consult relevant organisations such as the Occupational Safety and Health Council, Labour Advisory Board and the Construction Industry Council. We will consult the Legislative Council Panel on Manpower in the second quarter of 2011 before finalising the plan for phased implementation from 2011.
- (b) The review is undertaken by existing staff and does not involve additional resources.
- (c) LD is committed to ensuring the quality of the MST courses. Improvement measures to the MST system, once finalised, will be implemented as a long-term initiative.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)126

Question Serial No.

2569

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Administration stated that in 2011-12, there would be a new plan for stepping up enforcement and publicity programmes targeting building renovation and maintenance works. Please provide the following information:

- (a) Details of the plan for 2011-12.
- (b) The budget of the plan for 2011-12.
- (c) Will the Government consider improving the plan by turning it into a long-term initiative? If yes, what are the details? If no, what are the reasons?

Asked by: Hon. WONG Sing-chi

Reply:

The information sought is provided as follows:

- (a) Labour Department (LD) will step up workplace inspections targeting repair, maintenance, alteration and addition (RMAA) works in light of the upsurge in such activities. We will launch territory-wide safety campaigns targeting RMAA works and follow up on referrals from the Housing Department, Hong Kong Housing Society and property management companies. We will also collaborate with the Occupational Safety and Health Council, building owners' corporations and District Councils, to step up promotion and publicity to raise safety awareness of RMAA works in the community.
- (b) Enforcement and publicity programmes on safety of RMAA works are an integral part of LD's ongoing work. The expenditure and manpower involved cannot be separately provided. However, in 2011-12, 10 posts of Occupational Safety Officer I/II to help intensify enforcement work targeting RMAA works will be created at an annual staff cost of about \$4.2 million (at mid-point salary).
- (c) LD has always adopted a proactive strategy in tackling the occupational safety and health of RMAA works. We will constantly review and update our measures to suit operation needs.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)127

Question Serial No.

2570

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Administration stated that in 2011-12, there would be a new plan for intensifying systematic preventive and enforcement measures to forestall high accident toll in the construction sector. Please provide the following information:

- (a) Details of the plan for 2011-12.
- (b) The budget of the plan for 2011-12.
- (c) Will the Government consider improving the plan by turning it into a long-term initiative? If yes, what are the details? If no, what are the reasons?

Asked by: Hon. WONG Sing-chi

Reply:

The information sought is provided as follows:

- (a) In 2011-12, the Labour Department (LD) will continue to promote the safety and health of our construction workforce through the three-pronged approach of enforcement, training and publicity, working in close partnership with interested parties, including the Occupational Safety and Health Council, Construction Industry Council, trade associations, workers' unions, professional bodies, other government bureaux/departments as well as district councils.

In 2011-12, we will step up cooperation with relevant bureaux/departments and project owners to ensure proper attention to safety issues in the major infrastructure projects. We will also enhance promotional and enforcement work targeting repair, maintenance, alteration and addition (RMAA) works, including taking actions on referrals from strategic partners such as the Housing Department, the Hong Kong Housing Society and property management companies, and stepping up promotion and publicity work to raise safety awareness of RMAA works at the community level.

- (b) In 2011-12, 15 Occupational Safety Officer I/II posts will be created to help strengthen the above promotion and enforcement work, at an annual staff cost (at mid-point salary) of about \$6.4 million.
- (c) LD will constantly review measures in promoting the safety performance in the construction industry taking into account experience in the above initiatives.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)128

Question Serial No.

2571

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Administration stated that there would be a new plan in 2011-12 for stepping up publicity programmes to raise awareness of the prevention of lower limb disorders. Please provide the following information:

- (a) Details of the plan for 2011-12.
- (b) The budget of the plan for 2011-12.
- (c) Will the Government consider improving the plan by turning it into a long-term initiative? If yes, what are the details? If no, what are the reasons?

Asked by: Hon. WONG Sing-chi

Reply:

The information sought is provided as follows:

- (a) In 2011-12, the Labour Department (LD) will, in collaboration with the Occupational Safety and Health Council, relevant employers' associations, trade unions and professional bodies, launch a focused publicity campaign on the prevention of lower limb disorders. The publicity campaign will feature health talks, video shows on mobile advertising media, out-reaching promotional visits, publication of health guides, distribution of publicity items, and workshops on exercises for the lower limbs.
- (b) The publicity campaign is an integral part of LD's occupational safety and health promotion efforts. The expenditure for the campaign cannot be separately identified.
- (c) In the light of the experience gained in the 2011-12 campaign, we will consider promoting the prevention of lower limb disorders as part of our on-going occupational safety and health promotional activities.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)129

Question Serial No.

2572

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Administration stated that the new plans for 2011-12 included publishing leaflets to promote the proper use of respirators. Please provide the following information:

- (a) Details of the plan for 2011-12.
- (b) The budget of the plan for 2011-12.
- (c) Will the Government consider improving the plan by turning it into a long-term initiative? If yes, what are the details? If no, what are the reasons?

Asked by: Hon. WONG Sing-chi

Reply:

The information sought is provided as follows:

- (a) In 2011-12, the Labour Department (LD) will publish leaflets to promote the proper use of respirators. The leaflets will provide information on the features, types, functions and maintenance of respirators and the precautions to be observed in wearing the equipment. We aim to publish the leaflet in the second half of 2011 and it will be distributed to relevant industries such as construction industry, printing industry and health care service.
- (b) Publication of the leaflets is an integral part of LD's occupational safety and health promotion strategy. The spending on this initiative cannot be separately identified.
- (c) We will continue with our work in promoting the proper use of respirators.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)130

Question Serial No.

2573

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Administration stated that the Labour Department (LD) was committed to promoting family-friendly employment practices (FFEP). Please advise on the following:

- (a) Apart from territory-wide roving exhibitions and a television Announcement in the Public Interest, what are the details of other specific work and expenditure involved in promoting FFEP in 2010-11?
- (b) What are the specific plans to continue promoting FFEP in 2011-12? What is the expenditure involved?

Asked by: Hon. WONG Sing-chi

Reply:

The information sought is provided as follows:

- (a) In 2010-11, apart from staging territory-wide roving exhibitions and producing a new video for broadcast in public transport, LD promoted FFEP through various activities such as briefings and experience sharing sessions of employers and human resources practitioners via our network of nine industry-based Tripartite Committees (TC) and 18 Human Resources Managers Clubs (HRMC) formed in various trades and industries. The promotional activities relating to TC and HRMC form part of our on-going tasks and the expenditure involved cannot be separately identified.
- (b) In 2011-12, LD will produce thematic promotional materials to encourage wider adoption of FFEP in workplace. These promotional materials will be distributed to employers' associations, trade unions and various enterprises. We also plan to promote FFEP through local newspapers and continue to stage FFEP roving exhibitions in different districts to enhance public understanding of the subject. The estimated expenditure for the above activities is around \$350,000.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)131

Question Serial No.

2574

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Administration stated that in 2011-12, there would be a new plan for promoting the Employment Ordinance (EO) and good people management practices, including producing a leaflet on the reasonable excuse clause under the EO, illustrated by cases. Please provide the following information:

- (a) Details of the plan for 2011-12.
- (b) The budget of the plan for 2011-12.
- (c) Will the Government consider improving the plan by making it a long-term initiative? If yes, what are the details? If no, what are the reasons?

Asked by: Hon. WONG Sing-chi

Reply:

The information sought is provided as follows:

- (a) To tie in with the implementation of the Employment (Amendment) Ordinance 2010 (EAO) and Minimum Wage Ordinance (MWO), the Labour Department (LD) plans to carry out a series of promotional activities in 2011-12 to enhance public understanding of the EO and good people management practices including family-friendly employment practices (FFEP). These include producing a leaflet on the reasonable excuse clause under the EO, producing leaflets on the EAO in nine different languages including Chinese and English, introducing new publications and promotional materials to encourage the wider use of written employment contract and proper keeping of wage and employment records; producing a new radio Announcement in the Public Interest and placing advertisement in public transport about differentiating an employee from a self-employed person; organising a workshop to enhance effective communication and foster collaboration between employers and employees; promoting FFEP through local newspaper and producing thematic promotional materials to boost the receptiveness of FFEP in the workplace; as well as staging roving exhibitions in different locations to educate the public of their rights and protection under the EAO and MWO.
- (b) The estimated expenditure for the above activities is around \$850,000.
- (c) For 2011-12, the promotional work on the EO and good people management practices is one of the measures to forestall possible abuses and deter breaches following the implementation of EAO and MWO. LD will review and, if necessary, adjust its promotional strategy to ensure employees understand their rights and protection.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)132

Question Serial No.

2575

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Administration stated that in 2011-12, there would be a new plan for reviewing the existing arrangement for replacement holiday in the event of a Lunar New Year holiday falling on a Sunday. Please provide the following information:

- (a) Details of the plan for 2011-12.
- (b) The budget of the plan for 2011-12.
- (c) Will the Government release the review findings in phases? If yes, what are the details? If no, what are the reasons?

Asked by: Hon. WONG Sing-chi

Reply:

The information sought is provided as follows:

- (a) We have conducted the review as regards replacement holiday in the event of a Lunar New Year holiday falling on a Sunday.
- (b) The review has been undertaken by existing staff among their other duties. The expenditure involved in this exercise cannot be separately identified.
- (c) We have consulted the Legislative Council Panel on Manpower on the review findings on 17 March 2011.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)133

Question Serial No.

2576

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

As mentioned by the Administration, the Labour Department (LD) provides voluntary conciliation service to assist employers and employees to settle their labour disputes and claims. Please provide the following information:

- (a) Details of the service in 2011-12.
- (b) The estimated number of service users in 2011-12.
- (c) The budget for the provision of service in 2011-12.

Asked by: Hon. WONG Sing-chi

Reply:

The information sought is provided as follows:

- (a) The Labour Relations Division (LRD) of LD has all along been providing, among others, voluntary conciliation service to assist employers and employees in the non-government sector to resolve their labour disputes (involving more than 20 employees) and claims (involving 20 or fewer employees). In 2011-12, we will continue to provide timely and effective conciliation service with a view to maintaining and fostering harmonious employer-employee relations in the non-government sector.
- (b) It is estimated that a total of 21 000 labour disputes and claims would be handled by LRD in 2011.
- (c) The estimated financial provision for all the functions undertaken by LRD in 2011-12 is about \$55.8 million. The financial provision for providing conciliation service alone cannot be separately identified.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)134

Question Serial No.

3695

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Administration stated that the Labour Department was also responsible for the adjudication of minor employment claims and administration of trade unions. Please provide the following information:

- (a) Details of this area of work for 2010-11;
- (b) The financial commitment of such work for 2010-11;
- (c) The estimated financial commitment of such work for 2011-12.

Asked by: Hon. WONG Sing-chi

Reply:

The information sought is provided as follows:

Minor Employment Claims Adjudication Board (MECAB)

- (a) MECAB was established under the Minor Employment Claims Adjudication Board Ordinance with jurisdiction to adjudicate minor employment claims arising from disputes of statutory or contractual rights of employment involving not more than 10 claimants, and not exceeding \$8,000 per claimant. In 2010, 2 112 cases were adjudicated by MECAB, involving a total award of \$4.8 million.
- (b) The expenditure of MECAB in 2010-11 was about \$10.9 million.
- (c) The estimated expenditure of MECAB in 2011-12 is \$11.5 million.

Registry of Trade Unions (RTU)

- (a) RTU is responsible for the administration of the Trade Unions Ordinance and its subsidiary regulations. Its major scope of work includes the registration of new trade unions, scrutiny and registration of trade union rules, inspection of trade unions, examination of their annual audited statements of accounts and providing training for trade union officers and their members. In 2010, RTU made a total of 379 inspections to trade unions.
- (b) The expenditure of RTU in 2010-11 was about \$5.0 million.
- (c) The estimated expenditure of RTU in 2011-12 is \$5.7 million.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)135

Question Serial No.

3696

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Administration stated that to tie in with the implementation of the Employment (Amendment) Ordinance 2010 (EAO), the Labour Department (LD) would launch a series of promotional activities to enhance public awareness of the new offence. Please provide the following information:

- (a) The specific work details of and expenditure involved in the series of promotional activities to be launched in 2011-12;
- (b) Will the Administration assess their effectiveness? If yes, what are the details? If no, what are the reasons?
- (c) Based on the experience of this series of promotional activities, will the Government consider organising these activities on a long-term basis prior to the next amendment of the Employment Ordinance (EO)? If yes, what are the details and expenditure involved? If no, what are the reasons?

Asked by: Hon. WONG Sing-chi

Reply:

The information sought is provided as follows:

- (a) In 2011-12, LD plans to carry out a series of promotional activities to enhance public understanding on the EAO. These include producing a leaflet on the reasonable excuse clause under the EO, producing leaflets on EAO in nine different languages including Chinese and English; arranging poster display on EAO at various poster sites of the Information Services Department; publishing feature articles in the website and newsletters of relevant organisations; as well as staging roving exhibitions in different locations to educate the public of their rights and protection under the EAO. The estimated expenditure for these activities is around \$250,000.
- (b) The above multi-pronged promotional strategies will ensure dissemination of relevant messages to the general public at large including employees and employers. LD will also collect feedback from the participants on the effectiveness of the promotional activities.
- (c) LD will review, and if necessary, adjust its promotional strategy to ensure employees understand their statutory rights and protection.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)136

Question Serial No.

3697

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Major new plans for 2011-12 include the Work Incentive Transport Subsidy (WITS) Scheme. Please provide the following information:

- (a) Will the Administration launch large-scale publicity campaigns in the 18 districts of Hong Kong? If yes, what are the details of the specific work and expenditure involved? If no, what are the reasons?
- (b) What are the details of the interim review for the Scheme? What is the expenditure involved?

Asked by: Hon. WONG Sing-chi

Reply:

The information sought is provided as follows:

- (a) The Labour Department will organise territory-wide publicity activities to promote public awareness of the WITS Scheme. The activities will include publishing leaflets and posters for wide distribution and display, advertising on public transports and in publications of target organisations (such as trade unions and training bodies), issuing press releases, placing newspaper supplements, broadcasting Announcements of Public Interest, etc. The estimated expenditure in 2011-12 is \$5 million.
- (b) A mid-term review of the WITS Scheme will be carried out having regard to the experience gained during the first year of operation. This will be undertaken by existing manpower and does not require additional funding.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Administration stated that there would be a new plan of setting up a pioneer one-stop employment and training centre in Tin Shui Wai to streamline, integrate and enhance the existing employment and training/retraining services of the Labour Department (LD), Social Welfare Department (SWD) and Employees Retraining Board (ERB). Please provide the following information:

- (a) The specific work details of and expenditure involved in the setting up of the employment and training centre for 2011-12.
- (b) Will the Administration assess the effectiveness of the plan? If yes, what are the details? If no, what are the reasons?
- (c) Did the Government consider making improvements based on the experience gained in the pioneer plan in Tin Shui Wai, and extending this kind of one-stop employment and training centre to all the 18 districts of Hong Kong? If yes, what are the details and estimated expenditure involved? If no, what are the reasons?

Asked by: Hon. WONG Sing-chi

Reply:

The information sought is provided as follows:

- (a) The pioneer one-stop employment and training centre (the one-stop centre) will be housed in the Amenity and Community Building (ACB) at Tin Ching Estate, Tin Shui Wai. ACB is still under construction and is expected to be ready for occupation in May 2011. As time is required for fitting out, we expect the one-stop centre to commence operation by the end of 2011. We are now making the necessary preparations for setting up the one-stop centre. The estimated recurrent expenditure for the one-stop centre in 2011-12 is about \$10 million and the annual staff cost is about \$6.5 million.
- (b) We plan to review the operation of the one-stop centre two years after it has commenced operation. Its effectiveness will be evaluated on the basis of the number of job seekers registered, vacancies canvassed, job referrals made, placements achieved, recruitment activities organised and the users' satisfaction with the services provided.
- (c) The one-stop centre will operate on a new service model aimed at integrating and streamlining existing employment and training/retraining services of LD, SWD and ERB. We will assess the suitability of extending the service model to other districts in the light of operational experience. As such, we are unable to estimate the expenditure that may be incurred in future.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)138

Question Serial No.

3699

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Labour Department provides free employment service to all job seekers. It provides assistance and counseling services to the unemployed and persons with disabilities; career guidance, pre-employment and on-the-job training to young people; and labour market information to all job seekers, including new arrivals and ethnic minorities. Please provide the following information:

- (a) Number of users of the free employment service for 2010-11 and its financial commitment;
- (b) The estimated number of users of the service for 2011-12;
- (c) The estimated financial commitment of the service for 2011-12.

Asked by: Hon. WONG Sing-chi

Reply:

The information sought is provided as follows:

- (a) In 2010, a total of 138 287 job seekers registered for free employment services and 12 154 applications were received from young people for pre-employment training, workplace attachment, on-the-job training and personalised career guidance under the Youth Pre-employment Training Programme and Youth Work Experience and Training Scheme (YPTP&YWETS). In 2010-11, the estimated expenditure for providing the full range of employment services is \$350.4 million.
- (b) We estimate that 138 100 job seekers will register for free employment services in 2011. Enrolment of YPTP&YWETS is demand-led and is affected by a numbers of factors including the economic and labour market conditions then prevailing. However, the integrated programme will flexibly admit all eligible young people.
- (c) In 2011-12, the estimated expenditure for providing a full range of employment services is \$459.6 million.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)139

Question Serial No.

3700

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Labour Department (LD) is responsible for processing applications under the Supplementary Labour Scheme (SLS) and ensuring priority of employment for local workers. Please provide the following information:

- (a) Details of SLS for 2010-11 and its financial commitment;
- (b) Details of its estimated participation for 2011-12;
- (c) Its estimated financial commitment for 2011-12.

Asked by: Hon. WONG Sing-chi

Reply:

The information sought is provided as follows:

- (a) In 2010, the LD processed 855 applications under the SLS and approved 562 applications involving 1 180 workers. As operation of the SLS involves different work divisions of the LD, the financial commitment for running the SLS cannot be provided.
- (b) In 2011, we estimate that 860 applications under the SLS will be processed, on a similar level as in 2010.
- (c) The estimated financial commitment for 2011-12 cannot be provided, as explained in the above reply to (a).

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)140

Question Serial No.

3701

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Administration stated that in 2011-12, there would be a new plan for implementing and publicising the statutory minimum wage (SMW) regime. Please provide the following information:

- (a) What are the details of the plan for 2011-12?
- (b) What is the estimated financial commitment of the plan for 2011-12?
- (c) Will the Government consider improving the plan by turning it into a long-term publicity initiative? If yes, what are the details? If no, what are the reasons?

Asked by: Hon. WONG Sing-chi

Reply:

The information sought is provided as follows:

- (a) The measures to be taken for implementing the SMW regime include: staging territory-wide promotional and publicity campaigns on SMW; conducting seminars and publishing reference guidelines to help employers and employees better understand the provisions and application of the Minimum Wage Ordinance (MWO); rendering consultation and conciliation services to members of the public on the requirements under the MWO; ensuring compliance with the MWO through conducting proactive workplace inspections, mounting targeted enforcement campaigns for low-paying sectors and undertaking prompt investigations into complaints received; and providing support to the Minimum Wage Commission.
- (b) In addition to the 14 existing staff put on SMW work, 67 civil service posts will be created in 2011-12 in connection with the implementation of the SMW. The operating and staff costs for implementing and publicising the SMW regime are estimated to be \$41.9 million and \$34.3 million respectively in the year.
- (c) The Labour Department will continue to publicise the MWO on a long-term basis and flexibly adjust the promotional activities in the light of experience.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)141

Question Serial No.

3702

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Administration stated that in 2011-12, there would be a new plan for conducting proactive inspections to workplaces and launching targeted enforcement campaigns to safeguard employees' entitlements following the implementation of the Minimum Wage Ordinance (MWO). Please provide the following information:

- (a) What are the details of the plan for 2011-12?
- (b) What is the estimated financial commitment of the plan for 2011-12?
- (c) Will the Government consider improving the plan by turning it into a long-term initiative? If yes, what are the details? If no, what are the reasons?

Asked by: Hon. WONG Sing-chi

Reply:

The information sought is provided as follows:

- (a) The Labour Department (LD) will adopt a multi-pronged strategy to ensure compliance with the MWO, through conducting proactive workplace inspections mounting targeted enforcement campaigns for low-paying sectors and undertaking prompt investigations into complaints received. For 2011, we plan to conduct 142 000 inspections to workplaces to check compliance with labour laws including the MWO.
- (b) Labour inspectors of LD will be tasked to undertake the enforcement duties of (a). As labour inspectors enforce various labour laws in the course of duty, the financial provision for enforcing the MWO cannot be separately identified.
- (c) Enforcement of the MWO will be implemented on a long-term basis.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)142

Question Serial No.

3703

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Administration stated that it would embark on a policy study on standard working hours in 2011-12. Please provide the following information:

- (a) Details of the study for 2011-12;
- (b) Its estimated financial commitment for 2011-12;
- (c) Will the Government release the study findings in phases? If yes, what are the details? If no, what are the reasons?

Asked by: Hon. WONG Sing-chi

Reply:

The policy study on working hours will cover the regime and experience of other places in regulating working hours, and the working hour situation in Hong Kong. The study is being undertaken with existing manpower at this stage and does not require additional funding.

Standard working hours is a complex issue and we do not envisage releasing findings of the study in phases. It is advisable to look at the study in its totality after completion.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)143

Question Serial No.

3704

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Administration stated that there would be a new plan in 2011-12 to prepare for legislative amendment to expand the scope of the Protection of Wages on Insolvency Fund (PWIF) to cover pay for untaken annual leave and statutory holidays under the Employment Ordinance (EO). Please provide the following information:

- (a) Details of the plan for 2011-12;
- (b) The estimated financial commitment of the plan for 2011-12.

Asked by: Hon. WONG Sing-chi

Reply:

The information sought is provided as follows:

- (a) In 2011-12, we aim to introduce a bill into the Legislative Council to effect the proposal for expanding the scope of the PWIF to cover pay for untaken annual leave and statutory holidays under the EO.
- (b) The expansion would result in an annual financial commitment of about \$73.2 million for the PWIF.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)144

Question Serial No.

3705

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Administration stated that in 2011-12, there would be a new plan for carrying out rigorous enforcement action to tackle offenders who wilfully default the awards of the Labour Tribunal (LT) or the Minor Employment Claims Adjudication Board (MECAB). Please provide the following information:

- (a) What are the details of the plan for 2011-12?
- (b) What is the estimated financial commitment of the plan for 2011-12?
- (c) Will the Government consider improving the plan by turning it into a long-term initiative? If yes, what are the details? If no, what are the reasons?

Asked by: Hon. WONG Sing-chi

Reply:

The information sought is provided as follows:

- (a) The Labour Department (LD) has launched extensive educational and promotional activities to enhance public awareness of the offence on defaulting payment of the awards of LT or MECAB under the Employment (Amendment) Ordinance 2010 (EAO). To deter employers from infringing the statutory entitlements of employees, LD will conduct investigation into the suspected breaches and will make every effort to take out prosecution where there is sufficient evidence.
- (b) Enforcement of the EAO is undertaken by LD's officers among their other enforcement duties. The financial provision for enforcing the EAO cannot be separately identified.
- (c) Enforcement of the EAO will be implemented on a long-term basis.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)145

Question Serial No.

3706

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Administration stated that targeted operations were mounted by the Labour Department (LD) in collaboration with the Police and the Immigration Department to combat illegal employment for protecting the job opportunities of local workers. LD also launched publicity programmes to enhance public awareness of the adverse consequences of employing illegal workers. Please provide the following information:

- (a) What are the specific work details of and expenditure involved in the targeted operations and publicity programmes launched in 2010-11?
- (b) What are the specific work details of and estimated expenditure involved in the targeted operations to be mounted and publicity programmes to be launched in 2011-12?
- (c) Will the Administration assess their effectiveness? If yes, what are the details? If no, what are the reasons?

Asked by: Hon. WONG Sing-chi

Reply:

The information sought is provided as follows:

- (a) In 2010, LD mounted 217 joint operations with the Immigration Department and the Police to raid establishments suspected to be involved in illegal employment. We also launched publicity campaigns to enhance public awareness of the serious consequences of employing illegal workers and encourage the reporting of suspected offences through the mass media, display of posters / advertisements on public transport and newspapers, etc.

As labour inspectors enforce various labour laws in the course of their duties, the staff cost on combating illegal employment cannot be provided. The expenditure on launching publicity to combat illegal employment in 2010-11 was \$112,000.

- (b) In 2011-12, we will continue to launch joint operations and publicity activities to combat illegal employment. The provision earmarked for publicity is \$150,000.
- (c) Combating illegal employment is an on-going effort. We will constantly review the effectiveness of our enforcement actions including intelligence collection and identification of suspected establishments in conjunction with other law enforcement departments.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)146

Question Serial No.

3707

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Administration stated the Labour Department (LD) made promotional efforts to enhance the understanding of both employers and foreign domestic helpers (FDHs) on their statutory and contractual rights and obligations. Please provide the following information:

- (a) The specific work details of and expenditure involved in the four information kiosks arranged in 2010-11.
- (b) Did the Administration assess their effectiveness? If yes, what are the details? If no, what are the reasons?
- (c) Will the Government consider improving this series of promotional activities by turning it into a long-term initiative? If yes, what are the details? If no, what are the reasons?

Asked by: Hon. WONG Sing-chi

Reply:

The information sought is provided as follows:

- (a) LD staged four information kiosks in 2010-11 to reach out to the FDH community and raise their awareness of their labour rights and obligations. These kiosks were arranged on FDHs' usual rest days at their popular gathering places, including Chater Garden, Statue Square Gardens and Victoria Park. Publicity video in FDHs' mother languages was screened and information packs with useful reference materials and a souvenir with enquiry hotlines were distributed. The expenditure incurred in 2010-11 was \$240,000.
- (b) The information kiosks were generally well received with 23 000 information packs picked up by FDHs.
- (c) We will continue to organise the information kiosks in 2011-12. A provision of \$240,000 has been earmarked for the purpose.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)147

Question Serial No.

3708

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Administration stated that to promote equal employment opportunities, the Labour Department (LD) had launched publicity campaigns to enhance public awareness of the importance of eliminating age discrimination in employment. Please provide the following information:

- (a) The specific work details of and expenditure involved in the campaigns for 2010-11.
- (b) Did the Administration assess the effectiveness of the campaigns? If yes, what are the details? If no, what are the reasons?
- (c) The estimated expenditure involved in the campaigns for 2011-12.
- (d) Did the Government consider commencing a study on the legislation for eliminating age discrimination in employment? If yes, what are the details? If no, what are the reasons?

Asked by: Hon. WONG Sing-chi

Reply:

The information sought is provided as follows:

- (a) In 2010-11, LD publicised the importance of eliminating age discrimination in employment through various measures. An Announcement in the Public Interest entitled “Count on talent not age in employment” was broadcast through TV, radio and on buses, trains, at commercial buildings as well as on the outside walls of buildings in busy districts. We also advertised on bus bodies and distributed promotional materials to related trade organisations. The total expenditure on the education and publicity measures in 2010-11 was about \$550,000.
- (b) A survey conducted from December 2008 to March 2009 indicated that the majority of employers had seen or heard of the publicity launched by the Government to encourage equal opportunity in employment. About 85% of the employers considered the publicity programme on TV effective or average, and more than 90% considered the printed publicity materials effective or average.
- (c) We have earmarked about \$550,000 for education and publicity measures in 2011-12.
- (d) The Government has no plan to introduce legislation on age discrimination in employment. According to the aforementioned survey, the great majority of the community did not consider age an important factor in employment and age discrimination in employment did not seem prevalent.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)148

Question Serial No.

1090

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please provide information on the number of applications for the Supplementary Labour Scheme (SLS) and the number of approved applications by industry and job title each year in 2009-10 and 2010-11.

Asked by: Hon. LEUNG Yiu-chung

Reply:

Applications under the SLS usually involve more than one vacancy. In 2009 and 2010, the Labour Department received 561 and 808 SLS applications, involving 1 656 and 2 340 vacancies respectively. In these years, 393 and 562 SLS applications were approved, involving 797 and 1 180 vacancies respectively. A breakdown of the numbers of vacancies received and approved in 2009 and 2010 by industry and job title is provided at Annexes 1 to 3.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

18.3.2011

**A breakdown by industry
of vacancies received and approved under the
Supplementary Labour Scheme in 2009 and 2010**

Industry	Number of vacancies received		Number of vacancies approved	
	2009	2010	2009	2010
1. Agriculture and fishing	437	479	311	311
2. Manufacturing	149	369	87	124
3. Construction	18	38	7	1
4. Wholesale, retail and import/ export trades, restaurants and hotels	107	265	45	58
5. Transport, storage and communication	10	33	2	0
6. Financing, insurance, real estate and business services	160	57	1	3
7. Community, social and personal services	775	1 099	344	683
Total	1 656	2 340	797	1 180

**A breakdown by job title
of vacancies received and approved under the
Supplementary Labour Scheme in 2009**

Job title	Number of vacancies received	Number of vacancies approved
1. Care Worker (Elderly Service)	540	295
2. Livestock/ Poultry/ Fish/ Crops Farm Worker	370	276
3. Gardening Worker	63	29
4. Cook	45	19
5. Bean Curd/ Soya Bean/ Bean Sprout Processing Worker	39	31
6. Machine Operator	27	12
7. Quality Controller/ Inspector/ Control Supervisor	20	14
8. Care Worker (Disabled Service)	19	9
9. General Sewing Machine Operator	10	6
10. Others	523	106
Total	1 656	797

**A breakdown by job title
of vacancies received and approved under the
Supplementary Labour Scheme in 2010**

Job title	Number of vacancies received	Number of vacancies approved
1. Care Worker (Elderly Service)	984	636
2. Livestock/ Poultry/ Fish/ Crops Farm Worker	396	280
3. Gardening Worker	76	40
4. Cook	70	28
5. Machine Operator	66	18
6. Bean Curd/ Soya Bean/ Bean Sprout Processing Worker	52	39
7. Quality Controller/ Inspector/ Control Supervisor	50	14
8. Knitting Machine Operator	47	20
9. Steel Fabricator/ Steel Worker	43	16
10. Others	556	89
Total	2 340	1 180

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)149

Question Serial No.

1091

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

- (a) Please provide a breakdown, by industry and work type, of occupational accidents which occurred in 2010-11?
- (b) Does the Administration have any specific plans for preparation in response to the trend of occupational accidents so as to reduce the overall number of occupational accidents in 2011-12?

Asked by: Hon. LEUNG Yiu-chung

Reply:

The information sought is provided as follows :

- (a) In the first three quarters of 2010¹, there were a total of 31 580 occupational accidents. A breakdown of occupational accidents in the first three quarters of 2010 by major economic activities is set out at Annex. The Labour Department (LD) does not keep information on accidents by work type.
- (b) In 2011-12, LD will continue to proactively promote the safety and health of our workforce through the three-pronged approach of enforcement, promotion and publicity, targeting primarily industries more prone to accidents or with high accident rates, such as the construction, catering and container handling industries, as well as hazardous work activities, such as work-at-height and lifting operations. We will step up cooperation with relevant bureaux/departments and project owners to ensure proper attention to safety issues in the major infrastructure projects, and step up promotional and enforcement efforts targeting repair, maintenance, alteration and addition works.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

¹ The occupational accident statistics for the full year of 2010 will only be available by mid-April 2011.

**Breakdown of Occupational Accidents by Economic Activities
in the First Three Quarters of 2010**

Major Economic Activity	First Three Quarters of 2010	
	No. of Accidents	%
Manufacturing Industry	2 171	6.9%
Construction Industry	2 200	7.0%
Food and Beverage Services	6 199	19.6%
Import and Export Trade	913	2.9%
Wholesale	425	1.3%
Retail Trade	2 092	6.6%
Transport, Warehousing and Support Services for Transportation	3 742	11.8%
Accommodation Services	1 000	3.2%
Information and Communications	274	0.9%
Financing and Insurance	181	0.6%
Real Estate	1 552	4.9%
Education	1 025	3.2%
Human Health Services	1 334	4.2%
Social Work Services	1 260	4.0%
Professional and Business Services (Excluding Pest Control and Cleaning Services)	1 606	5.1%
Pest Control and Cleaning Services	1 888	6.0%
Other Economic Activities	3 718	11.8%
TOTAL	31 580	100.0%

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)150

Question Serial No.

1093

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

What are the numbers of casual workers not covered by the Employment Ordinance (EO) (i.e. workers not meeting the statutory provision of having been employed continuously by the same employer for 4 weeks or more and having worked at least 18 hours in each week), their employment districts and number of working hours over the past three years (2008-09 to 2010-11)?

Asked by: Hon. LEUNG Yiu-chung

Reply:

The Labour Department commissioned the Census and Statistics Department to collect statistical data and information on employees who were not engaged under a “continuous contract” under the EO during the enumeration period of October to December 2009. The data collected are being compiled and analysed. We will report to the Panel on Manpower of the Legislative Council after completing the analysis of the survey findings.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)151

Question Serial No.

3737

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the prosecutions taken by the Labour Department (LD) under this Programme in 2010-11, what was the breakdown, by industry and reason(s), of the number of prosecutions taken? What were the details, including the convictions and penalties, of such prosecutions?

Asked by: Hon. LEUNG Yiu-chung

Reply:

(a) The information sought is provided as follows:

Industry	2010	
	No. of Prosecutions	No. of Convictions
Catering	1 247	989
Manufacturing	347	253
Construction	373	271
Import/Export	481	385
Wholesale/Retail	812	763
Transport, Storage and Communication	227	190
Finance, Insurance, Real Estate and Business Services	453	366
Community, Social and Personal Services	755	670
Others	252	222
Total	4 947	4 109

The prosecutions were mainly related to wage offence, holiday offence and failure to take out employees' compensation insurance. In 2010, the corresponding numbers of these prosecutions were 1 854, 1 305 and 1 373, resulting in 1 481, 1 005 and 1 294 convictions respectively.

(b) In the same year, the highest fines imposed in a case involving wage offence, holiday offence and failure to take out employees' compensation insurance were \$320,000, \$44,000 and \$10,000 respectively. Moreover, three directors and one employer convicted of wage offences were sentenced to imprisonment. The highest sentence imposed was four months. The court also imposed community service orders on four directors, one manager and nine employers for committing wage offences.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)152

Question Serial No.

3738

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

What were the details of the work of the Administration, the expenditure involved and the effectiveness in eliminating age discrimination in employment in 2010-11? In the understanding of the Administration, what is the actual situation of age discrimination in employment at present? What additional measures and resources will be provided for promotion of equal employment opportunities in 2011-12?

Asked by: Hon. LEUNG Yiu-chung

Reply:

In 2010-11, the Labour Department publicised the importance of eliminating age discrimination in employment through various channels. We broadcast an Announcement in the Public Interest entitled “Count on talent not age in employment” through TV, radio and on buses, trains, at commercial buildings as well as on the outside walls of buildings in busy districts. We also advertised on bus bodies and distributed promotional materials to the related trade organisations. These publicity efforts would generally help enhance public awareness of the matter. Such efforts incurred an expenditure of \$550,000 in 2010-2011.

A survey conducted from December 2008 to March 2009 indicated that the majority of employers had seen or heard of the publicity launched by the Government to encourage equal opportunity in employment. About 85% of the employers considered the publicity programme on TV effective or average, and more than 90% considered the printed publicity materials effective or average. The survey also showed that the majority of the community did not consider age an important factor in employment and age discrimination in employment did not seem prevalent.

We have earmarked a provision of about \$550,000 for promoting equal employment opportunities in 2011-12.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)153

Question Serial No.

3739

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

How many cases seeking assistance were received by the branch offices of the Employees' Compensation Division (ECD) in 2010-11? What was the breakdown of these cases by cause? Please provide a breakdown of the cases received by branch offices.

Asked by: Hon. LEUNG Yiu-chung

Reply:

In 2010, 58 791 employees' compensation cases were reported to various branch offices of ECD of the Labour Department. In the majority of cases, the employees concerned required the services of ECD in processing their claims for employees' compensation, determining the degree of permanent loss of earning capacity and the amount of employees' compensation payable, and resolving disputes such as whether the injury sustained was work-related. As the employees concerned not infrequently require assistance in more than one aspect, ECD did not keep statistics of the nature of the assistance sought cases.

The breakdown of employees' compensation cases reported to different branch offices of ECD is provided as follows:

Branch Office	Number of Cases
Hong Kong East Office	6 077
Hong Kong West Office	9 120
Kowloon East Office	7 046
Kowloon West Office	5 044
Kwun Tong Office	7 197
Government Servants and Seamen Office	6 508
Kwai Chung Office	5 184
Tsuen Wan Office	5 501
Shatin Office	6 917
Fatal Cases Office	197
Total	58 791

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)154

Question Serial No.

3740

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

- (a) How many cases were handled by the Fatal Cases Office in 2010-11? What were the respective figures of completed and uncompleted cases in the year? What were the reasons that accounted for the uncompleted cases?
- (b) What is the breakdown of the cases, by industry and job title, handled by Fatal Cases Office in 2010-11?

Asked by: Hon. LEUNG Yiu-chung

Reply:

The information sought is provided as follows:

- (a) In 2010, 197 cases were reported to the Fatal Cases Office. Of these, 55 cases were settled in the year and the remaining 142 cases were still being processed as at end-2010.

In the majority of the outstanding cases, more time is needed for collecting relevant information and supporting documents from employers and family of the deceased employees, verification of the particulars of the claims, and adjudication by the court over issues in dispute.

- (b) A breakdown of the reported fatal cases by industries is provided as follows:

Industry	Number of Cases
Financing and Insurance, Real Estate, Professional and Business Services	45
Construction	27
Public Administration, Social and Personal Services	18
Transportation, Storage, Postal and Courier Services, Information and Communications	33
Manufacturing	14
Food and Beverage Services	14
Import/Export, Wholesale and Retail Trades, and Accommodation Services	22
Others	24
Total	197

We do not keep information on these cases by job titles.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

LWB(L)155

3487

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

According to the 2010-11 Estimates, due to the financial tsunami and the commencement of two Youth Employment Resource Centres (YERCs), the numbers of able-bodied job seekers registered and placements are expected to increase, at 180 000 and 120 000 respectively. However, as shown under the Indicators in paragraph 13 of this Programme in the 2011-12 Estimates, the actual number of job seekers registered in 2010 was 135 236, a reduction of over 44 000 over the estimated figure for 2010-11, whereas the number of placements increased by some 30 000. Please advise on:

- (a) the reasons for such a significant difference between the estimated and actual numbers of job seekers registered and placements or even for such a contradictory result; and
- (b) the reasons for the decrease in the estimated figures for 2011-12, especially for the number of job seekers registered, over both 2008 and 2009.

Asked by: Hon. TONG Ka-wah, Ronny

Reply:

The information sought is provided as follows:

- (a) The estimate of 180 000 able-bodied job seekers in the 2010-11 Estimates was based on our operational experience in 2009-10, at a time when the financial tsunami was still adversely affecting our economy. However, as the economy recovered in the period, the number of job seekers requiring employment assistance of the Labour Department (LD) substantially decreased. On the other hand, owing to continuous improvement in the employment market, more placements were achieved by LD.
- (b) As the economy continues to improve and the employment market remains buoyant, we estimate that the number of job seekers requiring LD's employment assistance will decrease in 2011-12, in comparison with the figures estimated for 2008 and 2009, when both the economy and the employment market were still suffering from the negative impact of the financial tsunami.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)156

Question Serial No.

3488

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

It was mentioned in the matters requiring special attention in 2010-11 that non-governmental organisations (NGOs) in remote districts would be provided with vacancy search terminals as part of the vacancy sharing project of the Labour Department (LD). However, the outcome of the project is not included in the 2011-12 report. Please advise on the following:

- (a) What is the outcome of the pilot project?
- (b) Will the project continue or will the number of terminals increase? If yes, what are the details?
- (c) What are the annual view rate and the number of placements made?

Asked by: Hon. TONG Ka-wah, Ronny

Reply:

The information sought is provided as follows:

- (a) To strengthen the dissemination of vacancy information to job seekers in remote districts, LD has, in collaboration with NGOs which provide employment services, installed a total of 18 Vacancy Search Terminals (VSTs) in the NGOs' service centres in Tung Chung, Tseung Kwan O, Kwai Tsing and Island South. The installation of the VSTs was completed in the fourth quarter of 2010. As the pilot scheme is newly launched, it will take some time to fully assess the overall effectiveness of the pilot scheme. We will closely monitor the operation of VSTs and conduct a review in the fourth quarter of this year.
- (b) LD has no plan to install VSTs at other locations for the time being.
- (c) In 2010, a total of 841 543 page views were recorded for VSTs installed at NGOs. We do not have information on the number of placements made by the VST users.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)157

Question Serial No.

3489

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The one-stop employment and training centre in Tin Shui Wai mentioned under the matters requiring special attention in the 2011-12 Estimates is in fact one of the matters requiring special attention in 2010-11. In this connection,

- (a) what is the progress of the operation of the training centre; and
- (b) has any assessment mechanism been put in place to assess the performance of the centre?

Asked by: Hon. TONG Ka-wah, Ronny

Reply:

The information sought is provided as follows :

- (a) The pioneer one-stop employment and training centre (the one-stop centre) will be housed in the Amenity and Community Building (ACB) at Tin Ching Estate, Tin Shui Wai. ACB is still under construction and is expected to be ready for occupation in May 2011. As time is required for fitting out, we expect the one-stop centre to commence operation by the end of 2011.
- (b) We plan to review the operation of the one-stop centre two years after it has commenced operation. Its effectiveness will be evaluated on the basis of the number of job seekers registered, vacancies canvassed, job referrals made, placements achieved and recruitment activities organised, and users' satisfaction with the services provided.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

18.3.2011

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Over the years, there is little change in the number of job seekers with disabilities registered and their placements as shown under the Indicators in paragraph 13 under the Brief Description of this Programme. Please advise on the following:

- (a) What are the reasons?
- (b) Has any statistical survey been conducted on the number of persons with disabilities in employment, the respective proportion in the total number of employable persons with disabilities and in the working population?
- (c) Has the Department actively considered launching promotional programmes to make more persons with disabilities and employers accept the Department's placements? If yes, what is the promotional work involved?

Asked by: Hon. TONG Ka-wah, Ronny

Reply:

The information sought is as follows:

- (a) The employment service provided by the Selective Placement Division (SPD) of the Labour Department (LD) to persons with disabilities is essentially demand-led. Since there is not much change in the demand for employment service in 2009 and 2010, the number of job seekers with disabilities registered with SPD and the number of placements secured have remained fairly stable in these years.
- (b) LD has not conducted statistical survey on the overall employment situation of persons with disabilities in Hong Kong.
- (c) LD has been organising a wide range of public education and publicity activities to encourage persons with disabilities as well as employers to make use of our employment and recruitment services. These activities include Announcements in the Public Interest on television and radio; promotional messages through newspapers, public utilities companies and non-governmental organisations; advertisements in compartments of Mass Transit Railway trains and buses; publicity posters/messages in the offices/websites of relevant government departments; newsletters and leaflets; promotional visits; workshops and seminars jointly organised with employers' associations, etc.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)159

Question Serial No.

3492

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

According to paragraph 10 of the Brief Description, the Labour Department (LD) provides assistance and counselling services to persons with disabilities. Regarding the statistics of the working population of persons with disabilities in 2010, please advise on the following,

- (a) their types of work by physical and intellectual disability;
- (b) their average earnings;
- (c) the number of persons with disabilities employed on a continuous contract of employment and the longest and shortest duration of employment; and
- (d) the respective number of disabled employees engaged by the Government or its outsourcing companies and private employers?

Asked by: Hon. TONG Ka-wah, Ronny

Reply:

In 2010, LD achieved 239 placements of job seekers with physical handicap and 580 for those with intellectual disability. The information sought is provided as follows :

- (a) Breakdown of the placements by occupation:

Occupation	Physical handicap	Intellectual disability
Professional, technical and related workers	15	1
Administrative and managerial workers	4	0
Clerical and related workers	92	37
Sales workers	37	227
Service workers	60	175
Agricultural, animal husbandry, forestry workers and fishermen	0	1
Production workers, transport equipment operators and labourers	31	139
Total	239	580

- (b) We do not keep statistics on the average earnings of job seekers with physical handicap and intellectual disabilities placed by LD into employment. However, we have information on the placements by earnings which should give a comprehensive picture of their earnings situation. The figures are provided below:

Monthly earnings	Physical handicap	Intellectual disability
Below \$3,000	60	293
\$3,000 - \$3,999	18	61
\$4,000 - \$4,999	17	85
\$5,000 - \$5,999	34	71
\$6,000 - \$6,999	67	57
\$7,000 - \$7,999	19	11
\$8,000 - \$8,999	11	1
\$9,000 or above	13	1
Total	239	580

- (c) We do not keep statistics on whether or not the placed employees with physical handicap and intellectual disabilities were under continuous employment contract.
- (d) In 2010, LD achieved 2 405 placements of job seekers with disabilities. Of these, 2 321 were achieved in the private sector, and 84 in the government sector. A separate breakdown on placements involving government contractors is not available.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)160

Question Serial No.

3493

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The provision for 2011-12 is \$133.4 million higher than the revised estimate for 2010-11 to create 247 posts for implementing the Work Incentive Transport Subsidy (WITS) Scheme and enhancing employment support services, etc. What are these posts and their duties? Please provide a breakdown by remuneration.

Asked by: Hon. TONG Ka-wah, Ronny

Reply:

Of the 247 posts estimated to be created, 214 posts are for implementing the WITS Scheme and 33 for enhancing employment support services.

Regarding the WITS Scheme, a breakdown of the 214 posts estimated to be created by grade and remuneration is provided as follows:

Grade	No. of Posts	Salary Range (per month)
Executive Officer	32	\$20,950 - \$89,140
Clerical Officer	173	\$10,250 - \$28,065
Analyst/Programmer	3	\$22,005 - \$74,675
Treasury Accountant	1	\$42,410 - \$74,675
Accounting Officer	2	\$19,945 - \$36,945
Personal Secretary	1	\$22,005 - \$28,065
Workman	2	\$9,035 - \$10,655

These posts will perform all operational functions including processing applications, handling appeals, effecting subsidy payments, identifying and investigating fraudulent cases, organising publicity activities, etc.

Regarding the enhancement of employment support services, a breakdown of the 33 posts by grade and remuneration is provided as follows:

Grade	No. of Posts	Salary Range (per month)
Labour Officer	16	\$19,945 - \$89,140
Clerical Officer	7	\$10,250 - \$28,065
Clerical Assistant	10	\$9,040 - \$15,875

These posts will operate a pioneer one-stop employment and training centre in Tin Shui Wai and implement the enhanced employment support services to vulnerable groups including the youths, the middle-aged and persons with disabilities. They will provide employment services to job seekers and

liaise with the working partners to ensure the operation of the employment programmes. They will also conduct promotional activities to publicise the employment services.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)161

Question Serial No.

3494

Head : 90 – Labour Department

Subhead (No. & title) :

000 Operational expenses

Programme :

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the Civil Service Provident Fund contribution under Personnel Related Expenses, the estimate for 2011-12 rises to \$11.260 million from the revised estimate of \$4.567 million for 2010-11. What are the reasons?

Asked by: Hon. TONG Ka-wah, Ronny

Reply:

The estimated increase in Civil Service Provident Fund contribution is mainly due to the addition of 326 posts in 2011-12, and increase in staff confirmed to the permanent establishment owing to revision to the civil service entry system on 1 July 2010.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

18.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)162

Question Serial No.

3495

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

It is mentioned in paragraph 3 under the Brief Description of this Programme that the Labour Department (LD) provides conciliation service to assist employers and employees to settle their labour disputes, etc. As many employees, especially grass-root workers, have limited knowledge of their employment rights and benefits, they have to resort to the Labour Relations Division for resolving their issues. Will LD launch district-based publicity campaigns on a regular basis to enhance the employees' knowledge of the Employment Ordinance (EO) and their employment rights and benefits? If yes, what are the details of the work and expenditure involved? Can the work achieve the expected result?

Asked by: Hon. TONG Ka-wah, Ronny

Reply:

LD endeavours to help employers and employees understand their employment rights and benefits under the EO. Apart from providing consultation service at the 10 offices of the Labour Relations Division over the territory and mounting territory-wide promotional activities, we stage roving exhibitions at district level to help the public understand the rights and benefits under the EO. As at end-February 2011, LD staged five roving exhibitions to promote public understanding of the EO at various locations in 2010-11. The exhibitions were well received and attracted a total of 7 900 visitors with 9 270 relevant publications distributed to disseminate the information about the rights and benefits of the employees. Together with an upcoming roving exhibition to be held at end March 2011, the total expenditure for staging these six roving exhibitions is around \$129,000.

In 2011-12, we plan to organise six roving exhibitions in various districts to enhance public understanding of their rights and benefits under the EO. The exhibitions will be held at private shopping malls and shopping centres of public housing estates in different districts at an estimated cost of \$150,000.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)163

Question Serial No.

3496

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

It is mentioned in Programme (3) that the provision for 2011-12 is \$13.6 million higher than the revised estimate for 2010-11 for the creation of 15 posts to enhance occupational safety at work. What are the ranks, duties and remuneration of the posts involved?

Asked by: Hon. TONG Ka-wah, Ronny

Reply:

The ranks, number and annual staff cost (at mid-point salary) of the 15 posts are provided as follows:

Rank	No. of Posts	Annual Staff Cost (at mid-point salary)
Occupational Safety Officer I	6	\$3.2 million
Occupational Safety Officer II	9	\$3.2 million

The 15 Occupational Safety Officers will be tasked to conduct inspections to check compliance with work safety requirements and advise on remedial measures, conduct investigations into accidents and complaints, institute prosecutions where offences are identified and attend site safety meetings as necessary.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
 INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)164

Question Serial No.

3497

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

It is mentioned in Programme (4) that the provision for 2011-12 is \$63.8 million higher than the revised estimate for 2010-11, and the additional provision is mainly used for the creation of 49 posts. What are the ranks, duties and remuneration of these posts?

Asked by: Hon. TONG Ka-wah, Ronny

Reply:

One of the 49 posts to be created will be offset by deletion of one time-limited post. The ranks and annual salaries of the other 48 posts are provided below.

Rank	No. of Posts	Annual Salaries (at mid-point salary) in \$million
Senior Labour Officer	1	\$1.0
Labour Officer	1	\$0.7
Assistant Labour Officer I	4	\$2.1
Assistant Labour Officer II	3	\$1.0
Chief Labour Inspector	1	\$0.7
Senior Labour Inspector	4	\$2.1
Labour Inspector I	6	\$2.4
Labour Inspector II	15	\$4.0
Senior Information Officer	1	\$0.7
Clerical Officer	1	\$0.3
Assistant Clerical Officer	11	\$2.1
Total	48	\$17.1

These posts will be responsible for staging territory-wide promotional and publicity campaigns on statutory minimum wage; conducting seminars and formulating reference guidelines to help employers and employees better understand the provisions and application of the Minimum Wage Ordinance (MWO); deterring breaches of the MWO through conducting proactive workplace inspections to establishments of various trades, mounting targeted enforcement campaigns for low-paying sectors, undertaking prompt investigation into complaints received and instituting prosecutions for substantiated offences; and providing support to the Minimum Wage Commission.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)165

Question Serial No.

3203

Head : 90 – Labour Department

Subhead (No. & title) :

Programme :

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the estimates of expenditure of the information technology management unit of the department:

- (a) What is the estimated expenditure for 2011-12? What is the percentage change compared with the actual expenditure for 2010-11? What account for this percentage change in expenditure?
- (b) What specific initiatives are involved in the estimates of expenditure for 2011-12? Which of them are ongoing and new initiatives respectively? What are the staff number, cost and implementation timetable of each initiative? Among the staff involved, how many of them are civil servants, non-civil service contract staff and staff of outsourced services respectively?
- (c) Whether funds have been reserved for promoting electronic civic participation and public sector information access? If yes, what are the specific details, including the titles and particulars of the initiatives, the manpower and cost involved, and the implementation timetable? If not, what are the reasons and will consideration be given to introducing the initiatives in the future?
- (d) What are the permanent establishment and the number of existing staff and vacancies of the information technology unit? Is manpower expected to increase in the coming year? If yes, how many additional posts will be created? What ranks will be involved? Will they be permanent posts? Will they be appointed on civil service terms? If there will be no increase in manpower, what are the reasons?
- (e) Has there been any comprehensive review of the effectiveness of the information technology unit? If yes, what are the results and the specific improvement measures involved? If not, what are the reasons and will a review be conducted in the future?

Asked by: Hon. TAM Wai-ho, Samson

Reply:

The information sought is provided as follows:

- (a) The expenditure of the Information Technology Management Division was \$4.95 million in 2010-11 and the estimated expenditure is \$4.90 million in 2011-12.
- (b) A breakdown of the manpower requirements, estimated expenditures and schedule of the ongoing information technology initiatives and new information technology projects is provided at Annexes 1-2.

- (c) We are actively participating in the Government one-stop portal GovHK to provide e-services to the public. The Office of the Government Chief Information Officer coordinates the promotional activities for the participating bureaux and departments. Labour Department does not have a specific budget for this purpose. We consider the present arrangement of using our website for disseminating information and collecting feedback from the public generally satisfactory. We do not have plans to extend it to other IT platforms.
- (d) A breakdown of the permanent establishment of the Information Technology Management Division is provided at Annex 3. In 2011-12, three new time-limited civil servant posts, namely one Systems Manager, one Analyst/Programmer I and one Analyst/Programmer II, will be created for three years.
- (e) The Departmental Information Technology Steering Committee, chaired by the Deputy Commissioner (Labour Administration), has been established to monitor and review periodically the performance of the projects carried out by the Information Technology Management Division.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Ongoing information technology initiatives in 2011-12				
Projects	2011-12 manpower (no of posts/positions)			2011-12 estimated expenditure (\$ Million)
	Civil service staff	Non-civil service contract staff	Term Contract staff	
Systems for business operation	5.5	0	30.5	31.11
Infrastructure	1.0	0	11.0	6.28
Management and central support services	1.5	0	1.5	1.31
Total	8.0	0	43.0	38.70

New Projects funded by CWRP Head 710-A007GX Computerization in 2011-12					
Projects	2011-12 manpower (no of posts/positions)			2011-12 estimated expenditure (\$ Million)	Schedule
	Civil service staff	Non-civil service contract staff	Term Contract staff		
Computer System for Special Arrangement for Persons with Disabilities under the Statutory Minimum Wage	0.5		6.5	3.95	08/2010 - 08/2011
A combined Business Process Re-engineering and Feasibility Study to review the workflow and procedures of the Labour Relations Division with a view to developing a new Case Management System	0.5		6.5	3.93	10/2010 - 04/2012
Pioneer One-stop Employment and Training System			1.0	2.92	12/2009 - 08/2011
Selective Placement System Replacement			5.0	4.90	11/2010 - 11/2012
Electronic Transaction Handling System Enhancement			5.0	1.08	05/2011 - 08/2013
Department Portal Programme Upgrade			3.0	0.41	07/2011 - 03/2013
Implementation on Paperless Meeting Solution			3.0	3.37	04/2011 - 09/2012
Replacement of Obsolete Hardware and Software Items for the Occupational Safety and Health Management Information System			1.5	2.42	04/2011 - 05/2012
Information System for the Implementation of Work Incentive Transport Subsidy Scheme	1.0		8.0	9.51	02/2011 - 02/2012
To Provide Office Automation Facilities for the New Office of the Work Incentive Transport Subsidy Division of the Labour Department	1.0		2.0	9.43	02/2011 - 10/2011
Total	3.0		41.5	41.92	

The Information Technology Management Division's permanent establishment

Grade	Establishment	Strength	Vacancy
Analyst/Programmer	6	5	1
Computer Operator	2	2	0
Total	8	7	1

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

In 2010, a focused publicity and enforcement campaign targeting outdoor workplaces with a higher risk of heat stroke was launched. As the news about professional drivers in critical condition due to heat stroke is not uncommon in recent years, will the Labour Department (LD) launch a publicity campaign or produce leaflets on the problem of heat stroke targeting professional drivers? If yes, what are the details and expenditure involved? If no, what are the reasons?

Asked by: Hon. LAU Kin-yee, Miriam

Reply:

In 2011-12, LD will launch a publicity campaign, in collaboration with the Occupational Safety and Health Council and relevant trade unions, to promote occupational health among professional drivers, including the prevention of heat stroke at work. The publicity campaign will include promotional visits to bus, taxis, and public light bus stations, distribution of educational leaflets and promotional items, broadcasting of health messages through mobile advertising media, radio programmes and an exercise competition.

As the publicity campaign is an integral part of LD's occupational safety and health promotion strategy, we do not have a separate estimate of the spending in this area.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)167

Question Serial No.

3778

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

With regard to the figures of the indicators in paragraph 7 under Brief Description of this Programme, please provide a breakdown, by industry, of the labour disputes handled by the Government in 2010.

Asked by: Hon. LEONG Kah-kit, Alan

Reply:

The breakdown of labour disputes (involving over 20 employees) handled by the Labour Department in 2010 by industry is provided as follows:

Industry	Number of labour disputes
Construction	21
Restaurants and hotels	14
Community, social and personal services	11
Manufacturing	9
Transport, storage and communication	8
Wholesale, retail and import/export trades	3
Financing, insurance, real estate and business services	2
Total	68

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

18.3.2011

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding “setting up a pioneer one-stop employment and training centre in Tin Shui Wai to streamline, integrate and enhance the existing employment and training/retraining services of the Labour Department, Social Welfare Department and Employees Retraining Board” mentioned under the matters requiring special attention in 2011-12, would the Government advise on:

- (a) the estimated expenditure involved; and
- (b) the staffing arrangement of the above work.

Asked by: Hon. LEONG Kah-kit, Alan

Reply:

The information sought is provided as follows:

- (a) The estimated recurrent expenditure for the pioneer one-stop employment and training centre (one-stop centre) for 2011-12 is about \$10 million and the annual staff cost is about \$6.5 million.
- (b) At the one-stop centre, there will be 26 Labour Department staff providing employment services and a non-governmental organisation will also be engaged to provide case management and employment support services to needy job seekers.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)169

Question Serial No.

3780

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding “conducting proactive inspections to workplaces and launching targeted enforcement campaigns to safeguard employees’ entitlements following the implementation of the Minimum Wage Ordinance (Cap. 608) (MWO)” mentioned under the Matters Requiring Special Attention in 2011-12, will the Government advise on the following:

- (a) the estimated expenditure involved;
- (b) the staffing arrangement; and
- (c) the specific details of the above work.

Asked by: Hon. LEONG Kah-kit, Alan

Reply:

The information sought is provided as follows:

- (a) Labour inspectors of the Labour Department (LD) will conduct workplace inspections and investigation to ensure compliance with the MWO. As labour inspectors enforce various labour laws in the course of duty, the expenditure involved in enforcing the MWO cannot be separately identified.
- (b) In 2011-12, 25 posts of labour inspectors will be created to strengthen the manpower mainly for enforcing the MWO.
- (c) LD will adopt a multi-pronged strategy to ensure compliance with the MWO, through conducting proactive workplace inspections, mounting targeted enforcement campaigns for low-paying sectors and undertaking prompt investigations into complaints received. For 2011, we plan to conduct 142 000 inspections to workplaces to check compliance with labour laws including the MWO.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)170

Question Serial No.

3781

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding “carrying out rigorous enforcement action to tackle offenders who wilfully default the awards of Labour Tribunal (LT) or Minor Employment Claims Adjudication Board (MECAB)” mentioned under the Matters Requiring Special Attention in 2011-12, will the Government advise on the following:

- (a) the estimated expenditure involved;
- (b) the staffing arrangement; and
- (c) the specific details of the above work.

Asked by: Hon. LEONG Kah-kit, Alan

Reply:

The information sought is provided as follows:

(a) & (b) As enforcement of the Employment (Amendment) Ordinance 2010 (EAO) is undertaken by officers of the Labour Department (LD) among their other enforcement duties, the manpower and expenditure involved in enforcing the EAO cannot be separately identified.

(c) LD has launched extensive educational and promotional activities to enhance public awareness of the offence on defaulting payment of the awards of LT or MECAB under the EAO. To deter employers from infringing the statutory entitlements of employees, LD will conduct investigation into the suspected breaches and will take out prosecution where there is sufficient evidence.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

19.3.2011

Examination of Estimates of Expenditure 2011-12
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

LWB(L)171

Question Serial No.

3782

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employee Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please provide the number of prosecutions taken against offending employers due to false self-employment over the past three years (2008, 2009 and 2010).

Asked by: Hon. LEONG Kah-kit, Alan

Reply:

In 2010, 72 prosecutions were taken out by the Labour Department against employers who had engaged employees under the disguise of self-employment and breached the Employment Ordinance or the Employees' Compensation Ordinance. We do not have the figures for 2008 and 2009.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	19.3.2011