

Labour Department
Annual Report

勞工處年報

2005

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CHAPTER 1 HIGHLIGHTS OF THE YEAR 2005

1.1 Along with globalisation, Hong Kong is facing the challenges brought about by economic restructuring. Despite continued improvement in the employment market, with the unemployment rate coming down from 8.6 per cent in mid-2003 to 5.3 per cent at the end of 2005, employment continues to be a subject of public concern. With a proactive and pragmatic approach and given united efforts, the Labour Department has achieved notable results in various programme areas.

Employment Services

Enhanced Employment Services

1.2 We continue to adopt a proactive, innovative, flexible and cost-effective approach in further strengthening our employment service to help the unemployed re-enter the labour market and meet the recruitment needs of employers. Twelve large-scale job bazaars and 46 district-based job fairs were held in the year to assist job-seekers in finding jobs and employers in recruiting staff. A record high of 113 090 placements were secured through the Labour Department in 2005. The number of vacancies solicited from the private and public sectors, at 432 314, also broke past records. The Interactive Employment Services (iES) website (<http://www.jobs.gov.hk>) recorded a historic high of 869 million page views in 2005. This is not only the Government's most popular website, but has also won the Champion of 2005 Civil Service Outstanding Service Award Scheme — e-Service Team Award.



The Labour Department's recruitment forum is well-received by job-seekers.

Work Trial Scheme

1.3 This scheme was launched in June 2005 to enhance the employability of job-seekers who have special difficulties in finding jobs. The Labour Department and the participating bodies will offer allowance to participants upon their completion of the one-month work trial.

Youth Self-employment Support Scheme (YSSS)

1.4 With a funding of \$30 million, the YSSS was launched on a trial basis in May 2004 to train and assist 1 500 young people aged 18 to 24 to become self-employed in areas with business prospects, such as information technology and multimedia applications, personal care and public performances. As at the end of September 2005, the trainees had conducted 10 443 business transactions with gross profits of more than \$5.1 million.

Youth Work Experience and Training Scheme (YWETS)

1.5 To cater for the employment needs of youths (in particular those living in remote areas), the YWETS office staged a series of four job fairs in March and April 2005 at Kwai Fong, Yuen Long and Tin Shui Wai in cooperation with nine non governmental organisations (NGOs) with local service centres in North-West New Territories. Some 5 300 job-seekers attended the job fairs.



Many employers and representatives of NGOs take part in the job fair held by the Labour Department for youths in remote areas.

Youth Pre-employment Training Programme (YPTP)

1.6 To promote public understanding of the YPTP, we engaged TVB in producing a 30-minute programme for broadcast in August 2005. Among others, the programme highlighted the prize presentation ceremony of this year's "Most Improved Trainees" of the YPTP, which is a major annual event for awarding trainees who made significant improvements in self-development, leadership, social and community services. The programme featured the success stories of our winners, thus projecting a positive image of the YPTP.



Group photo of the ten "Most Improved Trainees" of the YPTP at the Prize Presentation Ceremony.

The "I Can Make It" Show

1.7 The YPTP and YWETS co-organised the "I Can Make It" show in October 2005 to encourage trainees to realise their potentials to "fly high" and to set goals for their life and career. The Chief Executive was the officiating guest at the event.

He gave encouragement and lent support to youths enrolled in the two schemes. Trainees who were engaged in different industries took part in the "Youth Employment Parade" to reinforce the "can do" spirit and to bring home the message of "I Can Make It". The event was highly praised by training bodies, employers and trainees.



Chief Executive Mr Donald Tsang Yam-kuen at the "I Can Make It" Show.

Outstanding Disabled Employees Award and Enlightened Employers Award

1.8 These awards are to commend employees with disabilities for their outstanding performance at work and employers for their efforts in providing employment opportunities for people with disabilities. In 2005, twelve disabled employees and ten employers won the awards.



Member of the Executive Council Mr Bernard Chan (seventh from left) presents the "Outstanding Disabled Employees Award" to 12 winners.



Permanent Secretary for Economic Development and Labour (Labour) Mr Matthew Cheung Kin-chung (fifth from left) presents the "Enlightened Employers Award" to winners.

Labour Relations

Record High Settlement Rate

1.9 The number of working days lost as a result of labour disputes in Hong Kong is among the lowest in the world. Of the 237 labour disputes and 25 952 claims handled in the year, 69.8 per cent were resolved by our conciliation efforts, a record high since 1994. The waiting time for conciliation meetings was 2.4 weeks,

shortened by almost one week when compared with 3.3 weeks in 2004.

Stepping Up Enforcement Against Wage Offences

1.10 In 2005, the Labour Department sustained its all-out efforts to combat wage offences. Territory-wide inspection campaigns targeted at offence-prone trades were launched. We set up an early warning system in collaboration with trade unions and launched a pilot exercise codenamed Operation COMBAT to tackle wage default problems in the catering industry.

The department initiated amendments to the Employment Ordinance in December 2005 to raise the maximum penalty for wage offences to a fine of \$350,000 and imprisonment for three years. The new penalty will take effect from March 30, 2006. The Employment Claims Investigation Division continued to conduct in-depth investigation into suspected wage offences. Former veteran police officers were also recruited to strengthen the investigative work and collection of intelligence in order to take out speedy prosecution. The department adjusted its enforcement strategy such that prosecution would also be taken out against company directors who willfully delayed payment of wages.

The department also stepped up its educational and promotional efforts to remind employers of their statutory obligation to pay wages on time and to encourage employees to lodge claims promptly and come forward as prosecution witnesses.

With rigorous enforcement efforts, a total of 587 convicted summonses on wage offences were secured in 2005; an all-time high and up 16.5 per cent over the figure of 504 summonses in 2004. A company director and two other employers were given jail sentences for defaulting wage payments. This was the first time employers and a company director were imprisoned for wage offences. In addition, two employers who committed wage offences were also sentenced to jail after they failed to pay the court as ordered. The highest fine recorded in a case involving wage offences in 2005 was \$120,000.

Promotion of Good People Management

1.11 To sustain the momentum of Good People Management Award 2004 and to continue promulgating good people management practices, the Labour Department and the Labour Advisory Board jointly organised a large-scale seminar in June, 2005. Award-winning establishments were invited to share their enlightened practices with other employers, human resources professionals and trade unions. The seminar featured such popular topics as labour-management communication, staff retention and corporate social responsibility.



Permanent Secretary for Economic Development and Labour (Labour) Mr Matthew Cheung Kin-chung (middle) and members of the Labour Advisory Board co-officiate at the Seminar on Good People Management.

Employee Rights and Benefits

Vigorous Enforcement against Illegal Employment

1.12 In 2005, the Labour Department mounted more intelligence-led operations with the Police and the Immigration Department to clamp down on illegal employment activities. The number of such operations reached 176, up 69 per cent as compared to 104 in 2004. A total of 237 employers suspected of employing illegal workers were arrested in the joint operations, an increase of 21 per cent over the corresponding figure in 2004. The number of suspected illegal workers arrested stood at 538.

In the year, we intensified our educational efforts to warn against illegal employment through newspaper advertisements, press releases, posters, leaflets and bus advertisements. We also widely publicised the complaint hotline (2815 2200) to encourage reporting of illegal employment activities.



Permanent Secretary for Economic Development and Labour (Labour) Mr Matthew Cheung Kin-chung (second from right) presents plaques to three security guards, commending them for helping the Government combat illegal employment.

Safeguarding the Rights of Employees of Government Service Contractors

1.13 We have stepped up inspections to workplaces of non-skilled workers employed by government service contractors in order to protect their statutory rights and benefits under labour laws. The number of inspections conducted in 2005 was 786, up 30 per cent over 604 in 2004. We took out resolute prosecution against contractors who breached the laws. A total of 11 contractors were convicted on 73 summonses, a 17-fold increase as compared to four convicted summonses (involving three contractors) in 2004.

In the year, we implemented a standard employment contract (SEC) for government service contractors to sign with their non-skilled employees. The SEC, which sets out clearly the employment terms, helps safeguard the rights and benefits of these workers.

Improvements to the Employees' Compensation Insurance System

1.14 The Labour Department reviewed the employees' compensation insurance system in Hong Kong and consulted the Labour Advisory Board in 2005 on ways to improve the system. As a result, the insurance industry undertook to implement a number of improvement measures, including the setting up of a residual scheme to provide employees' compensation insurance cover to employers who cannot obtain such cover from the market; facilitating the rehabilitation of injured workers; and assisting in the promotion of occupational safety and health.

Protection of Wages on Insolvency Fund

1.15 The Labour Department adopted a proactive approach to clamp down at source

on employers evading their wage liabilities, thus preventing wage defaults from developing into claims on the Protection of Wages on Insolvency Fund. Coupled with continual improvement in the economy, the number of applications for the Fund decreased from 13 631 in 2004 to 9 967 in 2005, a record low since 1997. The Fund registered a surplus of \$259 million for 2005, the second year that the Fund recorded a surplus since the Asian financial crisis in 1997.

Safety and Health at Work

Legislative Improvements to Protect Health Care and Poultry Workers

1.16 In February 2005, two notifiable occupational diseases, namely Severe Acute Respiratory Syndrome (SARS) and Avian Influenza A, were added to Schedule 2 to the Occupational Safety and Health Ordinance to protect workers including health care and poultry workers.

Safety of Renovation and Maintenance Works

1.17 To follow up on the findings of a study on the trend of industrial accidents in 2005, the Labour Department has intensified enforcement actions on minor renovation and maintenance works. Occupational safety officers stepped up point-to-point inspections on normal working days, at night and during holidays to clamp down on offending contractors. The Labour Department has also enhanced liaison with the Hong Kong Association of Property Management Companies by setting up a reporting system on the renovation and maintenance works of buildings under their management. In 2005, a total of 421 enquiries/complaints/referral cases were received through the system. As a result of follow-up inspections by occupational safety officers on these cases, 102 suspension/improvement notices were issued and 88 prosecutions were taken out.

Safety Award Schemes

1.18 Two safety award schemes were organised in the catering and construction industries to inculcate a safety culture and to enhance the safety awareness of employers, employees and their families. The schemes featured a variety of activities, including safety performance competitions, safety and health seminars, roving exhibitions, site visits, radio programmes, stickers, computer CD-ROM, broadcast of promotional films on "RoadShow" and award presentation ceremonies cum fun days.



Permanent Secretary for Economic Development and Labour (Labour) Mr Matthew Cheung Kin-chung officiates at the Award Presentation Ceremony of the Catering Industry Safety Award Scheme.



Officiating guests tour around the game booths on the fun day of the Construction Industry Safety Award Scheme.

Strengthening Local and International Partnerships

Labour Day Reception

1.19 On 29 April 2005, the Secretary for Economic Development and Labour hosted a cocktail reception at Government House to celebrate Labour Day and to pay tribute to the workforce. Acting Chief Executive Mr Donald Tsang Yam-kuen officiated at the reception, with guests from trade unions, employer associations and other organisations.



Acting Chief Executive Mr Donald Tsang Yam-kuen officiates at the Labour Day Reception.

Contacts with Other Labour Administrations

1.20 We maintain active liaison and interflow with other labour administrations through visits and participation in relevant activities. In March 2005, Vice Minister of the Ministry of Labour and Social Security of the State Council Mr Wang Dongjing visited Hong Kong to exchange views and experience on labour issues with the Labour Department.



Permanent Secretary for Economic Development and Labour (Labour) Mr Matthew Cheung Kin-chung (fourth from right) meets with Vice Minister Wang Dongjing (centre) and his delegates.

1.21 In June 2005, Permanent Secretary for Economic Development and Labour (Labour) Mr Matthew Cheung Kin-chung led a tripartite team comprising government, employer and employee representatives to attend the 93rd Session of the International Labour Conference in Geneva as advisers to the delegation of China. The opportunity enabled the representatives to keep abreast of the latest development of international labour matters, and to liaise with officials of the International Labour Organization as well as their counterparts in the employer and employee sectors.



Permanent Secretary for Economic Development and Labour (Labour) Mr Matthew Cheung Kin-chung (front row, centre) and members of the tripartite team attend the 93rd Session of the International Labour Conference in Geneva, Switzerland.

CHAPTER 2 THE LABOUR DEPARTMENT

2.1 The Labour Department is the principal agency in the Hong Kong Special Administrative Region Government responsible for the execution and co-ordination of major labour administration functions. For details of our structure and services, please visit our website: <http://www.labour.gov.hk/>.

Vision, Mission and Values

2.2 Our Vision

To be a leading labour administrator in the region—our aim is to enhance the well-being of our workforce progressively and to promote the safety and health of those at work at a pace commensurate with the socio-economic development of Hong Kong.

2.3 Our Mission

- To improve the utilisation of human resources by providing a range of employment services to meet changes and needs in the labour market;
- To ensure that risks to people's safety and health at work are properly managed by legislation, education and promotion;
- To foster harmonious labour relations through promotion of good employment practices and resolution of labour disputes; and
- To improve and safeguard employees' rights and benefits in an equitable manner.

2.4 Our Values

We believe in:

- Professional excellence
- Pro-activeness
- Premier customer service
- Partnership
- Participation

Key Programme Areas

2.5 The department has four key areas of work, namely, Labour Relations, Safety and Health at Work, Employment Services, and Employees' Rights and Benefits. The objectives of these areas are set out below:

Labour Relations

- To foster and maintain harmonious employer and employee relations in the non-government sector.

Safety and Health at Work

- To help employers and employees control their risks at work through legislation, education and promotion.

Employment Services

- To provide free employment assistance and counselling services to help job-seekers find suitable jobs and employers fill their vacancies.

Employee Rights and Benefits

- To improve and safeguard the rights and benefits of employees.

2.6 Detailed functions and major activities of these programme areas are contained in the following chapters.

Central Support Services

2.7 The Administration Division assumes the primary responsibility for financial, personnel and general resources management.

2.8 The Information and Public Relations Division is responsible for the department's overall strategy on publicity and public relations. It mounts extensive publicity and explains the policy and work of the department to the public through the media, and co-ordinates the production of major departmental publications.

2.9 The Development Division mainly oversees matters relating to the application of International Labour Conventions, participation in International Labour Organization activities, and liaison with labour administration counterparts of the Mainland or other countries. Besides, the division manages the departmental reference library, compiles labour statistics, collects information pertaining to labour administration and co-ordinates training activities for staff of the Labour Administration Branch. In addition, the division serves as the secretariat of the Labour Advisory Board providing support services to the Board.

2.10 The Prosecutions Division and the Legal Services Division help enforce relevant legislation by instituting prosecutions against suspected offenders. Major statistics on prosecution work are at [Figure 2.1](#).

2.11 The Occupational Safety and Health Training Centre organises and co-ordinates training and development activities for staff of the Occupational Safety and Health Branch.



Occupational Safety and Health Branch Mid-year Seminar 2005-2006.

2.12 The Information Technology Management Unit offers support and advice to the development and management of information technology (IT) services.

2.13 An organisation chart of the department is set out at [Figure 2.2](#).

Customer-oriented Services

2.14 Performance standards and targets are laid down for a wide range of services. A Customer Liaison Group has been formed to collect feedback from users of the department's pledged services. For details of our performance pledges, please visit the following webpage: <http://www.labour.gov.hk/eng/perform/content.htm>.



The Customer Liaison Group meets.

Advisory Boards and Committees

2.15 The department consults various advisory boards and committees on labour matters. The most important one is the Labour Advisory Board (LAB). It is a high-level and fully representative tripartite advisory body with members from the employee and employer sectors as well as the Government. It advises the Permanent Secretary for Economic Development and Labour (Labour) on matters affecting labour, including legislation and Conventions and Recommendations of the International Labour Organization. The terms of reference and composition of the LAB and its membership for 2005-2006 are in [Figure 2.3](#).



Members of the 2005-2006 Labour Advisory Board.

CHAPTER 3 LABOUR RELATIONS

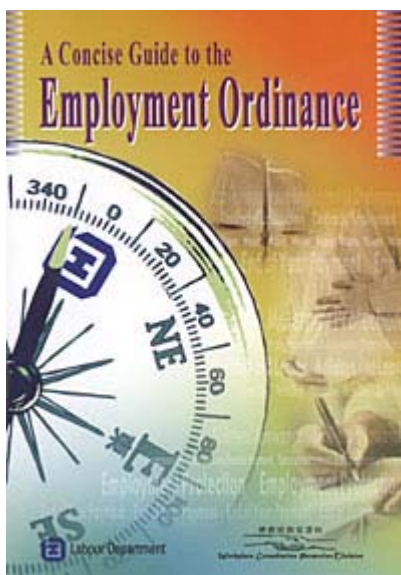
The Programme of Labour Relations

(<http://www.labour.gov.hk/eng/labour/content.htm>)

3.1 In Hong Kong, employer and employee relations are largely premised on the freely negotiated terms and conditions of employment entered into between the two parties. Employers and employees in Hong Kong are free to form trade unions and participate in union activities. Trade unions are required to be registered under the Trade Unions Ordinance. The objective of the Labour Relations Programme is to maintain and promote harmonious labour relations in the non-government sector. We achieve this by:

- giving advice on matters relating to conditions of employment, provisions of the Employment Ordinance and good people management practices;
- providing voluntary conciliation service to help employers and employees resolve their employment claims and disputes;
- promoting understanding of labour laws and encouraging good labour management practices;
- adjudicating minor employment claims speedily through the Minor Employment Claims Adjudication Board; and
- registering and regulating trade unions to bring about sound and responsible trade union administration.

3.2 The principal legislation administered by this programme area includes the Employment Ordinance (EO), the Labour Relations Ordinance, the Minor Employment Claims Adjudication Board Ordinance and the Trade Unions Ordinance (TUO).



The Labour Department produces a brief guide on the main provisions of the Employment Ordinance.

3.3 With the provision of a comprehensive set of employment standards, the EO is the main piece of legislation governing conditions of employment in the non-government sector. The procedures for settling labour disputes in the non-government sector are provided in the Labour Relations Ordinance. The Minor Employment Claims Adjudication Board Ordinance establishes a machinery known as the Minor Employment Claims Adjudication Board (MECAB) to adjudicate minor employment claims when settlement cannot be achieved by conciliation. For the regulation of trade unions, the TUO provides a statutory framework for trade union registration and administration.

Our Work and Achievements in 2005

Key Indicators of Work

3.4 Some key indicators of work of the Labour Relations Programme Area are contained in [Figure 3.1](#).

Conciliation and Consultation Services

3.5 Our consultation and conciliation services have contributed to the maintenance of industrial peace. In 2005, we handled 109 959 in-person consultations, 237 labour disputes and 25 952 claims. The number of labour disputes and claims handled in 2005 was down by nine percentage points on the figure of 28 666 cases in 2004. It was the lowest since 1998. Altogether 69.8 per cent of the cases handled in 2005 were resolved amicably through conciliation, the highest settlement rate since 1994. Only one strike was recorded in 2005. As a result, the number of working days lost per thousand salaried employees and wage earners was 0.03, which is among the lowest in the world. ([Figures 3.2-3.7](#))

Proactive Efforts to Combat Wage Defaults

3.6 In 2005, the Labour Department adopted a proactive strategy to tackle the problem of non-payment of wages at source. In addition to enhancing publicity and promotion, and stepping up enforcement and prosecution, an early warning system was set up in collaboration with trade unions to gather intelligence on non-payment of wages. A pilot exercise codenamed Operation COMBAT was launched to proactively forestall problematic restaurants from evading their liabilities to pay wages. The exercise achieved notable results. To enhance the deterrent effect of the EO on wage offences, a bill was introduced into the Legislative Council in December, 2005 to raise the maximum penalty for wage offences from a fine of \$200,000 and imprisonment for one year to a fine of \$350,000 and imprisonment for three years. The new penalty will take effect from 30 March, 2006.

Strengthening Tripartite Cooperation

3.7 To promote tripartite collaboration at the industry level with a view to fostering harmonious labour relations, nine industry-based tripartite committees have been set up in the catering, construction, theatre, logistics, property management, printing, hotel and tourism, cement and concrete as well as retail industries. These tripartite committees provide useful forums for representatives of employers, employees and the Government to discuss issues of common concern in these industries. In 2005, we focused our efforts on promoting industry-specific good people management practices in collaboration with the tripartite committees. To this end, we have prepared guidebooks highlighting good human

resources management practices for specific industries. In November, a large-scale seminar was organised for the catering industry to promote good people management among traders.



Permanent Secretary for Economic Development and Labour (Labour), Mr Matthew Cheung Kin-chung, speaks at a large-scale seminar organised for the catering industry.

Promotion of Good Employer-Employee Relations

3.8 To promote better public understanding of the EO and good labour management practices, various promotional activities such as briefings and seminars were organised for employers, employees and human resources professionals. A wide range of publications was produced for free distribution to the public, including a question-and-answer booklet on major provisions of the EO that was designed in a lively fashion to attract readership. Publicity information was also disseminated through the mass media.

3.9 We had established a network of 18 Human Resources Managers' Clubs and organised experience-sharing sessions and briefings for human resources practitioners.

Adjudication of Minor Employment Claims

3.10 The Minor Employment Claims Adjudication Board provides a speedy, informal and inexpensive adjudication service to members of the public. It is empowered to determine employment claims involving not more than 10 claimants for a sum not exceeding \$8,000 per claimant.

3.11 In 2005, the board recorded 2 522 claims amounting to \$10,278,461 and concluded 2 539 claims with a total award of \$5,886,713.

Regulation of Trade Unions

3.12 The Registry of Trade Unions is responsible for the promotion of sound and responsible trade union administration, and is entrusted with the statutory duty to register trade unions, process and register their rules, and examine their annual audited statements of account to ensure that trade unions comply with the TUO.

3.13 In 2005, 28 new trade unions were registered while three trade unions were deregistered, making up a cumulative total of three registered trade union federations and 729 registered trade unions (comprising 686 employee unions, 21 employer unions and 22 mixed organisations of employees and employers). Please refer to the following webpage for the key trade union statistics:
<http://www.labour.gov.hk/eng/labour/content3.htm>.

3.14 In the year, the Registry of Trade Unions examined 657 statements of account and conducted 366 inspection visits to trade unions to ensure that their administration and financial management were in compliance with the TUO. To facilitate trade union officers in acquiring knowledge of union law and management, the Registry organised four courses on trade union bookkeeping, auditing and provisions of the TUO.

CHAPTER 4 SAFETY AND HEALTH AT WORK

The Programme of Safety and Health at Work

(<http://www.labour.gov.hk/eng/osh/content.htm>)

4.1 The Occupational Safety and Health Branch is responsible for the promotion and regulation of safety and health at work. The objective of the Programme of Safety and Health at Work is to ensure that risks to people's safety and health at work are properly managed and reduced to the minimum by legislation, education and promotion. More specifically, we achieve the objective by:

- providing a legislative framework to safeguard safety and health at work;
- ensuring compliance with the Occupational Safety and Health Ordinance (OSHO), the Factories and Industrial Undertakings Ordinance (FIUO), the Boilers and Pressure Vessels Ordinance (BPVO) and their subsidiary regulations by conducting inspections and taking out regulatory actions;
- investigating accidents and occupational health problems at workplaces;
- improving the knowledge and understanding of employers, employees and the general public on occupational safety and health by providing them with appropriate information and advice; and
- organising promotional programmes and training courses to improve safety awareness of the workforce.

4.2 The principal legislation for safety and health at work includes the OSHO, the FIUO, and the BPVO.

4.3 With few exceptions, the OSHO protects employees' safety and health at work in practically all branches of economic activities. It is basically an enabling legislation that empowers the Commissioner for Labour to make regulations prescribing standards for general working environment as well as specific safety and health aspects at work.

4.4 The FIUO regulates safety and health at work in industrial undertakings, which include factories, construction sites, cargo and container handling areas, as well as catering establishments.

4.5 The BPVO aims at regulating the standards and operation of equipment such as boilers, pressure vessels, including thermal oil heaters, steam receivers, steam containers, air receivers and pressurised cement tanks mounted on trucks or trailers.

Our Work and Achievements in 2005

Work Safety Performance

- 4.6** Through the concerted efforts of all parties concerned, including employers, employees, contractors, safety practitioners and the Government, Hong Kong's work safety performance has been improving since 1998. The improvement of performance in the construction industry was especially remarkable.
- 4.7** The number of occupational injuries in all workplaces in 2005 stood at 44 267, a slight increase of 0.5 per cent over 44 025 cases in 2004, while the injury rate per thousand employees dropped slightly from 18.1 to 17.8, down by 1.7 per cent.
- 4.8** The work safety performance of the high-risk construction industry continued to improve. However, it still had the highest number of fatalities and accident rate. The number of industrial accidents in the construction industry decreased from 3 833 in 2004 to 3 548 in 2005, down by 7.4 per cent. The accident rate per thousand workers dropped from 60.3 in 2004 to 59.9 in 2005, down by 0.8 per cent.

Occupational Diseases

- 4.9** The number of confirmed occupational disease cases in 2005 stood at 256, similar to the figure of 251 in 2004, and the incidence rate was maintained at 10.3 cases per 100,000 employed workers. Compared to the peak in 1998, there had been a cumulative fall of 73 per cent and 74 per cent in the number and incidence rate of occupational diseases respectively.
- 4.10** For more statistics on occupational safety and health, please visit the following webpage: <http://www.labour.gov.hk/eng/osh/content10.htm>

Key Indicators of Work

- 4.11** Some key indicators of work of this programme area are shown in [Figure 4.1](#).

Legislative Improvements

- 4.12** In February 2005, amendment has been made to the list of occupational diseases specified in Schedule 2 to the OSHO by adding two notifiable occupational diseases, namely Severe Acute Respiratory Syndrome and Avian Influenza A, to better monitor the health of workers who are at risk to occupational diseases. Under the OSHO, medical practitioners are required to notify the Labour Department of cases of the specified occupational diseases that come to their attention.

Law Enforcement

- 4.13** To secure safety and health at work, we inspect workplaces, monitor health hazards, investigate work accidents and occupational diseases, register and inspect boilers and pressure equipment and advise on measures to control hazards or prevent accidents.
- 4.14** A key element in enforcement is to advise on prevention of accidents. We conducted special promotional visits to encourage employers to adopt a self-regulatory approach in managing risks at the workplace. We made regular

enforcement inspections to various workplaces to monitor if duty-holders have observed all related statutory requirements stipulated in safety legislation. In addition, we conducted 14 special blitz operations targeting at various high-risk work activities, including working-at-height, scaffolding work, container handling and storage, handling of hazardous chemicals, and use of tower cranes. Some of these blitz operations were conducted not only on normal working days but also at night and during holidays to detect and clamp down on offending contractors. In these 14 operations, a total of 37 678 workplaces were inspected, with 706 prosecutions initiated, 587 improvement notices and 94 suspension notices issued.

4.15 We continued to put establishments with poor safety performance under close surveillance. Improvement notices or suspension notices were issued when necessary to secure a speedy rectification of irregularities, or to remove imminent risk to lives and limbs. Many of these companies, especially those in the construction industry, have shown significant improvements in their safety performance. In the light of the rising accident trend in container handling and building renovation and maintenance works, we have intensified our enforcement actions on the workplaces of these high risk trades. We have also enhanced the intelligence reporting system on unsafe renovation and maintenance works with the Hong Kong Association of Property Management Companies. In 2005, a total of 421 enquiry/complaint/referral cases were received through the system. As a result of inspections to follow up on these cases, 102 suspension/improvement notices were issued and 88 prosecutions taken out.

4.16 With a view to preventing the transmission of infectious diseases at work, we conducted focused inspections of high-risk workplaces including hospitals, clinics and elderly homes to ensure adequate provision of personal protective equipment and proper training in the use of the equipment. Inspection to warehouses was stepped up to ensure adequate protection of warehouse workers from inhalation of excessive exhaust gases and other air impurities. We also enhanced the inspection of offices to tie in with our initiative in preventing musculoskeletal disorders in office workers and hazards associated with the prolonged use of display screen equipment. In the year, 427 warnings and 50 improvement notices were issued.

4.17 The Commissioner for Labour, as the Boilers and Pressure Vessels Authority, recognises competent inspection bodies to assess and inspect new pressure equipment during manufacturing. As at the end of 2005, there were 30 appointed examiners and seven recognised inspection bodies. We also conduct examinations, monitor courses for training of competent persons and issue certificates of competency to qualified candidates as competent persons for various types of boilers and steam receivers. In 2005, 477 candidates were examined, of whom 411 were awarded certificates of competency. We also advise the Fire Services Department on approval and preliminary inspections of pressurised cylinders and storage installations for compressed gas.



Joint inspection of a boiler by a surveyor and an appointed inspector.

4.18 As at the end of 2005, a total of 162 345 workplaces, including 15 035 construction sites, were recorded. In the year, 118 907 inspections were conducted under the OSHO and the FIUO, while 4 807 inspections were made under the BPVO. As a result, 34 292 warnings were issued by Occupational Safety Officers while 2 590 warnings were given under the BPVO. Altogether, 1 568 suspension or improvement notices were issued. We also carried out 12 588 and 2 410 investigations on accidents and suspected occupational diseases respectively in the year. Among the suspected occupational diseases, 256 cases were confirmed.

Safety Training and Occupational Health Education

4.19 We provide training-related services to help industry reduce occupational injuries. Such services are divided into three broad categories, namely provision of training courses, accreditation of external training providers and registration of safety officers and safety auditors.

4.20 In 2005, we conducted 469 training courses on safety legislation for 3 375 participants and 355 tailor-made safety briefing sessions for 10 432 employees. We also accredited seven mandatory basic safety training courses for the construction and container-handling industries. As at year end, more than 768 000 persons have completed the training. We also accredited three confined spaces safety training courses and one loadshifting machinery safety training course.

4.21 In 2005, 116 applicants were registered as safety officers while 95 applicants were registered as safety auditors. As at the end of 2005, there were 2 793 persons on the register of safety officers and 801 persons on the register of safety auditors. Furthermore, we started to accept applications for renewal of registration as safety officers with effect from 7 September 2005. A total of 153 applicants were approved for renewal of their registrations as at the end of 2005.

4.22 Occupational health education is an important strategy for the control of

occupational health hazards and prevention of occupational diseases. Apart from the conventional way of organising health talks at our own premises, we have also developed outreaching services for occupational health education by delivering talks at the venues of individual companies or organisations. In 2005, we delivered a total of 1 701 health talks.

Safety and Health Promotion

- 4.23** To inculcate a safety culture and enhance safety awareness, we organised a series of promotional activities in 2005, some in conjunction with other organisations such as the Occupational Safety and Health Council, trade associations, workers' unions and other government departments.
- 4.24** Under the Customer Service Teams Project, volunteers visited over 15 000 small and medium-sized enterprises to introduce the OSHO and promote the safety management concept to employers and employees.
- 4.25** The well-received Catering Industry Safety Award Scheme and the Construction Industry Safety Award Scheme were organised again in the year. Campaigns were also launched to promote and publicise the safety of working-at-height and scaffolding work in construction sites, the safety in renovation and maintenance of buildings, and the safety at work in the container handling and storage sector.



Occupational safety and health seminar cum briefing session of the Catering Industry Safety Award Scheme.



Roving exhibition to promote safety in the catering industry.

- 4.26** With the joint efforts of the Occupational Safety and Health Council, trade associations and workers' unions, seminars and large-scale promotional activities were organised to promote the work safety of truss-out scaffold which is commonly used in building renovation and maintenance work.



Opening ceremony of the truss-out scaffold safety seminar.



Truss-out scaffold work safety exhibition.

4.27 A sponsorship scheme was jointly launched with the Occupational Safety and Health Council to provide financial assistance to small and medium-sized enterprises to purchase fall protection equipment and anchor device for use in work involving truss-out scaffold.

4.28 The Occupational Safety Charter was jointly launched with the Occupational Safety and Health Council in 1996 to promote the spirit of "shared responsibility" in workplace safety and health, as well as setting out a safety management framework for employers and employees to work together to create a safe and healthy working environment. By the end of 2005, 823 organisations, including public utilities companies, industrial and non-industrial establishments, banks, construction companies, unions and associations, had subscribed to the Occupational Safety Charter.



PCCW subscribes to the Occupational Safety Charter.

4.29 As work-related musculoskeletal disorders had become an increasingly important occupational health problem in recent years, we strengthened our publicity efforts to promote the prevention of these diseases in office workers. This was achieved through different means including announcements in the public interest on the radio and television, mobile advertising media, newspaper articles, occupational health talks, exhibitions, posters and booklets.

4.30 In 2005, 14 new occupational safety and health publications were published, including a code of practice for the safe use of excavators, guidance notes on chemical safety in the printing industry, and safety and health at work for use and maintenance of rechargeable battery; other safety guides on safety at work in cleaning buildings, safety hints on demolition of unauthorised building works, and work-related disease series - lower limb varicose vein; guide to legislation on the provisions for safe places of work under Part VA of the Construction Sites (Safety) Regulations, occupational safety and health statistics bulletin issue No.5 (July 2005), and a booklet on work stress.



Publications on occupational safety and health.

4.31 The Occupational Safety and Health Centre provides one-stop information and advisory services to workers and employers. In 2005, we handled 17 534 enquiries, advising on various occupational safety and health matters.

Medical and Clinical Services

4.32 Our medical and nursing staff at the Occupational Health Clinic provides clinical consultations, medical treatment as well as occupational health education and counselling services for workers suffering from work-related diseases. The workplaces of the patients are inspected if necessary to identify and evaluate occupational health hazards in the work environment. We also assess the medical

fitness for work of radiation workers, aviation personnel and government employees exposed to specific occupational health hazards.

4.33 In 2005, 9 395 clinical consultations were rendered, and 2 570 medical examinations and assessments conducted. Five patient support groups were organised to promote patients' treatment compliance and sustainability in good work practices through health talks, experience sharing and peer support.



Occupational health counselling.



Occupational health talk.

CHAPTER 5 EMPLOYMENT SERVICES

The Programme of Employment Services

(<http://www.labour.gov.hk/eng/service/content.htm>)

5.1 One of the foremost concerns of the Labour Department in 2005 was to promote employment. To complement the job creation efforts of the Government, we give every assistance to local job-seekers, particularly the more vulnerable groups. The objective of the Employment Services Programme is to provide a comprehensive range of free and efficient employment assistance and counselling services to help job-seekers find suitable jobs and employers fill their vacancies. We achieve this by:

- providing user-friendly employment services to employers and job-seekers;
- offering intensive employment-related assistance and personal service to vulnerable groups of unemployed people;
- assisting young people to enhance their employability and advising them on careers choice;
- regulating local employment agencies;
- safeguarding the interests of local employees employed by employers outside Hong Kong to work in other territories; and
- ensuring that employment opportunities for local workers are not adversely affected by abuse of the labour importation scheme.

5.2 The two principal legislation administered by this programme area are the Employment Agency Regulations made under the Employment Ordinance and the Contracts for Employment Outside Hong Kong Ordinance.

5.3 The Employment Agency Regulations, together with Part XII of the Employment Ordinance, regulate the operation of employment agencies in Hong Kong through a licensing system, inspection, investigation and prosecution.

5.4 The Contracts for Employment Outside Hong Kong Ordinance safeguards the interests of local manual workers and those non-manual employees with monthly wages not exceeding \$20,000 who are recruited by employers outside Hong Kong to work in other territories through the attestation of employment contracts for these jobs.

Our Work and Achievements in 2005

Employment Situation in Hong Kong

5.5 The labour market remained buoyant in 2005. The department received an all-

time high of 425 952 vacancies from the private sector, a hefty increase of 43 per cent when compared with 297 186 in 2004. For data on labour force, unemployment rate and underemployment rate, please visit the following webpage: http://www.censtatd.gov.hk/hong_kong_statistics/statistical_tables/index.jsp?charsetID=1&subjectID=2&tableID=006.

Key Indicators of Work

5.6 To better serve the public, the department vigorously stepped up its employment services for job-seekers. A record-high figure of 113 090 placements was achieved for 2005, up 31 per cent over the level of 86 257 in 2004. (Figures 5.1 and 5.2)

A Wider Service Choice

Services offered at Job Centres

5.7 Job-seekers can select suitable vacancies and seek referral service at all job centres. Modern facilities such as digital display system, self-service touch-screen vacancy search terminals, fax machines, toll-free telephones, computers connected to the Internet and a careers information corner are available.



User-friendly facilities for job-seekers at a job centre.



Secretary for the Civil Service Mr Joseph Wong Wing-ping and Permanent Secretary for Economic Development and Labour (Labour) Mr Matthew Cheung Kin-chung try out the vacancy search terminal at a job centre.

5.8 Through the Job Matching Programme, placement officers help job-seekers evaluate their academic qualifications, job skills, work experience and job preferences, and encourage them to look for suitable jobs actively. Placement officers also introduce suitable retraining courses to job-seekers where appropriate.



A placement officer provides employment counselling service to a job-seeker under the Job Matching Programme.

Telephone Employment Service

5.9 Job-seekers registered at the Labour Department may call our Telephone Employment Service Centre on 2969 0888 for job referral service. Through conference calls, staff of the Centre can make arrangement for job-seekers to talk to employers directly.

Internet Employment Service

5.10 Our Interactive Employment Service (iES) website (<http://www.jobs.gov.hk>) provides round-the-clock Internet employment service and comprehensive employment information. The iES is one of the most popular government websites in Hong Kong, accounting for about one-third of the page views for all government websites. In 2005, the iES achieved a record number of 869 million page views, an increase of 27 per cent over 2004. It hyperlinks with leading employment websites in Hong Kong and hosts a number of dedicated webpages for specific clientele groups. The iES was awarded the Championship of 2005 Civil Service Outstanding Service Award Scheme - e-Service Team Award.



The highly popular Interactive Employment Service website.

Central Processing of Job Vacancies

5.11 Employers who need to recruit staff can send their vacancy information to our Job Vacancy Processing Centre by fax (2566 3331) or telephone (2503 3377) or through the Internet (<http://www.jobs.gov.hk>). Vacancy information will be posted at all job centres and uploaded onto the iES through computer network in one working day.

Special Recruitment and Promotional Activities

5.12 We organise a variety of activities to promote our employment services. Visits and briefings are conducted to appeal for vacancies from employers. Recruitment seminars and job fairs are held to facilitate job-seekers and employers to meet and communicate directly. In 2005, these special recruitment and promotional activities included territory-wide large-scale job fairs as well as thematic

functions such as "Job Fair for Tertiary Education Graduates". To assist job-seekers living in remote areas in securing employment, large-scale job fairs were held in Tin Shui Wai, Sheung Shui, Tuen Mun, Kwai Chung and Tsing Yi. Moreover, to respond more promptly to the recruitment needs of employers and provide a more user-friendly service to job-seekers of different districts, we held job fairs at our major job centres to assist employers to recruit local staff and to enable job-seekers to participate in job interviews without long-distance travelling. These activities reached out to some 133 000 job-seekers and employers.



Large-scale recruitment activities provide opportunities for job-seekers and employers to meet and communicate directly.

Intensified Services for the Most Needy

Middle-aged Job-seekers

5.13 The Employment Programme for the Middle-aged was launched in May 2003 to provide intensive employment service to job-seekers aged 40 or above. Employers who engage a participant of the programme in a full-time long-term post and offer him on-the-job training will receive a training allowance of \$1,500 per month, for up to three months. As at the end of 2005, 18 040 placements were achieved through the programme.

Work Trial Scheme (WTS)

5.14 We launched the Work Trial Scheme in June 2005 to enhance the employability of job-seekers who have special difficulties in finding jobs. There is no age limit for applicants. During the one-month work-trial, participants will be arranged to work in jobs offered by participating organisations. On completion of the one-month work trial, the Labour Department will pay each participant an allowance of \$4,500, while the participating organisation will contribute an additional allowance of \$500. As at the end of 2005, a total of 321 job-seekers had been placed into work trials.

Local Domestic Helpers (LDHs)

5.15 To address the mismatch in supply and demand in the LDH market and to promote LDH service, the Special Incentive Allowance Scheme was launched in June 2003. A sum of \$60 million was earmarked to provide incentive allowance to qualified LDHs who are willing to work across districts or during unsocial hours (i.e. outside 9 am to 5 pm on Monday to Friday). It is estimated that some 8 000 LDHs will benefit from the scheme. Successful applicants will receive an allowance of \$50 per day, with an overall cap of \$7,200. As at year end, there were about 6 150 approved applications. The scheme rules were further relaxed in December 2005 to allow more flexibility for eligible LDHs to make claims. In the year, we continued to publicise our dedicated employment services for LDHs through the website of the iES, roving exhibitions, job fairs and many other promotional efforts.

New Arrivals

5.16 We provide through our job centres a comprehensive range of employment services to new arrivals. These include employment counselling, job referral, employment briefing and employment information.

Workers affected by Large-scale Retrenchment

5.17 In the event of major retrenchment, we will assign special counters at the job centres or will render on-the-spot employment services to workers affected. In 2005, the service reached out to 3 376 retrenched workers of 25 companies.

Job-seekers with Disabilities

5.18 The Selective Placement Division (SPD) offers employment assistance to disabled job-seekers looking for open employment. Placement officers will provide personalised counselling, employment services and, where appropriate, make referrals to tailor-made retraining programmes. In 2005, the SPD registered 3 920 disabled job-seekers and helped place 2 459 of them into employment, representing an all-time high placement rate of 62.7%. ([Figure 5.3](#))



A Placement Officer of the SPD accompanies her client to attend a job interview.

Work Orientation and Placement Scheme

5.19 In April 2005, the Labour Department launched the Work Orientation and Placement Scheme to enhance the employability of people with disabilities. The scheme features pre-employment training to disabled job-seekers on job-search/interviewing techniques and communication/interpersonal skills, etc, as well as a monthly allowance to the participating employers equivalent to half-month's wages of each disabled employee engaged (subject to a ceiling of \$3,000) for up to three months. As at year end, the scheme recorded 279 disabled participants in this training programme and achieved 262 work placements.

Self Help Integrated Placement Service

5.20 The Self Help Integrated Placement Service (SHIPS) aims at improving the job-searching skills of disabled job-seekers and encouraging them to be more proactive in the search for jobs, thereby enhancing their employment opportunities. In 2005, 520 disabled job-seekers participated in the programme. The overall placement rate was about 70 per cent.

Interactive Selective Placement Service (iSPS) Website

5.21 The SPD launched an Interactive Selective Placement Service (iSPS) Website (<http://www.jobs.gov.hk/isps>) in January 2003 to provide enhanced employment

services for disabled job-seekers and employers through the Internet. The website enables disabled persons to register or renew their registrations with the SPD, browse job vacancy information and perform preliminary job-matching. It also enables employers to place vacancy orders with the SPD, identify suitable disabled job-seekers to fill their vacancies and request the SPD to refer candidates to them for selection interview. Response to the iSPS has been very favourable. In 2005, it recorded a total of 1.96 million page views and 9 894 online requests for the SPD's services.

Promotional Activities

5.22 During the year, the SPD organised the Outstanding Disabled Employees Award and the Enlightened Employers Award Presentation Ceremony and produced a series of radio programmes to enhance public understanding of the working abilities of people with disabilities. We also held seminars for employers and conducted special promotional campaigns on targeted trades to canvass job vacancies.



Representatives of a property management company (left and right) share their experience in employing disabled persons in a seminar organised by the SPD.

Services for Young People

Youth Work Experience and Training Scheme (YWETS)

5.23 The YWETS features 50 hours of career guidance and counselling services to trainees by case managers who are registered social workers; 40 hours of induction training on communication and interpersonal skills for trainees; a training subsidy payable to employers at the rate of \$2,000 per trainee per month during the training period; and a training allowance of \$4,000 payable to trainees who undertake vocational training courses on an off-the-job basis.

5.24 In 2005, the YWETS continued to develop special tailor-made projects for industries and individual establishments. The integration of the YWETS with the YPTP enables the running of "through train" training programmes under which pre-employment job skill training custom-made to suit a company's needs is provided under the YPTP to be immediately followed by on-the-job training under the YWETS. This new mode of training is popular amongst large establishments and enables trainees to be engaged in decent work and attain sustainable career development.



Trainees receive pre-employment job skill training at a project tailor-made for an establishment.

5.25 The target of providing 20 000 training places for young people by July 2006 was achieved in early April 2005, 16 months ahead of schedule. As at the end of 2005, 26 084 trainees were successfully placed in training vacancies under the scheme. In addition, 14 257 trainees were placed in other jobs in the open employment market with the advice and assistance of their case managers.

5.26 Feedback from trainees, employers and case managers on the YWETS is highly favourable. Independent consultants from the Centre for Social Policy Studies of the Hong Kong Polytechnic University also confirmed the effectiveness of the scheme in enhancing the employability of young people in a comprehensive review on the scheme that was completed in 2005.

Youth Pre-employment Training Programme (YPTP)

5.27 In 2005, we continued with the YPTP and provided a wide range of employment-related training and workplace attachment opportunities to over 9 200 young persons aged between 15 and 19. Government departments, training bodies and voluntary agencies join hands to provide the following four modular training: (a) leadership, discipline and team building; (b) job-search and interpersonal skills; (c) elementary/ intermediate computer application; and (d) job-specific skills training. Organisations from the private and public sectors as well as social welfare agencies offer workplace attachment places for trainees so they can obtain practical work experience and better understand the real work environment. Professional youth workers are available to provide career counselling and support services throughout the programme. In the new phase of the programme, we have added a number of training courses geared to market needs and have also introduced further improvements to the YPTP. To meet the different training needs of trainees and enhance their employability, they can now enroll into more skill courses and have more options in their choice of courses from the different modules. The workplace attachment allowance has also been

increased from \$1,000 to \$2,000 to encourage more trainees to gain actual work experience. Apart from those who decided to pursue further studies on completion of the programme, over 70 per cent of the trainees had secured employment.



A YPTP trainee participates in leadership, discipline and team building training.



Through job-specific skill training, a YPTP trainee learns about coffee mixing skill to prepare himself for entering the catering industry.

5.28 To maximise the benefits for trainees of the YPTP and the YWETS, a "Revolving Door" mechanism has been introduced by allowing them to move between the two programmes at different stages during the programme year. Together, the two programmes provide one-stop training and employment services to young people aged 15 to 24.

Youth Self-employment Support Scheme (YSSS)

5.29 The YSSS was launched in May 2004 as a pilot scheme to train and assist young people to become self-employed. Under the scheme, a total of 1 475 trainees had received one-year training and a full range of support services and facilities under 36 projects from commissioned non-government organisations.

5.30 To promote the YSSS and help trainees canvass business opportunities, different promotional activities were organised during the year. Among them, a large-scale Flea Market was held. When the scheme ended on 30 September 2005, the trainees had successfully completed 10 443 business transactions with profits of more than \$5.1 million.



YSSS trainees give an interview to the media.



A YSSS trainee explains his self-employed business to the Permanent Secretary for Economic Development and Labour (Labour) Mr Matthew Cheung Kin-chung (right) at the Flea Market.

Careers Information and Guidance

5.31 Our Careers Advisory Service promotes careers education and helps young people choose a career best suited to their talents, interest and abilities. We provide up-to-date information on employment and training opportunities as well as careers counselling and guidance service through our careers information centre. In addition, people can visit our website (<http://www.labour.gov.hk/careers>) to gain quick access to a wide range of careers information.



A staff member of the Careers Advisory Service offers counselling service to students.

5.32 We organise a variety of careers activities throughout the year to enhance careers awareness among young people and provide them with first-hand careers information. In February, we organised the 15th Education and Careers Expo

jointly with the Hong Kong Trade Development Council to provide the latest information on careers development and further education opportunities. There were 477 participating exhibitors from a wide range of trades, government departments, professional bodies, as well as local and overseas educational and training institutes. The event, which attracted 185 191 visitors, was the most popular careers information event in Hong Kong.



The Labour Department provides careers information through the Education & Careers Expo 2005.

5.33 In July and August, we offered a special service package for Secondary 5 school leavers to provide them with a full range of counselling and information on careers and further education opportunities. A hotline and chat room service were set up. An Information Expo, which was held in collaboration with the Education and Manpower Bureau, attracted over 15 000 visitors. More than 96 000 copies of the tailor-made careers handbook were distributed.

5.34 One part-time foundation certificate course was organised for in-service careers masters in the 2005/2006 school year in collaboration with the Education and Manpower Bureau.

Regulating Local Employment Agencies and Employment Outside Hong Kong

5.35 We monitor the operation of employment agencies through licensing, inspection and investigation of complaints. In 2005, 1 650 employment agency licences were issued, four licences were revoked and two applications for issue of licence refused. As at year-end, there were 1 561 licensed employment agencies in Hong Kong. A total of 1 381 enforcement inspections were made to employment agencies in the year.

5.36 We regulate employment outside the territory to safeguard the interests of local employees engaged by employers outside Hong Kong to work in other territories by attesting all employment contracts entered in Hong Kong involving manual employees and non-manual employees with monthly wages not exceeding \$20,000.

Regulating Labour Importation

Supplementary Labour Scheme

5.37 To cater for the genuine needs of employers, the department administers the Supplementary Labour Scheme that allows the entry of imported workers to take up jobs at technician level or below and which cannot be filled locally. The scheme operates on the principles of ensuring the priority of local workers in employment while allowing employers with proven local recruitment difficulties to import labour to fill the necessary job vacancies. As at the end of 2005, 1 009

workers were imported under the scheme in Hong Kong.

5.38 We provide active job matching and referral services to local job-seekers to ensure their employment priority. Vacancies under the scheme are widely publicised locally. To facilitate local workers in filling the vacancies, they could attend tailor-made retraining courses, if appropriate. Applications from employers who have set restrictive or unreasonable requirements in terms of age, education, sex, skill or experience for the vacancies or who have no genuine intention to employ local workers will be rejected.

Policy on Foreign Domestic Helpers (FDHs)

5.39 FDHs have been admitted to work in Hong Kong since 1970's. Like other migrant workers, they enjoy the same statutory rights and benefits as local employees. The Government attaches great importance to protecting the welfare of FDHs, and has taken every step to safeguard their statutory and contractual rights. Claims of breach of statutory rights will be promptly investigated and prosecution action will be taken if there is sufficient evidence. The rights and benefits of FDHs are also widely publicised. To this end, the Labour Department and the Immigration Department staged two Information Expos for FDHs at places they frequently gather on their rest days in October 2005. The expos were the first of its kind to reach out to the community. The Labour Department has also strengthened its ties with consulates of the FDH-exporting countries and non-government organisations serving FDHs to better address the concerns of the helpers.

5.40 As at the end of 2005, there were 223 200 FDHs in Hong Kong, an increase of 2.2 per cent compared with 218 430 in 2004. About 52.9 per cent of the FDHs in Hong Kong were from the Philippines and 43.4 per cent from Indonesia.

CHAPTER 6 EMPLOYEES' RIGHTS AND BENEFITS

The Programme of Employees' Rights and Benefits

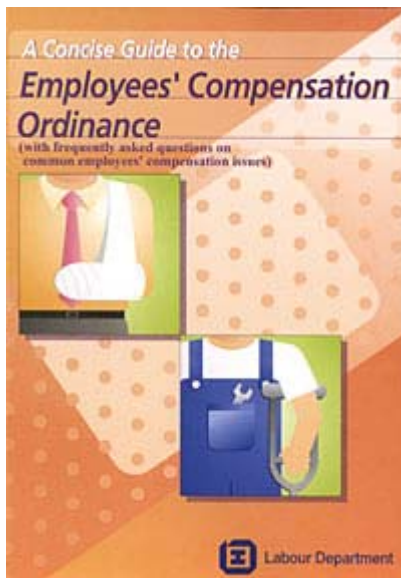
(<http://www.labour.gov.hk/eng/erb/content.htm>)

6.1 The objective of the Employees' Rights and Benefits Programme is to improve and safeguard employees' rights and benefits in an equitable manner. Our aim is to progressively enhance employment standards in a way which is commensurate with the pace of Hong Kong's economic and social developments and which strikes a reasonable balance between the interests of employers and employees. We achieve this by:

- setting and refining employment standards in consultation with the Labour Advisory Board;
- ensuring compliance with statutory and contractual terms and conditions of employment through inspection to workplaces, investigation into suspected breaches of the statutory provisions and prosecution of offenders;
- processing employee compensation claims;
- maintaining close partnership with statutory bodies set up for protecting the rights and benefits of employees; and
- providing customer-oriented information service to ensure that employees and employers know their rights and obligations.

6.2 The principal legislation administered by this programme area includes the Employees' Compensation Ordinance (ECO), the Pneumoconiosis (Compensation) Ordinance (PCO), the Employment Ordinance (EO) and its subsidiary Employment of Children Regulations and Employment of Young Persons (Industry) Regulations, as well as Part IVB of the Immigration Ordinance.

6.3 The ECO establishes a no-fault, non-contributory employee compensation system under which individual employers are liable to pay compensation for work-related injuries or fatalities. The ordinance requires all employers to possess valid insurance policies to cover their liabilities under the ordinance and at common law.



The Labour Department publishes a guide on the application of the Employees' Compensation Ordinance, liability of employers, and amount of compensation for injured employees or death cases.

- 6.4** The PCO provides compensation to persons who suffer from pneumoconiosis. Compensation is paid from the Pneumoconiosis Compensation Fund, which is administered by the Pneumoconiosis Compensation Fund Board.
- 6.5** The EO is the main piece of legislation governing conditions of employment in the non-government sector. The Employment of Children Regulations made under the EO prohibit the employment of children below the age of 15 in industrial undertakings and regulate the employment of children who have attained the age of 13 but under 15 in non-industrial establishments. The Employment of Young Persons (Industry) Regulations set out requirements on the working time arrangements for young persons employed in the industrial sector and prohibit their employment in dangerous trades.
- 6.6** The Labour Department also administers Part IVB of the Immigration Ordinance to combat illegal employment in order to protect the employment opportunities of local workers.

Our Work and Achievements in 2005

Key Indicators of Work

- 6.7** We stepped up our efforts to safeguard the rights and benefits of employees through various activities in 2005. Some key indicators of work of this programme area are shown in [Figure 6.1](#).

Stepping Up Enforcement Against Wage Offences

- 6.8** The department takes a serious view on late payment and underpayment of wages and has put in place effective arrangements to enforce statutory provisions governing payment of wages. In 2005, the department adjusted its enforcement strategy by stepping up prosecution against company directors who willfully delayed payment of wages. We conducted territory-wide blitz operations and inspections to workplaces to detect wage offences. Labour inspectors actively interviewed employees during territory-wide routine inspections to combat wage offences, and the Employment Claims Investigation Division conducted in-depth investigation into suspected wage offences under the Employment Ordinance promptly. Prosecutions are taken out against the employers once sufficient evidence is available.

6.9 With the department continuing in stepping up enforcement action in 2005, the number of summonses heard in respect of wage offences rose to 908, representing an increase of 30.3 per cent over the figure of 697 summonses in 2004. As for summonses convicted, the number was 587 for 2005 as against 504 in 2004, an increase of 16.5 per cent. A company director and two other employers were either imprisoned or given suspended jail sentences in 2005 for defaulting wage payments. On the other hand, the highest fine recorded in a case was \$120,000. In addition, two employers who committed wage offences were sentenced to jail after they failed to pay the court as ordered. These sentences should have sent a strong message to employers on the seriousness of wage defaults.

Legislative Proposals to Protect and Improve Employee Benefits

6.10 In 2005, we amended the Employees' Compensation Ordinance to include Severe Acute Respiratory Syndrome (SARS) and Avian Influenza A as prescribed occupational diseases. The amendment aims at expediting the compensation process for employees infected with the two occupational diseases during their working in the specified high-risk occupations. A corresponding amendment has also been made to the list of occupational diseases specified in the Occupational Safety and Health Ordinance to enable us to better monitor the health of workers who are at risk to occupational diseases.

In June 2005, we introduced an amendment bill into the Legislative Council to recognise Chinese medicine under the Employment Ordinance, the Employees' Compensation Ordinance, and the Pneumoconiosis (Compensation) Ordinance.

Vigorous Enforcement Against Illegal Employment

6.11 We have stepped up our enforcement efforts to ensure that the statutory rights of employees under labour legislation are well protected.

6.12 In 2005, labour inspectors carried out 133 014 workplace inspections to establishments in different trades, among which 131 399 inspections were also conducted to combat illegal employment. ([Figure 6.2](#)) We strengthened the collection and analysis of intelligence on illegal employment activities, and organised more joint operations with the Police and the Immigration Department. A total of 538 illegal workers and 237 employers suspected of employing illegal workers were arrested in the year. We also publicised our complaint telephone hotline (2815 2200) to facilitate members of the public to provide intelligence on illegal employment activities.





Suspected illegal workers being caught in joint operations with the Police.

- 6.13** We conducted routine inspections and trade-targeted operations to enforce the compulsory requirement of taking out employee compensation insurance policy under the Employees' Compensation Ordinance. In the year, a total of 61 055 establishments of various economic sectors were inspected. Employers failing to comply with the statutory requirement were prosecuted.
- 6.14** In the year, we continued to work closely with government departments in monitoring their service contractors to ensure that non-skilled employees of the contractors enjoyed their statutory rights and benefits. A total of 786 inspections were conducted to the workplaces of such workers, representing an increase of 30 per cent as compared with 2004, and 2 881 workers were interviewed. Contractors found to have breached labour legislation were prosecuted. Offence records and suspected breaches of contract terms were sent to concerned departments for administrative sanctions wherever appropriate.
- 6.15** To ensure compliance with the required conditions under the Supplementary Labour Scheme, we investigated 25 complaints and cases on suspected irregularities such as allegations on deprivation of statutory holidays or rest days, long working hours and underpayment of wages of imported workers.

Processing Employee Compensation Cases

- 6.16** Under the current no-fault employee compensation system, compensation is payable to injured employees or family members of deceased employees for any work-related injuries or deaths. Claims for compensation involving fatality are determined by the courts or the Commissioner for Labour under the improved settlement mechanism introduced in August 2000.
- 6.17** Information on employee compensation cases reported is shown in [Figures 6.3](#) and [6.4](#). We processed 34 122 non-fatal cases involving sick leave exceeding three days which were reported in 2005. These included 12 085 cases settled directly between employers and employees. Compensation amounting to \$7.88 million and \$228 million was payable respectively to the injured employees in minor cases and in cases involving sick leave exceeding three days.
- 6.18** For the 46 587 employee compensation cases reported in 2004, 43 927 non-fatal cases with sick leave exceeding three days and 156 fatal cases were settled as at the end of 2005. A sum of \$657 million was payable as compensation to the injured employees or family members of deceased employees. The number of working days lost was 1 171 516. ([Figure 6.5](#))

6.19 The Loan Scheme for Employees Injured at Work and Dependants of Deceased Employees provides temporary relief to victims of work accidents. Under the scheme, an interest-free loan up to \$15,000 in each case will be made to eligible applicants. In 2005, a total loan of \$330,000 was approved in 22 applications.

Processing SARS-related Claims

6.20 As at end-2005, the Labour Department received a total of 415 employee compensation claims (including nine fatal cases) relating to SARS reported by employers under the Employees' Compensation Ordinance. Since employees infected with SARS might have other residual complications, they would be fit for assessment by the Employees' Compensation Assessment Board only when their medical conditions had stabilised. As at year-end, the Labour Department arranged a total of 356 employees infected with SARS to receive assessments in respect of respiratory impairment. Since some of the SARS employees had other complications and had received treatment from other specialties, such as orthopaedic and endocrine, the department also actively arranged assessments by the relevant specialties. As a result of the department's active follow-up action, the statutory compensation claims in seven fatal cases and 201 non-fatal cases were resolved upon the issue of certificates of compensation assessment by the department as at year-end.

Briefings and Promotional Campaigns

6.21 In 2005, we arranged four briefings for government departments and 35 briefings for imported workers to publicise the rights and obligations of the parties concerned.

6.22 Extensive publicity campaigns were launched to warn against illegal employment and to educate employers and employees about their rights and obligations under the Employees' Compensation Ordinance. We also launched a series of measures to step up publicity on employers' obligations to take out employees' compensation insurance and report work injuries in accordance with the Employees' Compensation Ordinance. In encouraging the public to build on their strengths through life-long learning and enhancing their understanding of the Employees' Compensation Ordinance, a "Web-based Introductory Self-learning Programme on the Employees' Compensation Ordinance" was also launched in 2005.



Leaflets warning against illegal employment.



Anti-illegal employment advertisement on bus body.



Posters and leaflets are produced to remind employers of their obligations to take out employees' compensation insurance and report work injuries.



Seminar on the Employees' Compensation Ordinance to enhance participants' understanding of the Ordinance and the procedures in processing employees' compensation cases.



The Web-based Introductory Self-learning Programme on the Employees' Compensation Ordinance.

Partnership with Statutory Bodies

6.23 We maintain close partnership with various statutory bodies that are set up by statutes for implementing the different schemes for the protection of the rights and benefits of employees.

Protection of Wages on Insolvency Fund Board

6.24 The Protection of Wages on Insolvency Ordinance (PWIO) provides for the establishment of the Protection of Wages on Insolvency Fund (the Fund) and its administration by a board. Under the PWIO, employees who are owed wages, wages in lieu of notice and severance payment by their insolvent employers may apply to the Fund for ex gratia payment within six months after their last day of service.

6.25 We provide administrative support to the Protection of Wages on Insolvency Fund Board by verifying applications and approving payment from the Fund. In 2005, we received 9 967 applications, a substantial drop of 27 per cent as compared with 13 631 in 2004. It was also the lowest since 1997. We processed 12 392 applications, leading to payment of \$205 million. A breakdown of applicants classified by economic sector was shown in [Figure 6.6](#). The Fund Board secured a government bridging loan of \$695 million in 2002 and made the first drawdown of \$22 million in March 2004 in order to enable the Fund to tide over its short-term cash flow problem. The Fund Board made full repayment of the sum plus interest in April 2005. The financial position of the Fund also improved continuously and recorded a surplus of \$259 million by the end of 2005.

6.26 Both the department and the Fund Board attach great importance to protecting the Fund from abuse. To this end, stringent vetting procedures are in place to process all applications. An inter-departmental task force has been formed by representatives of the Labour Department, Official Receiver's Office, Commercial Crime Bureau of the Police Force and Legal Aid Department to take concerted actions against suspected fraudulent cases. In 2005, we further launched proactive measures to prevent abuse of the Fund by clamping down at source on employers evading their wage liabilities.

Pneumoconiosis Compensation Fund Board

6.27 The Pneumoconiosis Compensation Fund Board (PCFB) is established under the Pneumoconiosis (Compensation) Ordinance (PCO) to provide compensation to persons suffering from pneumoconiosis. The Board is financed by a levy collected from the construction and quarrying industries. Under the PCO, the Labour Department is responsible for determining whether an applicant is entitled to compensation. As at the end of 2005, 1 963 eligible persons were receiving compensation in the form of monthly payments from the PCFB. In the year, the Board made a total compensation payment of \$160 million.

Employees Compensation Assistance Fund Board

6.28 The Employees Compensation Assistance Fund Board (ECAFB) is set up under the Employees Compensation Assistance Ordinance (ECAO). The ECAFB is responsible for running the Employees Compensation Assistance Scheme which provides payment to injured employees who are unable to receive their entitlements for employment-related injuries from their employers or insurers. In 2005, the Board approved 188 applications, leading to payment of \$134 million. With effect from 1 April 2004, the Employees Compensation Insurers Insolvency Bureau established by the insurance industry has taken over from the ECAFB the responsibility of meeting the liabilities arising from employees' compensation insurance policies in the event of the insolvency of the relevant insurers.

Occupational Deafness Compensation Board

6.29 The Occupational Deafness Compensation Board is established under the

Occupational Deafness (Compensation) Ordinance to provide compensation and reimbursement of expenses incurred in purchasing, repairing and replacing hearing assistive devices to those persons who suffered from noise-induced deafness due to employment in specified noisy occupations. In 2005, the Board received 146 applications for compensation and approved 60 applications with a total compensation payout at \$5.65 million. The Board also received 216 applications in relation to the payment of expenses on hearing assistive devices and approved 210 applications. The total approved amount was \$550,000.

CHAPTER 7 INTERNATIONAL LABOUR AFFAIRS

International Instruments Setting Out Labour Standards

7.1 International Labour Conventions set by the International Labour Organization (ILO) prescribe relevant labour standards for member states. As at year end, 41 International Labour Conventions were applied to the HKSAR, with or without modification. ([Figure 7.1](#)). Other international instruments, including the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, also touch on labour standards, albeit to a much smaller extent.

7.2 A comprehensive set of labour legislation and administrative measures are in place in the HKSAR to enable the Government to implement internationally accepted labour standards. Through continuous improvements to labour legislation and administrative measures, the HKSAR maintains a level of labour standards broadly equivalent to those of neighbouring countries with similar economic development as well as social and cultural background.

Participation in the Activities of the ILO

7.3 The HKSAR may participate in the activities of the ILO, either as a member of the delegation of the People's Republic of China or, for activities which are not limited to states, on its own using the name "Hong Kong, China".

7.4 In 2005, the Labour Department continued to participate actively in activities organised by the ILO to keep abreast of the latest development of international labour matters. In the year, representatives from the HKSAR participated in the 93rd Session of the International Labour Conference held in Geneva as well as a number of other ILO seminars and workshops. ([Figure 7.2](#))

Contacts with Other Labour Administrations

7.5 Delegations of labour administrators from the Mainland and overseas countries visited the Labour Department in the year. The department also sent study missions to different provinces in the Mainland and overseas countries such as UK, Ireland, Canada, USA, Denmark, Germany, Singapore and Malaysia. Apart from strengthening mutual cooperation, these visits provided opportunities for representatives of the department to exchange views and experience with its counterparts on various labour issues.



Director of the ILO Office for China and Mongolia, Ms Constance Thomas (third from left), meets Permanent Secretary for Economic Development and Labour (Labour) Mr Matthew Cheung Kin-chung, Labour Advisory Board members and other officials of the Labour Department during her visit to Hong Kong.



Assistant Commissioner for Labour (Employment Services) Mr TSANG Kin-woo (third from left) participates in the "Second Pan-Pearl River Delta Regional Joint Conference on Labour Services Cooperation" in Chengdu.

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Figure 3.4 Number of Labour Disputes Handled by the Labour Relations Division in 2005 by Cause

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Figure 7.2 Major ILO Activities Participated and Contacts with Other Labour Administrations in 2005

圖二.一 二零零五年經定罪的傳票數目及罰款總額

Figure 2.1 Number of Summonses Convicted and Total Fines in 2005

條例 Ordinance	經定罪的傳票數目 Summonses Convicted	罰款 Total Fines (\$)
鍋爐及壓力容器條例 Boilers and Pressure Vessels Ordinance		
總額 Total	72	226,300
僱員補償條例 Employees' Compensation Ordinance		
總額 Total	1 066	2,814,630
僱傭條例及附屬規例 Employment Ordinance and subsidiary regulations		
法定福利個案 Statutory benefits cases	1 608	3,354,150
青年個案 Young persons cases	4	3,800
其他 Others	11	43,600
總額 Total	1 623	3,401,550
工廠及工業經營條例及附屬規例 Factories and Industrial Undertakings Ordinance and subsidiary regulations		
工廠個案 Factory cases	424	2,313,500
建築地盤個案 Building and engineering construction cases	981	9,709,902
總額 Total	1 405	12,023,402
職業安全及健康條例及附屬規例 Occupational Safety and Health Ordinance and subsidiary regulations		
總額 Total	200	1,341,515
其他 Others		
總額 Total	0	0
合共 Grand Total	4 366	19,807,397

Organisation Structure of the Labour Department
(as at 31 December 2005)

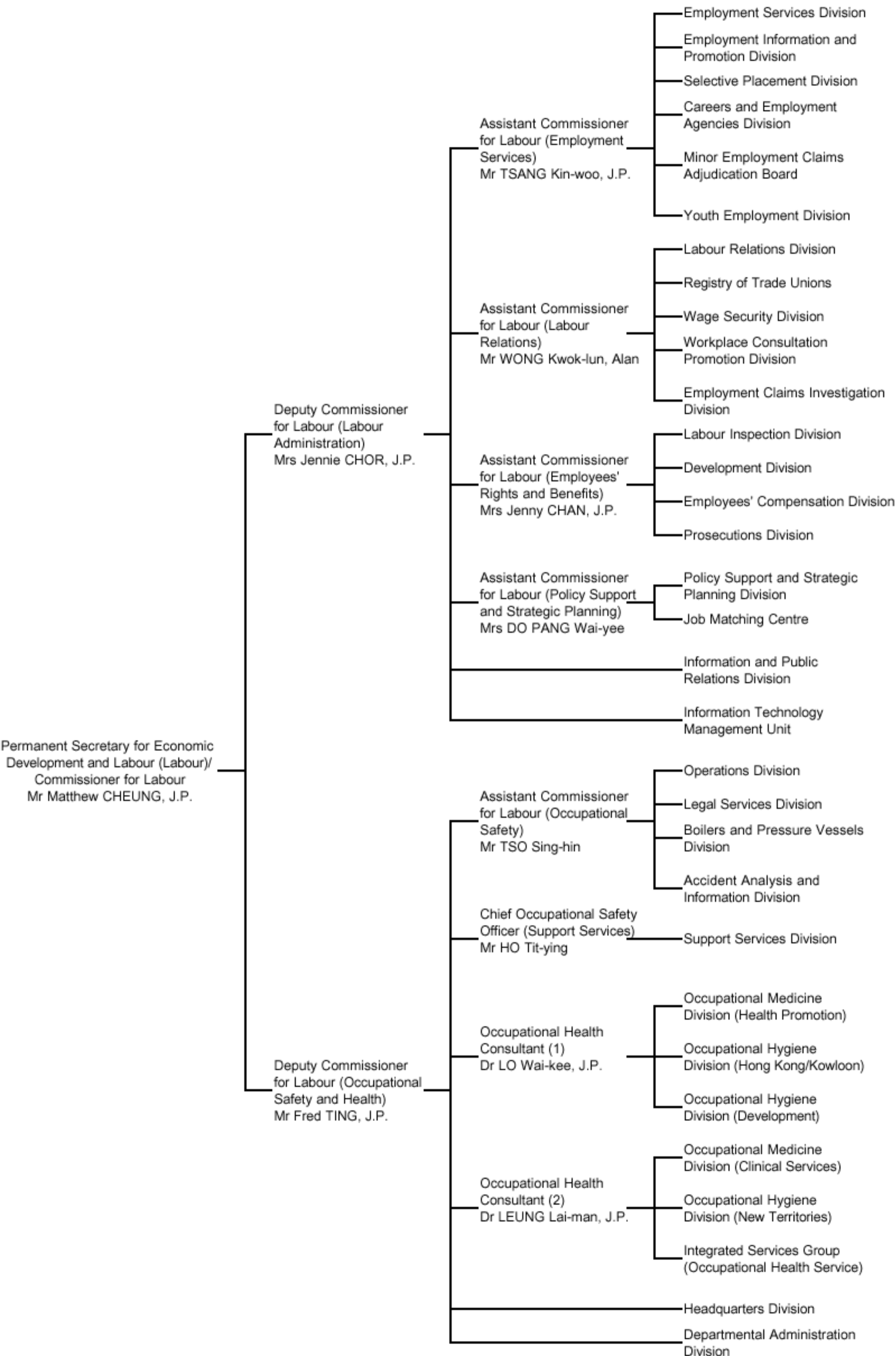


Figure 2.3 Terms of Reference of the Labour Advisory Board and Membership (2005-2006)

Terms of Reference

The Labour Advisory Board advises the Permanent Secretary for Economic Development and Labour (Labour) on such matters affecting labour, including legislation and Conventions and Recommendations of the International Labour Organization. It may appoint such committees as it considers necessary and include any person not being a member of the Labour Advisory Board to serve on such committees.

Composition

The composition of the Labour Advisory Board is as follows:

Chairman	Permanent Secretary for Economic Development and Labour (Labour)
Members	Five employee members elected by registered employee unions Five employer members nominated by major employer associations One employer member and one employee member appointed ad personam
Secretary	A Senior Labour Officer

Membership (as at 31 December 2005)

Chairman		
Mr Matthew CHEUNG Kin-chung, JP		Permanent Secretary for Economic Development and Labour (Labour) (Ex-Officio)
Members		
Employee Representatives		
Mr Felix CHEUNG Kwok-bui	}	Elected by registered employee unions
Mr POON Siu-ping, MH		
Mr LEUNG Chau-ting		
Ms WONG Siu-han		
Mr IP Wai-ming		
Mr CHEUNG Pak-chi, MH		Appointed ad personam
Employer Representatives		
Mr HO Sai-chu, SBS, JP		Representing the Chinese General Chamber of Commerce
Dr Kim MAK Kin-wah, JP		Representing the Employers' Federation of Hong Kong
Mr Anthony YEUNG Kwok-ki, JP		Representing the Hong Kong General Chamber of Commerce
Mr Paul YIN Tek-shing, BBS		Representing the Chinese Manufacturers' Association of Hong Kong
Mr Stanley LAU Chin-ho, MH		Representing the Federation of Hong Kong Industries
Mr Clement CHEN Cheng-jen, JP		Appointed ad personam
Secretary		
Mr FUNG Ying-lun		Senior Labour Officer (Development)

圖三.一 二零零五年勞資關係綱領的主要工作表現指標
Figure 3.1 Key Indicators of Work of the Labour Relations Programme Area in 2005

主要的工作表現指標 Key Indicators of Work

調解及諮詢服務

Conciliation and Consultation Services

- 處理勞資糾紛及申索聲請數目 26 189
labour disputes and claims handled
- 處理親身諮詢次數 109 959
in-person consultations handled
- 經調解而獲解決的勞資糾紛及申索聲請佔所調解個案的百分率 69.8%
percentage of labour disputes and claims resolved through conciliation

小額薪酬索償的仲裁

Adjudication of Minor Employment Claim

- 小額薪酬索償仲裁處仲裁的申索聲請數目 2 539
Claims adjudicated by Minor Employment Claims Adjudication Board

規管職工會

Regulation of Trade Unions

- 登記新職工會及職工會更改名稱/規則 141
registration of new trade unions and changes of union names/ rules
- 巡查職工會次數 366
inspection visits to trade unions
- 審查職工會帳目報表數目 657
account statements of trade unions examined
- 為職工會舉辦訓練課程及研討會的數目 4
training courses and seminars organised for trade unions

圖三·二

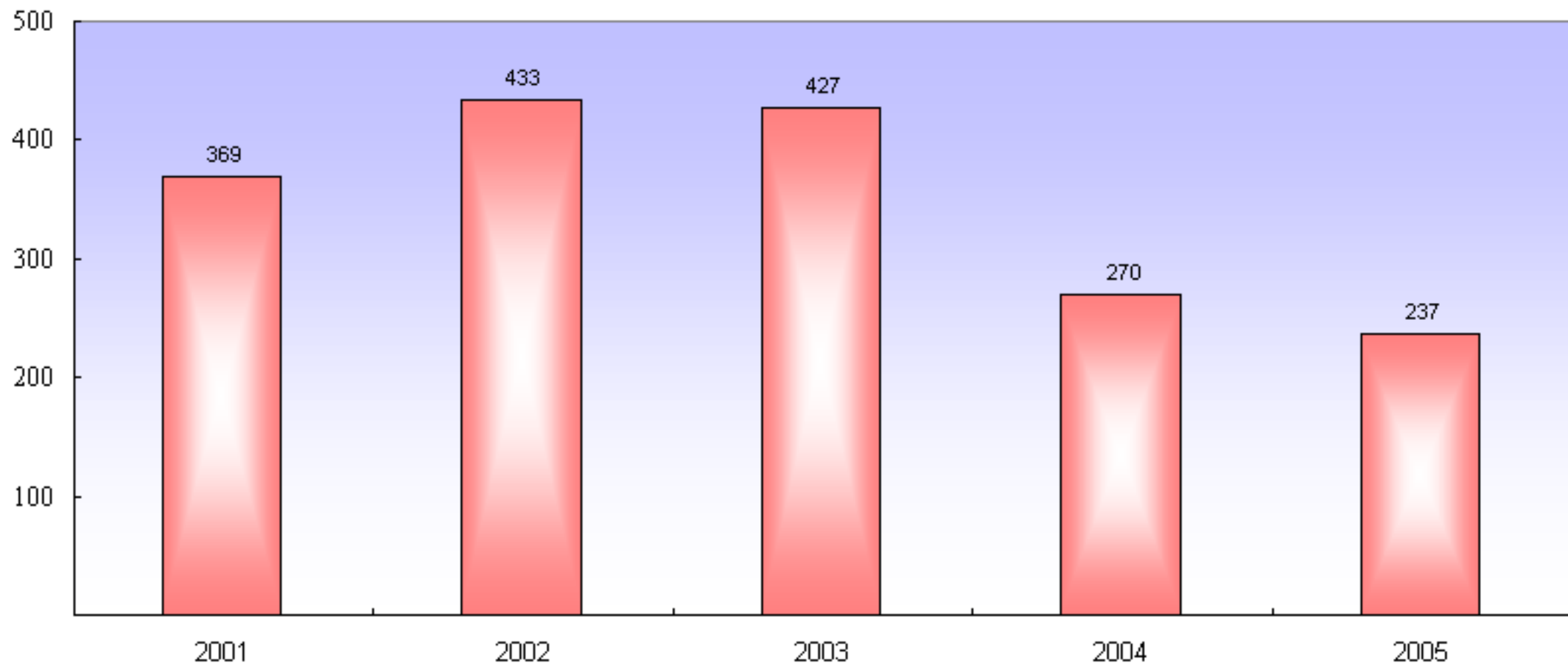
二零零一年至二零零五年勞資關係科所處理的勞資糾紛數目

Figure 3 - 2

Number of Labour Disputes Handled by the Labour Relations Division from 2001 to 2005

個案數目

No. of cases



圖三·三

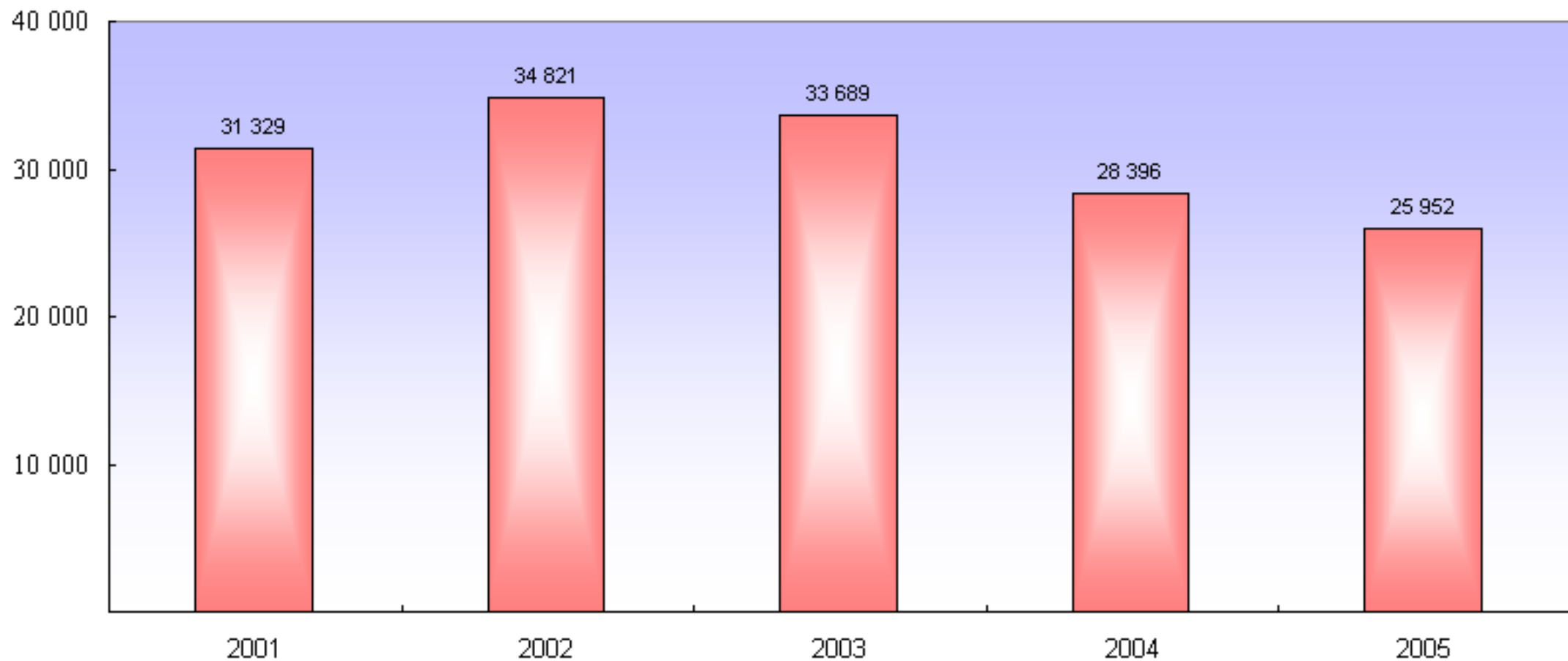
Figure 3 - 3

二零零一年至二零零五年勞資關係科所處理的申索聲請數目

Number of Claims Handled by the Labour Relations Division from 2001 to 2005

個案數目

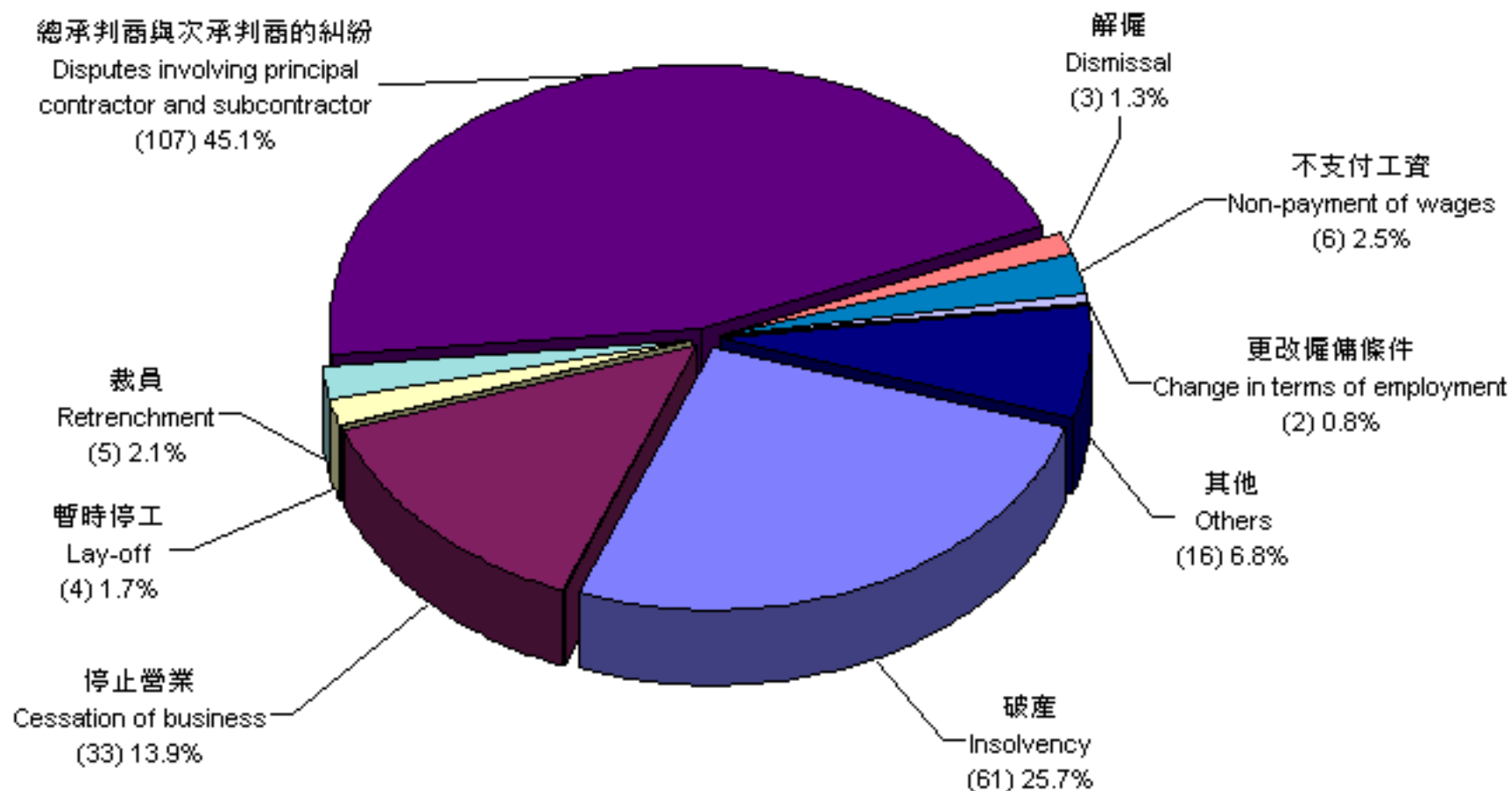
No. of cases



圖三·四
Figure 3.4

二零零五年勞資關係科所處理按成因劃分的勞資糾紛數目

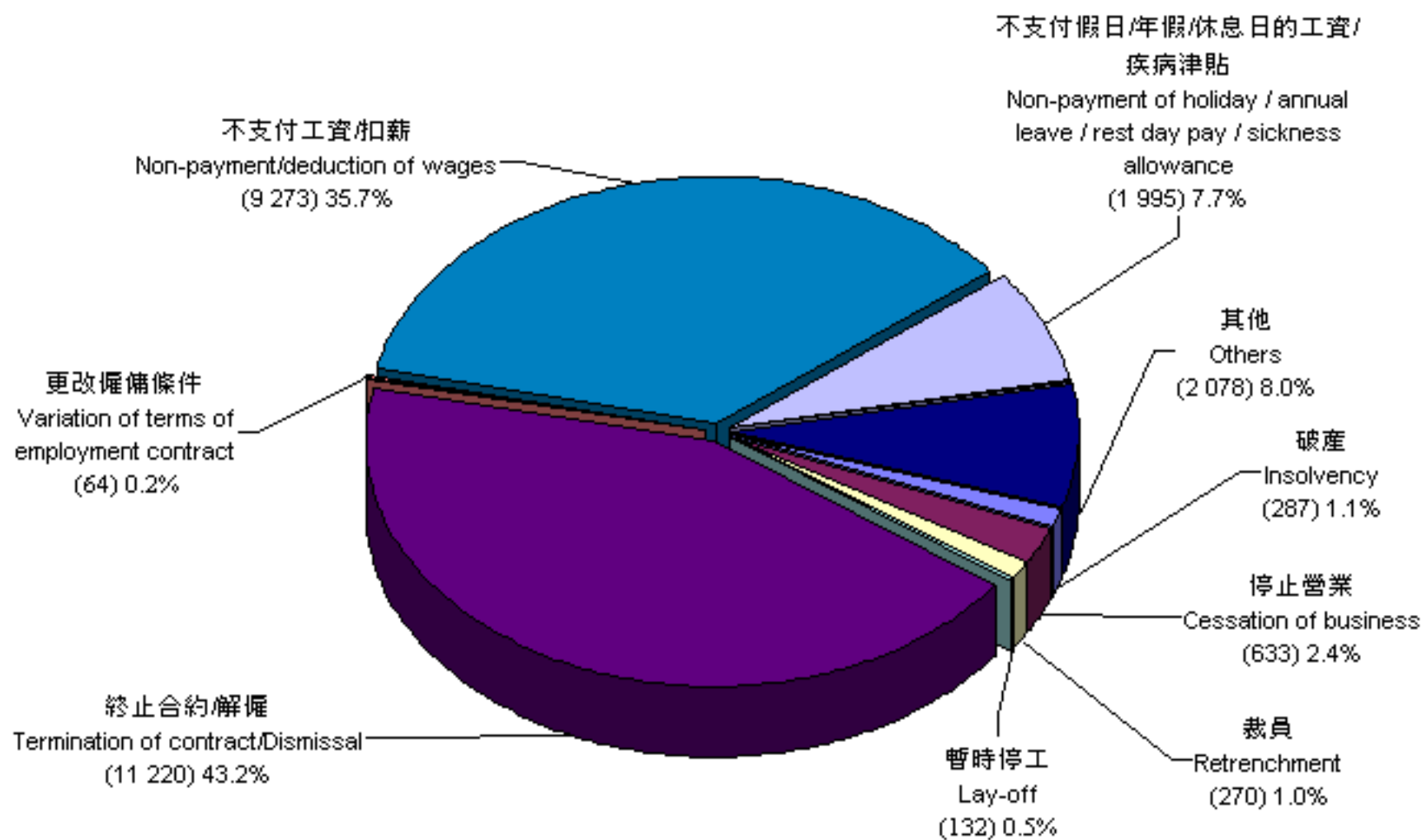
Number of Labour Disputes Handled by the Labour Relations Division in 2005 by Cause



個案總數 Total number of cases: 237

圖三·五
Figure 3.5

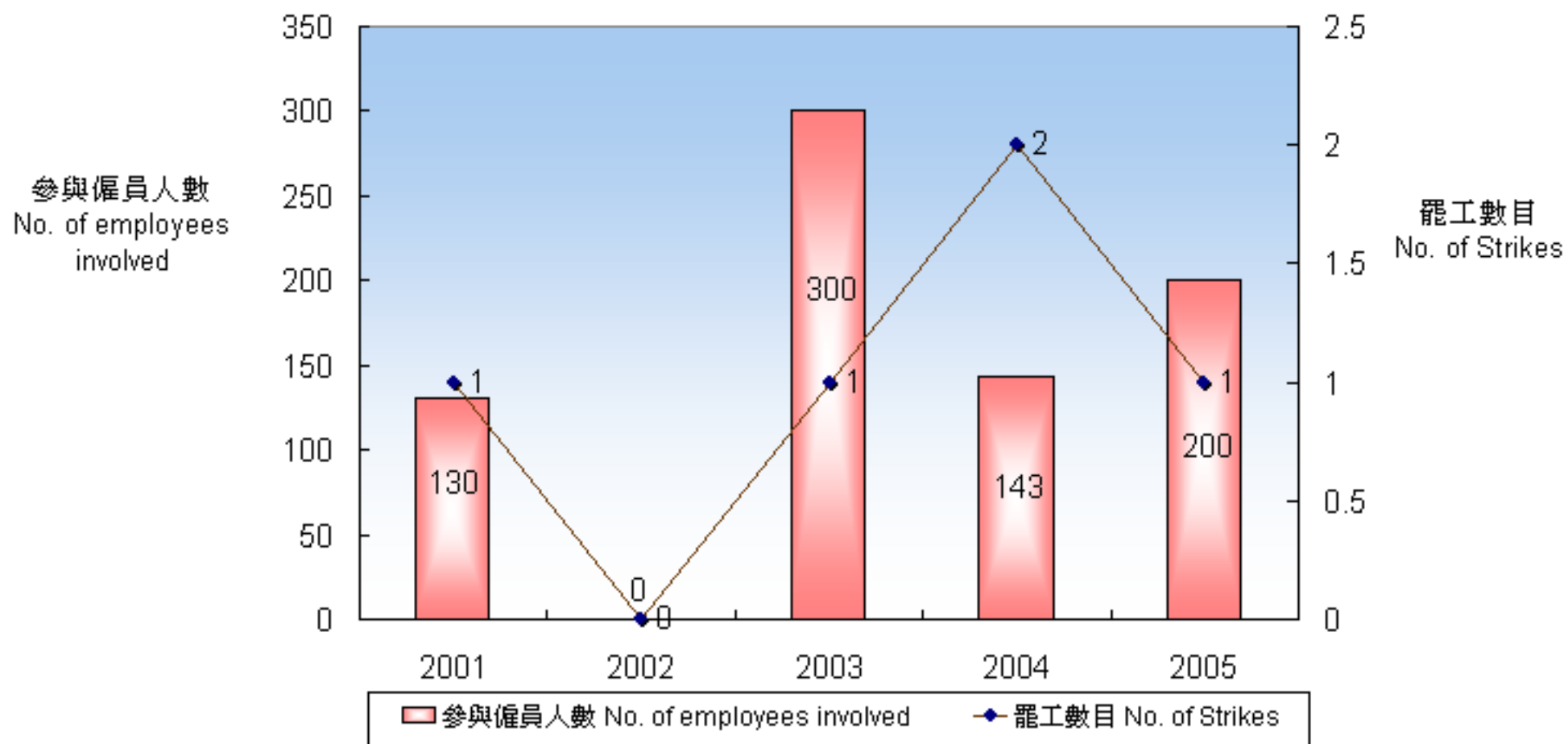
二零零五年勞資關係科所處理按成因劃分的申索聲請數目
Number of Claims Handled by the Labour Relations Division in 2005 by Cause



個案總數 Total number of cases: 25 952

圖三·六
Figure 3.6

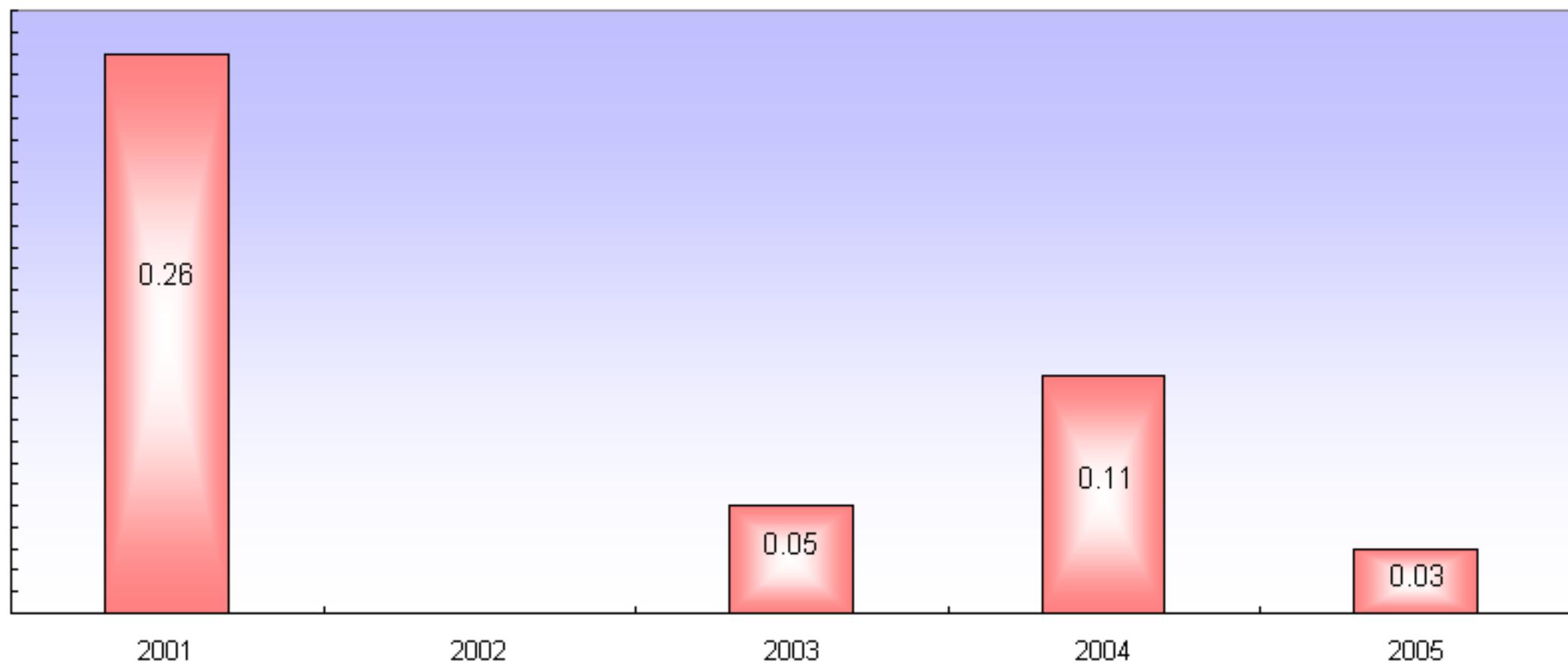
二零零一年至二零零五年罷工數目及參與罷工的僱員人數
Number of Strikes and Number of Employees Involved from 2001 to 2005



圖三·七
Figure 3 - 7

二零零一年至二零零五年每一千名受薪僱員*所損失的工作日數
Number of Working Days Lost per 1 000 Salaried Employees and Wage Earners*
from 2001 to 2005

損失的工作日數
No. of working days lost



*受薪僱員包括僱員及曾受僱的失業人士。

*Salaried employees and wage earners include employees and unemployed persons having previous jobs.

視察 Inspections	
• 根據《工廠及工業經營條例》和《職業安全及健康條例》進行視察的次數 inspections under the FIUO ¹ and the OSHO ²	118 907
• 根據《鍋爐及壓力容器條例》進行檢驗的次數 inspections under the BPVO ³	4 807
調查 Investigations	
• 對工作場所發生的意外進行調查的次數 investigations of accidents at workplaces	12 588
• 對懷疑職業病個案進行調查的次數 investigations of suspected cases of occupational diseases	2 410
宣傳及教育 Promotion and Education	
• 根據《工廠及工業經營條例》和《職業安全及健康條例》到工作場所進行宣傳探訪的次數 promotional visits to workplaces under the FIUO ¹ and the OSHO ²	5 779
• 舉辦講座、講課和研討會數目 talks, lectures and seminars organised	2 559
登記壓力器具 Pressure Equipment Registration	
• 登記壓力器具數目 pressure equipment registered	1 433
• 為簽發或批署合格證書而舉行的考試及批准豁免的次數 examinations conducted and exemptions granted, for the issue or endorsement of certificates of competency	477
診症服務 Clinical Services	
• 診症次數 clinical consultations conducted	9 395
• 身體檢查及評估次數 medical examinations and assessments conducted	2 570

註解 Notes:

1 《工廠及工業經營條例》 Factories and Industrial Undertakings Ordinance

2 《職業安全及健康條例》 Occupational Safety and Health Ordinance

3 《鍋爐及壓力容器條例》 Boilers and Pressure Vessels Ordinance

圖五.一 二零零五年就業服務綱領的主要工作表現指標

Figure 5.1 Key Indicators of Work of the Employment Services Programme Area in 2005

主要的工作表現指標 Key Indicators of Work

健全求職者 Able-bodied Job-seekers:

- 登記人數 persons registered 208 578
- 成功就業個案數目 placements 113 090

殘疾求職者 Disabled Job-seekers:

- 轉介求職個案數目 referrals 16 231
- 獲安排就業人數 placements 2 459

規管職業介紹所 Regulating Employment Agency

- 簽發牌照數目 licences issued 1 561
- 巡查次數 inspections 1 381

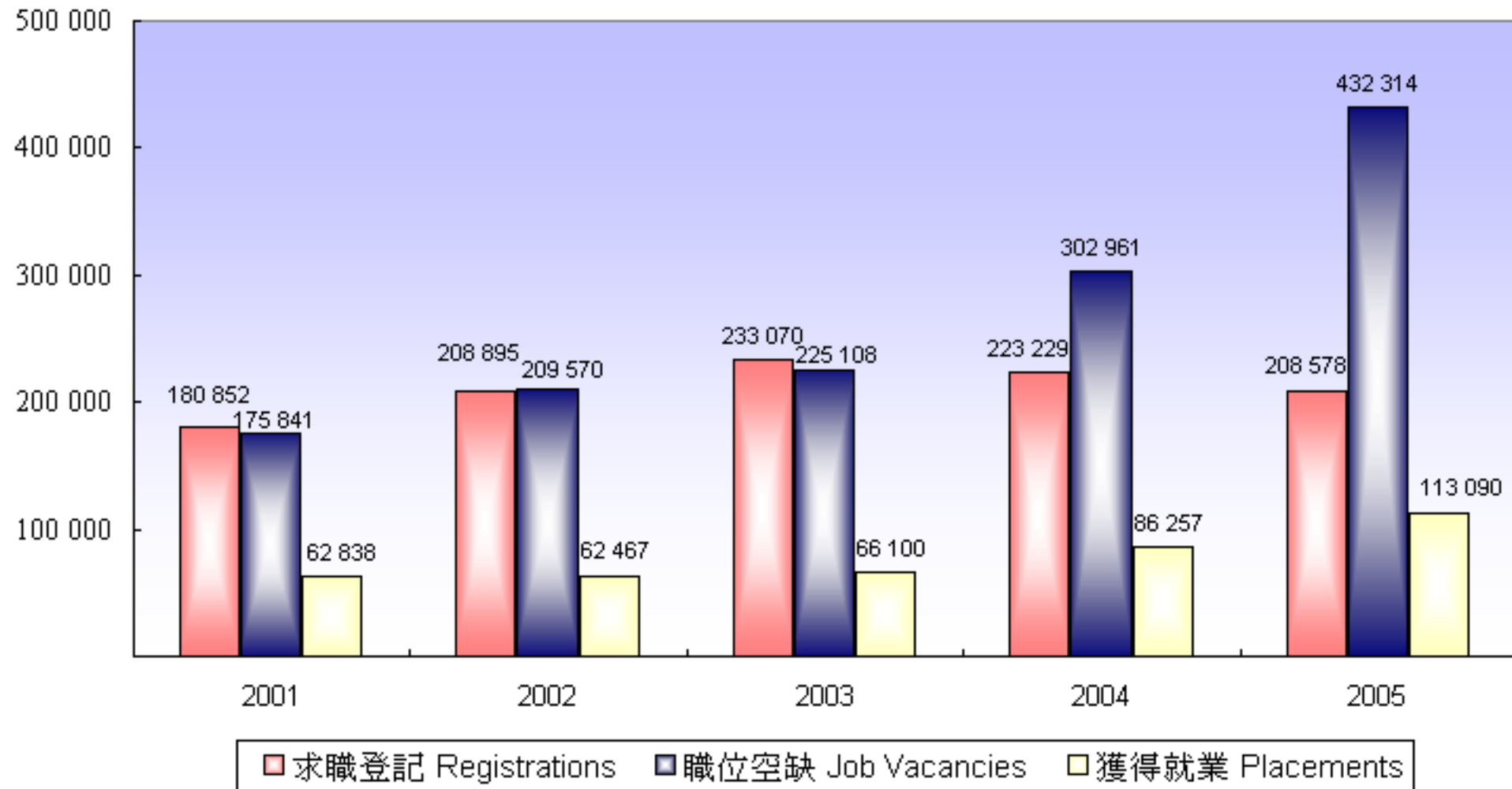
處理按補充勞工計劃提出的申請數目

Applications under Supplementary Labour Scheme Processed 513

圖五·二
Figure 5 - 2

二零零一年至二零零五年向健全求職人士提供就業服務的工作表現指標
Key Indicators of Work on Employment Assistance Rendered to Able-bodied Job-seekers from 2001 to 2005

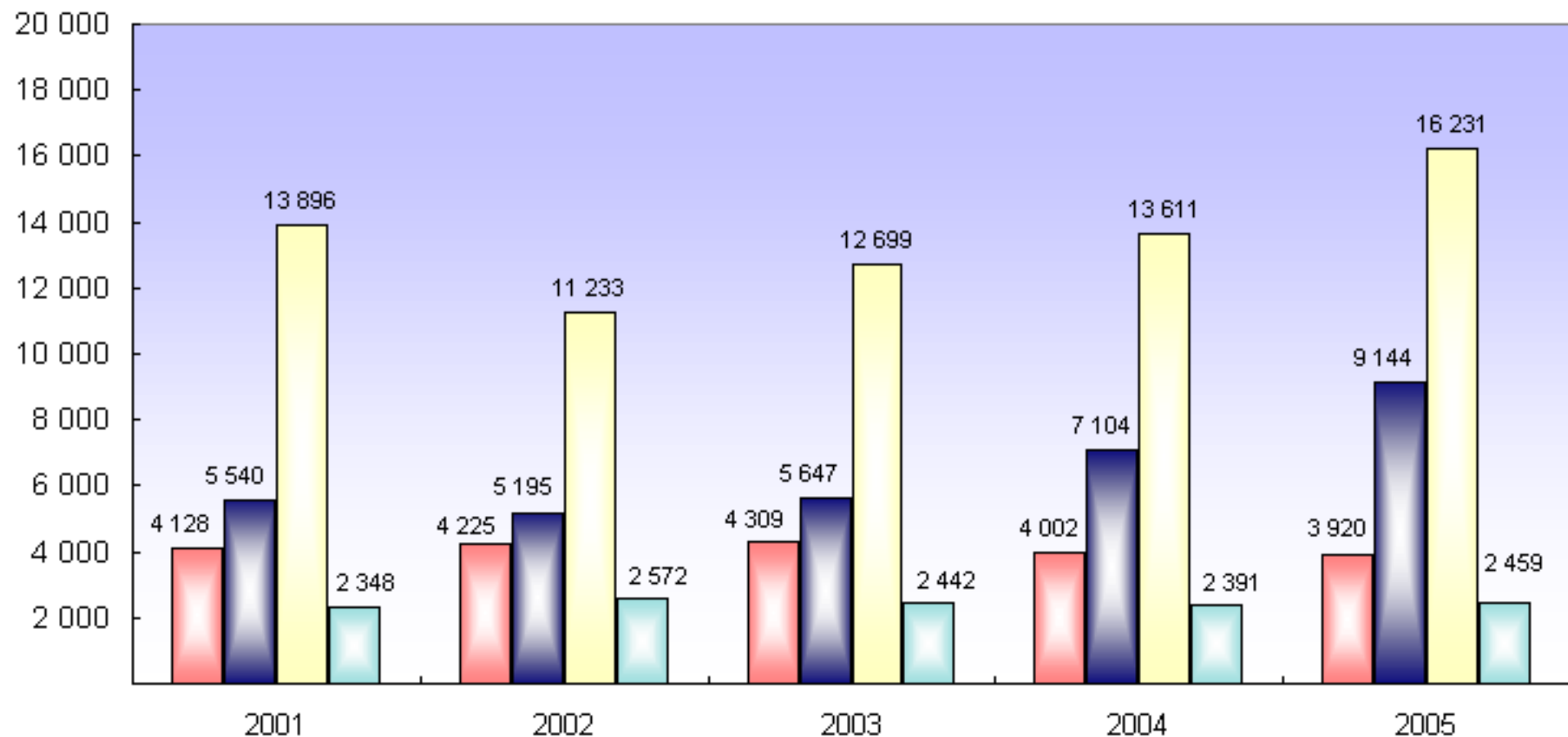
項目數目
No. of items



圖五·三
Figure 5 - 3

二零零一年至二零零五年向殘疾求職人士提供就業服務的工作表現指標
Key Indicators of Work on Employment Assistance Rendered to Job-seekers with a Disability
from 2001 to 2005

項目數目
No. of items



■ 求職登記 Registrations ■ 職位空缺 Job Vacancies ■ 工作引薦 Job Referrals ■ 獲得就業 Placements

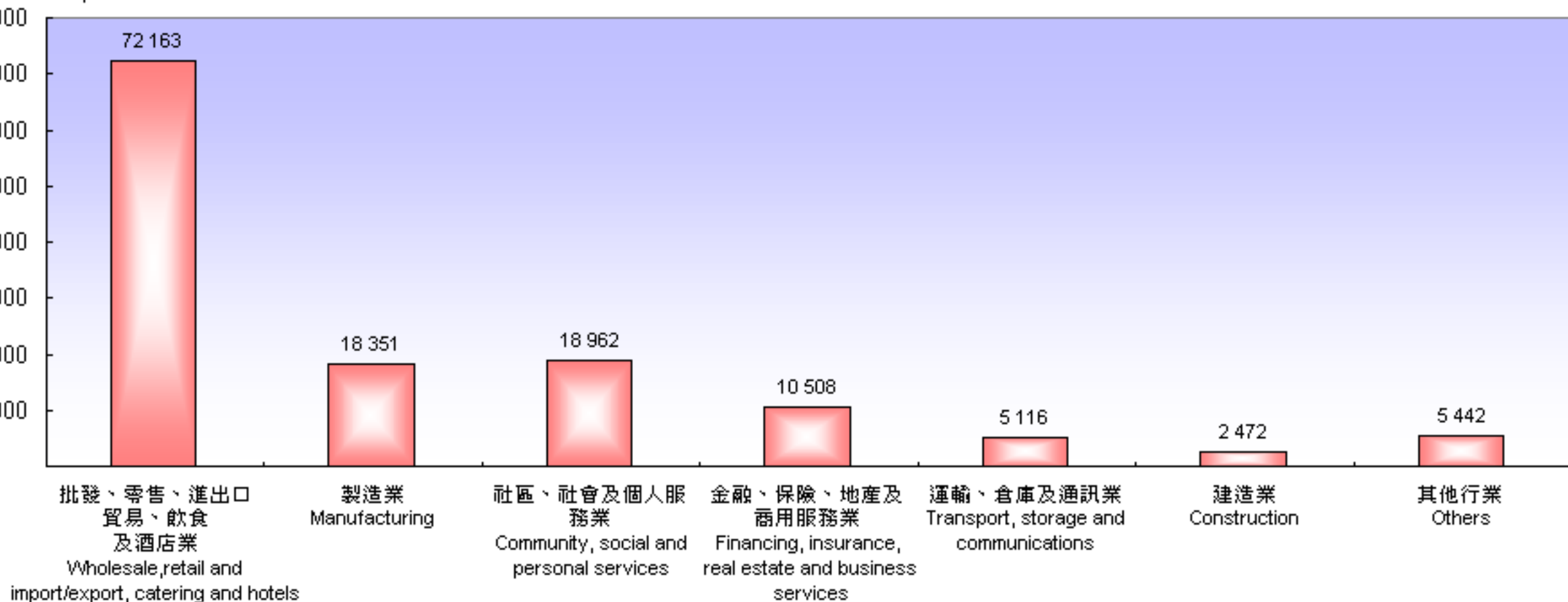
圖六.一 二零零五年僱員權益及福利綱領的主要工作表現指標
Figure 6.1 Key Indicators of Work of the Employees' Rights and Benefits Programme Area in 2005

主要的工作表現指標 Key Indicators of Work	
在工作場所進行的巡查次數 Inspections to Workplaces	133 014
接獲僱員補償聲請的數目 Employee Compensation Claims Received	57 994
為受傷僱員辦理銷假的會面次數 Sick Leave Clearance Interviews for Injured Employees Conducted	52 140
評估受傷僱員的喪失賺取收入能力的程度 Assessment of Loss of Earning Capacity of Injured Employees	
- 普通評估 ordinary assessment	17 397
- 特別評估 special assessment	3
- 覆檢評估 review assessment	3 201
處理破產欠薪保障基金發放特惠款項的申請數目 Applications for Payment under the Protection of Wages on Insolvency Fund Processed	12 392
調查有關外地勞工的個案數目 Cases related to Imported Workers Investigated	25
與違例欠薪有關的定罪傳票數目 Convicted Summonses on Wage Offences	587

圖六·二
Figure 6 - 2

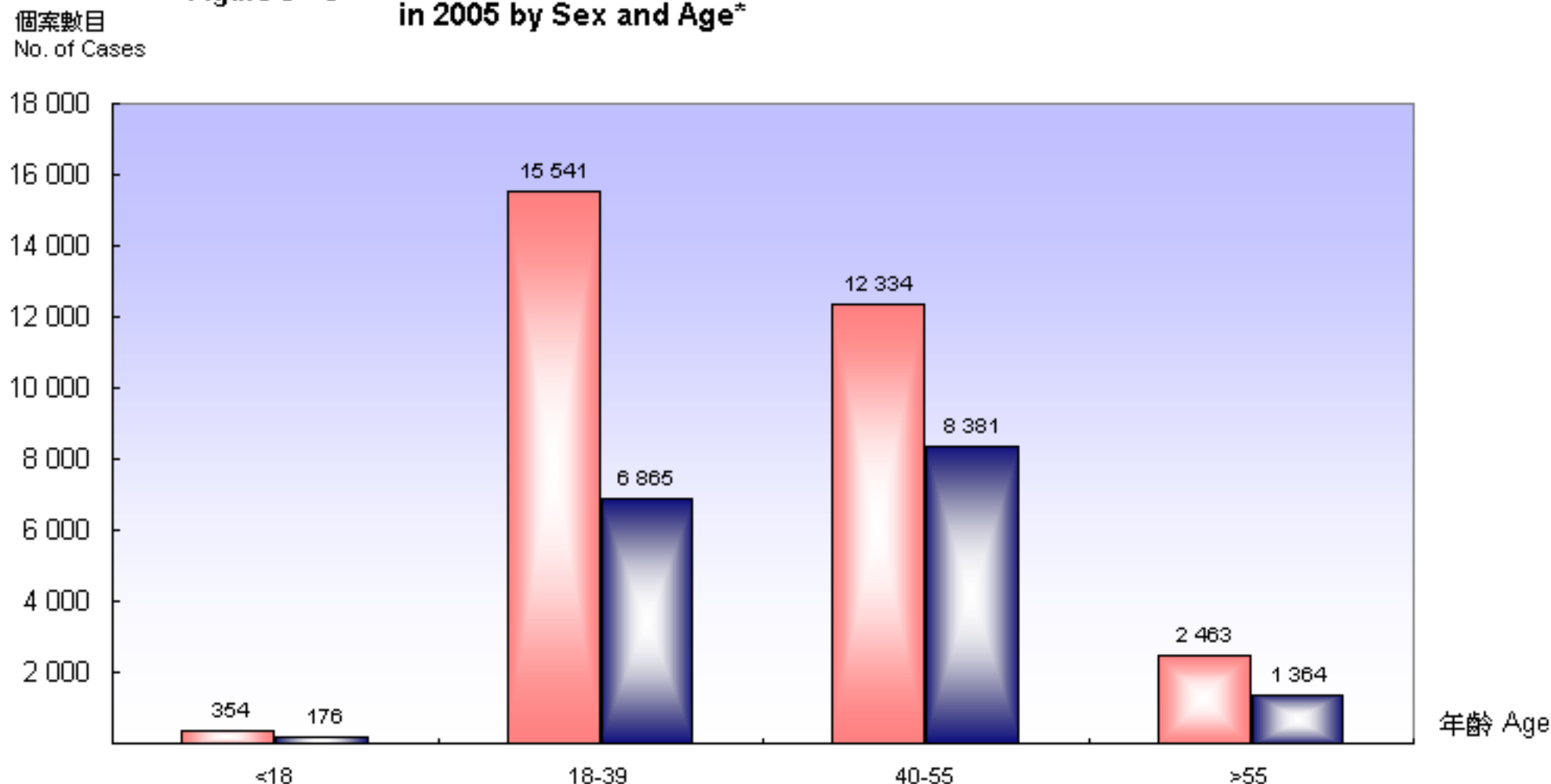
二零零五年按主要經濟行業劃分的巡查次數
Number of Inspections Made in 2005 by Major Economic Sector

巡查次數
No. of inspections



圖六·三
Figure 6 - 3

二零零五年根據僱員補償條例呈報並按性別及年齡劃分的個案數目*
Number of Cases Reported under the Employees' Compensation Ordinance
in 2005 by Sex and Age*



*個案數字不包括10 516宗涉及不超過三天病假的個案。

*The number of cases excludes 10 516 cases involving sick leave of not exceeding three days.

男 Male 女 Female

圖六·四
Figure 6.4

二零零一年至二零零五年根據僱員補償條例呈報的個案數目*

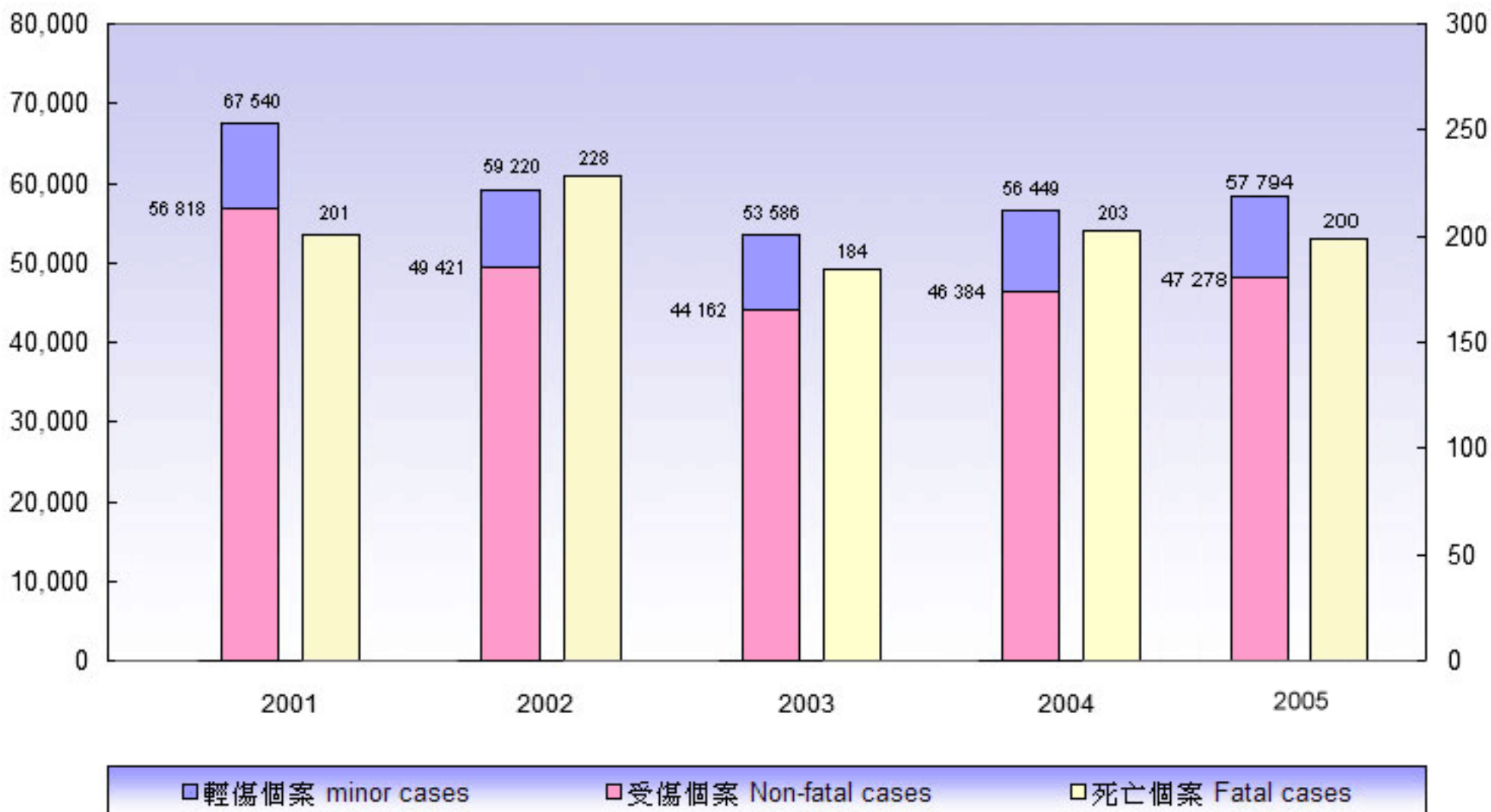
Number of Cases Reported under the Employees' Compensation Ordinance from 2001 to 2005

受傷/輕傷個案數目

No. of non-fatal / minor cases

死亡個案數目

No. of fatal cases



*二零零一年、二零零二年、二零零三年、二零零四年及二零零五年的數字分別有20宗、35宗、25宗、15宗及18宗僱員因自然原因死亡的個案。

二零零五年受傷個案的數字包括了10 516宗涉及不超過三天病假的輕傷個案。

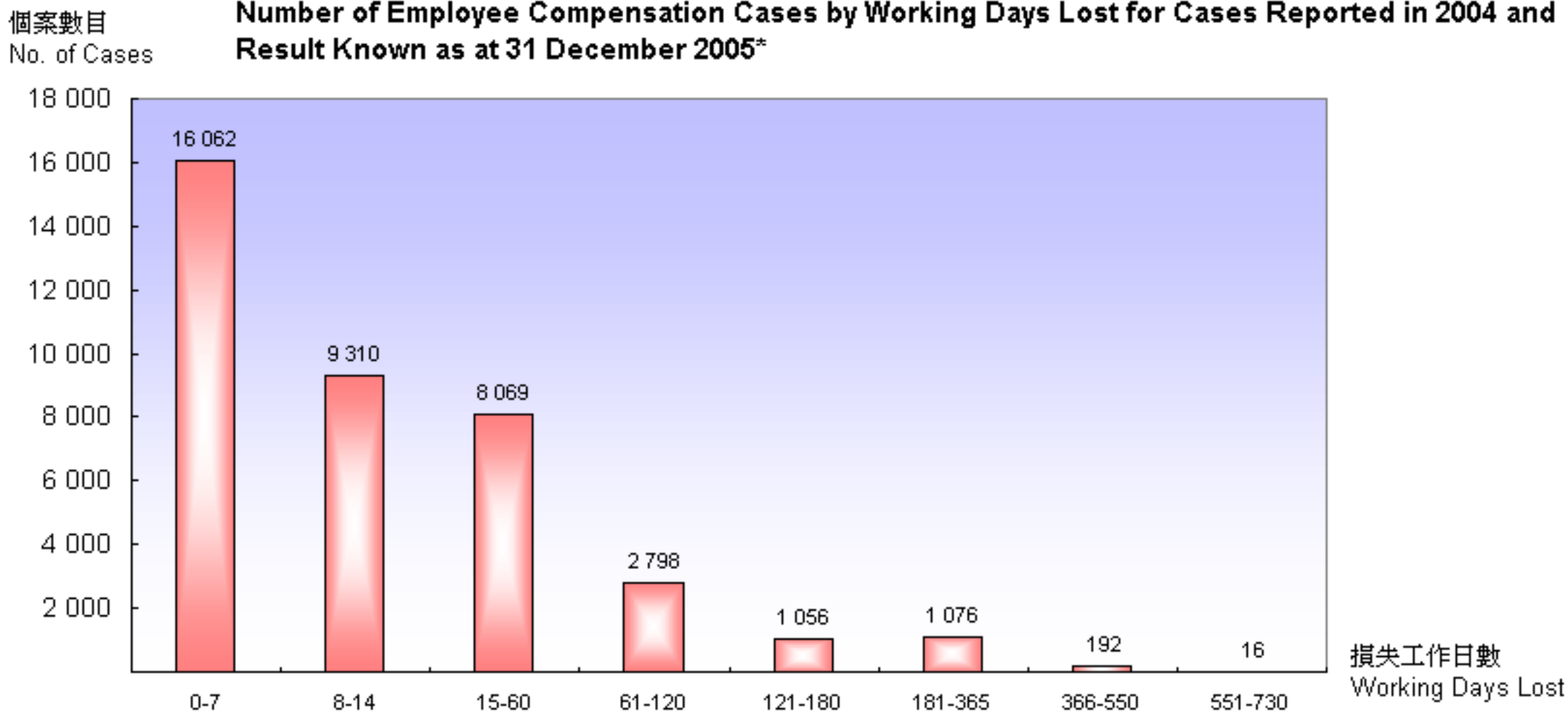
* The figures for 2001, 2002, 2003, 2004 and 2005 include 20, 35, 25, 15 and 18 cases respectively in which the death of the employee was found to be due to natural cause. The figure for non-fatal cases for 2005 includes 10 516 cases involving sick leave of not exceeding three days, i.e. minor cases.

圖六·五

Figure 6 - 5

據二零零五年十二月三十一日所知，在二零零四年呈報並按損失工作日數劃分的僱員補償個案數目*

Number of Employee Compensation Cases by Working Days Lost for Cases Reported in 2004 and Result Known as at 31 December 2005*



*不包括病假不超過三天的個案。

*Excludes cases involving sick leave of not exceeding three days.

圖六·六
Figure 6 - 6

二零零五年按經濟行業劃分的破產欠薪保障基金申請人數

Number of Applicants of the Protection of Wages on Insolvency Fund in 2005 by Economic Sector

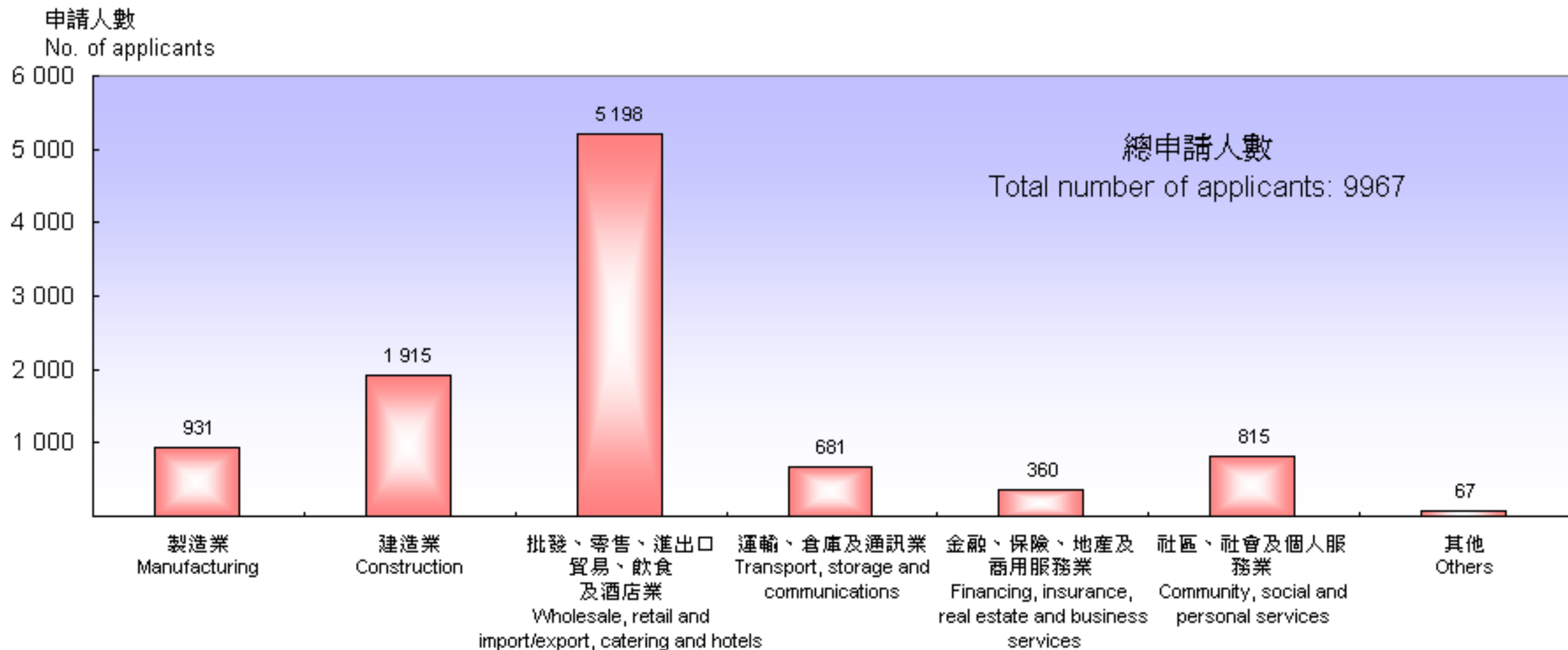


圖 七.一
Figure 7.1

在香港特別行政區適用的四十一條國際勞工公約一覽表
List of the 41 International Labour Conventions
Applied to the Hong Kong Special Administrative Region

公約編號 Convention No.	名稱 Title
2.	一九一九年《失業公約》 Unemployment Convention, 1919
3.	一九一九年《分娩保護公約》 Maternity Protection Convention, 1919
8.	一九二零年《失業賠償(船舶失事)公約》 Unemployment Indemnity (Shipwreck) Convention, 1920
11.	一九二一年《結社權利(農業)公約》 Right of Association (Agriculture) Convention, 1921
12.	一九二一年《工人賠償(農業)公約》 Workmen's Compensation (Agriculture) Convention, 1921
14.	一九二一年《每週休息(工業)公約》 Weekly Rest (Industry) Convention, 1921
16.	一九二一年《青年體格檢查(海上)公約》 Medical Examination of Young Persons (Sea) Convention, 1921
17.	一九二五年《工作賠償(意外)公約》 Workmen's Compensation (Accidents) Convention, 1925
19.	一九二五年《待遇平等(意外賠償)公約》 Equality of Treatment (Accident Compensation) Convention, 1925
22.	一九二六年《海員協定條款公約》 Seamen's Articles of Agreement Convention, 1926
23.	一九二六年《海員遣返公約》 Repatriation of Seamen Convention, 1926
29.	一九三零年《強迫勞動公約》 Forced Labour Convention, 1930
32.	一九三二年《防止意外(碼頭工人)公約(修訂本)》 Protection against Accidents (Dockers) Convention (Revised), 1932
42.	一九三四年《工人賠償(職業病)公約(修訂本)》 Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934
50.	一九三六年《招募本地工人公約》 Recruiting of Indigenous Workers Convention, 1936
64.	一九三九年《僱用契約(本地工人)公約》 Contracts of Employment (Indigenous Workers) Convention, 1939
65.	一九三九年《刑事制裁(本地工人)公約》 Penal Sanctions (Indigenous Workers) Convention, 1939
74.	一九四六年《海員合格證書公約》 Certification of Able Seamen Convention, 1946
81.	一九四七年《勞工督察公約》 Labour Inspection Convention, 1947
87.	一九四八年《結社自由與保護組織權利公約》 Freedom of Association and Protection of the Right to Organise Convention, 1948
90.	一九四八年《青年夜間工作(工業)公約(修訂本)》 Night Work of Young Persons (Industry) Convention (Revised), 1948
92.	一九四九年《船員住房公約(修訂本)》 Accommodation of Crews Convention (Revised), 1949
97.	一九四九年《移居就業公約(修訂本)》 Migration for Employment Convention (Revised), 1949
98.	一九四九年《組織權利及集體談判權利公約》 Right to Organise and Collective Bargaining Convention, 1949
101.	一九五二年《有薪假期(農業)公約》 Holidays with Pay (Agriculture) Convention, 1952
105.	一九五七年《廢除強迫勞動公約》 Abolition of Forced Labour Convention, 1957
108.	一九五八年《海員身份證書公約》 Seafarers' Identity Documents Convention, 1958
115.	一九六零年《輻射防護公約》 Radiation Protection Convention, 1960
122.	一九六四年《就業政策公約》 Employment Policy Convention, 1964
124.	一九六五年《青年體格檢查(井下作業)公約》 Medical Examination of Young Persons (Underground Work) Convention, 1965
133.	一九七零年《船員住房(補充規定)公約》 Accommodation of Crews (Supplementary Provisions) Convention, 1970
138.	一九七三年《最低年齡公約》 Minimum Age Convention, 1973
141.	一九七五年《農業工人組織公約》 Rural Workers' Organisations Convention, 1975
142.	一九七五年《人力資源開發公約》 Human Resources Development Convention, 1975
144.	一九七六年《三方協商(國際勞工標準)公約》 Tripartite Consultation (International Labour Standards) Convention, 1976
147.	一九七六年《商船(最低標準)公約》 Merchant Shipping (Minimum Standards) Convention, 1976
148.	一九七七年《工作環境(空氣污染、噪音和震動)公約》 Working Environment (Air Pollution, Noise and Vibration) Convention, 1977
150.	一九七八年《勞動行政管理公約》 Labour Administration Convention, 1978
151.	一九七八年《(公務員)勞動關係公約》 Labour Relations (Public Service) Convention, 1978
160.	一九八五年《勞工統計公約》 Labour Statistics Convention, 1985
182.	一九九九年《最有害的童工形式公約》 Worst Forms of Child Labour Convention, 1999

Figure 7.2 Major ILO Activities Participated and Contacts with Other Labour Administrations in 2005

1. The Labour Department sent a 5-member delegation to visit Japan and Korea to study the labour relations, employment services and labour inspection of these countries.
2. A representative from the Labour Department was sent to Japan to attend the "Workshop on International Migration and Labour Market in Asia". The Workshop was co-organised by the ILO, the Japanese Government and other international organisations.
3. Representatives from the Labour Department joined the visits to different provinces of the Pan-Pearl River Delta Region, including Sichuan, Fujian, Hunan, Guangxi, Yunnan and Guizhou, which were co-ordinated by Constitutional Affairs Bureau for representatives of various bureaus and departments.
4. Mr WANG Dongjing, Vice Minister of the Ministry of Labour and Social Security of the State Council, visited the HKSAR under the "Mainland Sponsored Visitors' Programme" co-ordinated by the Information Services Department.
5. Assistant Commissioner for Labour (Labour Relations) led a 10-member delegation to attend a workshop on International Labour Standards organised by the ILO Office for China and Mongolia held in Hainan.
6. Assistant Commissioner for Labour (Employees' Rights and Benefits) led a delegation to attend the "National Symposium on Work Injury Rehabilitation" held in Guangzhou. The Symposium was co-organised by the Ministry of Labour and Social Security and the ILO.
7. Assistant Commissioner for Labour (Policy Support and Strategic Planning) and representatives from various bureaus and departments visited Switzerland to join the hearing of the United Nations Committee on International Covenant on Economic, Social and Cultural Rights. After the hearing, the Assistant Commissioner visited UK to study the legislation and experience on implementing minimum wages and maximum working hours in the country.
8. Assistant Commissioner for Labour (Employment Services) and Assistant Commissioner for Labour (Employees' Rights and Benefits) led a delegation to visit Macao Special Administrative Region for the purpose of exchanging views and experience on employment services and employees' rights and benefits protection.
9. The Permanent Secretary for Economic Development and Labour (Labour) led a tripartite team comprising government, employer and employee representatives to attend the 93rd Session of the International Labour Conference in Geneva, Switzerland in the capacity of advisers to the delegation of China.
10. The Labour Department sent a representative to Thailand to attend the "Multinational Corporation Roundtable on Disability and Employment" co-organised by the ILO and various organisations under the United Nations.
11. Mr James NAU, General Manager, Residual Markets, National Council on Compensation Insurance, USA, visited the HKSAR under the "Sponsored Visitors' Programme" co-ordinated by the Information Services Department.
12. A representative of the Labour Department served as a resource person in the workshop on "Promoting Employment Opportunities for People with Disabilities" in Shanghai. The workshop was co-organised by the ILO and the China Disabled Persons' Federation.
13. Mr. Edward POTTER, a key member of the US Delegation to the International Labour Conference, visited Hong Kong and shared with officers of the Labour Department the US experience in various labour issues.
14. An officer of the Labour Department attended "Trainers' Training on Mediation and Arbitration Workshop" in Seoul, Korea co-organised by the ILO and the Korean Labour Education Institute.
15. The Labour Department sent a 7-member study mission to UK and Ireland to study their systems and operations of employment and labour relations services. The study mission also made use of the opportunity to study the Irish experience in legislating for and implementing minimum wages and maximum working hours.
16. A representative from the Labour Department, together with representatives from the Immigration Department, visited the Philippines and Indonesia to conduct pre-departure workshops on employment and immigration-related issues for foreign domestic helpers who would come to work in Hong Kong.
17. The Labour Department sent a 7-member study mission to Canada and the USA to study the employees' compensation insurance system and the recognition of chiropractic profession under labour legislation in these countries.
18. Two representatives of the Labour Department attended the APEC Seminar on "Maximising the Potential of Older Workforce" in Malaysia.
19. The Labour Department sent six representatives to Denmark and Germany to study their employment services, legislation on minimum wages and maximum working hours and collective bargaining systems.
20. Assistant Commissioner for Labour (Employment Services) led a delegation to attend the "2nd Pan-Pearl River Delta Regional Joint Conference on Labour Services Cooperation" in Sichuan Province.
21. Assistant Commissioner for Labour (Employment Services) led an 8-member delegation to Hangzhou and Shanghai to study the operation of employment services, labour relations, employment agencies and vocational training in these provinces.
22. The Labour Department sent two officials to attend an ILO-Korea Fellowship Training Programme on "Participative Approaches to Improve Working and Employment Conditions" in Seoul, Korea co-organised by the ILO and the Korea Labour Education Institute.
23. Two representatives of the Labour Department attended the APEC Forum on Human Resources Development for "Sustainable Economic Growth and Youth Employment" in Japan.
24. Assistant Commissioner for Labour (Employment Services) headed a delegation to visit the labour administration authorities in the major cities of Guangdong Province to study their employment initiatives.
25. The Labour Department sent a 7-member study mission to Singapore and Malaysia to study their labour legislation and labour inspection system.