



**Labour Department
Annual Report**

勞工處年報 2009



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- 1.1** As a result of the global tsunami and thus a slowdown in the Hong Kong economy, the local employment market suffered a heavy blow in the first half of 2009. However, in the second half of the year, the Hong Kong economy exhibited much resilience. The unemployment rate, having deteriorated notably in early 2009 and peaked at 5.4% in the second quarter, came down gradually to 4.9% in the fourth quarter. We will closely monitor the labour market situation and continue to enhance our employment services on all fronts, especially in netting suitable vacancies from the market and rendering assistance to job-seekers. In the year, we launched a series of new and enhanced measures to provide employment support for job-seekers and to better help the less competitive find work.

Employment Services

Enhanced Employment Services

- 1.2** To help the unemployed re-enter the labour market and respond speedily to the recruitment needs of employers, the Labour Department has put in extra efforts in organising more employment promotion activities at various locations across the territory. A total of 22 large-scale job fairs, 224 mini-job fairs and 26 district-based employment promotion activities were organised in the year.



Career Seminar at the Property Management Industry Job Fair co-organised by the Labour Department and the Hong Kong Association of Property Management Companies at the Olympian City in Tai Kok Tsui.

- 1.3** In face of the financial tsunami, the Labour Department set up its first industry-based Recruitment Centre for the Catering Industry in February 2009 to provide tailor-made job-matching service and on-the-spot interview arrangements for catering establishments and job-seekers. In 2009, catering employers offered 18 960 job vacancies for the centre, and a total of 14 185 job-seekers attended on-the-spot interviews there.
- 1.4** The Labour Department adopts a proactive approach to providing employment assistance to those made redundant during the financial crisis. In major business closure or redundancy cases, we set up enquiry hotlines and special counters at our Job Centres to provide priority job referral and job matching services to the affected employees. Despite the severe challenge on the local employment market, the Labour Department still secured 593 853 vacancies from the private and public sectors and achieved 120 870 placements in 2009.

Employment Assistance to the Middle-aged and People with Disabilities

- 1.5** The middle-aged and people with disabilities (PWDs) are amongst the most vulnerable groups of job-seekers during times of economic downturn. To strengthen the comprehensive and timely employment assistance and support to them, the Labour Department enhanced the Employment Programme for the Middle-aged and the Work Orientation and Placement Scheme from 29 June 2009. Under the enhanced measures, the financial incentives to employers were increased and the subsidy periods were extended so as to encourage employers to take on middle-aged job-seekers and PWDs.

Strengthening Employment and Training Support for the Youth

- 1.6** The Labour Department is determined to promote youth employment. In the year, various measures were adopted to promote the employability of the young people.
- 1.7** To proactively assist young people in navigating their career journey, in September, the Labour Department enhanced and integrated the Youth Pre-employment Training Programme (YPTP) and the Youth Work Experience and Training Scheme (YWETS) into a “through-train” programme – “YPTP • YWETS” – to provide seamless and comprehensive training and employment support to young school leavers aged 15 to 24 with educational attainment at sub-degree level or below.

Special Programme for University Graduates

- 1.8** University graduates also faced employment difficulty amidst the financial tsunami. In August, we launched the Internship Programme for University Graduates to encourage enterprises to offer local and Mainland internship opportunities for university graduates of 2008 and 2009, with a view to broadening their horizons and helping them gain experience so that they would be better equipped for the employment market following the economic recovery.



Employers, participating tertiary institutions and other stakeholders joining hands with the Government to launch the Internship Programme for University Graduates.

Labour Relations

Promoting harmonious Labour Relations

- 1.9** From late 2008 to the first half of 2009, the economy of Hong Kong experienced a setback in face of the financial tsunami, resulting in a spate of business closures, insolvencies and redundancies. The Labour Department adopted proactive measures to alleviate the impact on labour relations. We worked closely with employers' and employees' groups to foster harmonious labour relations, proactively monitored enterprises prone to be affected so as

to defuse potential disputes and provided timely conciliation to help employers and employees resolve differences. In 2009, the Labour Department handled a total of 143 labour disputes and 24 305 claims. The success rate of conciliation was maintained at a high level of 71.5 per cent. The average waiting time for conciliation meetings was 3.3 weeks in the year. Besides, the number of working days lost as a result of labour disputes in Hong Kong remained to be among the lowest in the world.

Stepping Up Enforcement Against Wage Offences

1.10 In 2009, the Labour Department sustained its all-out efforts to combat wage offences. Territory-wide inspection campaigns targeted at offence-prone trades were launched. To help step up enforcement against wage offences, we collected intelligence on non-payment of wages in various industries through an early warning system in collaboration with trade unions. The department conducted in-depth investigation into suspected wage offences and employed veteran ex-police officers to strengthen the investigative work and collection of intelligence to facilitate speedy prosecution.

We continued to step up prosecution against employers and responsible persons of companies for wage offences. We also strengthened our 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, a total of 1 314 convicted summonses on wage offences were secured in 2009. This represented an increase of 37 per cent compared with the 958 convictions in 2008. Four company responsible persons and one employer were jailed or given suspended sentences for wage defaults. In addition, eight company directors were imposed community service orders due to wage offences. An employer was fined \$560,000 for committing wage offences.

Enhancing Good People Management Practices and Harmonious Labour Relations

1.11 To promote effective labour management communication and good people management practices, we organised various promotional activities including seminars, talks, exhibitions and issued publications for employers, employees, human resources professionals and members of the public. In September 2009, a large-scale seminar on employer-employee collaboration in turbulent times and family-friendly employment practices (FFEP) was held. A booklet on good people management measures and FFEP was also published in the year to showcase exemplary examples in the implementation of various best practices in the workplace.



A large-scale seminar was organised to encourage employer-employee collaboration and family-friendly employment practices.

Employee Rights and Benefits

Vigorous Enforcement against Illegal Employment

1.12 The Labour Department collaborated with the Police and the Immigration Department to clamp down on illegal employment activities. A total of 217 joint operations were mounted in the year. We also widely publicised the complaint hotline (2815 2200) to encourage the public to report illegal employment activities.

Statutory Minimum Wage (SMW)

1.13 The Government introduced the Minimum Wage Bill into the Legislative Council (LegCo) on 8 July 2009. This represented a significant milestone and breakthrough in protecting the well-being of our grassroots workforce. Our aim was to design an optimal SMW regime which would provide a wage floor to forestall excessively low wages without, at the same time, unduly affecting our labour market flexibility, economic growth and competitiveness as well as causing significant adverse impact on the job opportunities of our vulnerable workers. LegCo had set up a Bills Committee to examine the Bill and eight meetings were held in 2009.

The Provisional Minimum Wage Commission (PMWC), an independent advisory body established in February 2009, was tasked to recommend to the Chief Executive the initial SMW rate on the basis of an evidence-based approach with a view to ensuring a sensible balance between forestalling excessively low wages and minimising the loss of low-paid jobs while sustaining Hong Kong's economic growth and competitiveness. The PMWC comprises a Chairperson and 12 Members drawn from the labour sector, business community, academia and relevant government departments. The Chairperson and all the non-official Members were appointed on an ad personam basis. The Labour Department is responsible for providing secretariat support to the PMWC.

Safeguarding the Rights of Employees of Government Service Contractors

1.14 We conducted vigorous inspections to workplaces of non-skilled workers employed by government service contractors in order to protect their statutory rights and benefits under labour laws. In the year, 696 inspections were conducted. We took out prosecution against contractors whenever there was sufficient evidence of breach of the labour laws. Two contractors were convicted in the year. Under the concerted effort of the Labour Department and procuring departments in stepping up monitoring and enforcement, the situation of contractors contravening the labour laws has greatly improved.

Applications for Protection of Wages on Insolvency Fund Continued to Go up

1.15 The Labour Department continued its all-out efforts in clamping 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. However, with the continued impact of the financial tsunami, the number of applications for the fund increased from 6 448 in 2008 to 7 260 in 2009. In 2009, the fund registered a surplus of \$259 million, down from \$371 million in 2008.

Safety and Health at Work

Safety of Repair, Maintenance, Alteration and Addition (RMAA) Works

1.16 There has been a rising trend in industrial accidents related to RMAA works in recent years. With the introduction of the Mandatory Building Inspection Scheme, the Mandatory Window Inspection Scheme, the special operation to remove abandoned signboards and various sponsorship schemes for maintenance of dilapidated buildings by the Administration, the volume of RMAA works is expected to increase.

To enhance the safety performance of RMAA works, the Labour Department continued to intensify enforcement actions to deter unsafe acts by further stepping up inspections of work sites on normal working days, at night and during holidays. Territory-wide blitz campaigns on RMAA works with emphasis on work-at-height and use of electricity were also launched. In these special exercises, 57 suspension/improvement notices were issued and 58 prosecutions were taken out.

On the educational and promotional front, we organised in 2009 a series of intensive promotion and publicity campaigns, targeting work-at-height and RMAA works to arouse the safety awareness of all parties involved. These included continuing the two-year publicity campaign launched in late 2008 to remind workers to work safely and not to take risk with their lives and their families' future.

We also partnered with the Occupational Safety and Health Council (OSHC), District Councils/District Offices, Safe and Healthy Communities in various districts and the property management sector to organise publicity and promotional activities to promulgate work-at-height and RMAA works safety at the district level.

The Labour Department continued to cooperate with the OSHC to operate the Sponsorship Scheme for Work-at-height Fall Arresting Equipment for Renovation and Maintenance Work for small and medium-sized enterprises (SMEs) to assist contractors and employers in need to purchase suitable fall protection equipment to improve the safety standard of work-at-height.



Giant banner displayed at the external wall of government offices at various districts to promote RMAA works safety.

Safety Award Schemes

1.17 Two safety award schemes were organised for the catering and construction industries in the year to inculcate a safety culture and to enhance the safety awareness of employers, employees and their families. The schemes featured a variety of activities which included organising safety performance competitions, roving exhibitions, safety quizzes and award presentation ceremonies cum fun days, conducting site visits, producing radio programmes and CD-ROMs as well as broadcasting "Announcements in the Public Interest" and promotional films on television/radio and "RoadShow".



Construction Industry Safety Award Scheme 2008/2009 -- Award Presentation Ceremony.



Catering Industry Safety Award Scheme 2008/2009 -- Award Presentation Ceremony.

Prevention of Human Swine Influenza A/H1N1

1.18 In the light of the outbreak of human swine influenza A/H1N1 in May, we activated our departmental mobilization plan to step up inspections of workplaces at a higher risk of infection, including hospitals, clinics, elderly homes, pig farms, slaughterhouses, workplaces of cleansing contractors, boundary control points, restaurants, and schools suspended because of outbreak of the infection, to ensure adequate infection control measures to safeguard the health of employees. As at the end of 2009, a total of 293 warnings and nine improvement notices were issued in this special enforcement exercise.

Prevention of Heat Stroke at Work

1.19 To ensure adequate protection of workers from heat stroke at work in summer, we enhanced our enforcement and publicity efforts from April to September. Apart from promoting the awareness of employers and employees of heat stroke prevention, we stepped up our inspections of workplaces with a higher risk of heat stroke. The inspections covered matters such as the provision of adequate drinking water at readily accessible locations; the provision of sheltered work and rest areas, ventilation facilities; and the provision of appropriate information, instruction and training to workers. During this special enforcement campaign, we issued a total of 207 warnings and eight improvement notices, and took out three prosecutions.



Representatives of Labour Department partnered with stakeholders visiting individual workplace to promote heat stroke prevention at work.

Strengthening Local and International Partnerships

Labour Day Reception

1.20 On April 28, 2009, Secretary for Labour and Welfare Mr. Matthew CHEUNG Kin-chung hosted a cocktail reception at the Hong Kong Exhibition Centre of the China Resources Building to celebrate Labour Day and to pay tribute to the workforce. The Chief Executive Mr. Donald TSANG officiated at the reception, with guests from trade unions, employer associations and other organisations.



Toasting by the Chief Executive, Mr. Donald TSANG and senior government officials during Labour Day Reception.

Contacts with Other Labour Administrations

1.21 We maintain active liaison and interflows with other labour administrations through visits and participation in various activities.

1.22 In February, Mr SUN Baoshu, Vice Minister, Ministry of Human Resources and Social Security of the State Council, led a delegation to visit the Hong Kong Special Administrative Region (HKSAR). The delegation met with the Commissioner for Labour Mrs. Cherry TSE LING Kit-ching and exchanged views with officers of the Labour Department on various labour issues.



Commissioner for Labour Mrs. Cherry TSE LING Kit-ching (right) welcomes Vice Minister SUN Baoshu of the Ministry of Human Resources and Social Security (left).

1.23 In June, Deputy Commissioner for Labour (Labour Administration) Mr. Alan WONG Kwok-lun led a tripartite team comprising government, employer and employee representatives to attend the 98th Session of the International Labour Conference in Geneva as part of the Chinese delegation.



Deputy Commissioner for Labour (Labour Administration) Mr. Alan WONG Kwok-lun (middle) and members of the tripartite team at the International Labour Conference.

1.24 In September, Commissioner for Labour Mrs. Cherry TSE LING Kit-ching led a delegation to participate in the 5th Guangdong-Hong Kong-Macao Safety Knowledge Competition. The event was hosted by the Administration of Work Safety of Guangdong Province and co-organised by the OSHC and Macao Labour Affairs Bureau. The delegation also visited the Administration of Work Safety of Shenzhen Municipality, Shenzhen Municipal Human Resources and Social Security Bureau, Department of Labour and Social Security of Guangdong Province as well as the Mainland China Consultation Services Centre of the Hong Kong Federation of Trade Unions. Views on matters related to labour administration and work safety were exchanged in these visits.



Commissioner for Labour Mrs. Cherry TSE LING Kit-ching led a delegation visiting the Administration of Work Safety of Guangdong Province.

1.25 In October, Commissioner for Labour Mrs. Cherry TSE LING Kit-ching led a delegation under the Reciprocal Visit Programme to visit the Ministry of Human Resources and Social Security of the State Council in Beijing and met with Vice Minister SUN Baoshu. The delegation also visited the State Administration of Work Safety.



Commissioner for Labour Mrs. Cherry TSE LING Kit-ching (left) meets Vice Minister SUN Baoshu of the Ministry of Human Resources and Social Security (right).

- 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: www.labour.gov.hk.

Vision, Mission and Values

2.2 Our Vision

We aspire 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 Employee 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 and enforcement, education and training, as well as publicity 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 Organisation activities, and liaison with labour administration counterparts in the Mainland or other countries. Besides, the division manages the departmental reference library, collects information pertaining to labour administration and co-ordinates training activities for staff of the Labour Administration Branch. In addition, the division provides secretariat support to the Labour Advisory 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.
- 2.12** The Information Technology Management Unit offers support and advice to the development and management of information technology 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: www.labour.gov.hk/eng/perform/content.htm

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 representative tripartite advisory body with members from the employee and employer sectors as well as the Government. It advises the Commissioner for Labour on matters affecting labour, including legislation as well as Conventions and Recommendations of the International Labour Organisation. The terms of reference and composition of the LAB and its membership for the term 2009-2010 are in [Figure 2.3](#).



Members of the 2009-2010 Labour Advisory Board.

The Programme of Labour Relations

(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. 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 people 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 (LRO), the Minor Employment Claims Adjudication Board Ordinance (MECABO) and the Trade Unions Ordinance (TUO).

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 for in the LRO. The MECABO 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 2009

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 2009, we handled 83 547 in-person consultations, 143 labour disputes and 24 305 claims. The number of labour disputes and claims handled in 2009 increased by 18 per cent compared with the figure of 20 743 cases in 2008. The increase in labour disputes and claims handled in 2009 was largely due to the financial tsunami which triggered a series of business closures, insolvencies and redundancies. Despite the rise in the number of cases, the settlement rate was kept at a high level of 71.5% in 2009. Seven strikes were recorded in the year. The number of working days lost per thousand salaried employees and wage earners was 0.36, among the lowest in the world. ([Figures 3.2 – 3.7](#))

Proactive Efforts to Combat Wage Defaults

3.6 In 2009, the Labour Department continued to adopt a proactive strategy to tackle the problem of non-payment of wages at source through enhancing publicity and promotion, stepping up enforcement and prosecution, and making use of the early warning system set up in collaboration with trade unions to gather intelligence on non-payment of wages. We also proactively monitored selected sectors and establishments with a view to forestalling and detecting at an early stage cases of wages default and intervening early to tackle the problem.

Strengthening Tripartite Co-operation

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 the industries. Matters of concern to the industries such as Human Swine Influenza, Qualifications Framework promulgated by the Government and legislating for minimum wage and anti-racial discrimination were deliberated in the year.



Members of tripartite committee visited a theatre.

Promotion of Good Employer-Employee Relations

3.8 To promote better public understanding of the EO and good people management practices, we organised various promotional activities such as seminars, talks and roving exhibitions for employers, employees, human resources professionals and members of the public. A wide range of publications covering different themes were produced for free distribution to the public. Relevant information is also disseminated through the department's website and the media.

3.9 We organised a number of experience-sharing sessions and briefings for human resources practitioners through our network of 18 Human Resources Managers Clubs. In the year, five roving exhibitions on EO and good people management measures were also organised over the territory attracting some 14 700 visitors.



Roving exhibition held in Kai Tin Shopping Centre, Lam Tin.

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 2009, the board recorded 2 200 claims amounting to \$9,500,801 and concluded 2 355 claims with a total award of \$5,280,117.

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 2009, 22 new trade unions were registered, making up a cumulative total of four registered trade union federations and 812 registered trade unions (comprising 768 employee unions, 18 employer unions and 26 mixed organisations of employees and employers). Please refer to the following webpage for the key trade union statistics:

www.labour.gov.hk/eng/labour/content3.htm

3.14 In the year, the Registry of Trade Unions examined 647 statements of account and conducted 373 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 three courses on trade union bookkeeping, auditing and provisions of the TUO.

The Programme of Safety and Health at Work

(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 through the three-pronged strategy of legislation and enforcement, education and training, as well as publicity 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;
 - providing to employers, employees and the general public appropriate information and advice to promote knowledge and understanding of occupational safety and health; and
 - organising promotional programmes and training courses to improve safety awareness of the workforce.
- 4.2** The Labour Department establishes the legislative framework to safeguard safety and health at work. 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 a piece of 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 2009

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 in the construction industry was especially remarkable.
- 4.7** The number of occupational injuries in all workplaces in 2009 stood at 39 579, representing a drop of 31.9 per cent from 58 092 in 2000, while the injury rate per thousand employees decreased to 15.0, down by 35.6 per cent when compared to 23.3 in 2000. The number of

industrial accidents for all sectors went down to 13 600, representing 59.6 per cent drop when compared to 33 652 in 2000. The accident rate per thousand workers for all sectors in 2000 and 2009 were 51.7 and 24.6* respectively.

*The compilation of the accident rate per 1 000 workers of all industrial sectors in 2009 is based on the employment size classified under Hong Kong Standard Industrial Classification Version 2.0 (HSIC V2.0) which is different from those under HSIC V1.1 in previous years. Therefore, this accident rate cannot be strictly comparable to those published in previous years.

- 4.8** The number of industrial accidents in the construction industry decreased significantly by 76.9 per cent, from 11 925 in 2000 to 2 755 in 2009, while the accident rate per thousand workers also decreased from 149.8 to 54.6, down by 63.6 per cent.

Occupational Diseases

- 4.9** In 2009, there were 268 cases of confirmed occupational disease. Compared with 504 cases in 2000, this represented a substantial drop in the number of occupational disease cases in the past 10 years. Silicosis, occupational deafness, tenosynovitis of the hand or forearm and tuberculosis were the most common occupational diseases in the year.

- 4.10** For more statistics on occupational safety and health, please visit the following webpage:
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](#).

Enforcement

- 4.12** To ensure 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.

- 4.13** A key element in enforcement is to give advice on the prevention of accidents. In 2009, we conducted promotional visits to encourage employers to adopt a proactive self-regulatory approach in managing risks at the workplace. We also conducted regular enforcement inspections to various workplaces to ensure that duty-holders had observed all related statutory requirements stipulated in safety legislation. In addition, we conducted 18 special blitz operations targeting at various high-risk work activities, including construction safety, safety of renovation and maintenance works, lift and escalator maintenance and repair safety, safe use of electricity, safety of tower cranes, safe operation of vehicles/mobile plant on construction sites, catering safety, cargo and container-handling safety, safe use of calendaring machines as well as fire and chemical safety. 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 unsafe acts. In these 18 operations, a total of 28 048 workplaces were inspected, with 453 prosecutions initiated, and 436 improvement notices and 22 suspension notices issued.

- 4.14** We continued to place 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 risks to lives and limbs. Many of these companies have shown significant improvements in their safety performance. To handle workers' complaints on work safety more effectively, our Central Inspection Team conducted independent investigation into complaints lodged by workers and encouraged workers to report unsafe conditions or malpractices in workplaces. In

2009, the team handled 178 complaints and initiated five prosecutions arising from investigation of these cases. We also enhanced the intelligence reporting system on unsafe RMAA works with the Hong Kong Association of Property Management Companies. In 2009, a total of 545 enquiry/complaint/referral cases were received through the system and other channels. As a result of the inspections to follow up on these cases, 70 suspension/improvement notices were issued and 57 prosecutions were taken out. We had also established a similar referral mechanism with the Housing Department. In 2009, we received through the mechanism a total of 3 350 notifications of high risk RMAA works in housing estates and followed up on these referrals.

4.15 On 1 May, the first case of human swine influenza A/H1N1 was confirmed in Hong Kong. Upon the elevation of Government's response level to "Emergency Response", we activated our departmental mobilization plan immediately to step up inspections of workplaces at a higher risk of infection to ensure adequate infection control measures to safeguard the health of employees. As at the end of 2009, all 53 public and private hospitals, two slaughterhouses and 11 boundary control points, as well as 83 General Outpatient Clinics under the Hospital Authority, and Tuberculosis and Chest Clinics under the Department of Health had been inspected. We also inspected 289 elderly homes, 13 pig farms, 88 workplaces of cleansing contractors, 94 schools suspended due to outbreak of the infection, and 3 900 restaurants. During the same period, we issued a total of 293 warnings and nine improvement notices.

4.16 From April to September, the department stepped up its enforcement, while enhancing publicity on prevention of heat stroke at work during hot weather, targeting outdoor and indoor workplaces with a higher risk of heat stroke, such as construction sites, outdoor cleansing workplaces, restaurant kitchens, food factories and laundries, to ensure adequate protection of workers from heat stroke at work. In this special enforcement campaign, we conducted a total of 9 416 surprise inspections, and issued a total of 207 warnings and eight improvement notices, as well as took out three prosecutions.



An Occupational Hygienist assessing the risk of heat stress at an indoor workplace.

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 2009, there were 30 appointed examiners and seven recognised inspection bodies. In addition, we 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 2009, 337 applications for certificates of competency were processed, with 309 certificates issued/endorsed. At the same time, we advise the Fire Services Department on approval and preliminary inspections of pressurised cylinders and storage installations for compressed gas.

4.18 As at the end of 2009, a total of 180 673 workplaces, including 19 636 construction sites, were recorded. In the year, 119 029 inspections were conducted under the OSHO and the FIUO, while 4 713 inspections were made under the BPVO. As a result, 30 559 warnings were issued by Occupational Safety Officers while 3 539 warnings were given under the BPVO. Altogether, 1 377 suspension or improvement notices were issued. We also carried out 11 580 and 3 155 investigations on accidents and suspected occupational diseases respectively in the year.



An Occupational Safety Officer conducting inspection at a construction site.

Education and Training

4.19 To foster a culture of respect for occupational safety and health among the working population, we provide training-related services to employers, employees and stakeholders. Such services are divided into three categories – provision of training courses, recognition of mandatory safety training courses and registration of safety officers and safety auditors.

4.20 In 2009, we conducted 492 legislation-related safety and health training courses for 3 837 employees and 336 tailor-made talks for another 9 918. We also recognised six mandatory basic safety training courses (commonly known as “green card” courses) for the construction and container-handling industries. In addition, we recognised one confined spaces safety training course, six crane operator training courses, one gas welding safety training course and one loadshifting machinery safety training course. The Labour Department has in place a system to monitor these recognised safety training courses to ensure their standard. This includes surprise inspections to ensure that courses are conducted in line with the terms of approval.



An Occupational Safety Officer taught workers at a safety seminar on how to use fall protection equipment correctly.

4.21 In 2009, we registered 92 persons as safety officers and 29 as safety auditors. As at the end of the year, there were 2 338 safety officers with valid registration and 981 registered safety auditors. Furthermore, we started to process applications for renewal and revalidation of registration as safety officers in September 2005. A total of 2 032 such applicants had been approved as at the end of 2009.

4.22 Occupational health education empowers employers and employees on the prevention of occupational health hazards and occupational diseases. In 2009, a total of 1 394 health talks on various occupational health issues was organised for over 47 500 participants. Apart from organising public health talks, we also provided outreaching health talks at the workplaces of individual organisations. These health talks covered more than 30 different topics e.g. “Manual Handling Operation and Prevention of Back Injuries”, “Health Hazards of Asbestos”, “Health Hazards of Hot Environment at Work”, and “Prevention of Musculoskeletal Disorders for Office Workers”.

Publicity and Promotion

4.23 We organised a series of promotion campaigns in 2009 aiming at heightening safety awareness among employers and employees and cultivating a positive safety culture at the workplaces, some jointly with relevant stakeholders such as the OSHC, trade associations, workers’ unions and other government departments.

4.24 The Catering Industry Safety Award Scheme and the Construction Industry Safety Award Scheme were organised again in the year. The two Schemes were well received by the industries.

4.25 Accidents in RMAA works have become a source of growing concern in recent years and the volume of RMAA works continued to increase. In 2009, the Labour Department in collaboration with the OSHC, trade associations, workers’ unions and other stakeholders, continued to implement the two year territory-wide promotion campaign launched in November 2008 to publicise the safety of RMAA works and work-at-height. Major publicity activities included broadcasting “Announcements in the Public Interest” on television/radio/mobile media, staging roving exhibitions, publishing feature articles in newspapers and on the Labour Department website, publishing leaflets and disseminating safety messages to contractors, employers and employees through various means.

4.26 We also partnered with the OSHC, District Councils, District Offices, Safe and Healthy Communities in various districts and the property management sector to organise publicity and promotional activities to promulgate work-at-height and RMAA works safety at district level, including organising safety seminars to promote awareness in the property management sector and property owners. Such publicity and promotional activities have already been launched in 14 districts and will continue to be extended to all districts.



Promotional programme on RMAA works safety at district level.

4.27 The Labour Department continued to operate jointly with the OSHC various sponsorship schemes to encourage SMEs to use proper safety equipment. These included the Sponsorship Scheme for Work-at-height Fall Arresting Equipment for Renovation and Maintenance Work for SMEs, the Cut Resistant Gloves and Slip Resistant Shoes Sponsorship Scheme for Catering SMEs and the Reversing Video Device Sponsorship Scheme for Heavy Vehicles on Construction Sites.

4.28 The Occupational Safety Charter, launched jointly with the OSHC since 1996 to promote the spirit of "shared responsibility" in workplace safety and health, sets out a safety management framework for employers and employees to work together to create a safe and healthy working environment. By the end of 2009, 1 090 organisations, including public utilities companies, industrial and non-industrial establishments, banks, construction companies, unions, associations and community organisations, had subscribed to the Occupational Safety Charter.



The Federation of Environmental and Hygienic Services -- Occupational Safety Charter Signing Ceremony.

4.29 We also collaborated with relevant stakeholders including the OSHC, Pneumoconiosis Compensation Fund Board, Occupational Deafness Compensation Board, employers' associations, trade unions and community groups in promoting occupational health through a variety of activities such as carnivals, occupational health award presentations, workplace hygiene charter and promotional visits. In partnership with these stakeholders, we launched integrated publicity programmes in the year to promote an educational kit on comprehensive strategies for preventing different occupational diseases. In fact, our promotion and public education work went well beyond occupational diseases. With a view to safeguarding the health of workers, we also extended our preventive work to common work-related diseases. Musculoskeletal disorders, common among workers in specific occupations like service and clerical personnel and manual workers in general, constituted an example.

Moreover, we also stepped up publicity on the prevention of heat stroke at work through a multitude of activities such as organising public and outreaching health talks, showing educational videos on mobile advertising media, and issuing press releases to remind employers and employees of the need for due care when working in the hot weather. In the year, we published a new checklist providing guidance to employers and employees for assessing the risk of heat stroke at workplaces and taking effective preventive measures.



Commissioner for Labour Mrs. Cherry TSE LING Kit-ching pictured with the representatives of organisations signing the Workplace Hygiene Charter.

4.30 Under the Customer Service Teams Project, volunteers visited 14 286 catering establishments and SMEs of the RMAA works and sanitary and similar services to disseminate safety messages to employers and employees in the year.



Customer Service Teams Project 2009 -- Experience Sharing Gathering.

4.31 In 2009, we published 17 new occupational safety and health publications, including “A Safety Guide for Freight Container Inspection”, “A Safety Guide for Gate Work”, “Occupational Safety and Health Statistics Bulletin Issue No. 9 (August 2009)”, and booklets and leaflets for promoting health at work, e.g. “Guidelines for Employers and Employees – Prevention of Human Swine Influenza (Influenza A H1N1)”, “Risk Assessment for the Prevention of Heat Stroke at Work” and “Occupational Health of Workers in Pre-primary Education Institutions”. Moreover, we also published publications in the languages of ethnic minorities for promoting to them work safety and health.

4.32 To promote the safety awareness of the industry in operating boilers and pressure vessels, we organised jointly with the OSHC, professional bodies, other major stakeholders and associations in the trade, a large-scale seminar to enable the sharing of professional knowledge and experience on topics relating to globalisation of standards and quality management of boilers and pressure vessels. We also distributed 6 167 publications and leaflets regarding the safe operation of boilers and pressure vessels, and reviewed and revised the “Code of Practice for Steam Receivers”.



Commissioner for Labour Mrs. Cherry TSE LING Kit-ching pictured with other officiating guests, representatives of organisers and overseas speakers at the opening ceremony of the 21st Boilers and Pressure Vessels Safety Seminar.

4.33 In 2009, the Occupational Safety and Health Branch handled 14 574 enquiries, advising on various safety and health matters. Furthermore, the Occupational Safety and Health Centre provides information and advisory services to workers and employers.

Clinical Occupational Health Services

4.34 The Labour Department runs occupational health clinics in Kwun Tong and Fanling, providing clinical consultations, medical treatment as well as occupational health education and counselling services for workers suffering from work-related and occupational diseases. The workplaces of the patients are inspected if necessary to identify and evaluate occupational health hazards in the work environment.

In 2009, 13 228 clinical consultations were rendered. Moreover, six patient support groups were organised to promote patients' compliance with treatment and sustainability in good work practices through health talks, experience sharing and peer support.

The Programme of Employment Services

(www.labour.gov.hk/eng/service/content.htm)

- 5.1** 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 2009

Employment Situation in Hong Kong

- 5.5** The department posted a total of 589 564 vacancies from the private sector in 2009, a decrease of about 12% when compared with 671 770 in 2008. For updated statistics on the labour force, unemployment rate and underemployment rate, please visit the webpage: www.censtatd.gov.hk/hong_kong_statistics/statistical_tables/index.jsp?charsetID=1&subjectID=2&tableID=006
- 5.6** In 2009, because of the impact of the financial tsunami, even though the department stepped up its efforts in making 18.5% more job referrals for job-seekers over the preceding year, the number of placements achieved dropped to 120 870, down 17.4% as compared to the corresponding figure in 2008. ([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 resource corner are available.
- 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 match for suitable jobs actively. Placement officers also introduce suitable retraining courses to job-seekers where appropriate.

Telephone Employment Service

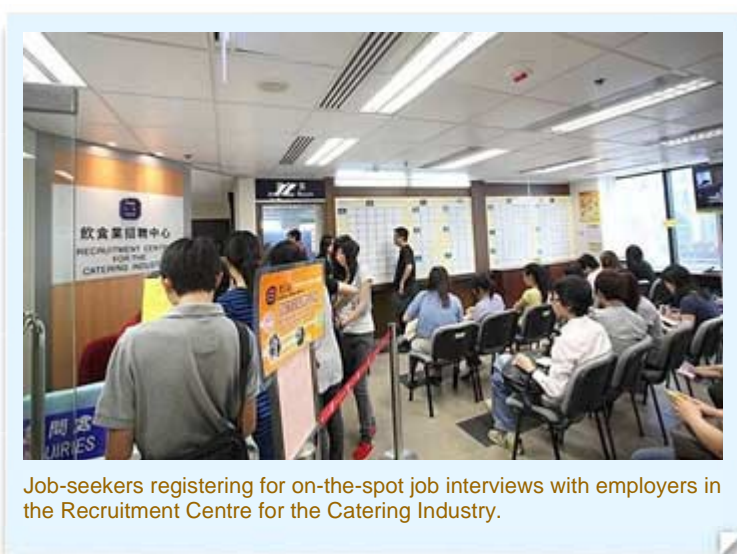
- 5.9** Job-seekers registered at the Labour Department may call our Telephone Employment Service Centre on 2969 0888 for job referral service. Through conference calls, staff of the Centre can make arrangement for job-seekers to talk to employers directly.

On-line Employment Service

- 5.10** Our Interactive Employment Service (iES) website (www.jobs.gov.hk) provides round-the-clock on-line employment service and comprehensive employment information. The iES is one of the most popular government websites, recording over 1.17 billion page views and accounting for over 20 per cent of the page views for all government websites in Hong Kong in 2009. It hyperlinks with leading employment websites in Hong Kong and hosts a number of dedicated webpages for specific clientele.

Recruitment Centre for the Catering Industry

- 5.11** In February 2009, a Recruitment Centre for the Catering Industry was set up to provide tailor-made job-matching service and on-the-spot interview arrangements for catering establishments and job-seekers.



Central Processing of Job Vacancies

- 5.12** Employers who need to recruit staff can send their vacancy information to our Job Vacancy Processing Centre by fax (2566 3331) or through the Internet (www.jobs.gov.hk). The vacancy information will be uploaded onto the iES website and posted at our job centres after vetting.

Special Recruitment and Promotional Activities

5.13 We organise a variety of activities to promote our employment services and appeal for vacancies from employers. Job fairs are held to facilitate job-seekers and employers to meet and communicate directly. To assist job-seekers living in remote areas in securing employment, we held large-scale job fairs in Tin Shui Wai, Tuen Mun, Tsing Yi, Tung Chung and Fanling in 2009. 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 mini-job fairs at Job Centres to assist employers to recruit local staff and to enable job-seekers to participate in job interviews without having to travel long distance. In the year, 22 large-scale job fairs and 224 mini-job fairs were held, attracting some 71 800 job-seekers.



The Chief Executive, Mr. Donald TSANG visited a large-scale job fair organised by the Labour Department in Tin Shui Wai.

5.14 To further strengthen the dissemination of local vacancy information and to promote Labour Department's employment services, we have since 2009 organised "Job Info Days" and other district-based employment promotional activities at various districts. In the year, we organised 26 such events which attracted about 25 800 visitors.

Intensified Services for the Needy

Middle-aged Job-seekers

5.15 The Employment Programme for the Middle-aged was launched in May 2003 to assist the unemployed aged 40 or above to secure employment. Employers who engage an eligible middle-aged job-seeker in a full-time permanent job and offer him/her on-the-job training will receive a training allowance of \$1,500 per month, for up to three months. With effect from June 29, 2009, the training allowance payable to employers was increased to \$2,000 per employee per month and the subsidy period for deserving cases was extended to a maximum of six months. As at the end of 2009, a total of 46 518 placements were secured through the programme.

Work Trial Scheme (WTS)

5.16 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 without employer-employee relationship, participants take up jobs offered by participating organisations. On satisfactory completion of the one-month work trial, the Labour Department will pay each participant an allowance of \$5,000, while the participating organisation will contribute an additional allowance of \$500. As at year end, a total of 2 905 job-seekers were placed into work trials.

Transport Support Scheme

5.17 Commencing in June 2007 and with eligibility criteria relaxed in July 2008, the Transport Support Scheme is designed to provide time-limited allowances as an incentive for needy job-seekers and low-income employees in the four designated remote districts of Yuen Long, Tuen Mun, the North and Islands with a view to encouraging them to “go out” to seek jobs and work across districts. Under the relaxed scheme, time-limited transport allowances, viz. Job Search Allowance of up to \$600 and On-the-job Transport Allowance of \$600 per month for up to 12 months are made available to eligible applicants.

As at the end of 2009, about 38 370 applicants have been admitted to the scheme.

New Arrivals and Ethnic Minorities

5.18 We provide through our job centres a comprehensive range of employment services to new arrivals and ethnic minority job-seekers. These include employment counselling, job referral, tailor-made employment briefing and employment information.

Workers affected by Large-scale Retrenchment

5.19 In major business closure or redundancy cases, the Labour Department sets up hotlines for enquiry and special counters at Job Centres to provide priority job referral and job matching services to affected employees. We appeal to employers to provide suitable vacancies and inform the affected employees of such vacancies to facilitate their job search. In addition, under the Department’s iES website, we set up a dedicated webpage to display vacancies offered by employers interested in recruiting job-seekers who lost their jobs in recent closure or redundancy exercises. In 2009, we offered priority placement services to 3 203 affected employees.

Job-seekers with Disabilities

5.20 The Selective Placement Division (SPD) offers employment assistance to job-seekers with disabilities looking for open employment. Placement officers will provide personalised employment services, job matching services and, where appropriate, make referrals to tailor-made retraining programmes. In 2009, the SPD registered 3 185 job-seekers with disabilities and helped place 2 436 of them into employment. ([Figure 5.3](#))

Work Orientation and Placement Scheme

5.21 The Labour Department has launched the Work Orientation and Placement Scheme (WOPS) since April 2005 to enhance the employability of people with disabilities. The scheme features pre-employment training to job-seekers with disabilities on job-search/interviewing techniques and communication/ interpersonal skills, etc, as well as a monthly allowance to the participating employers. To further improve the employment opportunities of people with disabilities, the financial incentive to employers has been increased and the subsidy period extended as from 29 June 2009. Since then, employers participating in the scheme receive a monthly allowance from the Labour Department, equal to two-thirds of what they pay the employee with disabilities each month (subject to

a ceiling of \$4,000) for up to a maximum of six months. As at the end of 2009, the scheme achieved 1 623 work placements.

Self Help Integrated Placement Service

5.22 The Self Help Integrated Placement Service (SHIPS) aims at improving the job-searching skills of job-seekers with disabilities and encouraging them to be more proactive in the search for jobs, thereby enhancing their employment opportunities. In 2009, 547 job-seekers with disabilities participated in the programme. The overall placement rate was about 75 per cent.

Interactive Selective Placement Service (iSPS) Website

5.23 The Interactive Selective Placement Service (iSPS) Website (www.jobs.gov.hk/isps) provides employment services for job-seekers with disabilities and employers through the Internet. The website enables persons with disabilities to register with the SPD, browse job vacancy information and perform preliminary job-matching. It also enables employers to place vacancy orders, identify suitable job-seekers with disabilities to fill their vacancies and request the SPD to refer candidates to them for selection interview. The website was revamped in late 2009 to facilitate employers to browse information on the work capacity of people with disabilities more readily. At the same time, it helps people with disabilities to access to various on-line employment services and other related support services.

Promotional Activities

5.24 To enhance public understanding of the working abilities of people with disabilities as well as to publicise the WOPS, the SPD conducted a series of promotional activities, such as exhibitions, production of various kinds of promotional advertisements and a video on successful employment cases of people with disabilities for public viewing during the year. In addition, a large-scale seminar was held for employers and special promotional campaigns on targeted trades were conducted to canvass job vacancies for people with disabilities.

Services for Young People

Youth Pre-employment Training Programme and Youth Work Experience and Training Scheme

5.25 The Youth Pre-employment Training Programme (YPTP) and the Youth Work Experience and Training Scheme (YWETS) provide full range of pre-employment and on-the-job-training to young people aged 15 to 24 with educational attainment at sub-degree level or below. The two programmes comprise diverse elements that cater for the different needs of young people with different interests and levels of educational attainment. Since their inception in 1999 and 2002 up to the programme year ending August 2009, YPTP has trained over 90 000 young people and YWETS has assisted some 62 000 in securing employment.

5.26 The two programmes closely collaborated with training bodies to launch well-received special employment projects for industries and individual establishments. These projects included “tailor-made employment projects” co-organised with establishments offering large number of on-the-job training vacancies and “tailor-made training-cum-employment projects”. The latter provides pre-employment job skills training custom-made for a particular establishment under YPTP which was immediately followed by on-the-job training under YWETS. In the 2008/09 Programme, 19 special employment projects were run for employers in the retail, catering, tourism, education, business services and property management industries.

5.27 In August, we organised the Award Ceremony of the Most Improved Trainees of YPTP and YWETS to showcase the benefits brought to the trainees through the programmes and commend the caring efforts of training bodies and employers. Trainees' recollection of their experience in striving for improvement constituted the best encouragement to their peers. It was also a sterling testimony to the achievements of the trainees, training bodies, employers and the Government in nurturing the development of the younger generation.



Award Ceremony of the Most Improved Trainees of YPTP and YWETS 2009.

5.28 To proactively assist young people in navigating their career journey, in September, we enhanced the YPTP and YWETS and integrated them into a “through-train” programme – “YPTP • YWETS” — to provide seamless and comprehensive youth training and employment support.

5.29 Under the revamped programme, trainees can enrol on a year-round basis and are entitled to a full range of coordinated and customised training and employment support services, including pre-employment training, one-month workplace attachment training, on-the-job training of six to 12 months, reimbursement of off-the-job course and examination fees up to \$4,000 per trainee, as well as case management services rendered by registered social workers.

5.30 The response of young people to the revamped programme was favourable. From its commencement on 14 August 2009 up to the end of 2009, some 10 700 applications were received.

Youth Employment Support

5.31 The Labour Department operates two youth employment resource centres named Youth Employment Start (Y.E.S.). The two centres provide one-stop service on employment and self-employment to young people aged between 15 and 29 to facilitate them to map out their career path, enhance their employability and support young people to pursue self-employment. Services provided include career assessment, career guidance, professional counselling, value-adding training, support services on employment and self-employment as well as up-to-date labour market information. In 2009, the two centres provided services to 71 680 young people.



Business members discussing work plans with partners in the business room of Y.E.S..

Internship Programme for University Graduates

5.32 As a special and time-limited initiative launched against the backdrop of the financial tsunami, the Internship Programme for University Graduates (GIP) encourages enterprises to offer internship and employment opportunities for university graduates of 2008 and 2009, with a view to broadening their horizons, enriching their experience and fostering their career development.

5.33 For local internships, graduates receive training in their capacity as employees, and are paid wages commensurate with the duties, responsibilities and training contents of the posts. During the period of internship, an employer receives a training subsidy of \$2,000 per intern per month from the Government.

5.34 GIP also provided for the first time internship opportunities on the Mainland under the auspices of the Government, giving university graduates valuable chances to acquire first-hand knowledge of the operation of Mainland enterprises and the development of Mainland economy. Mainland internships are not premised on an employment relationship. An intern on the Mainland is entitled to receive a living allowance of \$3,000 and, depending on circumstances, an accommodation allowance of \$1,500 each month from the Government.



Interns sharing their internship experience at the Exchange Forum held in Beijing.

5.35 Since commencement of enrolment to GIP on 1 August 2009 and up to the end of 2009, 1 302 graduates have secured employment in Hong Kong through the Programme. Their average monthly salary was \$8,800, with the highest offer being \$22,000. For Mainland internships, over 200 graduates had taken up internships in different Mainland cities including Beijing, Shanghai, Guangzhou and Shenzhen.

Regulating Local Employment Agencies and Employment Outside Hong Kong

5.36 We monitor the operation of employment agencies through licensing, inspection and investigation of complaints. In 2009, we issued 1 998 employment agency licences, revoked two licences and rejected one licence application. As at year-end, there were 2 002 licensed employment agencies in Hong Kong. A total of 1 326 inspections were made to employment agencies in the year.

5.37 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 into in Hong Kong involving manual employees and non-manual employees with monthly wages not exceeding \$20,000.

Regulating Labour Importation

Supplementary Labour Scheme

5.38 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 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.

5.39 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 can 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.

5.40 As at the end of 2009, there were 1 595 imported workers working in Hong Kong under the Supplementary Labour Scheme.

Policy on Foreign Domestic Helpers (FDHs)

5.41 FDHs have been admitted to work in Hong Kong since the early 1970's. Apart from enjoying the same statutory rights and benefits as all employees in Hong Kong, FDHs are further protected by a written Standard Employment Contract. The Standard Employment Contract prescribed that, *inter alia*, the employer had to provide to the FDH free accommodation with reasonable privacy, free food (or food allowance in lieu), free passage to and from the FDH's place of origin and free medical treatment, etc. Furthermore, the Government had since the 1970s prescribed a Minimum Allowable Wage for FDHs as an additional safeguard against exploitation. The Government attached great importance to safeguarding their statutory and contractual rights. Claims of breach of statutory rights were promptly investigated and prosecution action would be taken out if there was sufficient evidence. In the year, the Department also widely publicised the rights and benefits of

FDHs by, for instance, staging four information kiosks for FDHs at places they frequently gather on their rest days in February, August and September. The event attracted over 24 000 visitors. The Department also maintained close liaison with consulates of the FDH-exporting countries, non-government organisations serving FDHs and FDH employer groups to better address issues relating to importation of FDHs.

5.42 As at the end of 2009, there were 267 778 FDHs in Hong Kong, an increase of 4.4 per cent compared with 256 597 in 2008. About 49 per cent of the FDHs in Hong Kong were from Indonesia and 48 per cent from the Philippines.

The Programme of Employee Rights and Benefits

(www.labour.gov.hk/eng/erb/content.htm)

- 6.1** The objective of the Employee Rights and Benefits Programme is to improve and safeguard employee 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 employees' compensation claims;
 - maintaining close partnership with statutory bodies set up for protecting the rights and benefits of employees; and
 - providing customer-oriented information 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 and Mesothelioma (Compensation) Ordinance (PMCO), 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 non-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.
- 6.4** The PMCO provides compensation to persons who suffer from pneumoconiosis and/or Mesothelioma. 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 2009

Key Indicators of Work

6.7 We stepped up our efforts to safeguard the rights and benefits of employees through various activities in 2009. Some key indicators of work of this programme area are shown in [Figure 6.1](#).

Amendments to the Occupational Deafness (Compensation) Ordinance and Employees' Compensation Insurance Levies Ordinance

6.8 In June 2009, an amendment bill was introduced into the Legislative Council to improve the statutory compensation for persons with occupational deafness under the Occupational Deafness (Compensation) Ordinance. Related amendments were also made to the Employees' Compensation Insurance Levies Ordinance to adjust the overall levy rate and proportions of distribution to three statutory bodies in order to maintain their financial viability.

Stepping Up Enforcement against Wage Offences

6.9 The department takes a serious view on wage default and has put in place effective arrangements to enforce statutory provisions governing payment of wages. In 2009, the department continued to step up prosecution against employers and responsible persons of companies for wage offences. 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 conducted investigation speedily into the suspected offences. The Employment Claims Investigation Division continued to vigorously conduct in-depth investigation into suspected wage offences under the EO promptly. Prosecutions were taken out against employers and company responsible persons whenever sufficient evidence was available.

6.10 With the department continuing in stepping up enforcement action, 1 750 summonses were heard in respect of wage offences in 2009. As for summonses convicted, the number was 1 314, representing an increase of 37 per cent compared with the 958 convictions in 2008. Four company responsible persons and one employer were jailed or given suspended sentences for wage defaults. In addition, community service orders were imposed on eight company directors for committing wage offences. An employer was fined \$560,000 in one prosecution case. These sentences sent a strong message to employers on the seriousness of wage defaults.

Vigorous Enforcement to Protect Employee Rights and Benefits

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

6.12 In 2009, labour inspectors carried out 139 718 workplace inspections to establishments in different trades to enforce labour laws ([Figure 6.2](#)) and in 139 162 of such inspections, they also checked the employees' proof of identity and the employee records kept by employers to deter illegal employment. We strengthened the collection and analysis of intelligence on illegal employment activities, and organised 217 operations with the Police and the Immigration Department.

6.13 We conducted routine inspections and trade-targeted operations to enforce the compulsory requirement of taking out employees' compensation insurance policy under the ECO. In the year, a total of 84 639 inspections were conducted to enforce the statutory requirement. Employers failing to comply with the 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 696 inspections were conducted to the workplaces of such workers and 2 238 workers were interviewed to check contractors' compliance with labour laws.

6.15 To ensure compliance with the required conditions under the Supplementary Labour Scheme, we investigated 53 complaints and cases on suspected irregularities involving imported workers such as allegations of improper deployment, long working hours and late payment of wages.

Processing Employees' Compensation Cases

6.16 Under the current no-fault employees' 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 In 2009, 55 799 employees' compensation cases, including 15 503 minor cases involving sick leave of not exceeding three days, were received. At year-end, among the 40 296 fatal cases or non-fatal cases involving sick leave exceeding three days, 26 563 cases were processed or settled. Compensation amounting to \$188 million was payable to the injured employees in these cases. The remaining cases are in the process of recovery and are being followed up. ([Figures 6.3 and 6.4](#))

6.18 In 2008, 59 867 employees' compensation cases, including 15 826 minor cases which involved sick leave of not exceeding three days, were received. As at the end of 2009, among the 44 041 fatal cases or non-fatal cases with sick leave exceeding three days, 41 180 cases were settled. A sum of \$602 million was payable as compensation to the injured employees in these cases. The number of working days lost was 1 146 832. The remaining cases are in the process of recovery and are being followed up. ([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.

Briefings and Promotional Campaigns

6.20 In 2009, we arranged seven briefings for government departments and 39 briefings for imported workers, to publicise the rights and obligations of the parties concerned.

6.21 Extensive publicity campaigns were launched to warn against illegal employment. We widely publicised our complaint telephone hotline (2815 2200) through press releases, posters, advertisements on tram body and inside train stations and compartments, as well as distribution of souvenirs etc. to encourage members of the public to provide intelligence on illegal employment activities.

6.22 We strengthened promotion on timely reporting of work accidents by employers and publicity on employers' statutory obligation to take out insurance policies to cover their liabilities for injuries at work sustained by their employees through TV and radio announcements, leaflets, posters, newspapers, departmental homepage and seminars on the ECO. In the year, we held eight talks on ECO, and launched new TV and radio announcements on employers' statutory obligation to take out insurance policies.



Snapshot of a Seminar on the Employees' Compensation Ordinance.

Partnership with Statutory Bodies

6.23 We maintain close partnership with various statutory bodies that are set up 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 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, verify applications and approve payment from the fund. With the continual impact of the global financial crisis, we received 7 260 applications in 2009, an increase of 13 per cent as compared with 6 448 in 2008. A breakdown of applicants by economic sector is shown in [Figure 6.6](#). During the year, we processed 7 404 applications, leading to payment of \$174 million. The financial position of the fund further improved and recorded a surplus of \$259 million for 2009.

6.26 By providing a safety net for employees affected by business closures, the fund plays an important role in maintaining harmonious labour relations and social stability. 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, Commercial Crime Bureau of the Police Force, Official Receiver's Office and Legal Aid Department to take concerted actions against suspected fraudulent cases.

Pneumoconiosis Compensation Fund Board

6.27 The Pneumoconiosis Compensation Fund Board (PCFB) is established under the PMCO to provide compensation to persons suffering from pneumoconiosis and/or mesothelioma. The board is financed by a levy collected from the construction and quarrying industries. Under the PMCO, the Labour Department is responsible for determining whether an applicant is entitled to compensation. As at the end of 2009, 1 858 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 \$150 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 2009, the board approved 57 applications, leading to payment of \$41.4 million. With effect from April 1, 2004, the Employees Compensation Insurer 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. The board also has an important role in providing educational and publicity programmes for the prevention of occupational deafness, and providing rehabilitation programmes for those suffering from noise induced-deafness by reason of employment. During the year, the board approved 77 applications for compensation with a total compensation payout at \$7.8 million and 294 applications for payment of expenses on hearing assistive devices with a total payout at \$750,000. The board also provided 568 rehabilitation programmes for people having occupational deafness.

International Instruments Setting Out Labour Standards

- 7.1** International Labour Conventions set by the International Labour Organisation (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](#)), notwithstanding that Hong Kong is not a sovereign entity and not an ILO member. 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 part 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 2009, 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 98th Session of the International Labour Conference held in Geneva, and a training workshop on labour migration policy and management in Pattaya organised by the ILO Subregional Office for East Asia and the Ministry of Labour of Thailand. ([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 Australia and Singapore. 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.

- 2.1 [Number of summonses convicted and total fines in 2009](#)
- 2.2 [Organisation Structure of the Labour Department \(as at 31 December 2009\)](#)
- 2.3 [Terms of Reference and Composition of the Labour Advisory Board and Membership for the term 2009-2010](#)
- 3.1 [Key Indicators of Work of the Labour Relations Programme Area in 2009](#)
- 3.2 [Number of Labour Disputes Handled by the Labour Relations Division from 2005 to 2009](#)
- 3.3 [Number of Claims Handled by the Labour Relations Division from 2005 to 2009](#)
- 3.4 [Number of Labour Disputes Handled by the Labour Relations Division in 2009 by Cause](#)
- 3.5 [Number of Claims Handled by the Labour Relations Division in 2009 by Cause](#)
- 3.6 [Number of Strikes and Number of Employees Involved from 2005 to 2009](#)
- 3.7 [Number of Working Days Lost per 1,000 Salaried Employees and Wage Earners from 2005 to 2009](#)
- 4.1 [Key Indicators of Work of the Programme of Safety and Health at Work in 2009](#)
- 5.1 [Key Indicators of Work of the Employment Services Programme Area in 2009](#)
- 5.2 [Key Indicators of Work on Employment Assistance Rendered to Able-bodied Job-seekers from 2005 to 2009](#)
- 5.3 [Key Indicators of Work on Employment Assistance Rendered to Job-seekers with Disabilities from 2005 to 2009](#)
- 6.1 [Key Indicators of Work of the Employee Rights and Benefits Programme Area in 2009](#)
- 6.2 [Number of Inspections Made in 2009 by Major Economic Sector](#)
- 6.3 [Number of Cases Reported under the Employees' Compensation Ordinance in 2009 by Sex and Age](#)
- 6.4 [Number of Cases Reported under the Employees' Compensation Ordinance from 2005 to 2009](#)
- 6.5 [Number of Employees' Compensation Cases by Working Days Lost for Cases Reported in 2008 and Result Known as at 31 December 2009](#)
- 6.6 [Number of Applicants of the Protection of Wages on Insolvency Fund in 2009 by Economic Sector](#)
- 7.1 [List of the 41 International Labour Conventions Applied to the Hong Kong Special Administrative Region](#)
- 7.2 [Participation in Major ILO Activities and Contacts with Other Labour Administrations in 2009](#)

Figure 2.1**Number of summonses convicted and total fines in 2009**

Ordinance	Summonses convicted	Fines (\$)
Boilers and Pressure Vessels Ordinance		
Sub-total	23	87,500
Employees' Compensation Ordinance		
Sub-total	1,267	2,400,800
Employment Ordinance and subsidiary regulations		
Statutory benefits cases	1,974	4,703,600
Young persons cases	-	-
Others	12	19,000
Sub-total	1,986	4,722,600
Factories and Industrial Undertakings Ordinance and subsidiary regulations		
Factory cases	366	2,025,600
Building and engineering construction cases	998	8,114,100
Sub-total	1,364	10,139,700
Occupational Safety and Health Ordinance and subsidiary regulations		
Sub-total	247	1,521,500
Others		
Sub-total	112	118,550
Total	4,999	18,990,650

Figure 2.2

**Organisation Structure of the Labour Department
(as at 31 December 2009)**

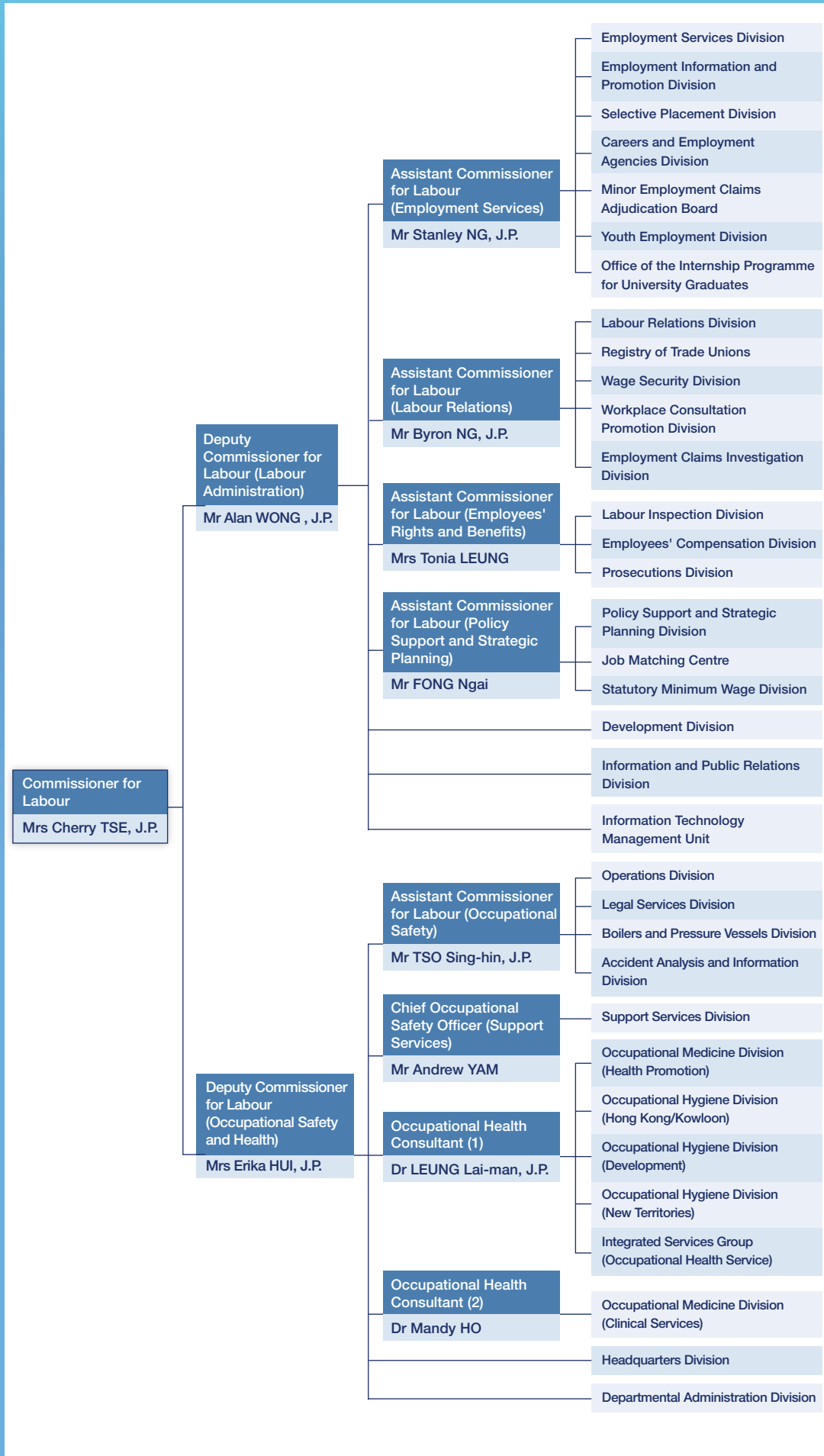


Figure 2.3

Terms of Reference and Composition of the Labour Advisory Board and Membership for the term 2009-2010

Terms of Reference

The Labour Advisory Board advises the Commissioner for Labour on matters affecting labour, including legislation and Conventions and Recommendations of the International Labour Organisation. 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	Commissioner for Labour (ex-officio)
Members	Five employee members elected by registered employee unions Five employer members nominated by major employer associations One employee member and one employer member appointed ad personam
Secretary	A Senior Labour Officer

Membership (as at 31.12.2009)

Chairman

Mrs Cherry TSE LING Kit-ching, JP	Commissioner for Labour
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Members

Employee Representatives

Mr LEUNG Chau-ting Ms NG Wai-yee, MH Mr CHUNG Kwok-sing Mr LEE Tak-ming Mr TSUI Sai-cheung Mr CHENG Kai-ming	} elected by registered employee unions appointed ad personam
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Employer Representatives

Mr HO Sai-chu, GBS, JP Dr Kim MAK Kin-wah, BBS, JP Mr Stanley LAU Chin-ho, BBS, MH, JP Mr Stanley HUI Hon-chung, JP	representing the Chinese General Chamber of Commerce representing the Employers' Federation of Hong Kong representing the Federation of Hong Kong Industries representing the Hong Kong General Chamber of Commerce
Mr Irons SZE	representing the Chinese Manufacturers' Association of Hong Kong
Mr CHEUNG Sing-hung, BBS	appointed ad personam

Secretary

Mr Raymond LEUNG Kwok-kee	Senior Labour Officer (Development)
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Figure 3.1**Key Indicators of Work of the Labour Relations Programme Area in 2009**

Key Indicators of Work		Number
I.	Conciliation and Consultation Services	
	Labour disputes and claims handled	24,448
	In-person consultations handled	83,547
	Percentage of labour disputes and claims resolved through conciliation	71.50%
II.	Adjudication of Minor Employment Claims	
	Claims adjudicated by Minor Employment Claims Adjudication Board	2,355
III.	Regulation of Trade Unions	
	Registration of new trade unions and changes of union names/rules	137
	Inspection visits to trade unions	373
	Account statements of trade unions examined	647
	Training courses and seminars organised for trade unions	3

Figure 3.2

Number of Labour Disputes Handled by the Labour Relations Division from 2005 to 2009

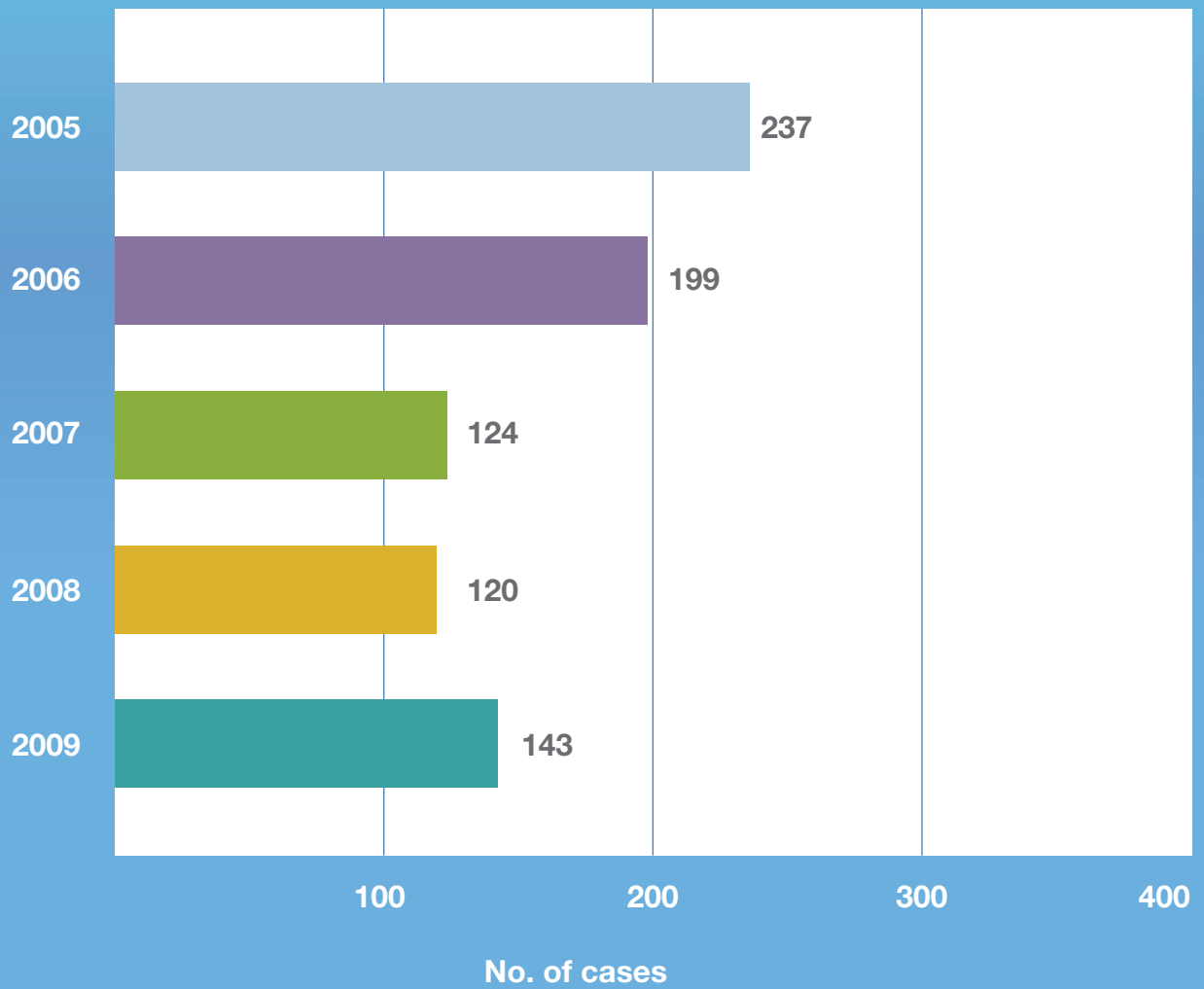


Figure 3.3

Number of Claims Handled by the Labour Relations Division from 2005 to 2009

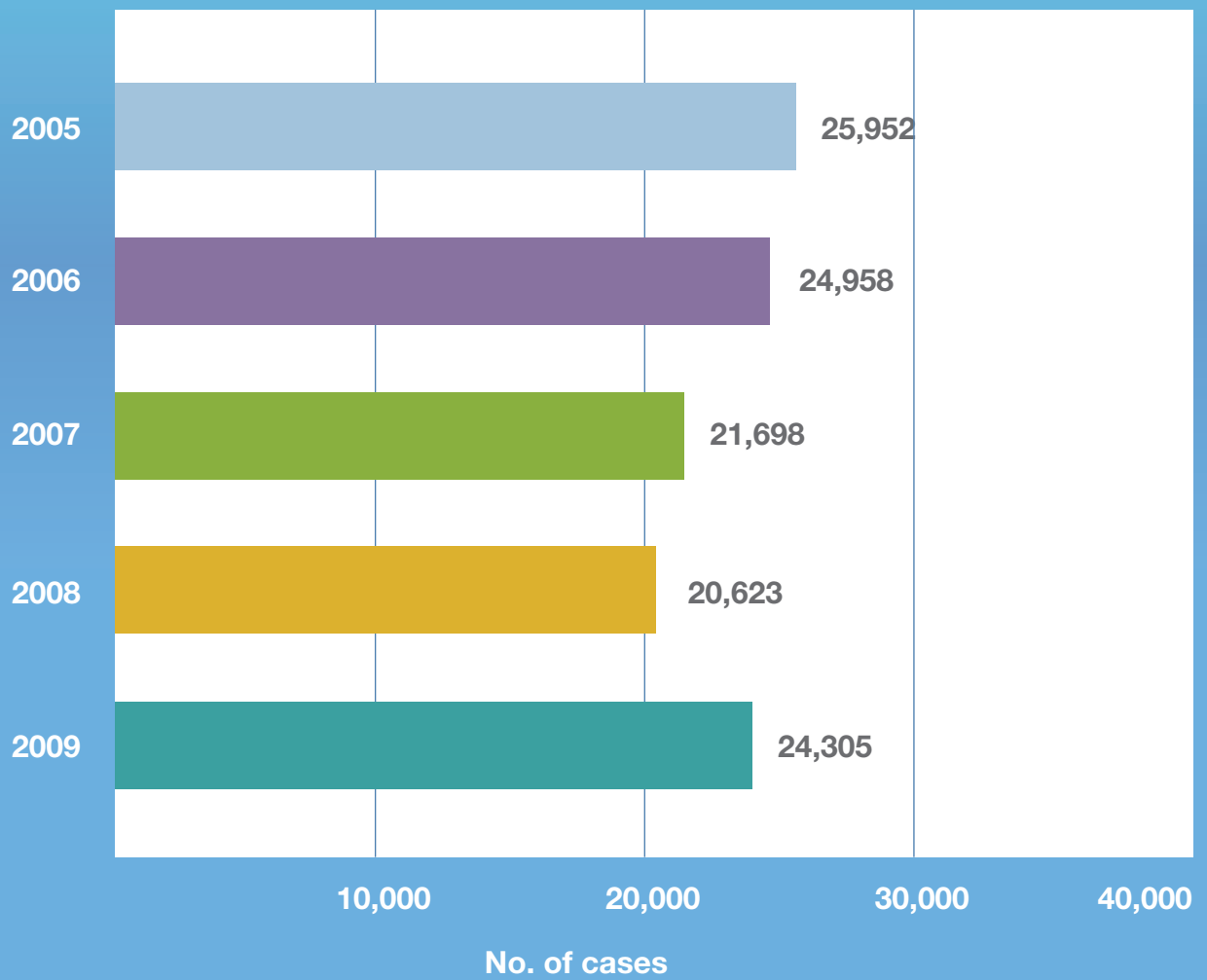
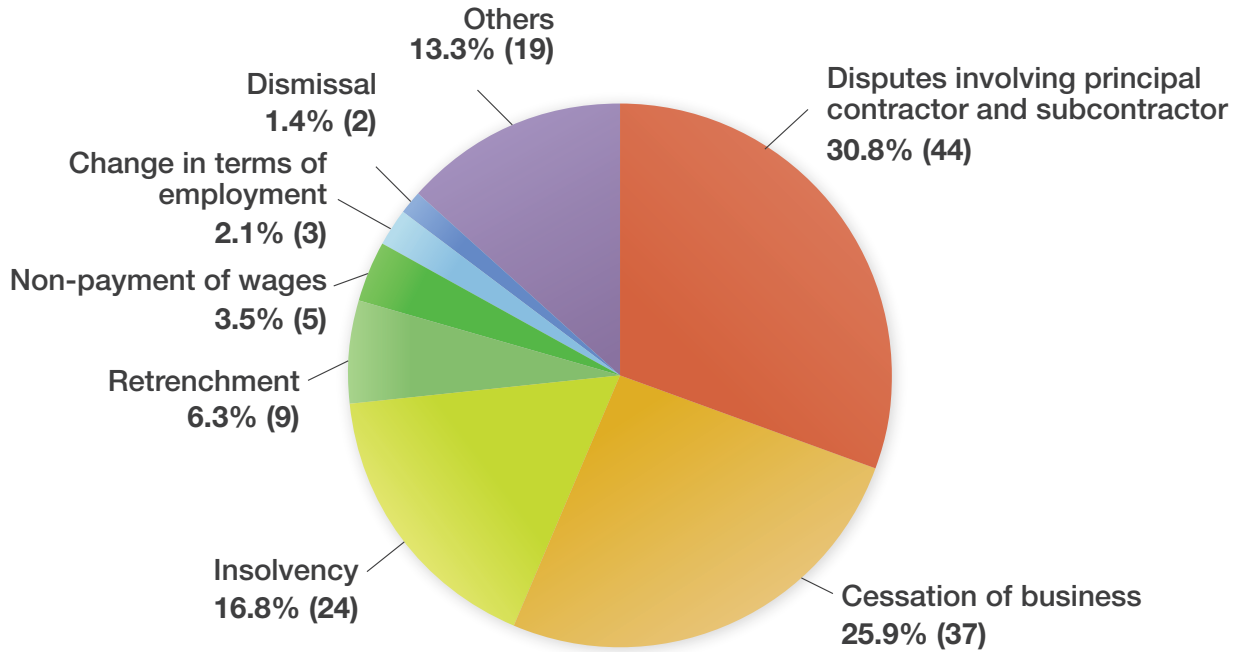


Figure 3.4

Number of Labour Disputes Handled by the Labour Relations Division in 2009 by Cause*

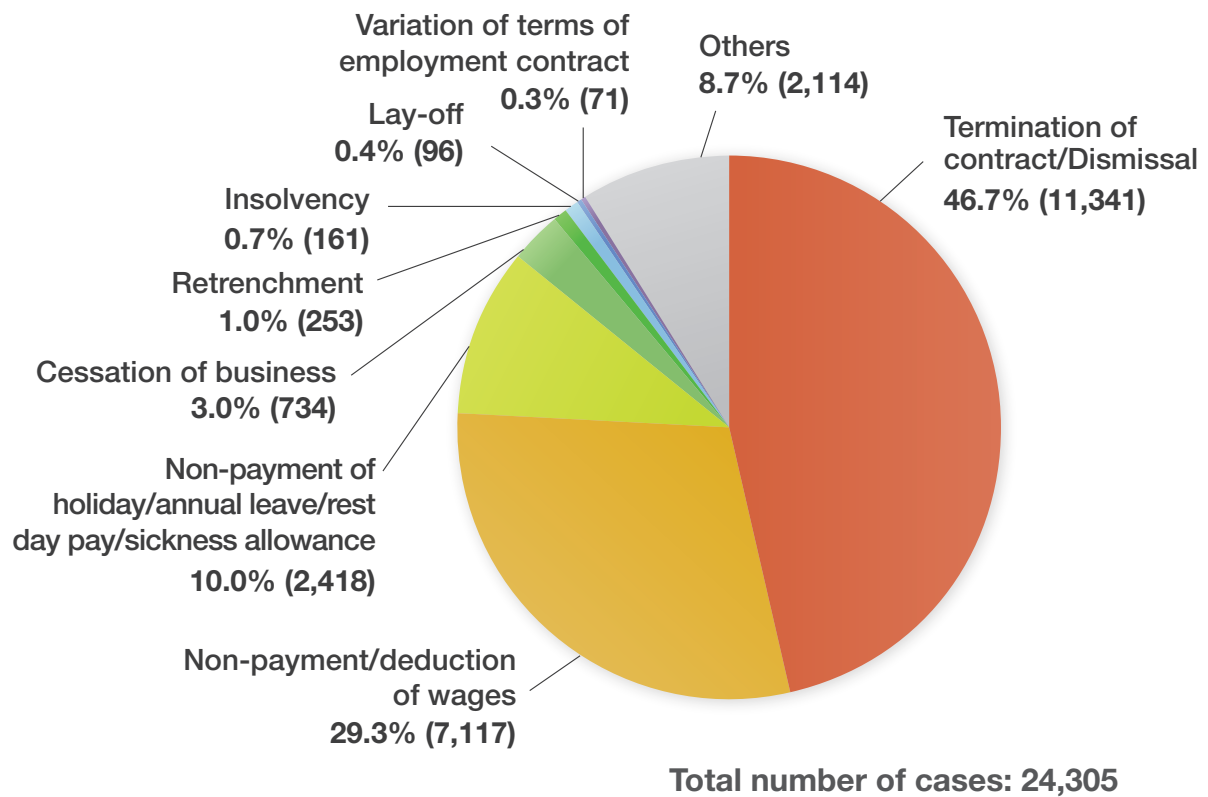


Total number of cases: 143

* Figures in bracket indicate the number of related cases

Figure 3.5

**Number of Claims Handled by the Labour Relations Division
in 2009 by Cause***



* Figures in bracket indicate the number of related cases

Figure 3.6

Number of Strikes and Number of Employees Involved from 2005 to 2009

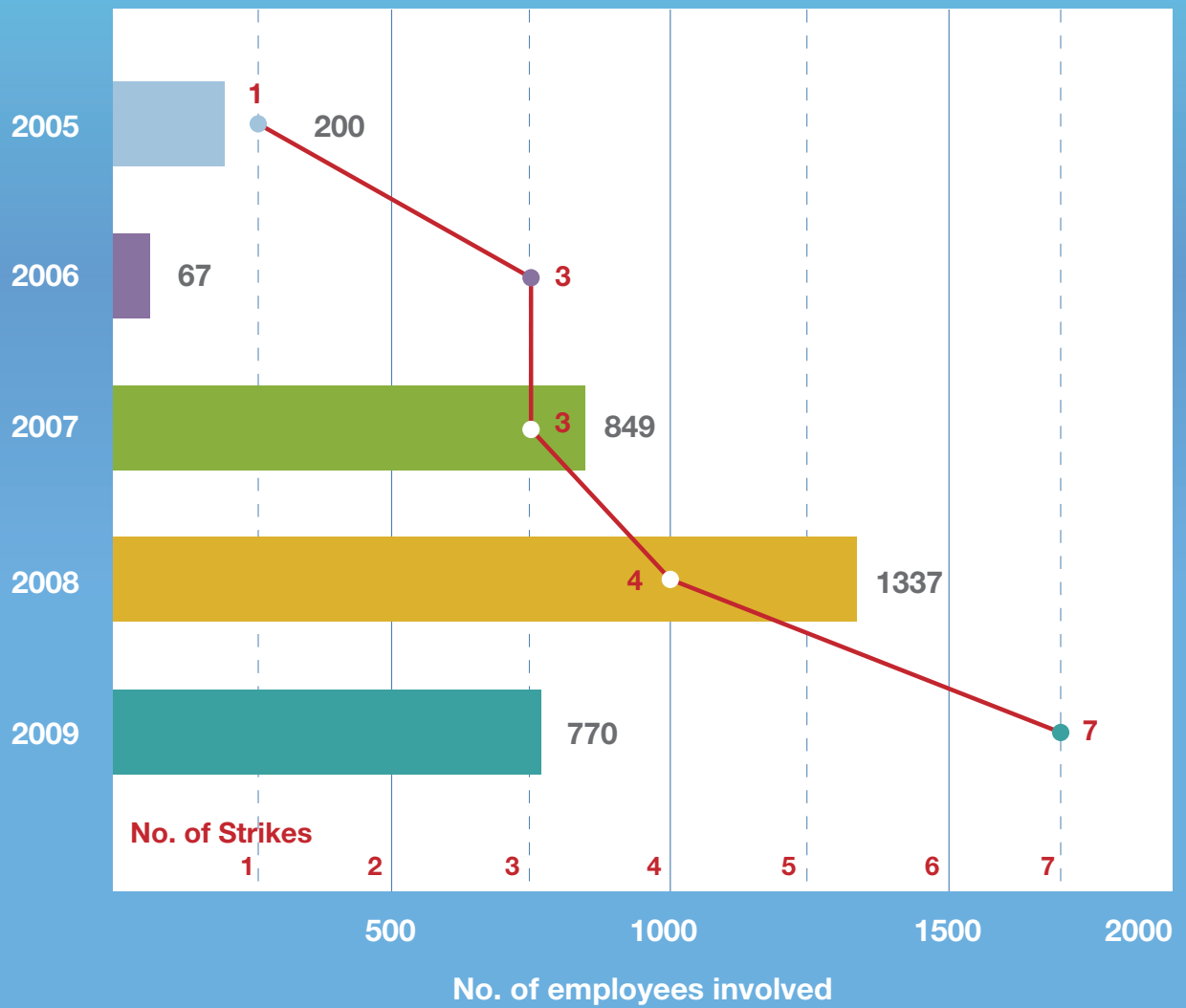
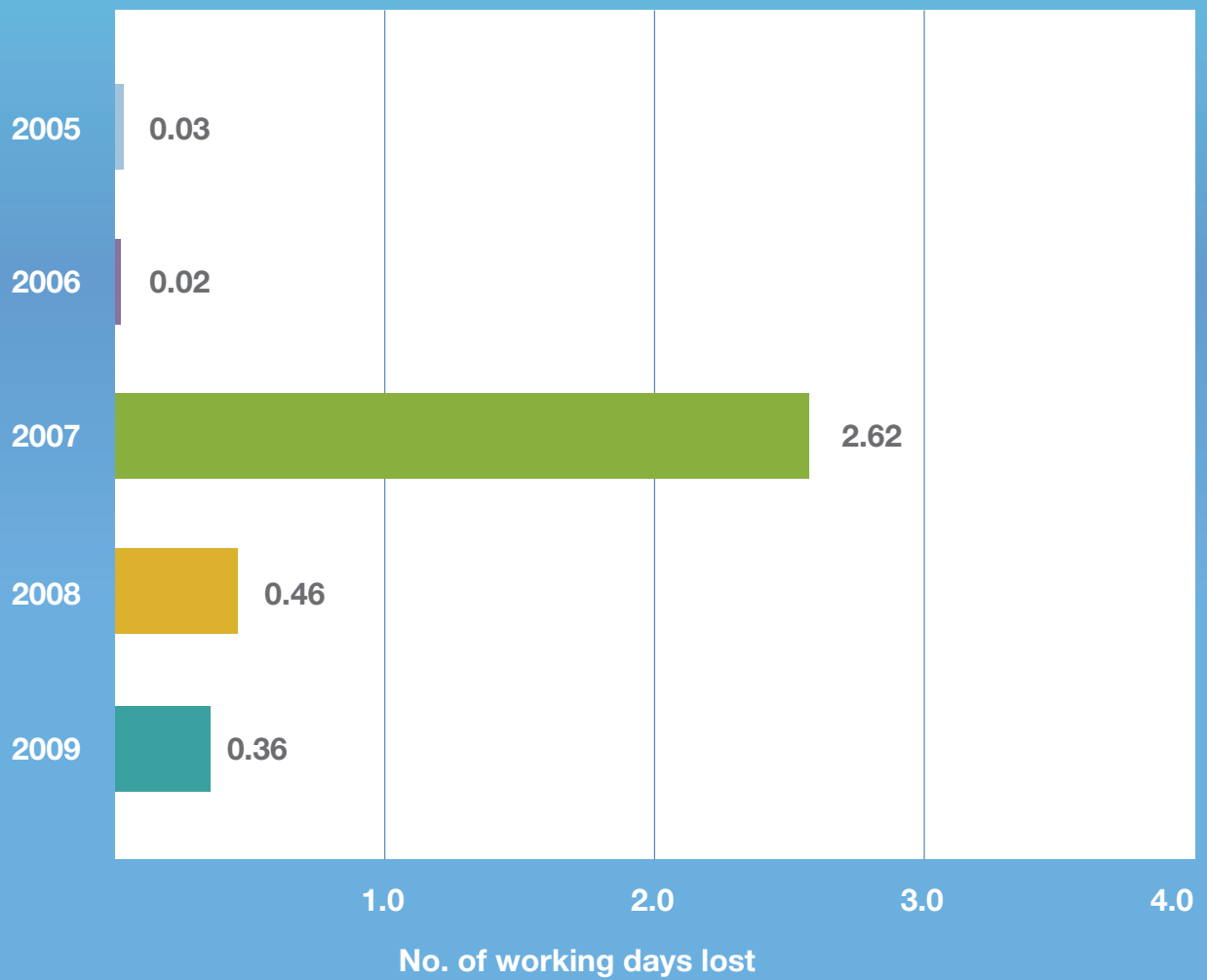


Figure 3.7

Number of Working Days Lost per 1,000 Salaried Employees and Wage Earners* from 2005 to 2009



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

Figure 4.1**Key Indicators of Work of the Programme of Safety and Health at Work in 2009**

Indicator		Number
I.	Inspections	
	Inspections under the FIUO ¹ and the OSHO ²	119,029
	Inspections under the BPVO ³	4,713
II.	Investigations	
	Investigations of accidents at workplaces	11,580
	Investigations of suspected cases of occupational diseases	3,155
III.	Promotion and Education	
	Promotional visits to workplaces under the FIUO ¹ and the OSHO ²	5,730
	Talks, lectures and seminars organised	2,280
IV.	Pressure Equipment Registration	
	Pressure equipment registered	1,259
	Examinations conducted and exemptions granted, for the issue or endorsement of certificates of competency	337
V.	Clinical Services	
	Clinical consultations conducted	13,228

Notes: 1 Factories and Industrial Undertakings Ordinance
2 Occupational Safety and Health Ordinance
3 Boilers and Pressure Vessels Ordinance

Figure 5.1**Key Indicators of Work of the Employment Services Programme Area in 2009**

Key Indicators of Work		Number
I.	Able-bodied Job-seekers :	
	Persons registered	181,468
	Placements	120,870
II.	Job-seekers with disabilities	
	Persons registered	3,185
	Placements	2,436
III.	Regulating Employment Agency	
	Licences issued	1,998
	Inspections	1,326
IV.	Applications under Supplementary Labour Scheme Processed	599

Figure 5.2

Key Indicators of Work on Employment Assistance Rendered to Able-bodied Job-seekers from 2005 to 2009

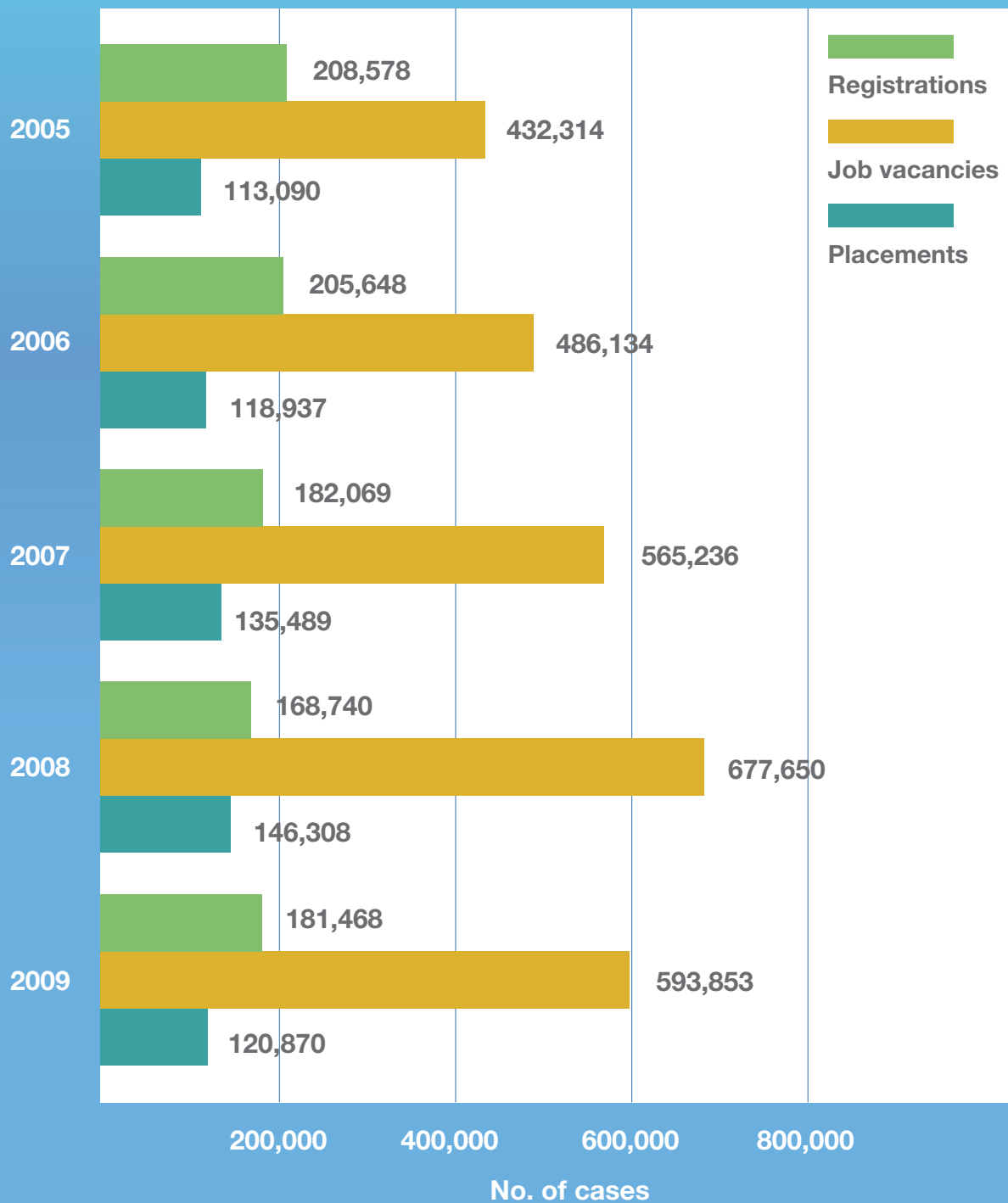


Figure 5.3

Key Indicators of Work on Employment Assistance Rendered to Job-seekers with Disabilities from 2005 to 2009

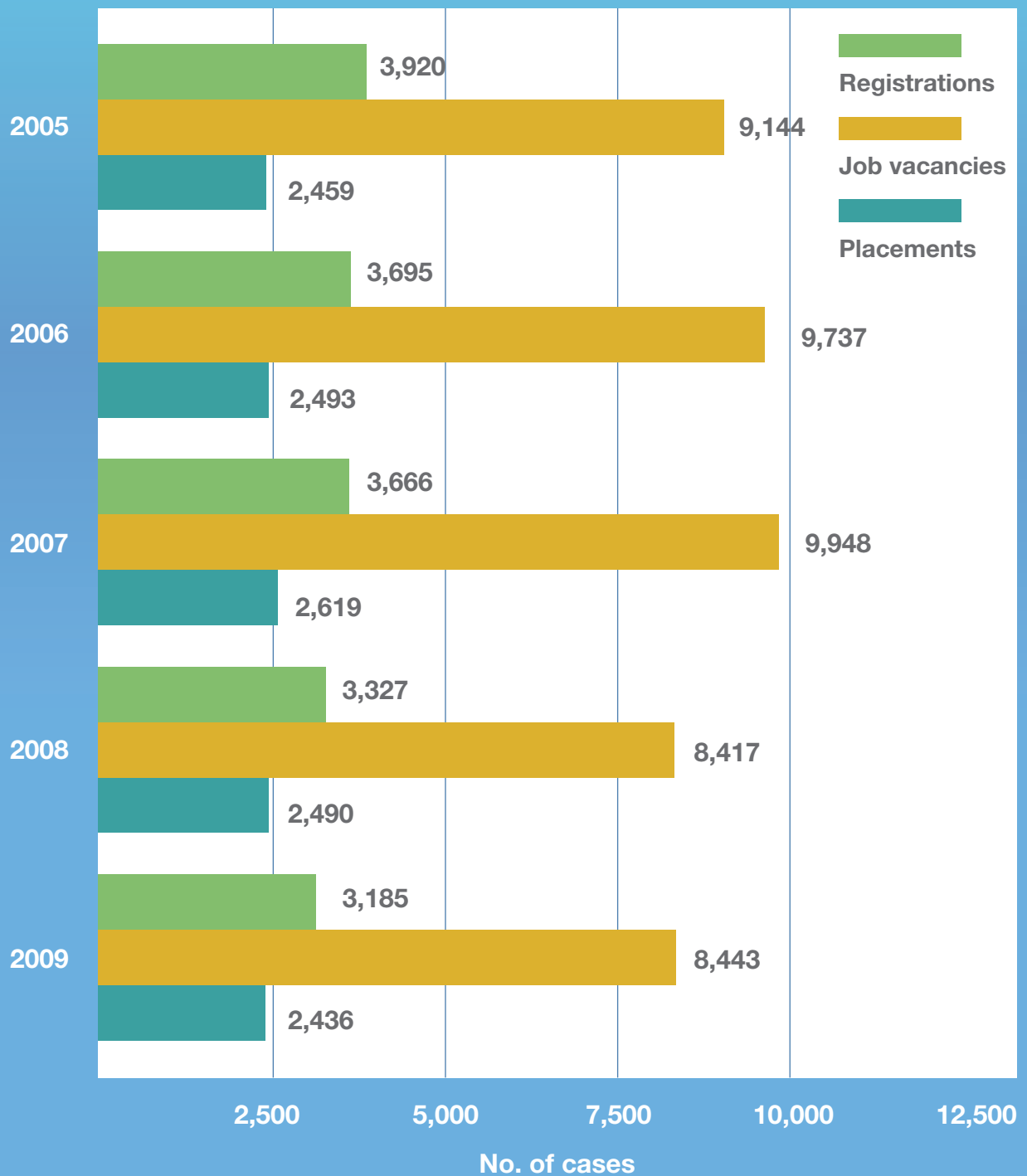
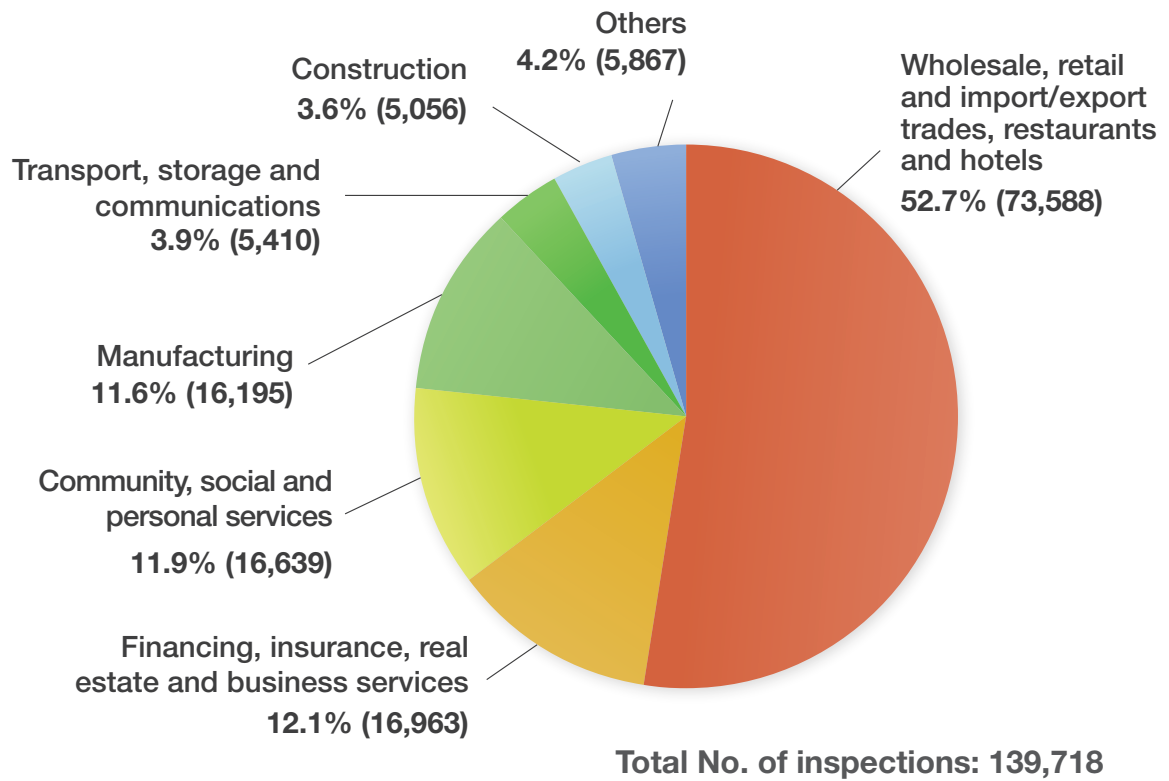


Figure 6.1**Key Indicators of Work of the Employee Rights and Benefits Programme Area in 2009**

Key Indicators of Work		Number
I.	Inspections to workplaces	139,718
II.	Employees' compensation claims received	55,799
III.	Sick leave clearance interviews for injured employees conducted	44,403
IV.	Assessment of loss of earning capacity of injured employees	
	Ordinary assessment	17,149
	Special assessment	3
	Review assessment	3,159
V.	Applications for payment under the Protection of Wages on Insolvency Fund processed	7,404
VI.	Cases related to imported workers investigated	53
VII.	Convicted summonses on wage offences	1,314

Figure 6.2

Number of Inspections Made in 2009 by Major Economic Sector*



* Figures in bracket indicate the number of related inspections

Figure 6.3

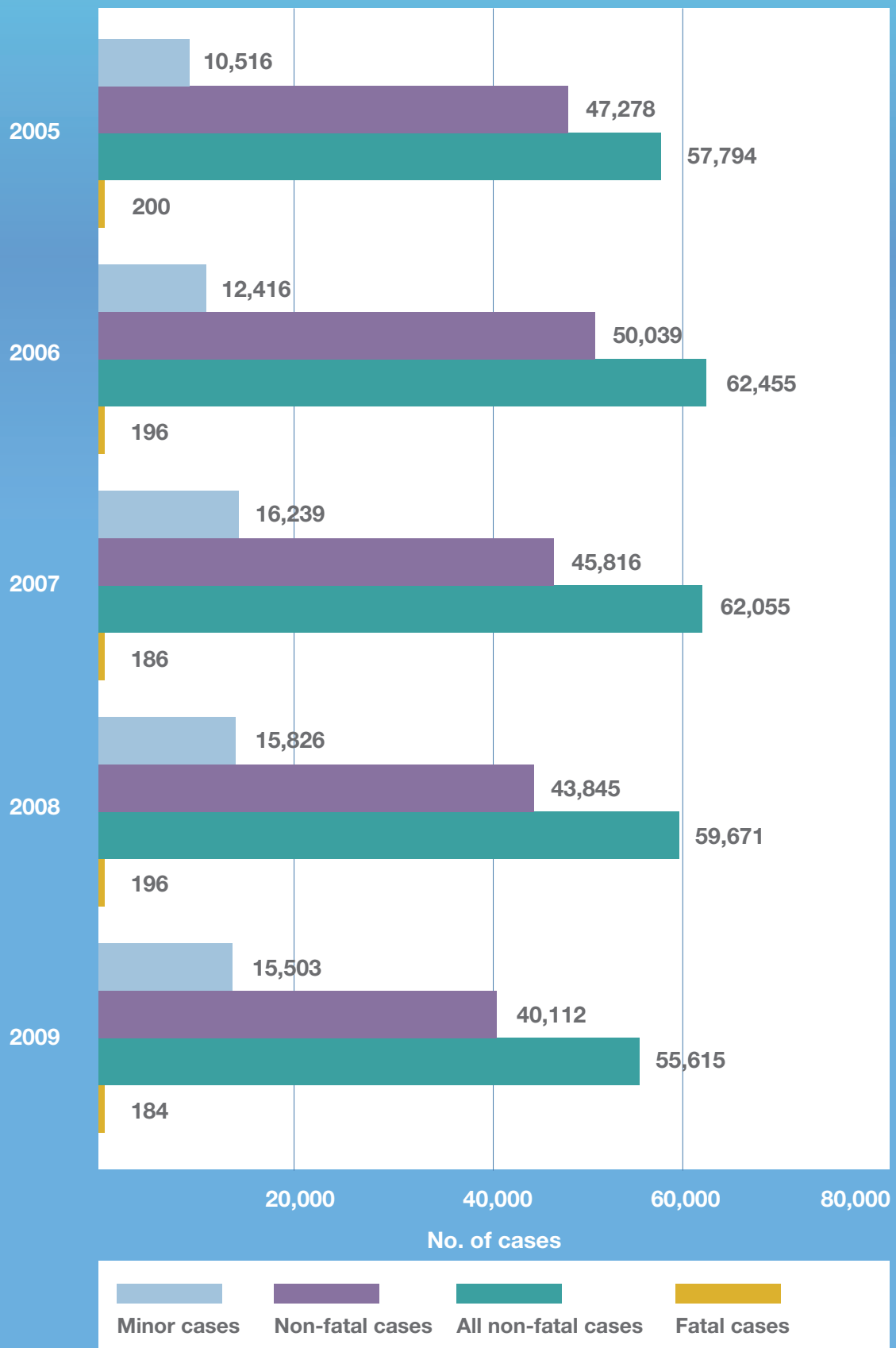
Number of Cases Reported under the Employees' Compensation Ordinance in 2009 by Sex and Age*



* The figures have not included 15,503 cases involving sick leave of not exceeding three days.

Figure 6.4

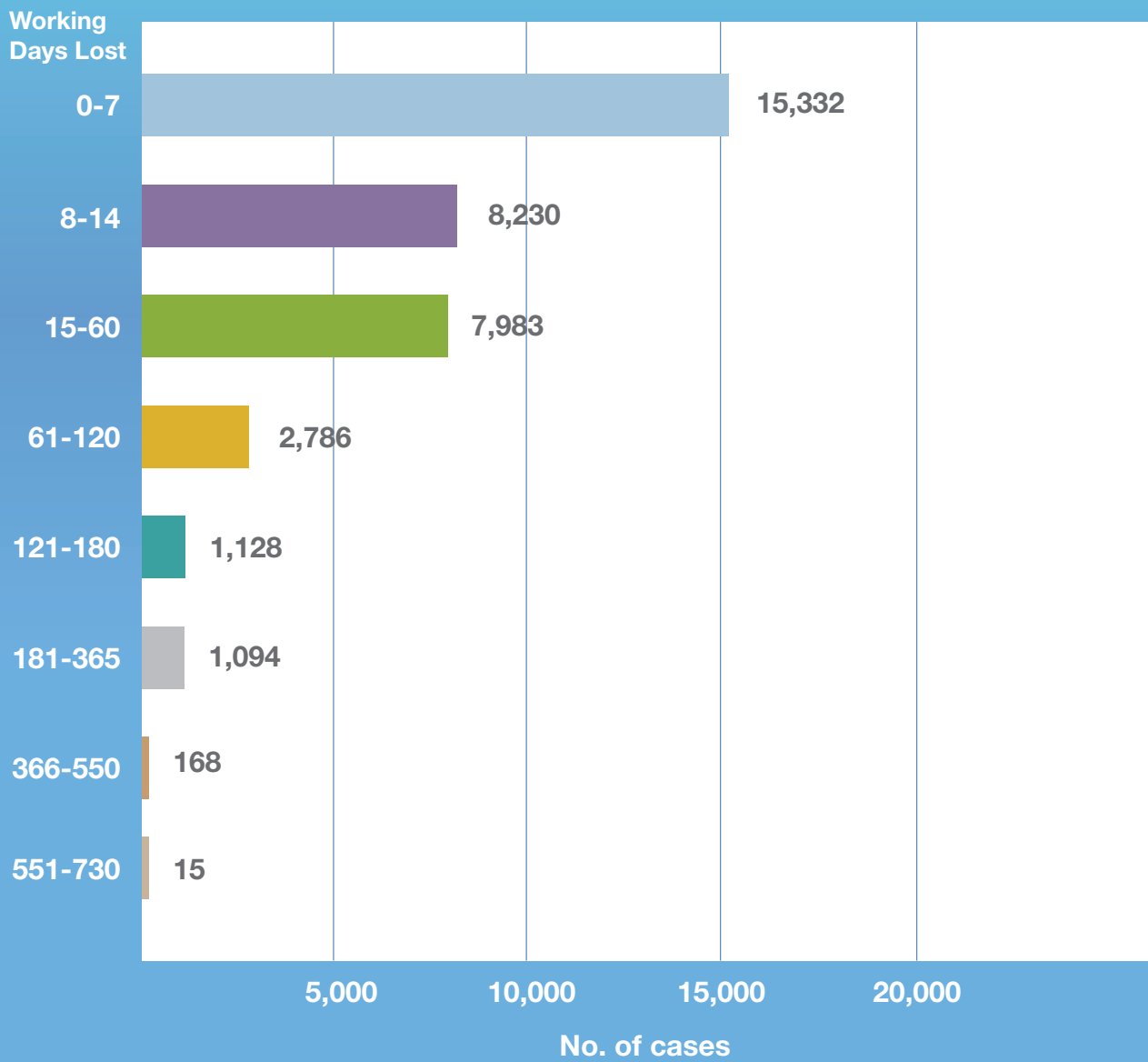
Number of Cases Reported under the Employees' Compensation Ordinance from 2005 to 2009*



*(1) The figures for 2005, 2006, 2007, 2008 and 2009 include 18, 22, 17, 25 and 27 cases respectively in which the death of the employee was found to be due to natural cause.
(2) Minor cases refer to cases involving sick leave of not exceeding three days.

Figure 6.5

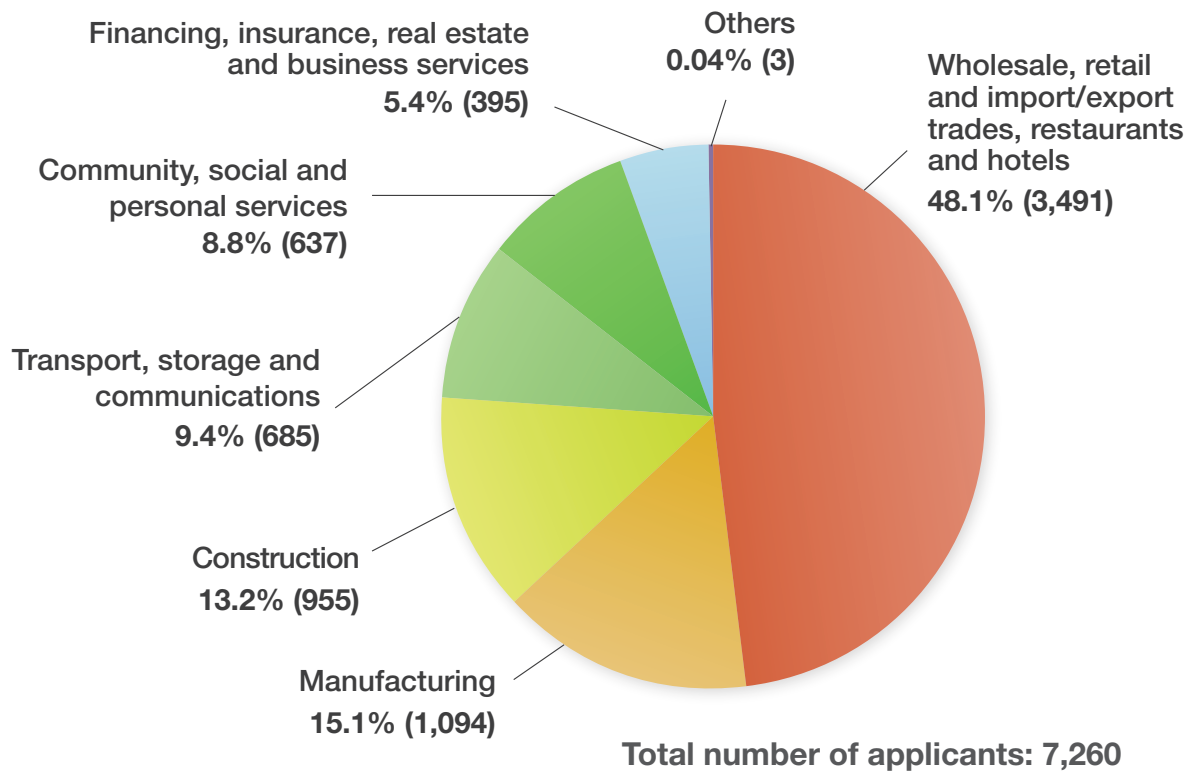
Number of Employees' Compensation Cases by Working Days Lost for Cases Reported in 2008 and Result Known as at 31 December 2009*



*Excludes minor cases (i.e. cases involving sick leave of not exceeding three days).

Figure 6.6

Number of Applicants of the Protection of Wages on Insolvency Fund in 2009 by Economic Sector*



* Figures in bracket indicate the number of related cases

Figure 7.1**List of the 41 International Labour Conventions Applied to the Hong Kong Special Administrative Region**

Convention No.	Title
2	Unemployment Convention, 1919
3	Maternity Protection Convention, 1919
8	Unemployment Indemnity (Shipwreck) Convention, 1920
11	Right of Association (Agriculture) Convention, 1921
12	Workmen's Compensation (Agriculture) Convention, 1921
14	Weekly Rest (Industry) Convention, 1921
16	Medical Examination of Young Persons (Sea) Convention, 1921
17	Workmen's Compensation (Accidents) Convention, 1925
19	Equality of Treatment (Accident Compensation) Convention, 1925
22	Seamen's Articles of Agreement Convention, 1926
23	Repatriation of Seamen Convention, 1926
29	Forced Labour Convention, 1930
32	Protection against Accidents (Dockers) Convention (Revised), 1932
42	Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934
50	Recruiting of Indigenous Workers Convention, 1936
64	Contracts of Employment (Indigenous Workers) Convention, 1939
65	Penal Sanctions (Indigenous Workers) Convention, 1939
74	Certification of Able Seamen Convention, 1946
81	Labour Inspection Convention, 1947
87	Freedom of Association and Protection of the Right to Organise Convention, 1948
90	Night Work of Young Persons (Industry) Convention (Revised), 1948
92	Accommodation of Crews Convention (Revised), 1949
97	Migration for Employment Convention (Revised), 1949
98	Right to Organise and Collective Bargaining Convention, 1949
101	Holidays with Pay (Agriculture) Convention, 1952
105	Abolition of Forced Labour Convention, 1957
108	Seafarers' Identity Documents Convention, 1958
115	Radiation Protection Convention, 1960
122	Employment Policy Convention, 1964
124	Medical Examination of Young Persons (Underground Work) Convention, 1965
133	Accommodation of Crews (Supplementary Provisions) Convention, 1970
138	Minimum Age Convention, 1973
141	Rural Workers' Organisations Convention, 1975
142	Human Resources Development Convention, 1975
144	Tripartite Consultation (International Labour Standards) Convention, 1976
147	Merchant Shipping (Minimum Standards) Convention, 1976
148	Working Environment (Air Pollution, Noise and Vibration) Convention, 1977
150	Labour Administration Convention, 1978
151	Labour Relations (Public Service) Convention, 1978
160	Labour Statistics Convention, 1985
182	Worst Forms of Child Labour Convention, 1999

Figure 7.2

Participation in Major ILO Activities and Contacts with Other Labour Administrations in 2009

1. Deputy Commissioner for Labour (Labour Administration) led a tripartite team comprising government, employer and employee representatives to attend the 98th Session of the International Labour Conference in Geneva, Switzerland as part of the Chinese delegation.
2. The Labour Department sent an officer as a resource person to attend the “Training Workshop on Labour Migration Policy and Management in Thailand” in Pattaya to share with the participants the experience and practices in the admission of migrant workers in the HKSAR. The seminar was organised by the ILO Subregional Office for East Asia and the Ministry of Labour of Thailand.
3. The Labour Department sent three officers to visit the ILO Office for China and Mongolia to familiarize themselves with the structure and operation of the Office.
4. The Labour Department sent a delegation to attend the “Pan-Pearl River Delta Regional Labour Services Cooperation Joint Conference” in Nanning.
5. The Labour Department sent a delegation to attend the Seminar on the New Regime of Labour Relations in Macao Special Administrative Region.
6. The Labour Department sent a delegation to attend the Meeting of Hong Kong / Macao Cooperation in Macao Special Administrative Region.
7. The Labour Department sent a delegation to visit Australia to study the treatment of Persons with Disabilities (PWDs) under the minimum wage system.
8. The Labour Department sent a delegation to visit Singapore Ministry of Manpower to study the part-time employment and family-friendly employment policies and practices.
9. The Labour Department sent an officer to attend a conference on Employment in the Post-Crisis Context in Japan.
10. Mr SUN Baoshu, Vice Minister, Ministry of Human Resources and Social Security of the State Council, led a delegation to visit the HKSAR. The delegation met with the Commissioner for Labour and exchanged views with officers of the Labour Department on various labour issues.
11. Commissioner for Labour led a delegation under the Reciprocal Visit Programme to visit the Ministry of Human Resources and Social Security of the State Council in Beijing and met with Vice Minister SUN Baoshu. The delegation also visited the State Administration of Work Safety.
12. The Commissioner for Labour led a delegation to participate in the 5th Guangdong-Hong Kong-Macao Safety Knowledge Competition. The delegation visited the Administration of Work Safety of Shenzhen Municipality, the Administration of Work Safety of Guangdong Province, Shenzhen Municipal Human Resources and Social Security Bureau, Department of Labour and Social Security of Guangdong Province, the Mainland China Consultation Services Centre of the Hong Kong Federation of Trade Unions and a Hong Kong enterprise. The delegation exchanged views on matters related to labour administration and work safety with representatives of relevant authorities/organisations.
13. The Labour Department sent a delegation to Fujian to attend the third Pan-Pearl River Delta Regional Work Safety Co-operation Joint Conference and Work Safety Co-operation and Development Forum.
14. The Deputy Commissioner for Labour (Occupational Safety and Health) led a delegation to attend the ILO International Safety Conference in Germany.