

**Index page**

**Director of Bureau : Secretary for Labour and Welfare**

**Session No. : 17**

**File name : LWB(L)-1-e1.doc**

<b>Reply Serial No.</b>	<b>Question Serial No.</b>	<b>Reply Serial No.</b>	<b>Question Serial No.</b>	<b>Reply Serial No.</b>	<b>Question Serial No.</b>
LWB(L)001	1189	LWB(L)024	0544	LWB(L)047	2431
LWB(L)002	1190	LWB(L)025	0545	LWB(L)048	0932
LWB(L)003	1191	LWB(L)026	0546	LWB(L)049	0234
LWB(L)004	2598	LWB(L)027	0547	LWB(L)050	0235
LWB(L)005	2600	LWB(L)028	0548	LWB(L)051	0236
LWB(L)006	3028	LWB(L)029	0549	LWB(L)052	0237
LWB(L)007	3029	LWB(L)030	1920	LWB(L)053	0238
LWB(L)008	3030	LWB(L)031	1921	LWB(L)054	0255
LWB(L)009	3031	LWB(L)032	1922	LWB(L)055	0258
LWB(L)010	3032	LWB(L)033	1923	LWB(L)056	1068
LWB(L)011	3033	LWB(L)034	1924	LWB(L)057	1069
LWB(L)012	3034	LWB(L)035	1925	LWB(L)058	2463
LWB(L)013	3035	LWB(L)036	1926	LWB(L)059	2464
LWB(L)014	0774	LWB(L)037	1927	LWB(L)060	1748
LWB(L)015	2377	LWB(L)038	1928	LWB(L)061	1749
LWB(L)016	3235	LWB(L)039	1929	LWB(L)062	1750
LWB(L)017	0211	LWB(L)040	2423	LWB(L)063	1751
LWB(L)018	0212	LWB(L)041	2425	LWB(L)064	1752
LWB(L)019	0526	LWB(L)042	2426	LWB(L)065	1753
LWB(L)020	0527	LWB(L)043	2427	LWB(L)066	1754
LWB(L)021	0528	LWB(L)044	2428	LWB(L)067	1755
LWB(L)022	0529	LWB(L)045	2429	LWB(L)068	1756
LWB(L)023	0543	LWB(L)046	2430	LWB(L)069	1757

<b>Reply Serial No.</b>	<b>Question Serial No.</b>	<b>Reply Serial No.</b>	<b>Question Serial No.</b>	<b>Reply Serial No.</b>	<b>Question Serial No.</b>
LWB(L)070	1758	LWB(L)094	0757	LWB(L)118	0118
LWB(L)071	2259	LWB(L)095	0758	LWB(L)119	0119
LWB(L)072	2187	LWB(L)096	0759	LWB(L)120	0120
LWB(L)073	2188	LWB(L)097	0760	LWB(L)121	0121
LWB(L)074	2189	LWB(L)098	0761	LWB(L)122	0974
LWB(L)075	2190	LWB(L)099	0343	LWB(L)123	0975
LWB(L)076	2191	LWB(L)100	0344	LWB(L)124	0976
LWB(L)077	2556	LWB(L)101	0345	LWB(L)125	0977
LWB(L)078	2557	LWB(L)102	0346	LWB(L)126	0978
LWB(L)079	2558	LWB(L)103	0348	LWB(L)127	0979
LWB(L)080	2559	LWB(L)104	0349	LWB(L)128	0980
LWB(L)081	2560	LWB(L)105	0350	LWB(L)129	0981
LWB(L)082	2561	LWB(L)106	0515	LWB(L)130	0982
LWB(L)083	2562	LWB(L)107	1521	LWB(L)131	0983
LWB(L)084	2563	LWB(L)108	0355	LWB(L)132	0984
LWB(L)085	0010	LWB(L)109	0356	LWB(L)133	0985
LWB(L)086	0117	LWB(L)110	0357	LWB(L)134	0986
LWB(L)087	1879	LWB(L)111	0362	LWB(L)135	0987
LWB(L)088	0619	LWB(L)112	0472	LWB(L)136	0988
LWB(L)089	0620	LWB(L)113	0497	LWB(L)137	0990
LWB(L)090	0621	LWB(L)114	2943	LWB(L)138	0992
LWB(L)091	0622	LWB(L)115	0057	LWB(L)139	1219
LWB(L)092	0623	LWB(L)116	0058	LWB(L)140	0955
LWB(L)093	0624	LWB(L)117	0059		

**Replies to initial written questions raised by Finance Committee Members in  
examining the Estimates of Expenditure 2012-13**

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

<b>Reply Serial No.</b>	<b>Question Serial No.</b>	<b>Name of Member</b>	<b>Head</b>	<b>Programme</b>
LWB(L)001	1189	CHAN Kin-por	90	Labour Relations
LWB(L)002	1190	CHAN Kin-por	90	Safety and Health at Work
LWB(L)003	1191	CHAN Kin-por	90	Employment Services
LWB(L)004	2598	CHAN Mo-po, Paul	90	Employment Services
LWB(L)005	2600	CHAN Mo-po, Paul	90	Employees' Rights and Benefits
LWB(L)006	3028	CHAN Mo-po, Paul	90	Employment Services
LWB(L)007	3029	CHAN Mo-po, Paul	90	Employment Services
LWB(L)008	3030	CHAN Mo-po, Paul	90	Labour Relations
LWB(L)009	3031	CHAN Mo-po, Paul	90	Labour Relations
LWB(L)010	3032	CHAN Mo-po, Paul	90	Employment Services
LWB(L)011	3033	CHAN Mo-po, Paul	90	Employees' Rights and Benefits
LWB(L)012	3034	CHAN Mo-po, Paul	90	700 General non-recurrent
LWB(L)013	3035	CHAN Mo-po, Paul	90	Employees' Rights and Benefits
LWB(L)014	0774	CHEUNG Kwok-che	90	Employment Services
LWB(L)015	2377	CHEUNG Kwok-che	90	Employment Services
LWB(L)016	3235	CHEUNG Kwok-che	90	Employment Services
LWB(L)017	0211	CHEUNG Yu-yan, Tommy	90	Employees' Rights and Benefits
LWB(L)018	0212	CHEUNG Yu-yan, Tommy	90	Employees' Rights and Benefits
LWB(L)019	0526	CHEUNG Yu-yan, Tommy	90	Labour Relations
LWB(L)020	0527	CHEUNG Yu-yan, Tommy	90	Employment Services
LWB(L)021	0528	CHEUNG Yu-yan, Tommy	90	Employment Services
LWB(L)022	0529	CHEUNG Yu-yan, Tommy	90	Employment Services

<b>Reply Serial No.</b>	<b>Question Serial No.</b>	<b>Name of Member</b>	<b>Head</b>	<b>Programme</b>
LWB(L)023	0543	FUNG Kin-kee, Frederick	90	Employment Services
LWB(L)024	0544	FUNG Kin-kee, Frederick	90	Employment Services
LWB(L)025	0545	FUNG Kin-kee, Frederick	90	Employees' Rights and Benefits
LWB(L)026	0546	FUNG Kin-kee, Frederick	90	Labour Relations
LWB(L)027	0547	FUNG Kin-kee, Frederick	90	Labour Relations
LWB(L)028	0548	FUNG Kin-kee, Frederick	90	Employees' Rights and Benefits
LWB(L)029	0549	FUNG Kin-kee, Frederick	90	Employees' Rights and Benefits
LWB(L)030	1920	IP Kwok-him	90	Employees' Rights and Benefits
LWB(L)031	1921	IP Kwok-him	90	Employees' Rights and Benefits
LWB(L)032	1922	IP Kwok-him	90	Employment Services
LWB(L)033	1923	IP Kwok-him	90	Labour Relations
LWB(L)034	1924	IP Kwok-him	90	Employment Services
LWB(L)035	1925	IP Kwok-him	90	Employment Services
LWB(L)036	1926	IP Kwok-him	90	Employment Services
LWB(L)037	1927	IP Kwok-him	90	Employment Services
LWB(L)038	1928	IP Kwok-him	90	Safety and Health at Work
LWB(L)039	1929	IP Kwok-him	90	Employees' Rights and Benefits
LWB(L)040	2423	IP Kwok-him	90	Employment Services
LWB(L)041	2425	IP Kwok-him	90	Employment Services
LWB(L)042	2426	IP Kwok-him	90	Employees' Rights and Benefits
LWB(L)043	2427	IP Kwok-him	90	Labour Relations
LWB(L)044	2428	IP Kwok-him	90	Labour Relations
LWB(L)045	2429	IP Kwok-him	90	Safety and Health at Work
LWB(L)046	2430	IP Kwok-him	90	Employees' Rights and Benefits
LWB(L)047	2431	IP Kwok-him	90	Employment Services
LWB(L)048	0932	IP LAU Suk-ye, Regina	90	Employment Services
LWB(L)049	0234	IP Wai-ming	90	Labour Relations

<b>Reply Serial No.</b>	<b>Question Serial No.</b>	<b>Name of Member</b>	<b>Head</b>	<b>Programme</b>
LWB(L)050	0235	IP Wai-ming	90	Employment Services
LWB(L)051	0236	IP Wai-ming	90	Employment Services
LWB(L)052	0237	IP Wai-ming	90	Employment Services
LWB(L)053	0238	IP Wai-ming	90	Safety and Health at Work
LWB(L)054	0255	IP Wai-ming	90	Employees' Rights and Benefits
LWB(L)055	0258	IP Wai-ming	90	Employees' Rights and Benefits
LWB(L)056	1068	LAM Tai-fai	90	Employment Services
LWB(L)057	1069	LAM Tai-fai	90	Employment Services
LWB(L)058	2463	LAM Tai-fai	90	Labour Relations
LWB(L)059	2464	LAM Tai-fai	90	Employment Services
LWB(L)060	1748	LEE Cheuk-yan	90	Labour Relations
LWB(L)061	1749	LEE Cheuk-yan	90	Labour Relations
LWB(L)062	1750	LEE Cheuk-yan	90	Employment Services
LWB(L)063	1751	LEE Cheuk-yan	90	Employment Services
LWB(L)064	1752	LEE Cheuk-yan	90	Employment Services
LWB(L)065	1753	LEE Cheuk-yan	90	Employment Services
LWB(L)066	1754	LEE Cheuk-yan	90	Employment Services
LWB(L)067	1755	LEE Cheuk-yan	90	Safety and Health at Work
LWB(L)068	1756	LEE Cheuk-yan	90	Employees' Rights and Benefits
LWB(L)069	1757	LEE Cheuk-yan	90	Employees' Rights and Benefits
LWB(L)070	1758	LEE Cheuk-yan	90	Employees' Rights and Benefits
LWB(L)071	2259	LEE Wai-king, Starry	90	Employment Services
LWB(L)072	2187	LEONG Kah-kit, Alan	90	Safety and Health at Work
LWB(L)073	2188	LEONG Kah-kit, Alan	90	Employees' Rights and Benefits
LWB(L)074	2189	LEONG Kah-kit, Alan	90	Safety and Health at Work
LWB(L)075	2190	LEONG Kah-kit, Alan	90	Employees' Rights and Benefits
LWB(L)076	2191	LEONG Kah-kit, Alan	90	Safety and Health at Work

<b>Reply Serial No.</b>	<b>Question Serial No.</b>	<b>Name of Member</b>	<b>Head</b>	<b>Programme</b>
LWB(L)077	2556	LEONG Kah-kit, Alan	90	Employees' Rights and Benefits
LWB(L)078	2557	LEONG Kah-kit, Alan	90	Safety and Health at Work
LWB(L)079	2558	LEONG Kah-kit, Alan	90	Employment Services
LWB(L)080	2559	LEONG Kah-kit, Alan	90	Labour Relations
LWB(L)081	2560	LEONG Kah-kit, Alan	90	Labour Relations
LWB(L)082	2561	LEONG Kah-kit, Alan	90	Employment Services
LWB(L)083	2562	LEONG Kah-kit, Alan	90	Labour Relations
LWB(L)084	2563	LEONG Kah-kit, Alan	90	Employment Services
LWB(L)085	0010	LEUNG Kwan-yuen, Andrew	90	Employment Services
LWB(L)086	0117	LEUNG LAU Yau-fun, Sophie	90	Employment Services
LWB(L)087	1879	LEUNG Mei-fun, Priscilla	90	Employment Services
LWB(L)088	0619	LEUNG Yiu-chung	90	Employment Services
LWB(L)089	0620	LEUNG Yiu-chung	90	Employment Services
LWB(L)090	0621	LEUNG Yiu-chung	90	Employment Services
LWB(L)091	0622	LEUNG Yiu-chung	90	Employees' Rights and Benefits
LWB(L)092	0623	LEUNG Yiu-chung	90	Employees' Rights and Benefits
LWB(L)093	0624	LEUNG Yiu-chung	90	Labour Relations
LWB(L)094	0757	LI Fung-ying	90	Employment Services
LWB(L)095	0758	LI Fung-ying	90	Employment Services
LWB(L)096	0759	LI Fung-ying	90	700 General non-recurrent
LWB(L)097	0760	LI Fung-ying	90	Safety and Health at Work
LWB(L)098	0761	LI Fung-ying	90	Safety and Health at Work
LWB(L)099	0343	PAN Pey-chyou	90	Labour Relations
LWB(L)100	0344	PAN Pey-chyou	90	Employment Services
LWB(L)101	0345	PAN Pey-chyou	90	Safety and Health at Work
LWB(L)102	0346	PAN Pey-chyou	90	Employees' Rights and Benefits

<b>Reply Serial No.</b>	<b>Question Serial No.</b>	<b>Name of Member</b>	<b>Head</b>	<b>Programme</b>
LWB(L)103	0348	PAN Pey-chyou	90	Employees' Rights and Benefits
LWB(L)104	0349	PAN Pey-chyou	90	Safety and Health at Work
LWB(L)105	0350	PAN Pey-chyou	90	Employees' Rights and Benefits
LWB(L)106	0515	PAN Pey-chyou	90	Employees' Rights and Benefits
LWB(L)107	1521	TONG Ka-wah, Ronny	90	Employment Services
LWB(L)108	0355	WONG Kwok-hing	90	Labour Relations
LWB(L)109	0356	WONG Kwok-hing	90	Labour Relations
LWB(L)110	0357	WONG Kwok-hing	90	Employment Services
LWB(L)111	0362	WONG Kwok-hing	90	Employment Services
LWB(L)112	0472	WONG Kwok-hing	90	000 Operational expenses
LWB(L)113	0497	WONG Kwok-hing	90	000 Operational expenses
LWB(L)114	2943	WONG Kwok-hing	90	000 Operational expenses
LWB(L)115	0057	WONG Kwok-kin	90	Safety and Health at Work
LWB(L)116	0058	WONG Kwok-kin	90	Employees' Rights and Benefits
LWB(L)117	0059	WONG Kwok-kin	90	Employees' Rights and Benefits
LWB(L)118	0118	WONG Kwok-kin	90	Labour Relations
LWB(L)119	0119	WONG Kwok-kin	90	Employment Services
LWB(L)120	0120	WONG Kwok-kin	90	Safety and Health at Work
LWB(L)121	0121	WONG Kwok-kin	90	Safety and Health at Work
LWB(L)122	0974	WONG Sing-chi	90	Safety and Health at Work
LWB(L)123	0975	WONG Sing-chi	90	Safety and Health at Work
LWB(L)124	0976	WONG Sing-chi	90	Safety and Health at Work
LWB(L)125	0977	WONG Sing-chi	90	Safety and Health at Work
LWB(L)126	0978	WONG Sing-chi	90	Safety and Health at Work
LWB(L)127	0979	WONG Sing-chi	90	Safety and Health at Work
LWB(L)128	0980	WONG Sing-chi	90	Safety and Health at Work
LWB(L)129	0981	WONG Sing-chi	90	Employees' Rights and Benefits

<b>Reply Serial No.</b>	<b>Question Serial No.</b>	<b>Name of Member</b>	<b>Head</b>	<b>Programme</b>
LWB(L)130	0982	WONG Sing-chi	90	Labour Relations
LWB(L)131	0983	WONG Sing-chi	90	Labour Relations
LWB(L)132	0984	WONG Sing-chi	90	Labour Relations
LWB(L)133	0985	WONG Sing-chi	90	Employment Services
LWB(L)134	0986	WONG Sing-chi	90	Employment Services
LWB(L)135	0987	WONG Sing-chi	90	Employment Services
LWB(L)136	0988	WONG Sing-chi	90	Employment Services
LWB(L)137	0990	WONG Sing-chi	90	Employees' Rights and Benefits
LWB(L)138	0992	WONG Sing-chi	90	Employees' Rights and Benefits
LWB(L)139	1219	WONG Sing-chi	90	Employment Services
LWB(L)140	0955	WONG Yuk-man	90	Labour Relations

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)001**

Question Serial No.

1189

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Major new plans for 2012-13 under the Programme include launching large-scale public educational activities on the Employment Ordinance (Cap.57) and good people management practices. Would the Government advise this Committee on whether the initiatives include considering a government-led exercise to encourage the business sector to promote a culture of work-life balance; researching on the provision of taxation and other administrative measures to better the existing people management practices in order to help local employees achieve work-life balance and strengthen the importance of family values among Hong Kong people? If yes, what are the respective funding and manpower involved?

Asked by : Hon. CHAN Kin-por

Reply :

In 2012-13, the Labour Department will help foster a work-life balance culture by promoting family-friendly employment practices (FFEP) as part of its efforts to promote good people management measures to the community, employers and human resources practitioners. We shall promote FFEP through various channels, including feature articles; roving exhibitions; thematic promotional materials to employers, human resources practitioners, employers' associations, trade unions and members of the public; as well as briefings and sharing sessions for employers and human resources practitioners through our network of nine industry-based Tripartite Committees and 18 Human Resources Managers Clubs formed in various trades and industries. The estimated expenditure for feature articles, exhibitions and thematic promotional materials is \$300,000. Since these promotional activities will be conducted as part of our various ongoing tasks, the manpower requirement involved cannot be separately identified.

As the operating circumstances of different organisations vary, we consider that individual employers are in the best position to decide which FFEP should be adopted. Hence, our plan does not include researches into the provision of financial incentives or administrative measures to enterprises for implementing FFEP.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)002**

Question Serial No.

1190

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

According to the statistics of the industrial accidents in Hong Kong's construction industry, there is an increase in the total number of industrial accidents, as well as fatal and injury cases in the first half of 2011 compared with the same period in 2010. The number of fatal cases even recorded an increase of 60%.

It is stated under this Programme that in 2012-13, the Government will step up enforcement and publicity programmes targeting building renovation and maintenance works, as well as intensify systematic preventive and enforcement measures to forestall high accident toll in the construction sector.

In this connection, could the Government inform this Committee whether funding and manpower will be set aside for conducting studies and embarking on the following work:

- (a) Adjusting the ratio of construction site workers to registered safety officers and safety supervisors to enhance the safety management system by amending the Factories and Industrial Undertakings (Safety Management) Regulation, and increase the manpower of the unit responsible for overseeing construction sites;
- (b) Increasing manpower to inspect establishments with repeated violations of safety ordinances, and imposing more stringent penalty, such as considering issuing more suspension notices to provide a greater deterrent to establishments with poor safety performance records; and
- (c) Stepping up work-at-height training and enforcement targeting accidents involving workers falling from height?

Asked by : Hon. CHAN Kin-por

Reply :

The information sought is provided as follows:

- (a) Under the Factories and Industrial Undertakings (Safety Officers and Safety Supervisors) Regulations, a contractor employing 100 or more construction workers shall employ a full-time safety officer. A contractor shall also employ a safety supervisor on each construction site where the number of construction workers employed is 20 or more.

The role of safety officer and safety supervisor is to provide advice and assistance to the contractor on safety and health practices, requirements and standards. The primary responsibility for ensuring the safety and health of workers rests with the contractor and its project management staff who are tasked

with monitoring the works progress at construction sites. The Labour Department (LD) currently has no plan to adjust the statutory requirement for safety officer and safety supervisor.

- (b) LD will continue to place establishments with poor safety performance under close surveillance and issue suspension notices in accordance with the relevant laws. Suspension notices will be issued against any activity at the workplace which creates, or is likely to create, an imminent risk of death or serious bodily injury to workers.
- (c) The mandatory basic safety training for construction workers covers the prevailing legislation and good work practices on occupational safety and health applicable to construction sites with emphasis on safety of work-at-height. LD will constantly review the content of the mandatory course in the light of the needs of the construction industry.

LD will conduct surprise workplace inspections, planned inspections to construction sites, and special enforcement campaigns targeting work-at-height. Where breaches of the law or imminent risks are identified, LD will take immediate enforcement actions, including prosecution and the issue of suspension and improvement notices. LD has also stepped up patrol and inspection of workplace during non-office hours (i.e. evenings and during holidays) to deter unsafe work practices.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)003**

Question Serial No.

1191

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

It is stated under this Programme that in 2012-13, the Government will implement integrated employment services at Tin Shui Wai “Employment in One-stop” (EOS) to enhance employment support to job seekers. Would the Government advise this Committee on the following:

- (a) Will funds and manpower be set aside to cope with a sudden increase in demand for the service and to provide similar service in other districts; and
- (b) When and how will the effectiveness of the work be assessed?

Asked by : Hon. CHAN Kin-por

Reply :

The information sought is provided as follows:

- (a) Sufficient resources have been reserved for the operation of EOS in Tin Shui Wai in 2012-13, including \$9.1 million to cover its operating cost, as well as 37 staff to provide employment assistance to job seekers. Efforts will be made to redeploy financial and manpower resources to cater for job seekers’ needs in the event of a sudden surge in service demand. We will assess its effectiveness in the light of operational experience and consider whether or not the service model should be extended to other districts.
- (b) We will review the operation of EOS after two years of operation. Its effectiveness will be evaluated on the basis of the number of visitors, job seekers registered, job referrals made, placements achieved, recruitment activities organised and users’ satisfaction with the services provided.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

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

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

It was announced in the 2011-12 Budget that a pioneer one-stop employment and training centre would be set up in Tin Shui Wai to provide employment services for all job seekers in Yuen Long District. Could the Government advise on the respective numbers of registered job seekers, job vacancies obtained, job referrals made, placements made and recruitment activities organised as well as the satisfaction level of users on the services for assessing its effectiveness since its operation?

Asked by : Hon. CHAN Mo-po, Paul

Reply :

The pioneer one-stop and employment training centre called “Employment in One-stop” (EOS) commenced operation on 28 December 2011. Some performance figures available as at 31 January 2012 are provided below:

<b>Performance Figures</b>	<b>Total No. from 28 December 2011 to 31 January 2012</b>
No. of visitors	2 447
No. of registered job seekers	1 536
No. of job referrals	1 310

Since most employers who advertise their vacancies through the Labour Department accept direct applications, job seekers are not required to register with EOS and receive job referral services for making job applications. For job seekers who secure employment through direct application, they are not required to report their placement positions to EOS. Regarding the number of placements secured through job referrals, more time is needed to follow up the referral results. Recruitment activities at EOS are being planned.

We have actively collected feedback from service users through questionnaires. According to the feedback collected from 51 service users from 26 to 31 January 2012, 80% of the respondents were satisfied with the overall service quality of EOS and 16% were very satisfied. The remaining 4% found the overall service quality acceptable.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)005**

Question Serial No.

2600

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employees' Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Since the implementation of the statutory minimum wage (SMW) on 1 May last year, what is the number of enforcement actions taken by the Labour Department (LD), including speedy investigation into reported offences, inspections to specific industries to detect wages offences, intelligence gathering and evidence collection, as well as the number of prosecutions taken out and the results of such actions?

Asked by : Hon. CHAN Mo-po, Paul

Reply :

Since the implementation of the Minimum Wage Ordinance (MWO) on 1 May 2011 and up to 31 January 2012, out of 26 249 workplace inspections conducted by LD to establishments of various industries to check compliance with the MWO, 78 cases involving suspected under-payment of SMW were detected. Another 12 reported cases on suspected under-payment of SMW were promptly investigated. Follow-up action on all such cases confirms that most employees have received wages not less than SMW. During the same period, LD issued 12 warnings to employers suspected to have contravened the MWO and secured 10 convictions against three employers for under-payment of SMW.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)006**

Question Serial No.

3028

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

It is stated in paragraph 50 of the Budget Speech that when necessary, the Government will provide further funding to adjust and enhance the relevant employment programmes. Could the Government inform this Committee of what “when necessary” means, including considering the changes in the unemployment rate; how the relevant employment programmes are adjusted and enhanced, including the amount of funding and number of places provided; and whether any subsidy will be provided?

Asked by : Hon. CHAN Mo-po, Paul

Reply :

The Government will monitor closely the economic situation and its impact on employment. In particular, we will focus on the employment opportunities of the vulnerable groups who are likely to be the hardest hit in economic downturn, and have been administering various specialised employment programmes to facilitate their employment. The Youth Pre-employment Training Programme and Youth Work Experience and Training Scheme provides comprehensive pre-employment training and on-the-job training for young people and offers employers training allowances to encourage them to provide the young people with on-the-job training opportunities. The Employment Programme for the Middle-aged and the Work Orientation and Placement Scheme offer financial incentive to employers for employing the middle-aged unemployed persons and persons with disabilities respectively and providing them with on-the-job training and support. Where necessary, further funding will be provided to adjust and enhance the relevant employment programmes.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)007**

Question Serial No.

3029

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

A non-governmental organisation (NGO) has been engaged to provide case management and employment support services to needy job seekers since the operation of the one-stop employment and training centre. Would the Government advise this Committee on the number of cases handled by the NGO for case management and employment support services, the number of placements and whether the effectiveness of the work of the NGO has been assessed?

Asked by : Hon. CHAN Mo-po, Paul

Reply :

An NGO has been commissioned to provide case management and employment support services to job seekers with special employment difficulties at the pioneer one-stop employment and training centre in Tin Shui Wai called “Employment in One-stop” which commenced operation on 28 December 2011. It is expected to serve 550 and 800 job seekers, including recipients of the Comprehensive Social Security Assistance, in its first and second years of operation. Since it is required to submit a performance report on a quarterly basis, figures on the number of cases handled and job seekers taking up employment are not yet available. Its performance will be evaluated on the basis of the number of cases handled, referrals made to services needed by the job seekers, training activities organised, job referrals made and placement achieved.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)008**

Question Serial No.

3030

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the study on legislating for paternity leave conducted by the Labour Department (LD), what are the estimated expenditure for 2012-13 and the relevant manpower involved? Will consultancy studies and overseas visits form part of the study? What are the relevant estimated expenditure and detailed arrangement? Will public consultation be conducted in the policy study and what is the detailed arrangement thereof?

Asked by : Hon. CHAN Mo-po, Paul

Reply :

LD is conducting a study on legislating for paternity leave in Hong Kong with existing resources. We currently have no plan to commission any consultancy study or conduct overseas visits in 2012-13. Upon completion of the study, we will brief the Labour Advisory Board on the preliminary findings.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)009**

Question Serial No.

3031

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

It is stated in the matters requiring special attention in 2012-13 that the Labour Department (LD) will launch large-scale public educational activities on the Employment Ordinance (Cap.57) (EO) and good people management practices. Could the Government advise on the number of the large-scale public educational activities to be organised, estimated expenditure and manpower, target number of participants and levels of people management covered?

Asked by : Hon. CHAN Mo-po, Paul

Reply :

In 2012-13, LD plans to carry out large-scale public educational activities to promote the EO and good people management practices. These activities include four seminars on the EO and good people management practices, an online EO Quiz, new TV and radio Announcements in the Public Interest and promotional materials to encourage the wider use of written employment contract and fair employment terms, advertisements in public transport and poster display in various outlets to promote differentiation between an employee and a self-employed person, as well as feature articles to promote family-friendly employment practices. The expected number of participants of the seminars is 2 000. As for other activities which are aimed at the general public through the mass media, it is difficult to estimate the number of participants, though we believe that through these promotional channels, the relevant messages will be disseminated widely to the general public at large including employers, employees and human resources practitioners. The estimated expenditure of these activities is \$1.15 million. As these promotional activities will be conducted as part of our various tasks, the manpower requirement cannot be separately identified.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)010**

Question Serial No.

3032

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

It is mentioned under the matters requiring special attention in 2012-13 that the Labour Department (LD) will launch large-scale and district job fairs to help job seekers find work. Would the Government advise on the number of large-scale and district job fairs to be launched, names of the targeted districts, estimated expenditure and manpower involved, estimated numbers of vacancies offered and placements made?

Asked by : Hon. CHAN Mo-po, Paul

Reply :

In 2012-13, LD plans to organise 15 large-scale job fairs in different locations, including the more remote areas, such as Tuen Mun and Tung Chung, as well as locations that are easily accessible by job seekers of all districts, such as Wanchai. In addition to large-scale job fairs, around 300 job fairs will be organised at job centres in various districts. We will actively approach employers of different industries to canvass vacancies to meet the needs of job seekers with different background. In view of the possible changes in the employment market, we are not able to realistically estimate the number of vacancies to be offered by employers and the number of placements to be secured by job seekers.

The estimated expenditure for staging the 15 large-scale job fairs is \$2.3 million, while the expenditure for organising district job fairs will be absorbed within the operating costs of job centres. Since the large-scale and district job fairs will be organised by existing staff among their other duties, the manpower involved cannot be separately identified.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)011**

Question Serial No.

3033

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employees' Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

In the first year of the implementation of the Minimum Wage Ordinance, what are the total number of consultation and conciliation cases received as well as the additional employment claims handled? Have any target and timetable been set for handling the consultations, conciliation and claims?

Asked by: Hon. CHAN Mo-po, Paul

Reply :

The Labour Department (LD) provides consultation and conciliation services to employers and employees on matters relating to their employment contracts and their rights and obligations under the Employment Ordinance and the Minimum Wage Ordinance.

In 2011, LD conducted 73 882 consultation meetings and handled 18 086 claims. Among them, 1 879 consultation meetings and 171 claims arose out of the statutory minimum wage.

Our performance pledge is to provide in-person consultation service to enquirers within 30 minutes from their arrival at LD offices and conduct conciliation meetings within five weeks from the lodging of claims. In 2011, these targets were fully met.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)012**

Question Serial No.

3034

Head : 90 – Labour Department

Subhead (No. & title) :

700 General  
non-recurrent

Programme :

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

It is stated in the Estimate that the revised estimated expenditure of the Special Employment Project for Vulnerable Youths for 2010-11 is \$2.5 million. However, the accumulated expenditure as at the end of March 2011 is \$590,000 only.

- (a) Could the Government advise on the reason(s) for having an accumulated expenditure of \$590,000 only?
- (b) What is the number of placements made with the accumulated expenditure and the number of days of employment?
- (c) Why is the revised estimated expenditure for 2011-12 set at \$5 million? What are the expected numbers of placements to be made and days of employment?

Asked by : Hon. CHAN Mo-po, Paul

Reply :

The information sought is provided as follows:

- (a) Under the special employment project named “Action S5” (the Project), non-governmental organisations (NGOs) are commissioned to nominate young people aged 15 to 24 with special employment difficulties owing to low educational attainment, emotional/behavioural problems or learning difficulties, and provide them with on-the-job training opportunities for a period of 12 months. Funding is provided to NGOs to cover trainees’ wages and other statutory benefits. As the trainees enrolled in Phase One of the Project commenced employment in November 2010, the required expenditure was only partially reflected in 2010-11.
- (b) Altogether, 109 trainees were enrolled in Phase One of the Project. The trainees commenced the 12 months’ on-the-job training at NGOs in November 2010.
- (c) For 2011-12, \$5 million has been earmarked for funding NGOs that are employing the Phase One trainees and for implementing Phase Two of the Project. A total of 166 nominations were approved for Phase Two of the Project and the trainees will commence their on-the-job training after completing pre-employment training in February 2012. Moreover, to assist young school leavers of the New Senior Secondary Academic Structure, we plan to roll out Phase Three of the Project in the second half of 2012.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)013**

Question Serial No.

3035

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employees' Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the policy study on standard working hours to be completed in 2012-13, which are the countries and places covered in the study on their system and experience in the regulation of working hours, and by what criteria are they selected for the study? Have any overseas visits been conducted for the study and what was the expenditure involved?

Asked by : Hon. CHAN Mo-po, Paul

Reply :

The policy study on standard working hours will cover the systems and experiences of some Asia-Pacific, European and American economies in regulating working hours. The places were selected taking into account their similarity in the level of economic development or social and cultural background to Hong Kong. The expenditure for overseas visits conducted was \$883,100.

Signature

Name in block letters

Post Title

Date

\_\_\_\_\_  
CHEUK WING HING

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Commissioner for Labour

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1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)014**

Question Serial No.

0774

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please provide the following information regarding the Youth Pre-employment Training Programme and Youth Work Experience and Training Scheme (YPTP&YWETS):

Items	2009	2010	2011
1. Enrolment			
2. Age distribution - Under 18 - 18-20 - 21-24			
3. Educational attainment of trainees - Secondary 3 - Secondary 4-5 - Secondary 6-7 - Diploma / associate degree - Degree or above			
4. Number of trainees placed into training vacancies under the scheme			
5. Number of trainees having secured employment within three months after completing the course			

Asked by : Hon. CHEUNG Kwok-che

Reply :

YPTP&YWETS offers trainees 12 months' support services covering pre-employment training, workplace attachment, on-the-job training, reimbursement of course and examination fees, and customised career guidance and employment support services provided by case managers who are professional social workers. The customised career guidance may be extended by another 12 months for trainees who have secured employment.

YPTP&YWETS operates on the basis of Programme Year, running from September each year to August of the following year. As the 2011-12 Programme will only end in August 2012, the full-year figures are not yet available. Since trainees were enrolled on a year-round basis, some might attend pre-employment training and be placed into training vacancies in the following programme year. Moreover, with the assistance of their case managers, some trainees would find work through their own efforts in the open market.

For items 1 to 4, the figures are provided as follows:

Items	2009-10 programme year	2010-11 programme year
1. Enrolment	15 543	11 921
2. Age distribution		
- Under 18	3 499	2 552
- 18-20	6 574	5 168
- 21-24	5 470	4 201
3. Educational attainment of trainees		
- Below Secondary 3	1 174	892
- Secondary 3	1 928	1 368
- Secondary 4-5	9 024	7 006
- Secondary 6-7	753	780
- Diploma / associate degree	2 269	1 568
- Degree or above	N.A.	N.A.
- Others (secondary level or equivalent in other countries)	395	307
4. Number of trainees placed into training vacancies under the scheme	4 595	4 228

We do not have information on the number of trainees having secured employment within three months after completing the course (item 5), as trainees are not required to complete the pre-employment training courses before they are placed into training vacancies or find employment in the open market. Each year, the YPTP&YWETS office conducts a trainee development survey on trainees who were enrolled on the programme and completed the 12 months' support services. The results of the surveys conducted for trainees of the 2009-10 and 2010-11 Programmes showed that 70.6% and 75.5% of the sampled trainees were in employment respectively.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)015**

Question Serial No.

2377

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please provide the following information about the Work Incentive Transport Subsidy (WITS) Scheme:

- (a) As at February 2012 since its implementation, how many persons submitted application each month? How many applicants were assessed as not meeting the eligibility criteria? How many persons were granted the subsidy?
- (b) Breakdowns of all applicants by household size, household income, gender, age, marital status, monthly income, monthly working hours, occupation, industry, type of housing (public housing, private housing or others), property ownership status (owner or tenant) and district.
- (c) As at February 2012 since its implementation, what was the total amount of subsidy disbursed? What were the administrative expenses?

Asked by : Hon. CHEUNG Kwok-che

Reply :

The information sought is provided as follows:

- (a) As at 20 February 2012, 26 563 applicants had applied for WITS. Processing was completed for 21 188 applicants, of whom 18 566 applicants were granted the subsidy. There were 618 applicants who did not meet the eligibility criteria. A breakdown of the applicants by month is provided below.

Month	No. of applicants
October 2011	15 755
November 2011	5 618
December 2011	2 431
January 2012	1 486
1-20 February 2012	1 273
Total	26 563

- (b) Breakdown of all applicants by household size, household income, gender, age, marital status, monthly income, monthly working hours, occupation, industry and district is set out at Annex. We do not keep statistics on the type of housing of the applicants and have no information about their property ownership status.
- (c) As at 20 February 2012, the total amount of subsidy disbursed was \$63.0 million. By the end of January 2012, \$38.2 million administrative expenses had been incurred in setting up and implementing the Scheme.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Work Incentive Transport Subsidy Scheme

Number of applicants as at 20 February 2012  
with breakdowns by household size, household income, gender, age, marital status,  
monthly income, monthly working hours, occupation, industry and district

## Breakdown by household size

Household size	No. of applicants
1 person	2 447
2 persons	7 382
3 persons	7 972
4 persons	6 563
5 persons	1 644
6 persons or above	555
Total	26 563

## Breakdown by household income

Average monthly household income	No. of applicants
\$6,000 or below	4 876
\$6,001-\$8,000	5 465
\$8,001-\$10,000	6 508
\$10,001-\$12,000	5 348
\$12,001-\$14,000	3 053
\$14,001-\$16,000	627
\$16,001 or above	372
Information not provided by applicant	314
Total	26 563

## Breakdown by gender

Gender	No. of applicants
Male	14 148
Female	12 354
Information not provided by applicant	61
Total	26 563

## Breakdown by age

Age	No. of applicants
19 or below	235
20-29	2 320
30-39	5 853
40-49	9 745
50-59	6 154

Age	No. of applicants
60-69	2 002
70 or above	193
Information not provided by applicant	61
Total	26 563

Breakdown by marital status

Marital status	No. of applicants
Single	3 713
Married	17 181
Divorced/Separated/Widowed	5 474
Information not provided by applicant	195
Total	26 563

Breakdown by monthly income

Average monthly income	No. of applicants
\$6,500 or below	9 613
Above \$6,500	16 636
Information not provided by applicant	314
Total	26 563

Breakdown by monthly working hours

Average monthly working hours	No. of applicants
Less than 36 hours	218
Less than 72 hours but at least 36 hours	800
72 hours or more	24 772
Information not provided by applicant	773
Total	26 563

Breakdown by occupation

Occupation	No. of applicants
Professionals	339
Associate professionals	882
Clerks	2 998
Service workers and shop sales workers	6 643
Elementary occupations	12 614
Craft and related workers	1 387
Plant and machine operators and assemblers	569
Others	808
Information not provided by applicant	323
Total	26 563

Breakdown by industry

Industry	No. of applicants
Manufacturing	1 692
Construction	1 424
Import/export trade, wholesale and retail	3 498
Accommodation and food services	4 827
Transportation, storage, postal and courier services, information and communications	2 455
Financing, insurance, real estate, professional and business services	7 619
Public administration, social and personal services	4 279
Others	440
Information not provided by applicant	329
<b>Total</b>	<b>26 563</b>

Breakdown by district

District Council district	No. of applicants
Central & Western	191
Eastern	977
Southern	474
Wan Chai	113
Kowloon City	866
Kwun Tong	3 784
Sham Shui Po	1 889
Wong Tai Sin	1 846
Yau Tsim Mong	568
Islands	759
Kwai Tsing	2 823
North	1 324
Sai Kung	998
Sha Tin	1 826
Tai Po	684
Tsuen Wan	818
Tuen Mun	2 830
Yuen Long	3 499
Outside Hong Kong	63
Information not provided by applicant	231
<b>Total</b>	<b>26 563</b>

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
 INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)016**

Question Serial No.

3235

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

- (a) Regarding the Work Incentive Transport Subsidy (WITS) Scheme, please provide the number of successful applications in the table below:

	Number of applications with residence in public housing	Number of applications with residence in private housing
Household size:		
1 - 2 person(s)		
3 - 4 persons		
4 persons		
5 persons		
6 persons or above		
Applicant's residential district:		
Yuen Long		
Tuen Mun		
Tsuen Wan		
Tai Po		
Sha Tin		
Sai Kung		
North		
Kwai Tsing		
Islands		
Wong Tai Sin		
Yau Tsim Mong		
Sham Shui Po		
Kwun Tong		
Kowloon City		
Wan Chai		
Southern		
Eastern		
Central & Western		

- (b) Please provide a breakdown of the number of successful applications by age and occupation.

- (c) What was the total amount of subsidy disbursed as at January 2012?

Asked by : Hon. CHEUNG Kwok-che

Reply :

The information sought is provided as follows:

(a) and (b)

As at end-2011, 9 776 applications had been approved under the WITS Scheme and 10 437 applicants were granted the subsidy. Breakdown of these applications by household size and district; and of applicants by age and occupation is set out at Annexes 1 and 2. We do not keep statistics on the type of housing of the applicants.

(c) As at end-January 2012, the total amount of subsidy disbursed was \$52.9 million.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Work Incentive Transport Subsidy Scheme

Number of applications approved as at end-2011  
with breakdowns by household size and district

Household size	No. of applications approved
1 - 2 person(s)	3 897
3 - 4 persons	5 198
4 persons	2 220
5 persons	530
6 persons or above	151

Applicant's residential district	No. of applications approved
Yuen Long	1 281
Tuen Mun	1 118
Tsuen Wan	273
Tai Po	268
Sha Tin	666
Sai Kung	343
North	511
Kwai Tsing	1 081
Islands	284
Wong Tai Sin	691
Yau Tsim Mong	181
Sham Shui Po	771
Kwun Tong	1 360
Kowloon City	291
Wan Chai	37
Southern	179
Eastern	352
Central & Western	58

Work Incentive Transport Subsidy Scheme

Number of applicants who were granted the subsidy as at end-2011  
with breakdowns by age and occupation

Age	No. of applicants granted the subsidy
19 or below	42
20-29	678
30-39	2 240
40-49	4 012
50-59	2 533
60-69	847
70 or above	85
<b>Total</b>	<b>10 437</b>

Occupation	No. of applicants granted the subsidy
Professionals	113
Associate professionals	339
Clerks	1 257
Service workers and shop sales workers	2 495
Elementary occupations	5 156
Craft and related workers	513
Plant and machine operators and assemblers	227
Others	337
<b>Total</b>	<b>10 437</b>

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)017**

Question Serial No.

0211

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employees' Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

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

Asked by : Hon. CHEUNG Yu-yan, Tommy

Reply :

The intelligence reports on wage offences collected by the Labour Department in 2009, 2010 and 2011 amounted to 578, 420 and 533 respectively. The figures involving the catering, construction and import/export industries were as follows:

Industry	2009	2010	2011
Catering	119	75	104
Construction	77	56	31
Import/Export	7	12	22

The numbers of convictions of employers for contravening wage offences in 2009, 2010 and 2011 were 1 314, 1 481 and 876 respectively. The figures involving the catering, construction and import/export industries were as follows:

Industry	2009	2010	2011
Catering	212	268	100
Construction	267	185	153
Import/Export	109	99	51

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
 INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)018**

Question Serial No.

0212

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employees' Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please set out in a table, by the amount of payment and number of applications per year, the top three industries that account for the largest number of applications for payment under the Protection of Wages on Insolvency Fund (PWIF) in the past three years. What was the financial position of PWIF in the past three years respectively and the estimated financial position in 2012-13?

Asked by : Hon. CHEUNG Yu-yan, Tommy

Reply :

The information sought is provided below:

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

Year	Industry	Amount of payment (\$ million)
2009	Import and export trade	32.6
	Retail trade	25.1
	Food and beverage service activities	17.9
	Others	98.6
	Total	174.2
2010	Food and beverage service activities	18.4
	Import and export trade	17.1
	Motion picture, video and television programme production, sound recording and music publishing activities	12.2
	Others	51.6
	Total	99.3
2011	Food and beverage service activities	15.1
	Construction	10.8
	Import and export trade	10.6
	Others	37.9
	Total	74.4

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

Year	Industry	Number of applications
2009	Food and beverage service activities	1 862
	Import and export trade	1 181
	Construction	947
	Others	3 270
	Total	7 260
2010	Food and beverage service activities	1 149
	Construction	697
	Other personal service activities	568
	Others	2 039
	Total	4 453
2011	Food and beverage service activities	978
	Construction	642
	Retail trade	466
	Others	1 643
	Total	3 729

(c) Financial position of PWIF

Year	Income (\$ million)	Expenditure (\$ million)	Surplus (\$ million)
2009-10	467.1	177.6	289.5
2010-11	537.7	108.1	429.6
2011-12 (up to 31 January 2012)	471.0	74.3	396.7
2012-13 Estimates	527.0	155.5	371.5

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)019**

Question Serial No.

0526

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

With regard to conducting a study on legislating for paternity leave in 2012-13, please provide the details including the specific scope of the study, timetable, manpower and expenditure involved, etc.

Asked by : Hon. CHEUNG Yu-yan, Tommy

Reply :

The Labour Department is conducting a study on the feasibility of legislating for paternity leave in Hong Kong, which includes looking into the practices of other economies and the provision of paternity leave by local enterprises. In the process, we are mindful of the actual circumstances of Hong Kong to ensure that any improvement in employees' benefits is in line with the overall development and needs of Hong Kong. To this end, we need to assess the possible impact of legislating for paternity leave on employers (especially small-and-medium-sized enterprises) and the economy as a whole in order to strike a balance between the interest of employees and the affordability of employers. We also need to examine the various issues that may possibly emerge in the process of implementation and consider whether there is a general consensus in the community on the matter. We expect to complete the study in the first quarter of 2012. The study is being conducted with existing resources.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

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

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please set out the number of participants of the Youth Pre-employment Training Programme and Youth Work Experience and Training Scheme (YPTP&YWETS) and their placement rate in each of the past three years (i.e. 2009-10, 2010-11 and 2011-12), and a breakdown by industry and occupation of the training positions provided over the same period of time in table form.

Asked by : Hon. CHEUNG Yu-yan, Tommy

Reply :

YPTP&YWETS offers trainees 12 months' support services covering pre-employment training, workplace attachment, on-the-job training, reimbursement of course and examination fees, and customised career guidance and employment support services provided by case managers who are professional social workers. The customised career guidance may be extended by another 12 months for trainees who have secured employment.

YPTP&YWETS operates on the basis of Programme Year, running from September each year to August of the following year. In the 2009-10 programme year, YPTP&YWETS enrolled 15 543 trainees. Of these, 6 884 attended pre-employment training and 4 595 were placed into training vacancies. In the 2010-11 programme year, no fresh Secondary 5 graduate entered the labour market in the summer of 2011 after the implementation of the New Senior Secondary Academic Structure and YPTP&YWETS enrolled 11 921 trainees. Of these, 5 641 attended pre-employment training and 4 228 were placed into training vacancies. As the 2011-12 Programme will only end in August 2012, the full-year figures are not yet available.

Since trainees were enrolled on a year-round basis, some might attend pre-employment training and be placed into training vacancies in the following programme year. Moreover, with the assistance of their case managers, some trainees would find work through their own efforts in the open market. Each year, YPTP&YWETS office conducts a trainee development survey on trainees who were enrolled on the programme and completed the 12 months' support services. The results of the surveys conducted for trainees of the 2009-10 and 2010-11 Programmes showed that 70.6% and 75.5% of the sampled trainees were in employment respectively.

The breakdown of the number of the trainees' placements by industry and occupation is tabulated as follows:

Breakdown by Industry

Industry	No. of placements	
	2009-10 Programme Year	2010-11 Programme Year
Community, social and personal service	1 333	1 238
Construction	758	1 073
Financing, insurance, real estate and business services	460	278
Government sector	190	190
Manufacturing	169	185
Transport, storage and communications	509	561
Wholesale, retail and import/export trades, restaurants and hotels	950	658
Others	226	45
Total	4 595	4 228

Breakdown by Occupation

Occupational Group	No. of placements	
	2009-10 Programme Year	2010-11 Programme Year
Associate professionals	848	661
Clerical support workers	1 120	907
Craft and related works	1 027	1 398
Elementary occupations	22	7
Plant and machine operators and assemblers	51	78
Sales workers	648	585
Service workers	862	563
Others	17	29
Total	4 595	4 228

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)021**

Question Serial No.

0528

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please set out in table form the number of job openings registered with the Recruitment Centre for the Catering Industry and Recruitment Centre for the Retail Industry and the rate of successful recruitment in each of the past three years (i.e. 2009-10, 2010-11 and 2011-12). (Please provide a breakdown by industry and job title.)

Asked by : Hon. CHEUNG Yu-yan, Tommy

Reply :

The Recruitment Centre for the Catering Industry (The Catering Centre) and the Recruitment Centre for the Retail Industry (The Retail Centre) were set up in February 2009 and June 2010 respectively. The numbers of vacancies received by the Centres for organising job fairs in the past three years are provided below:

<b>Year</b>	<b>The Catering Centre</b>	<b>The Retail Centre</b>
2009	18 960	-
2010	33 080	18 952
2011	48 847	56 354

A breakdown of the vacancies received by the Catering Centre by job title is provided below:

<b>Job Title</b>	<b>No. of Vacancies</b>					
	<b>2009</b>		<b>2010</b>		<b>2011</b>	
	<b>No.</b>	<b>%</b>	<b>No.</b>	<b>%</b>	<b>No.</b>	<b>%</b>
Waiter/Waitress	4 380	23.1%	7 476	22.6%	11 919	24.4%
Shop Sales/Assistant	2 560	13.5%	4 400	13.3%	8 451	17.3%
Cook	3 034	16.0%	5 425	16.4%	6 936	14.2%
Kitchen Helper	1 744	9.2%	3 067	9.3%	4 201	8.6%
Cleaner	815	4.3%	2 283	6.9%	2 882	5.9%
Dish Washer	588	3.1%	1 092	3.3%	2 198	4.5%
Bartender	626	3.3%	1 125	3.4%	2 100	4.3%
Captain	929	4.9%	1 290	3.9%	1 270	2.6%
Branch Manager/ Shop Supervisor	417	2.2%	1 323	4.0%	2 052	4.2%
Others	3 867	20.4%	5 599	16.9%	6 838	14.0%
<b>Total</b>	<b>18 960</b>	<b>100%</b>	<b>33 080</b>	<b>100%</b>	<b>48 847</b>	<b>100%</b>

A breakdown of the vacancies received by the Retail Centre by job title is provided below:

Job Title	No. of Vacancies			
	2010		2011	
	No.	%	No.	%
Shop Sales/Assistant	9 533	50.3%	29 755	52.8%
Cashier	948	5.0%	4 508	8.0%
Sales Representative	1 365	7.2%	3 832	6.8%
Storekeeper/Stock keeper	1 023	5.4%	3 269	5.8%
Customer Service Clerk	701	3.7%	3 438	6.1%
Promoter	739	3.9%	2 874	5.1%
Branch Manager/Shop Supervisor	891	4.7%	2 311	4.1%
Beautician	1 194	6.3%	1 183	2.1%
Packer	796	4.2%	845	1.5%
Others	1 762	9.3%	4 339	7.7%
<b>Total</b>	<b>18 952</b>	<b>100%</b>	<b>56 354</b>	<b>100%</b>

The Centres are one of the many channels used by employers to recruit staff. As employers in these industries are recruiting a large number of employees through various channels (such as newspaper advertisements, employment agencies, walk-in interviews etc.) at the same time, they find it difficult to ascertain whether a vacancy has been filled with our assistance. Hence, we have not kept the rate of successful recruitment for the Centres.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)022**

Question Serial No.

0529

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please provide, in table form, a breakdown of the number of imported workers applied for under the Supplementary Labour Scheme (SLS) and the success rate, by industry and job title, in each of the past 3 years (i.e. 2009-10, 2010-11, 2011-12).

Asked by : Hon. CHEUNG Yu-yan, Tommy

Reply :

In 2009, 2010 and 2011, employers applied to import 1 656, 2 340 and 2 601 workers respectively under the SLS. The corresponding numbers of imported workers approved were 797, 1 180 and 980, representing 48.1%, 50.4% and 37.7% respectively of the numbers of imported workers applied for.

A breakdown of the number of imported workers applied for and approved in 2009, 2010 and 2011 by industry and job title is provided at Annexes 1 to 4.

Signature	_____
Name in block letters	CHEUK WING HING
Post title	Commissioner for Labour
Date	1.3.2012

**Number of imported workers applied for and approved  
under the Supplementary Labour Scheme in 2009, 2010 and 2011:  
breakdown by industry**

Industry	Number of imported workers applied for			Number of imported workers approved		
	2009	2010	2011	2009	2010	2011
1. Agriculture and fishing	437	479	502	311	311	344
2. Manufacturing	149	369	350	87	124	98
3. Construction	18	38	263	7	1	14
4. Wholesale, retail and import/ export trades, restaurants and hotels	107	265	233	45	58	65
5. Transport, storage and communication	10	33	95	2	0	2
6. Financing, insurance, real estate and business services	160	57	226	1	3	3
7. Community, social and personal services	775	1 099	932	344	683	454
Total	1 656	2 340	2 601	797	1 180	980

**Number of imported workers applied for and approved  
under the Supplementary Labour Scheme in 2009:  
breakdown by job title**

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

**Number of imported workers applied for and approved  
under the Supplementary Labour Scheme in 2010:  
breakdown by job title**

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

**Number of imported workers applied for and approved  
under the Supplementary Labour Scheme in 2011:  
breakdown by job title**

<b>Job title</b>	<b>Number of imported workers applied for</b>	<b>Number of imported workers approved</b>
1. Care Worker (Elderly Service)	771	431
2. Livestock/ Poultry/ Fish/ Crop Farm Worker	381	296
3. Welder	120	0
4. Cook	113	28
5. Gardening Worker	105	38
6. Aircraft Cabin Cleaner	80	0
7. Tunnel Miner	80	0
8. Bean Curd/ Soya Bean/ Bean Sprout Processing Worker	49	27
9. Structural Steel Erector	44	0
10. Others	858	160
Total	2 601	980

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)023**

Question Serial No.

0543

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

It is mentioned in the brief description that “to relieve the burden of work-related travelling expenses on low-income households with employed members so as to promote sustained employment, the Work Incentive Transport Subsidy (WITS) Scheme has started receiving applications from October 2011. As at the end of 2011, there were 23 804 applicants, and the funds disbursed totalled \$35 million.” Moreover, “monitoring the implementation of the WITS Scheme” is mentioned in the matters requiring special attention. In this connection, would the Administration advise this Committee on: whether efforts have been made to find out why the number of applicants is far smaller than the original estimation of 218 000; whether it is related to the stringent eligibility criteria and inadequate publicity; a breakdown, by District Council (DC) district, of the latest number of applicants and the amount of funds disbursed; and whether the Administration will consider conducting a comprehensive review of the Scheme as soon as possible so that more low-income workers can benefit from the Scheme? Besides, why is the revised financial provision for 2011-12 under this Programme 13.7% higher than the original estimate?

Asked by : Hon. Frederick FUNG Kin-kee

Reply :

The number of potential beneficiaries of the WITS Scheme estimated by the Administration earlier was based on statistics of household income and working hours only. As the Census and Statistics Department did not have information on household assets, we were unable to tell how many of them could also meet the asset requirement of the Scheme. Moreover, whether an eligible person would ultimately apply for the subsidy and when he / she would submit the application were subject to other personal factors. Hence the figure provided at the time was no more than a rough indication for reference, and was not the exact or target number of eligible persons or beneficiaries. The WITS Scheme allows applicants to claim subsidies for the preceding six to 12 months (with the subsidy payment counting from April 2011 the earliest). Some applicants may choose to submit their applications later to cover a longer payment period. The eligibility criteria for WITS have been carefully designed to serve its policy objectives. The Labour Department has organised territory-wide publicity activities to promote public awareness of the Scheme.

As at the end of January 2012, 25 290 applicants had applied for WITS. Processing was completed for 17 588 applicants, of whom 15 783 applicants were granted the subsidy totalling \$52.9 million. A breakdown by DC district is provided as follows:

District	No. of applicants	No. of applicants granted the subsidy	Amount of subsidy granted
Central & Western	185	102	\$337,200
Eastern	931	574	\$1,928,700
Southern	442	284	\$983,400
Wan Chai	105	63	\$222,000
Kowloon City	812	505	\$1,703,100
Kwun Tong	3 604	2 268	\$7,682,400
Sham Shui Po	1 802	1 163	\$3,888,900
Wong Tai Sin	1 767	1 101	\$3,668,100
Yau Tsim Mong	535	305	\$1,035,900
Islands	720	456	\$1,525,500
Kwai Tsing	2 711	1 771	\$5,988,300
North	1 253	782	\$2,598,300
Sai Kung	943	580	\$1,932,000
Sha Tin	1 751	1 047	\$3,512,100
Tai Po	656	421	\$1,412,700
Tsuen Wan	781	454	\$1,538,100
Tuen Mun	2 701	1 781	\$5,946,600
Yuen Long	3 323	2 080	\$6,878,700
Outside Hong Kong	61	46	\$153,600
Information not provided by applicant	207	-	-
Total	25 290	15 783	\$52,935,600

The Administration has updated the means test limits of the WITS Scheme with reference to the latest income data of the fourth quarter of 2011. The new household income and asset thresholds have taken effect from March 2012. A mid-term review of the Scheme will be carried out as planned to take account of the operational experience in the first year. A comprehensive review of the Scheme will also be conducted after three years of operation.

The increase in the revised estimate of Programme (2) is due to the expenditure for the implementation of the WITS Scheme which was approved by the Finance Committee of the Legislative Council in February 2011 and was not included in the original estimate.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)024**

Question Serial No.

0544

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The aim of the Programme states that it is “to provide a comprehensive range of free employment assistance and recruitment services to help job seekers find suitable jobs and employers find recruits”. Would the Administration inform this Committee of the respective numbers and total numbers of job vacancies displayed by the Labour Department (LD) from the private sector and the public sector/Government over the past two years (please provide a breakdown by industry, occupation and level of salary)? What was the rate of successful recruitment via LD? Moreover, what are the respective numbers and success rates of ethnic minority job seekers and new arrivals registered with LD for employment service in the past year? At present, what are the targeted measures to help them secure employment?

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

In 2010, LD recorded a total of 755 017 vacancies, of which 752 323 were from the private sector and 2 694 were from the Government sector. In 2011, the corresponding numbers were 904 086, of which 900 564 were from the private sector and 3 522 were from the Government sector. Breakdowns of the vacancies by industry, occupation and monthly salary range are provided below:

Breakdown by industry

Industry	Number of vacancies	
	2010	2011
Manufacturing	49 344	50 957
Construction	33 982	34 699
Wholesale, retail and import/export trades, restaurants and hotels	295 385	353 491
Transport, storage and communications	49 379	53 797
Financing, insurance, real estate and business services	197 954	265 725
Community, social and personal services	68 354	74 667
Government sector	2 694	3 522
Others	57 925	67 228
<b>Total</b>	<b>755 017</b>	<b>904 086</b>

### Breakdown by occupation

Occupation	Number of vacancies	
	2010	2011
Managers & administrators	13 150	11 163
Professionals	14 305	18 296
Associate professionals	169 130	242 685
Clerical support workers	128 885	142 503
Service workers	147 707	201 262
Shop sales workers	71 855	83 618
Agriculture, animal husbandry, forestry workers & fishermen	1 416	1 785
Craft and related workers	28 134	35 176
Plant & machine operators and assemblers	24 157	25 911
Elementary occupation	154 897	140 516
Unclassified	1 381	1 171
<b>Total</b>	<b>755 017</b>	<b>904 086</b>

### Breakdown by salary

Monthly salary range	Number of vacancies	
	2010	2011
Below \$5,000	120 848	115 547
\$5,000 - \$5,999	57 814	37 098
\$6,000 - \$6,999	124 243	80 482
\$7,000 - \$7,999	142 669	156 680
\$8,000 - \$8,999	99 454	156 847
\$9,000 - \$9,999	58 798	94 435
\$10,000 or above	151 191	262 997
<b>Total</b>	<b>755 017</b>	<b>904 086</b>

LD's recruitment service is one of the many channels used by employers to recruit staff. As employers may receive a large number of applications through various channels at the same time, they find it difficult to ascertain whether a vacancy has been filled with our assistance. Hence, we have not kept the rate of successful recruitment for vacancies advertised at LD.

In 2011, 901 ethnic minority job seekers and 7 773 new arrival job seekers registered with LD for employment services. Job seekers may be placed into employment either through the referral services of LD or by direct application to employers who advertise their vacancies via the department. Currently, over 90% of the vacancies advertised through LD are open for direct application by job seekers. Those who secure employment through direct application are not required to report their placement positions to LD. We therefore only have information on the placements achieved through the referral services of LD. In 2011, 72 and 1 148 placements were secured for ethnic minority job seekers and new arrival job seekers respectively through this means. As there is no record of all ethnic minority or new arrival job seekers placed into employment, we do not have a successful placement rate for them.

To help ethnic minority and new arrival job seekers find work, we have specifically set up resource corners and special counters to provide priority referral services to them at all job centres. Tailor-made employment briefings are organised to help them better understand the local employment market situation and improve job search skills. Those who have difficulties in finding jobs are encouraged to participate in various employment programmes to enhance employability. In 2012-13, LD will launch large-scale and district job fairs to help job seekers, including ethnic minority and new arrival job seekers.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)025**

Question Serial No.

0545

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employees' Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

With regard to “completing the policy study on standard working hours” mentioned under the matters requiring special attention, would the Administration inform this Committee of the latest progress of the above work, scope and direction of the study, expenditure and manpower involved as well as the preliminary conclusion? When is the entire study expected to be completed and the final outcome of the study published? Moreover, what are the reasons for a decrease of 9.2% in the revised financial provision for 2011-12 under the above Programme against the original estimate?

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

We have been studying the systems and experiences of other places in regulating working hours. The Census and Statistics Department is also assisting in collecting statistics on the current working hours situation of our labour force and various sectors of Hong Kong. The data will be analysed as part of the study findings. As the study is still in progress, we are unable to draw any conclusion at this stage. We aim to complete the study and report the findings by mid-2012.

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

The decrease in revised estimate for 2011-12 under Programme (4) is mainly due to the lower than estimated expenditure on productivity assessments under the Minimum Wage Ordinance.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)026**

Question Serial No.

0546

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the promotion of family-friendly employment practices (FFEP), would the Administration advise this Committee: on “conducting a study on legislating for paternity leave” mentioned in the matters requiring special attention, what are the scope and specific details of the study, as well as the latest progress? When is the study expected to be completed and the findings announced?

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

The Labour Department is conducting a study on the feasibility of legislating for paternity leave in Hong Kong, which includes looking into the practices of other economies and the provision of paternity leave by local enterprises. In undertaking the exercise, we are mindful of the actual circumstances of Hong Kong to ensure that any improvement in employees’ benefits is in line with the overall development and needs of Hong Kong. To this end, we need to assess the possible impact of legislating for paternity leave on employers (especially small-and-medium-sized enterprises) and the economy as a whole so as to strike a balance between the interest of employees and the affordability of employers. We also need to examine the various issues that may possibly emerge in the course of implementation and consider whether there is a general consensus in the community on the matter. We expect to complete the study in the first quarter of 2012 and will thereafter brief the Labour Advisory Board on the preliminary findings.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

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

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the promotion of family-friendly employment practices (FFEP), would the Administration advise this Committee whether any survey on the prevalence of five-day work week was conducted in the past year (i.e. 2011-12)? If yes, what is the estimated number of employees on five-day week at present and what is its percentage share in the total number of employees? Would the Administration consider conducting such survey on a regular basis? If no, what are the reasons?

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

There was no survey conducted in 2011-12 on the prevalence of five-day work week. With the Labour Department's promotion and publicity targeted at employers in different fields in recent years, we observe that five-day work week is gradually being accepted by different trades and there is a rising trend of organisations adopting five-day work week. The current practice of collecting data through special surveys from time to time is considered effective for tracking the prevalence of various employment practices.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)028**

Question Serial No.

0548

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employees' Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

With regard to “pressing ahead with enforcement action against wage offences, including breaches of the statutory minimum wage (SMW) provisions ...” and “supporting the work of the Minimum Wage Commission (MWC)” mentioned under the matters requiring special attention, would the Administration advise this Committee on the number of cases involving breaches of the SMW provisions since its implementation in the middle of last year and the nature of the breaches; the measures taken for forestalling and combating breaches of the SMW provisions; the work plan of the MWC for the coming year; the expected earliest time for conducting a review of the SMW rate and its implementation; and whether the Administration would consider speeding up the review of the SMW rate to accurately reflect the current inflation and economic changes?

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

The information sought is provided as follows:

- (a) Since the implementation of the SMW on 1 May 2011 and up to 31 January 2012, out of 26 249 workplace inspections conducted by the Labour Department (LD), 78 cases involving suspected under-payment of the SMW were detected. Another 12 reported cases on suspected under-payment of the SMW were promptly investigated. Follow-up action on all of the cases confirms that most employees had received wages not less than the SMW. During the same period, LD secured 10 convictions against three employers for under-payment of the SMW. LD will continue to take rigorous enforcement action to ensure compliance with the Minimum Wage Ordinance (MWO) through conducting proactive workplace inspections, mounting targeted enforcement campaigns for low-paying sectors and undertaking prompt investigations into complaints received. In addition, LD will continue to organise publicity and promotional activities to facilitate employers and employees in understanding their respective obligations and entitlements under the SMW regime.
- (b) When the post-implementation wage distribution data for May to June 2011 become available in the first quarter this year, MWC will review the SMW rate by conducting comprehensive and prudent studies and analyses based on the wage distribution data and results of other surveys, taking fully into account the views of various stakeholders. According to the MWO, MWC will have to report its recommendation on the SMW rate to the Chief Executive in Council no later than mid-November 2012. It is too early to state at this juncture if an adjustment of the SMW rate will be recommended by MWC, or its implementation date.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

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

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employees' Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding age and pregnancy discrimination in employment and workplace, would the Labour Department (LD) advise this Committee on the relevant publicity and educational work as well as the expenditure involved in the past year (i.e. 2011-12)? What were the numbers of complaints received, details of the complaints and follow-ups taken by the LD in the past 3 years (i.e. 2009-10, 2010-11 and 2011-12)? Would the Administration consider conducting a study on legislating for the prevention of age discrimination in employment?

Asked by : Hon. FUNG Kin-kee, Frederick

Reply :

In 2011-12, LD promoted the importance of eliminating age discrimination in employment through various measures. An Announcement in the Public Interest entitled "Count on talent not age in employment" was broadcast through TV, radio and on buses, trains, at commercial buildings as well as on the exterior walls of buildings in busy districts. We also advertised on bus bodies and distributed promotional materials to related trade organisations. The total expenditure on the publicity and educational work was about \$570,000.

In the past three years, LD received 58 complaints concerning age discrimination in relation to employment. No evidence of age discrimination was found in 36 of these cases. In the remaining cases where employers admitted having asked about the age of the job seekers, LD reminded them to consider only the genuine occupational requirements of the job and the ability of the job seekers in the selection process. We have at present no plan to conduct a study on introducing legislation on age discrimination in employment.

Pregnancy discrimination is prohibited under the Sex Discrimination Ordinance enforced by the Equal Opportunities Commission (EOC). In 2011, EOC conducted a number of publicity and educational programmes to promote anti-discrimination on pregnancy in the workplace, including advertisement campaign at the MTR, participating in the World SME Expo to promote the message to small and medium enterprises, radio programmes on equal opportunities issues, distributing educational leaflets, and providing related training services.

In the past three financial years (up to January 2012), EOC concluded actions on 445 complaint cases on pregnancy discrimination and victimisation in employment. Investigation for 299 cases were discontinued / not conducted for various reasons (e.g. lacking in substance). Of the remaining 146 cases which proceeded to conciliation, 93 were successfully conciliated, while conciliation of the remaining 53 cases were unsuccessful mainly owing to disagreement over the terms of settlement or denial of discrimination by the parties being complained. In such cases, the complainants may apply for legal assistance from the EOC or take civil actions.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)030**

Question Serial No.

1920

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employees' Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

- (a) Please provide a breakdown by sex, age, occupation, average hourly wage and average working hours of the number of employees who were not engaged under a continuous contract in government and private organisations from 2009-10 to 2010-11.
- (b) Does the Administration have any plan and timetable to review the Employment Ordinance (EO) for enhancing the employment protection and benefits for employees who are not engaged under a continuous contract?

Asked by : Hon. IP Kwok-him

Reply :

The information sought is provided as follows:

- (a) According to a special topic enquiry conducted by the Census and Statistics Department in the fourth quarter of 2009 to collect statistical data on employees engaged under employment contracts with short duration or working hours instead of a continuous contract (hereinafter referred to as "SDWH employees") in the non-government sector, at the time of enumeration there were 148 300 SDWH employees who were not working under a continuous contract, accounting for 5.2% of the total number of employees in the non-government sector. Among the 148 300 SDWH employees, 50 200 expected themselves to work in their present jobs continuously for four weeks or more and hence might subsequently become continuous contract employees. Discounting this group of persons, there were 98 000 SDWH employees who were not engaged under a continuous contract, accounting for 3.4% of the total number of employees in the non-government sector. We do not keep similar information for government employees.

We did not conduct another survey in 2010–11. A breakdown of the 148 300 SDWH employees surveyed in the fourth quarter of 2009, by sex, age group and occupation is tabulated as follows:

By Sex

Sex	No. of persons ( '000)	%
Male	76.9	51.8
Female	71.4	48.2
Overall	148.3	100.0

By Age Group

<b>Age Group</b>	<b>No. of persons ('000)</b>	<b>%</b>
15-19	8.7	5.9
20-29	32.3	21.8
30-39	26.8	18.1
40-49	37.8	25.5
50-59	34.1	23.0
≥60	8.5	5.7
Overall	148.3	100.0

By Occupation

<b>Occupation</b>	<b>No. of persons ('000)</b>	<b>%</b>
Elementary occupations	48.6	32.8
Craft and related workers	27.8	18.7
Service workers and shop sales workers	27.2	18.3
Clerks	20.4	13.8
Managers and administrators, professionals and associate professionals	20.1	13.6
Plant and machine operators and assemblers	4.1	2.8
Others	‡	‡
Overall	148.3	100.0

‡ Estimates less than 1 000 and related statistics derived based on such estimates are not released due to large sampling errors.

There is no breakdown from the above-mentioned survey on the average hourly wage or average working hours of the SDWH employees concerned.

- (b) The Labour Department is undertaking a review of the continuous contract requirement under the EO. We plan to consult the Labour Advisory Board on the review in the latter half of 2012.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)031**

Question Serial No.

1921

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employees' Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please provide the following information relating to government service contractors:

- (a) Please set out the number of workers hired by government service contractors in 2011, the projects or occupations involved, the government departments served, their average hourly wage and monthly salary, their average working hours and number of holidays; and
- (b) Has the bureau conducted any study on the benefits and rights of workers hired by government service contractors to ensure that their average monthly salaries are not lower than those of similar industries and occupations in the market aside, and consider requiring the contractors to provide them with other employees' benefits or allowances?

Asked by : Hon. IP Kwok-him

Reply :

The information sought is provided as follows:

- (a) Individual bureaux and departments may procure services for meeting their operational needs. As bureaux and departments administer and oversee service contracts under their purview, the Labour Department (LD) does not have information about the services procured by various bureaux/departments and the employment terms of the employees concerned.
- (b) LD currently has no plan to conduct studies on the employment rights and benefits of employees engaged by government service contractors. In respect of government service contracts relying heavily on the deployment of non-skilled workers, service contractors are required to provide one paid rest day in every seven days for their non-skilled workers employed following the implementation of the statutory minimum wage on 1 May 2011. Specifications of other service contracts are decided by the procuring bureaux and departments concerned.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)032**

Question Serial No.

1922

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the Employment Programme for the Middle-aged (EPM) organised by the Labour Department (LD), please provide the following information:

- (a) the expenditure and manpower involved in 2011-12;
- (b) the number of applicants and their age as well as the number of placements since its inception up to 2011-12;
- (c) a breakdown by average wage and industry as well as the length of employment of participants under the EPM since its inception up to 2011.

Asked by : Hon. IP Kwok-him

Reply :

The information sought is provided as follows:

- (a) The estimated recurrent expenditure for EPM in 2011-12 is around \$4.0 million. While a team of one Labour Officer, two Assistant Labour Officers and two clerical staff is responsible for overseeing and co-ordinating the implementation of EPM, case processing work is handled by existing staff of job centres among their other duties and the manpower involved cannot be separately identified.
- (b) EPM offers employers financial incentive for employing unemployed job seekers aged 40 or above in full-time permanent jobs and providing them with on-the-job training. There is no need for the job seekers to make applications to LD for participating in EPM. We therefore cannot provide the number of job seekers applying for EPM and the breakdown as requested. Since its inception in May 2003 and up to 31 December 2011, there were 53 282 middle-aged job seekers placed into employment under EPM.
- (c) As employers who place vacancies with LD are not restricted to consider middle-aged job seekers exclusively, we do not have the statistics requested. According to a recent retention survey conducted on job seekers placed into employment under EPM in April 2011, about 76% of the cases were able to achieve a retention period of four months or above and 63% could remain in employment for six months or more.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)033**

Question Serial No.

1923

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the claims handled by the Labour Department (LD) in 2011-12, please provide a breakdown of the figures by cause.

Asked by : Hon. IP Kwok-him

Reply :

The breakdown of labour claims (involving 20 or less employees) handled by LD in 2011 by cause is provided as follows:

Cause	Number of labour claims
Termination of contract	9 279
Non-payment of wages	5 128
Non-payment of holiday pay/ annual leave pay/ rest day pay/ sickness allowance	1 862
Cessation of business	231
Retrenchment	62
Lay-off	41
Variation of terms of employment contract	39
Insolvency	25
Others	1 419
<b>Total</b>	<b>18 086</b>

Signature

Name in block letters

Post Title

Date

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CHEUK WING HING

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Commissioner for Labour

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1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
 INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)034**

Question Serial No.

1924

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

- (a) Please provide a breakdown of the respective figures by age, gender, industry, occupation and monthly earnings of job seekers with disabilities who secured placements through the employment services of the Labour Department (LD) in 2011-12.
- (b) Please provide a breakdown of the changes in average earnings by age, gender, industry and occupation of job seekers with disabilities who secured placements through the employment services of LD before and after the implementation of statutory minimum wage on 1 May 2011.

Asked by : Hon. IP Kwok-him

Reply :

The information sought is provided as follows:

- (a) In 2011, LD secured 2 403 placements for job seekers with disabilities. The breakdown of the placements by age, gender, industry, occupation and earnings is provided as follows:

By gender and age

<b>Age group</b>	<b>Male</b>	<b>Female</b>	<b>No. of placements</b>
15-19	35	39	74
20-29	527	389	916
30-39	374	367	741
40-49	203	242	445
50-59	123	78	201
60 and above	11	15	26
<b>Total</b>	<b>1 273</b>	<b>1 130</b>	<b>2 403</b>

By industry

<b>Industry</b>	<b>No. of placements</b>
Manufacturing	190
Construction	33
Wholesale, retail and import/export trades, restaurants and hotels	727
Transport, storage and communication	126
Financing, insurance, real estate and business services	453

Community, social and personal services	582
Others (including government sector)	292
<b>Total</b>	<b>2 403</b>

By occupation

<b>Occupation</b>	<b>No. of placements</b>
Managers and administrators	27
Professionals and associate professionals	58
Clerical support workers	514
Service workers	642
Shop sales workers	607
Agricultural, animal husbandry, forestry workers and fishermen	5
Craft and related workers, plant and machine operators and assemblers, and elementary occupations	550
<b>Total</b>	<b>2 403</b>

By monthly earnings

<b>Monthly earnings</b>	<b>No. of placements</b>
Below \$4,000	967
\$4,000 - \$4,999	269
\$5,000 - \$5,999	291
\$6,000 - \$6,999	345
\$7,000 - \$7,999	308
\$8,000 - \$8,999	139
\$9,000 - \$9,999	38
\$10,000 or above	46
<b>Total</b>	<b>2 403</b>

- (b) We do not have statistics on the average earnings of job seekers with disabilities placed through the referrals services of LD. However, we have information on the distribution of earnings of the placements achieved through our referral services in the periods January to April 2011 and May to December 2011. The distribution of the monthly earnings is provided below:

<b>Monthly earnings</b>	<b>No. of placements achieved during May – Dec 2011</b>	<b>Percentage</b>	<b>No. of placements achieved during Jan – Apr 2011</b>	<b>Percentage</b>
Below \$4,000	662	38.1%	305	45.8%
\$4,000 - \$4,999	193	11.1%	76	11.4%
\$5,000 - \$5,999	209	12.0%	82	12.3%
\$6,000 - \$6,999	238	13.7%	107	16.1%
\$7,000 - \$7,999	246	14.2%	62	9.3%
\$8,000 - \$8,999	113	6.5%	26	3.9%
\$9,000 - \$9,999	35	2.0%	3	0.5%
\$10,000 or above	41	2.4%	5	0.7%
<b>Total</b>	<b>1 737</b>	<b>100%</b>	<b>666</b>	<b>100%</b>

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)035**

Question Serial No.

1925

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

- (a) Please provide a breakdown of the respective figures by age, gender, industry, occupation and monthly earnings of able-bodied job seekers who secured placements through the employment services of the Labour Department (LD) in 2011-12.
- (b) Please provide a breakdown of the changes in average earnings by age, gender, industry and occupation of able-bodied job seekers who secured placements through the employment services of LD before and after the implementation of statutory minimum wage on 1 May 2011.

Asked by : Hon. IP Kwok-him

Reply :

The information sought is provided as follows:

- (a) In 2011, LD secured 177 047 placements for able-bodied job seekers. Of these, 18 647 placements were achieved through the referral services of LD while 158 400 placements were through direct application by job seekers to employers who advertised their vacancies through LD. As job seekers who secured employment through direct application are not required to report their placement positions to LD, we do not have detailed statistics on such placements. The breakdown of the placements achieved through the referral services of LD by age, gender, industry, occupation and earnings is provided as follows:

By gender and age

<b>Age</b>	<b>Male</b>	<b>Female</b>	<b>No. of placements</b>
15-19	793	1 162	1 955
20-29	4 089	4 367	8 456
30-39	1 019	1 569	2 588
40-49	889	2 334	3 223
50-59	680	1 435	2 115
60 or above	201	109	310
<b>Total</b>	<b>7 671</b>	<b>10 976</b>	<b>18 647</b>

By industry

<b>Industry</b>	<b>No. of placements</b>
Manufacturing	1 009
Construction	265
Wholesale, retail and import/export trades, restaurants and hotels	8 771
Transport, storage and communications	697
Financing, insurance, real estate and business services	1 921
Community, social and personal services	2 951
Others (including government sector)	3 033
<b>Total</b>	<b>18 647</b>

By occupation

<b>Occupation</b>	<b>No. of placements</b>
Managers and administrators	227
Professionals	72
Associate professionals	1 367
Clerical support workers	4 721
Service workers	3 354
Shop sales workers	4 422
Agriculture, animal husbandry and forestry workers and fishermen	65
Craft and related workers	307
Plant and machine operators and assemblers	322
Elementary occupations	3 729
Others	61
<b>Total</b>	<b>18 647</b>

By earnings

<b>Monthly earnings</b>	<b>No. of placements</b>
Below \$4,000	2 491
\$4,000 - \$4,999	767
\$5,000 - \$5,999	1 091
\$6,000 - \$6,999	2 348
\$7,000 - \$7,999	4 173
\$8,000 - \$8,999	3 487
\$9,000 - \$9,999	1 924
\$10,000 or above	2 366
<b>Total</b>	<b>18 647</b>

- (b) We do not have statistics on the average earnings of job seekers placed through the referral services of LD. However, we have information on the distribution of earnings of the placements achieved through our referral services in the periods January to April 2011 and May to December 2011. The distribution of the monthly earnings is provided below:

<b>Monthly earnings</b>	<b>No. of placements achieved during May-Dec 2011</b>	<b>Percentage</b>	<b>No. of placements achieved during Jan-Apr 2011</b>	<b>Percentage</b>
Below \$4,000	1 687	12.8%	804	14.8%
\$4,000 - \$4,999	591	4.5%	176	3.3%
\$5,000 - \$5,999	498	3.8%	593	11.0%
\$6,000 - \$6,999	1 408	10.6%	940	17.3%
\$7,000 - \$7,999	3 152	23.8%	1 021	18.8%

\$8,000 - \$8,999	2 610	19.7%	877	16.2%
\$9,000 - \$9,999	1 473	11.1%	451	8.3%
\$10,000 or above	1 807	13.7%	559	10.3%
<b>Total</b>	<b>13 226</b>	<b>100%</b>	<b>5 421</b>	<b>100%</b>

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)036**

Question Serial No.

1926

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

- (a) Please set out the expenditure and staff establishment for the Pilot Employment Navigator Programme (ENP) launched by the Labour Department (LD) in 2011.
- (b) Please set out the number of enrolment, age group and educational attainment of the participants, as well as the training cost of each participant in 2011.
- (c) Please set out the employment rate, average wage and industry profile of the participants after receiving employment service, as well as the percentage of participants granted with cash incentives of the three stages in 2011.

Asked by : Hon. IP Kwok-him

Reply :

The information sought is provided as follows:

- (a) In 2011-12, the estimated expenditure for implementing the Pilot ENP is \$4.77 million. A total of 19 posts have been created for two years to administer the Pilot ENP.
- (b) In 2011, a total of 4 079 unemployed job seekers enrolled in the Pilot ENP. The breakdown of the job seekers by age and education level is provided as follows:

Breakdown by age

Age	Number of job seekers
15 to 19	122
20 to 29	1 207
30 to 39	851
40 to 49	982
50 to 59	785
60 or above	132
Total	4 079

### Breakdown by education level

Education level	Number of job seekers
Primary 6 or below	236
Secondary 1-3	942
Secondary 4-5	1 780
Secondary 6-7	280
Post-secondary	841
Total	4 079

The Pilot ENP aims at assisting unemployed persons to secure employment through the provision of personalised employment consultation services and encouraging them to stay in employment by offering them financial incentive. Under the Pilot ENP, employment officers will help the participants understand their employment needs and the latest labour market situation. They will assist the participants to draw up job search plans and follow up on how the plans are implemented. They will also review with the participants their experiences in the job seeking process. Since the duration for each participant to receive employment consultation services varies greatly, we cannot ascertain the cost for providing the employment consultation services per person.

- (c) In 2011, of the 4 079 job seekers enrolled in the Pilot ENP, 904 were still receiving the employment consultation services under the Pilot ENP as at the end of December 2011. Of the remaining 3 175 participants, 1 971 (62%) were confirmed to have secured employment. We do not have the average monthly salary of the employment of these participants. However, we have the salary distribution of their employment as follows:

Salary	No. of participants
Below \$4,000	276
\$4,000- \$4,999	127
\$5,000- \$5,999	227
\$6,000- \$6,999	446
\$7,000- \$7,999	408
\$8,000- \$8,999	265
\$9,000- \$9,999	104
\$10,000 or above	118
Total	1 971

The breakdown of the 1 971 participants by the industry of their employment is provided as follows:

Industry	No. of participants
Manufacturing	225
Construction	70
Wholesale, Retail and Import/Export Trades, Restaurants and Hotels	595
Transportation, Storage and Communications	129
Financing, Insurance, Real Estate and Business Services	487
Community, Social and Personal Services	312
Others (including government sector)	153
Total	1 971

Of the 1 971 Pilot ENP participants who secured employment, 380 were granted financial incentive in 2011. Among them, 131 had stayed in employment for three months or more and obtained all three stages of financial incentive.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)037**

Question Serial No.

1927

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

- (a) Please set out the expenditure for the Youth Pre-employment Training Programme and Youth Work Experience and Training Scheme (YPTP&YWETS) organised by the Labour Department (LD) in 2011-12.
- (b) Please set out the number of enrolment since YPTP&YWETS' inception to 2011 and the cost for training each participant.
- (c) Please set out the employment rate, average wage and a breakdown of the industry of participants employed upon completing the course since YPTP&YWETS' inception to 2011.

Asked by : Hon. IP Kwok-him

Reply :

The information sought is provided as follows:

- (a) In 2011-12, the estimated expenditure for implementing YPTP&YWETS is \$75.5 million.
- (b) In September 2009, we enhanced and integrated YPTP and YWETS to become a “through-train” programme offering young people 12 months' employment support services covering pre-employment training, workplace attachment, on-the-job training, reimbursement of course and examination fees, and customised career guidance and employment support services provided by case managers who are professional social workers. The customised career guidance may be extended by another 12 months for trainees who have secured employment.

YPTP&YWETS operates on the basis of programme year, running from September each year to August of the following year. In the 2009-10 programme year, YPTP&YWETS enrolled 15 543 trainees. In the 2010-11 programme year, YPTP&YWETS enrolled 11 921 trainees as no fresh Secondary 5 graduates entered the labour market in the summer of 2011 after the implementation of the New Senior Secondary Academic Structure. As the 2011-12 Programme will only end in August 2012, the full-year figure is not yet available.

The trainees of YPTP&YWETS may flexibly choose to attend the training courses and receive various employment support services in accordance with their interests and employment needs. Since the trainees participate in different activities of the programme and the duration of their participation also varies greatly, we do not have information on the training cost per person.

- (c) In the 2009-10 and 2010-11 programme years, 4 595 and 4 228 trainees were placed into training vacancies under YPTP&YWETS respectively. Moreover, with the assistance of their case managers, some trainees would find work through their own efforts in the open market. Each year, the YPTP&YWETS office conducts a trainee development survey on trainees who were enrolled on the programme and completed the 12 months' support services. The results of the surveys conducted for the trainees of the 2009-10 and 2010-11 Programmes showed that 70.6% and 75.5% of the sampled trainees were in employment respectively.

The average wages for training vacancies filled by trainees of the 2009-10 and 2010-11 Programmes were \$5,747 and \$6,410 respectively. The breakdown of the number of the trainees' placements by industry is provided as follows:

Industry	No. of placements	
	2009-10 Programme Year	2010-11 Programme Year
Community, social and personal service	1 333	1 238
Construction	758	1 073
Financing, insurance, real estate and business services	460	278
Government sector	190	190
Manufacturing	169	185
Transport, storage and communications	509	561
Wholesale, retail and import/export trades, restaurants and hotels	950	658
Others	226	45
Total	4 595	4 228

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)038**

Question Serial No.

1928

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please provide the number and ratio of those suffering from diseases or injuries related and unrelated to work by sex, age, industry, occupation and type of disease among the people attending the occupational health clinics of the Labour Department (LD) for consultation service in 2011.

Asked by : Hon. IP Kwok-him

Reply :

In 2011, a total of 2 165 patients sought consultation at the occupational health clinics of LD. Among them, 1 894 (87.5%) suffered from diseases or injuries caused by work, related to work or aggravated by work, and 271 (12.5%) suffered from diseases or injuries unrelated to work.

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

By sex

Sex	Disease/injury			
	Caused by, related to or aggravated by work		Unrelated to work	
Male	677	(35.7%)	108	(39.9%)
Female	1 217	(64.3%)	163	(60.1%)
<b>Total</b>	<b>1 894</b>	<b>(100%)</b>	<b>271</b>	<b>(100%)</b>

By age

Age group	Disease/injury			
	Caused by, related to or aggravated by work		Unrelated to work	
<= 20	3	(0.2%)	3	(1.1 %)
21-40	416	(22.0%)	55	(20.3%)
41-60	1 411	(74.4%)	188	(69.4%)
>60	64	(3.4%)	25	(9.2%)
<b>Total</b>	<b>1 894</b>	<b>(100%)</b>	<b>271</b>	<b>(100%)</b>

By industry

Industry	Disease/injury			
	Caused by, related to or aggravated by work		Unrelated to work	
Public administration, and social and personal services	937	(49.5%)	119	(43.9%)
Wholesale, retail and import/export trades, and accommodation and food services	351	(18.5 %)	44	(16.2%)
Financing, insurance, real estate, and professional and business services	189	(10.0%)	35	(12.9%)
Transportation, storage, postal, courier services, and information and communications	145	(7.7%)	25	(9.2%)
Manufacturing	142	(7.5%)	22	(8.1%)
Construction	86	(4.5%)	14	(5.2%)
Others	44	(2.3%)	12	(4.5%)
<b>Total</b>	<b>1 894</b>	<b>(100%)</b>	<b>271</b>	<b>(100%)</b>

By occupation

Occupation	Disease/injury			
	Caused by, related to or aggravated by work		Unrelated to work	
Services and sales workers	521	(27.5%)	67	(24.7%)
Professionals, associate professionals, technicians, plant and machine operators, assemblers, and craft and related trades workers	509	(26.9%)	69	(25.5%)
Elementary occupations	434	(22.9%)	71	(26.2%)
Clerical support workers	382	(20.2%)	49	(18.1%)
Others	48	(2.5%)	15	(5.5%)
<b>Total</b>	<b>1 894</b>	<b>(100%)</b>	<b>271</b>	<b>(100%)</b>

By nature of disease

Nature of disease	Caused by, related to or aggravated by work		Unrelated to work	
Musculoskeletal	1 660	(87.6%)	182	(67.2%)
Auditory	19	(1.0%)	2	(0.7%)
Skin	10	(0.5%)	3	(1.1%)
Respiratory	10	(0.5%)	1	(0.4%)
Neurological	9	(0.5%)	5	(1.8%)
Visual	5	(0.3%)	2	(0.7%)
Others	181	(9.6%)	76	(28.1%)
<b>Total</b>	<b>1 894</b>	<b>(100%)</b>	<b>271</b>	<b>(100%)</b>

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO**  
**INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)039**

Question Serial No.

1929

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

Programme : (4) Employees' Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

- (a) Please provide a breakdown of cases on the basis of the time required to effect payment in respect of applications to the Protection of Wages on Insolvency Fund (PWIF) from 2008 to 2011.
- (b) Please provide a breakdown of cases and the amount involved on the basis of industry in respect of applications to PWIF from 2008 to 2011.
- (c) Please provide the financial position of PWIF in the past three years (i.e. from 2009 to 2011) and in 2012.

Asked by : Hon. IP Kwok-him

Reply :

The information sought is provided as follows:

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

Payment Time	No. of Applications			
	2008	2009	2010	2011
4 weeks or less	4 295	5 802	3 844	3 741
More than 4 weeks to 6 weeks	460	676	345	106
More than 6 weeks to 8 weeks	139	209	98	38
More than 8 weeks to 10 weeks	17	30	72	1
Total	4 911	6 717	4 359	3 886

- (b) Breakdown of applications received and the amount claimed by industry

Year	Industry	No. of applications	Amount (\$ million)
2008	Restaurants	1 217	19.4
	Retail	1 001	74.8
	Construction	760	18.7
	Air transport	693	79.4
	Import and export trade	497	39.8
	Business services	450	31.9

	Others	1 830	144.9
	Total	6 448	408.9
2009	Food and beverage service activities*	1 862	34.2
	Import and export trade	1 181	101.3
	Construction	947	28.8
	Manufacture of wearing apparel	315	42.9
	Other personal service activities	279	13.5
	Retail trade	272	19.9
	Others	2 404	180.7
	Total	7 260	421.3
	2010	Food and beverage service activities	1 149
Construction		697	17.3
Other personal service activities		568	11.9
Import and export trade		351	34.7
Motion picture, video and television programme production, sound recording and music publishing activities		345	38.1
Sports and other entertainment activities		199	8.3
Others		1 144	90.2
Total		4 453	226.9
2011	Food and beverage service activities	978	17.9
	Construction	642	21.9
	Retail trade	466	25.9
	Import and export trade	441	37.1
	Manufacture of food products	184	3.2
	Financial service activities (except insurance and pension funding)	108	34.3
	Others	910	55.7
	Total	3 729	196.0

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

(c) Financial position of PWIF

Year	Income (\$ million)	Expenditure (\$ million)	Surplus (\$ million)
2009	457.8	198.5	259.3
2010	522.3	118.4	403.9
2011	569.4	92.2	477.2
2012 (up to 31 January 2012)	39.4	7.3	32.1

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

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

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

- (a) Please set out the latest estimated number of eligible applicants, estimated number of applicants, number of applicants, number of approved applicants and the amount of subsidy disbursed under the Work Incentive Transport Subsidy (WITS) Scheme.
- (b) Please set out the expenditure and staff establishment involved for the WITS Scheme in 2012, including the expenditure for setting up the WITS Division and launching publicity activities as well as the staff cost.
- (c) Does the Government plan to conduct a comprehensive review of the WITS Scheme immediately by reviewing all the details of the Scheme, including streamlining the application procedures, studying the feasibility of individual-based applications, relaxing the household income and asset limits, increasing the monthly rate of subsidy for each applicant, and incorporating the Job Search Allowance under the previous Transport Support Scheme into the WITS Scheme?

Asked by : Hon. IP Kwok-him

Reply :

The information sought is provided as follows:

- (a) As at end-January 2012, 25 290 applicants had applied for WITS. Processing was completed for 17 588 applicants, of whom 15 783 applicants were granted the subsidy totalling \$52.9 million. As there is no information about the household asset levels of employed persons who meet the household income limits and working hours requirement of the WITS Scheme, we are not able to estimate the number of eligible applicants.
- (b) The total provision earmarked for the WITS Scheme in 2012-13 is \$1,634.1 million to provide for subsidy payment, staff cost, operating expenses, accommodation and related expenditure, publicity and promotion as well as contingency expenses. The WITS Division has an establishment of 198 civil service posts and 100 non-civil service contract positions. Its actual strength is subject to caseload and will be kept under review.
- (c) The Administration has updated the means test limits of the WITS Scheme with reference to the latest income data of the fourth quarter of 2011. The new household income and asset thresholds have taken effect from March 2012. A mid-term review of the Scheme will be carried out as planned to take account of the operational experience in the first year. A comprehensive review will also be conducted after three years of operation.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
 INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)041**

Question Serial No.

2425

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

- (a) Please provide a breakdown of the estimated expenditure and details of staff establishment of the one-stop employment and training centre, “Employment in One-stop”(EOS), in Tin Shui Wai in 2012-13.
- (b) Please set out the expected number of people using the various kinds of services of the centre and the effectiveness indicators in 2012-13.

Asked by : Hon. IP Kwok-him

Reply :

The information sought is provided as follows:

- (a) The estimated recurrent expenditure for EOS in 2012-13 is about \$9.1 million and the annual staff cost is about \$7.8 million. A breakdown of the 37 staff of EOS is provided below:

<b>Organisation</b>	<b>Post Title</b>	<b>No. of Staff</b>
Labour Department	Senior Labour Officer	1
	Labour Officer	1
	Assistant Labour Officer I	2
	Assistant Labour Officer II	2
	Clerical Officer	3
	Assistant Clerical Officer	8
	Clerical Assistant	2
	Programme Officer	2
	Contract Clerk	3
	Employment Services Ambassador	2
	<i>Sub-total:</i>	26
Non-governmental Organisation	Supervisor	1
	Case Manager	8
	Clerical Staff	2
	<i>Sub-total:</i>	11
<b>Total :</b>		<b>37</b>

- (b) We expect that EOS will serve about 10 000 job seekers a year. Its effectiveness will be evaluated on the basis of the number of visitors, job seekers registered, job referrals made, placements achieved, recruitment activities organised and users' satisfaction with the services provided.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)042**

Question Serial No.

2426

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employees' Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

- (a) Please set out the respective manpower and expenditure involved in publicity, consultations and enforcement through inspections regarding the implementation of statutory minimum wage (SMW) in 2011.
- (b) What was the total number of enquiries on SMW or complaints against employers for non-compliance with the Minimum Wage Ordinance (MWO) received by the Labour Department (LD) in 2011? What were the investigation findings?
- (c) What was the total number of inspections conducted by LD under the MWO in 2011 and what were their results?

Asked by : Hon. IP Kwok-him

Reply :

The information sought is provided as follows:

- (a) In 2011-12, the expenditure for publicising the SMW was about \$5.4 million. As officers of LD organising publicity activities on SMW are also involved in other duties for implementing the MWO, the manpower involved in publicity cannot be separately identified.

Regarding consultation and enforcement, as consultation service and inspections for SMW are undertaken by staff among other consultation and enforcement responsibilities, the manpower and expenditure involved for SMW alone cannot be separately identified.

- (b) In 2011, LD handled 59 773 enquiries on SMW through its 24-hour enquiry hotline, and held 1 879 SMW-related consultation meetings with enquirers. Since the implementation of SMW on 1 May 2011 and up to 31 December 2011, LD received 160 complaints against suspected breaches of the MWO. Follow-up action on all of these complaints confirmed that most employees had received wages not less than SMW.
- (c) From 1 May 2011 to 31 December 2011, LD conducted 24 027 inspections to establishments of various industries to check compliance with the MWO. Of these, 77 cases involving suspected under-payment of SMW were detected. Compliance was achieved in most cases upon follow-up action. LD issued 12 warnings to employers suspected to have contravened the MWO and secured three convictions against an employer for under-payment of the SMW.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)043**

Question Serial No.

2427

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

What is the progress of the Administration's study on legislating for the provision of paternity leave to employees by all employers in Hong Kong? What are the details concerned and the timetable for implementation?

Asked by : Hon. IP Kwok-him

Reply :

The Labour Department is conducting a study on the feasibility of legislating for paternity leave in Hong Kong, the scope of which includes looking into the practices of other economies and the provision of paternity leave by local enterprises. In undertaking the study, we are mindful of the actual circumstances of Hong Kong to ensure that any improvement in employees' benefits is in line with the overall development and needs of Hong Kong. We therefore need to assess the possible impact of legislating for paternity leave on employers (especially small-and-medium-sized enterprises) and the economy as a whole in order to strike a balance between the interests of employees and the affordability of employers. We also need to examine the various issues that may possibly emerge during implementation and consider whether there is a general consensus in the community on the matter. We expect to complete the study in the first quarter of 2012 and will thereafter brief the Labour Advisory Board on the preliminary findings.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)044**

Question Serial No.

2428

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

- (a) Please provide the total number of complaints handled by the Labour Department (LD) involving false self-employment or employees who were forced to sign self-employment contracts from 2008 to 2011 and the number of successful convictions.
- (b) Since the implementation of the minimum wage, the problem of disputes involving false self-employment is getting more serious in the labour market. What strategies or measures will the Administration adopt to educate the public about employees' rights as well as employers' responsibilities, and to crack down on employers who wilfully force their employees into false self-employment?
- (c) Please set out the manpower and expenditure involved in tackling false self-employment from 2008 to 2011 and in 2012.

Asked by : Hon. IP Kwok-him

Reply :

The information sought is provided as follows:

- (a) LD has since October 2009 been collecting statistics on false self-employment. The number of complaints on false self-employment received and handled, and the number of convictions against the employers concerned for breaching the Employment Ordinance or the Employees' Compensation Ordinance are as follows:

Year	No. of complaints received and handled	No. of convictions
2009 (Oct –Dec)	6	1
2010	6	3
2011	4	0

- (b) The distribution of the number of disputes involving false self-employment received by LD since the implementation of the Minimum Wage Ordinance on 1 May 2011 is similar to that recorded before the commencement of the Ordinance. To tackle the problem of false self-employment, LD has adopted a three-pronged approach, viz. stepping up promotional and publicity efforts, providing user-friendly consultation and conciliation service and taking rigorous enforcement actions.

On the publicity front, upon the implementation of the statutory minimum wage on 1 May 2011, LD has launched a series of promotional activities to enhance public awareness of the differences in the rights

and benefits between an employee and a self-employed person to tackle the problem of false self-employment. In 2012-13, we will continue to organise these activities, which include broadcasting TV and radio Announcements in the Public Interest, placing advertisements on public transports, staging roving exhibitions, displaying posters at various outlets, distributing relevant leaflets and promotional materials to members of the public, publishing feature articles in newspaper, as well as delivering talks to stakeholders.

As regards law enforcement, LD ensures employers' compliance with labour laws through conducting inspections to work establishments to check, inter alia, whether there are false self-employment practices. Employees suspected to have been deprived of their employment rights under the pretext of self-employment are also encouraged to lodge complaints through LD's telephone hotline. All complaints received will be promptly investigated and prosecution will be taken out whenever there is sufficient evidence.

- (c) As the aforesaid work is undertaken by existing staff among their other duties, the manpower and financial provision specifically required for tackling "false self-employment" cannot be separately identified.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)045**

Question Serial No.

2429

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

What are the details of the publicity, educational and promotional campaigns as well as inspections targeting various contraventions of the occupational safety and health codes in 2012? What are the expenditure and manpower involved?

Asked by : Hon. IP Kwok-him

Reply :

On promotion and publicity, the Labour Department (LD) will organise large-scale promotional campaigns to enhance the safety awareness of employers and employees in the construction and catering industries which recorded the largest number of industrial accidents. The campaigns will be launched in collaboration with the Occupational Safety and Health Council, major trade associations and labour unions in the two industries, District Councils and the related organisations and government bureaux/departments. LD will also launch promotion and publicity programmes targeting other industries by staging safety seminars and talks, roving exhibitions, out-reaching promotional visits, broadcasting of Announcements in the Public Interest on television and radio; and showing promotional films on mobile advertising media.

On education, LD will continue to provide training courses related to safety legislation to employees and organise safety talks on specific safety and health topics. LD will from time to time review the course content to suit the needs of the industry.

The targets of inspections and promotional visits to workplaces under the Factories and Industrial Undertakings Ordinance and the Occupational Safety and Health Ordinance for 2012 are 113 400 and 4 800 respectively. In addition to routine inspections, LD will launch special enforcement operations targeted at specific risks or accident-prone work situations as necessary.

The estimated expenditure incurred for occupational safety and health promotion in 2012-13 will be around \$4.66 million.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)046**

Question Serial No.

2430

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employees' Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

It is stated under this Programme that the Labour Department (LD) has continued its promotional efforts to enhance the understanding of both employers and foreign domestic helpers (FDHs) on their statutory and contractual rights and obligations. In this regard, please advise on:

- (a) the number of breaches of the Employment Ordinance (EO) or the Immigration Ordinance (IO) by FDHs and employers as well as the category of the offences committed between 2008 and 2011;
- (b) whether there are any strategies, measures or inspections to reduce non-compliance of the EO or the IO by FDHs and employers.

Asked by : Hon. IP Kwok-him

Reply :

The information sought is provided as follows:

- (a) From 2008 to 2011, 32 FDH employers were convicted of offences relating to late payment or non-payment of wages, statutory holiday pay or annual leave pay under EO. In the same period, a total of 2 399 FDHs were convicted under IO of breach of condition of stay by taking up unapproved employment or overstaying, and 229 FDH employers were convicted of employing a person who was not lawfully employable, aiding and abetting the breach of condition of stay of FDHs or failing to inspect the documents of a new employee.
- (b) LD and the Immigration Department (ImmD) undertake various promotional activities targeting FDHs and their employers to ensure that they are aware of the relevant provisions in EO and IO and the consequences of breach. These activities include producing guides, leaflets and posters in FDHs' mother languages and staging roving exhibitions to promote the relevant provisions; producing a leaflet specifically for employers; placing advertisements in local newspapers read by FDHs; and broadcasting Announcements in the Public Interests on television and radio. Relevant publicity materials in different languages are provided to the concerned consulates, FDH groups and non-governmental organisations. Apart from talks organised with the concerned consulates for FDHs, information kiosks are also set up on FDHs' rest days at their popular gathering places to screen a publicity video and distribute information packs with useful reference materials. We also educate FDH employers and employment agencies through talks and seminars on matters relating to the employment of FDHs.

In addition, the Government takes rigorous enforcement action against any offences under EO and IO by FDHs and employers. LD and ImmD conduct inspections and mount joint operations to raid

establishments suspected to have illegally employed FDHs. Prosecution action will be taken where appropriate.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

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

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

- (a) What targeted measures will the Administration take to help the ethnic minorities find jobs and improve their job skills in 2012? What are the expenditure and manpower involved?
- (b) Has the Government conducted any studies on how to promote and facilitate the employment of more ethnic minorities by government organisations or private enterprises?

Asked by : Hon. IP Kwok-him

Reply :

The information sought is provided as follows:

- (a) The Labour Department (LD) provides free and comprehensive employment services to help job seekers, including ethnic minority job seekers, find work through a network of 11 job centres, the “Employment in One-stop”, two industry-based recruitment centres, the Telephone Employment Service Centre, the Interactive Employment Service website and the numerous vacancy search terminals located throughout the territory. In addition to the employment services available for all job seekers, LD has specifically set up resource corners and special counters to assist ethnic minority job seekers at all job centres. Tailor-made employment briefings are organised to help them better understand the local labour market situation and improve job search skills. Those who have difficulties in finding jobs are encouraged to participate in various employment programmes to enhance employability. Youth of ethnic minorities having employment needs may also make use of a wide range of employment advisory and support services offered under the Youth Pre-employment Training Programme and Youth Work Experience and Training Scheme and the two Youth Employment Resource Centres. In 2012-13, LD will launch large-scale and district job fairs to help job seekers, including the ethnic minority job seekers, find work. The estimated expenditure for organising job fairs is \$2.3 million. As the job fairs will be organised by existing staff among various other duties, the manpower involved cannot be separately identified.

In addition to the employment services of LD, the Employees Retraining Board also provides dedicated vocational skills training courses delivered in English to eligible ethnic minorities. These courses include full-time placement-tied courses for the unemployed, as well as part-time Skills Upgrading Scheme Plus courses and generic skills courses for enhancing the employability of the trainees.

- (b) LD has not commissioned any studies on the employment of ethnic minorities. Nevertheless, we have been taking various measures to promote the employment of ethnic minorities. We remind employers placing vacancies with LD the need to consider the genuine job requirement when specifying the language requirement. We liaise with employers to canvass vacancies suitable for ethnic minority job

seekers and encourage them to give employment opportunities to ethnic minorities. We also actively publicise our employment services and disseminate information on the job fairs to ethnic minorities through non-governmental organisations that work closely with them.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)048**

Question Serial No.

0932

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

It is stated that the Labour Department will monitor the implementation of the Work Incentive Transport Subsidy (WITS) Scheme in 2012-13. Given that the public generally support adopting the “dual-track approach” (i.e. allowing both household-based and individual-based applications), please advise whether the Administration will consider adopting the “dual-track approach”. What will be the specific resources involved if the “dual-track approach” is adopted?

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

Reply :

The Administration has carefully considered the suggestion of adopting a dual-track approach for the means test of the WITS Scheme, viz. allowing applicants to choose to be means-tested either on an individual or household basis. It was decided that the means test should be conducted on a household basis because in this way the overall economic situation of the household could be fully taken into account. This could help channel resources to households with greater needs, and would also be consistent with the arrangements for other standing government financial assistance schemes.

As the circumstances of households vary, the number of beneficiaries under the dual-track approach cannot be estimated. We do not have sufficient information to ascertain the resources involved in adopting the dual-track approach for the WITS Scheme.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)049**

Question Serial No.

0234

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please provide the following information:

- (a) In 2011, a total of 18 172 labour disputes and claims were handled by the Administration. How many of them were labour disputes? How many of them were claims? What was the respective percentage?
- (b) A breakdown of labour disputes and claims by cause in 2011.
- (c) What are the respective numbers of labour disputes and claims that could not be resolved through conciliation in 2011. What are the reasons? Did the Administration follow up on these cases?
- (d) What is the estimated manpower and provision required to handle labour dispute and claim cases in 2012? What are the measures to promote harmonious employer-employee relations?

Asked by : Hon. IP Wai-ming

Reply :

The information sought is provided as follows:

- (a) Of the 18 172 labour disputes and claims handled in 2011, 86 (or 0.5%) were disputes and 18 086 (or 99.5%) were claims.
- (b) Breakdowns of the labour disputes and claims by cause are as follows:  
Breakdown of labour disputes by cause

Cause	Number of labour disputes
Cessation of business	31
Disputes involving principal contractor and subcontractor	23
Insolvency	9
Retrenchment	5
Variation of terms of employment contract	3
Non-payment of wages	2
Dismissal	1
Others	12
<b>Total</b>	<b>86</b>

Breakdown of claims by cause

<b>Cause</b>	<b>Number of claims</b>
Termination of contract	9 279
Non-payment of wages	5 128
Non-payment of holiday pay/ annual leave pay/ rest day pay/ sickness allowance	1 862
Cessation of business	231
Retrenchment	62
Lay-off	41
Variation of terms of employment contract	39
Insolvency	25
Others	1 419
<b>Total</b>	<b>18 086</b>

- (c) In 2011, among the 17 486 labour disputes and claims with conciliation service rendered, 43 labour disputes and 4 897 claims could not be resolved through conciliation. The reasons included disputes of facts, labour-management conflicts and employers' inability to pay etc. If settlement could not be reached, we would, upon the request of the parties concerned, refer the labour disputes or claims to the Labour Tribunal or Minor Employment Claims Adjudication Board for adjudication.
- (d) In 2012-13, one Chief Labour Officer, two Senior Labour Officers, ten Labour Officers and 38 Assistant Labour Officers I would be engaged in the direct provision of conciliation service. The provision of conciliation service is an integral part of the work of the Labour Relations Division of the Labour Department, and the financial provision on this aspect of work alone cannot be separately identified. We will continue to closely monitor the labour relations scene and provide timely and effective conciliation service so as to maintain and foster harmonious employer-employee relations in the non-government sector.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)050**

Question Serial No.

0235

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please provide a breakdown of the number of workers successfully imported under the Supplementary Labour Scheme (SLS) in 2011 by industry, job title, monthly salary level, working hours and region/country of origin, and its proportion of the number of applications.

Asked by : Hon. IP Wai-ming

Reply :

In 2011, employers applied to import 2 601 workers under the SLS. The number of imported workers approved was 980, representing 37.7% of the number of imported workers applied for.

A breakdown of the number of imported workers approved in 2011 by industry, job title and wage level is provided at Annexes 1 to 3.

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

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

**Number of imported workers approved  
under the Supplementary Labour Scheme in 2011:  
breakdown by industry**

<b>Industry</b>	<b>Number of imported workers</b>
1. Agriculture and fishing	344
2. Manufacturing	98
3. Construction	14
4. Wholesale, retail and import/ export trades, restaurants and hotels	65
5. Transport, storage and communication	2
6. Financing, insurance, real estate and business services	3
7. Community, social and personal services	454
Total	980

**Number of imported workers approved  
under the Supplementary Labour Scheme in 2011:  
breakdown by job title**

<b>Job title</b>	<b>Number of imported workers</b>
1. Care Worker (Elderly Service)	431
2. Livestock/ Poultry/ Fish/ Crop Farm Worker	296
3. Gardening Worker	38
4. Cook	28
5. Bean Curd/ Soya Bean/ Bean Sprout Processing Worker	27
6. Quality Controller/ Inspector/ Control Supervisor	24
7. Care Worker (Disabled Service)	19
8. Knitting Machine Operator	17
9. Buddha Statue Craftsman	14
10. Others	86
Total	980

**Number of imported workers approved  
under the Supplementary Labour Scheme in 2011:  
breakdown by wage level**

Monthly wage	Number of imported workers
1. \$6,000 or below	0
2. \$6,001-\$8,000	559
3. \$8,001-\$10,000	300
4. \$10,001-\$12,000	49
5. \$12,001-\$14,000	25
6. \$14,001-\$16,000	5
7. \$16,001-\$18,000	26
8. \$18,001-\$20,000	1
9. Above \$20,000	15
Total	980

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)051**

Question Serial No.

0236

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the implementation of the Work Incentive Transport Subsidy (WITS) Scheme, would the Administration advise this Committee on the following:

- (a) As at the end of 2011, there were 23 804 applicants. How many of them and what percentage were granted the subsidy?
- (b) Will the Administration reconsider adopting a “dual-track approach” which allows both individual-based and household-based applications? If yes, what are the estimated number of eligible applicants and the funding requirement? If no, what are the reasons?

Asked by : Hon. IP Wai-ming

Reply :

The information sought is provided as follows:

- (a) As at the end of 2011, among the 23 804 applicants received, processing of application was completed for 11 260 applicants, of whom 10 437 applicants (92.7%) were granted the subsidy.
- (b) The Administration has carefully considered the suggestion of adopting a dual-track approach for the means test of the WITS Scheme, viz. allowing applicants to choose to be means-tested either on an individual or household basis. It was decided that the means test should be conducted on a household basis because in this way the overall economic situation of the household could be fully taken into account. This could help channel resources to households with greater needs, and would also be consistent with the arrangements for other standing government financial assistance schemes.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**Head : 90 – Labour DepartmentSubhead (No. & title) :Programme : (2) Employment ServicesControlling Officer : Commissioner for LabourDirector of Bureau : Secretary for Labour and WelfareQuestion :

In the past 3 years (i.e. 2009-10, 2010-11 and 2011-12), how many job vacancies were received by the Labour Department (LD) in total? Please provide, in table form, a breakdown of the figure by industry, occupation, mode of employment and monthly salary.

Asked by : Hon. IP Wai-mingReply :

In 2009 to 2011, LD received 593 853, 755 017 and 904 086 vacancies respectively. Breakdown of the vacancies is provided as follows:

By industry

Industry	Number of vacancies		
	2009	2010	2011
Manufacturing	38 365	49 344	50 957
Construction	26 544	33 982	34 699
Wholesale, retail and import/export trades, restaurants and hotels	218 089	295 385	353 491
Transport, storage and communications	33 061	49 379	53 797
Financing, insurance, real estate and business services	166 510	197 954	265 725
Community, social and personal services	105 268	68 354	74 667
Government sector	4 289	2 694	3 522
Others	1 727	57 925	67 228
<b>Total</b>	<b>593 853</b>	<b>755 017</b>	<b>904 086</b>

By occupation

Occupation	Number of vacancies		
	2009	2010	2011
Managers & administrators	13 228	13 150	11 163
Professionals	13 109	14 305	18 296
Associate professionals	147 365	169 130	242 685
Clerical support workers	91 736	128 885	142 503
Service workers	105 267	147 707	201 262

Shop sales workers	54 926	71 855	83 618
Agriculture, animal husbandry, forestry workers & fishermen	1 255	1 416	1 785
Craft and related workers	22 606	28 134	35 176
Plant & machine operators and assemblers	13 669	24 157	25 911
Elementary occupation	128 957	154 897	140 516
Unclassified	1 735	1 381	1 171
<b>Total</b>	<b>593 853</b>	<b>755 017</b>	<b>904 086</b>

By mode of employment

LD follows the Census and Statistics Department's definition in classifying full-time and part-time employment. A part-time employee refers to a person having less than five usual days of work per week or less than six usual hours of work per working day if the person has a fixed number of working days per week, or a person having less than 30 usual hours of work per week if the person does not have a fixed number of working days per week.

While LD recorded 4 289, 2 694 and 3 522 vacancies from the government sector in 2009, 2010 and 2011 respectively, we do not have the breakdown of these vacancies by mode of employment. The breakdown by full-time and part-time employment of vacancies received from the private sector in respective years is as follows:

Mode of employment	Number of vacancies		
	2009	2010	2011
Full-time	493 807	640 302	755 501
Part-time	95 757	112 021	145 063
<b>Total</b>	<b>589 564</b>	<b>752 323</b>	<b>900 564</b>

By monthly salary

Monthly salary	Number of vacancies		
	2009	2010	2011
Below \$5,000	110 571	120 848	115 547
\$5,000 - \$5,999	59 917	57 814	37 098
\$6,000 - \$6,999	105 585	124 243	80 482
\$7,000 - \$7,999	101 677	142 669	156 680
\$8,000 - \$8,999	69 281	99 454	156 847
\$9,000 - \$9,999	38 889	58 798	94 435
\$10,000 or above	107 933	151 191	262 997
<b>Total</b>	<b>593 853</b>	<b>755 017</b>	<b>904 086</b>

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)053**

Question Serial No.

0238

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Would the Administration advise this Committee on the following:

- (a) What were the numbers of occupational accidents and injuries involving heat stroke at work in the past 3 years (i.e. 2009-10 to 2011-12)? Please provide a breakdown of the figures by year, cause and industry.
- (b) In 2012-13, has the Administration drawn up any new measures for preventing employees from suffering heat stroke at work? If yes, what are the details, manpower arrangement, expenditure and the method of assessment involved? If no, how can the Administration safeguard the occupational safety and health of employees working in hot weather?
- (c) Does the Administration have any plan to extend the coverage of Employees' Compensation Ordinance to heat stroke to safeguard employees' rights? If yes, what are the plan and timetable? If no, what are the reasons?

Asked by : Hon. IP Wai-ming

Reply :

The information sought is provided as follows :

- (a) The Labour Department (LD) commenced collating statistics on occupational injury cases that are suspected to be related to heat stroke on the basis of employers' notifications in 2011. In 2011, LD received 27 such notifications, of which 8 involved cleansing workers, 4 professional drivers and 1 construction site worker. The remaining 14 cases involved different occupations such as security, maintenance and goods transportation. Of the 27 cases, 2 were fatal and involved a cleansing worker and an electrician, while the rest related to workers having symptoms such as dizziness and vomiting.
- (b) In 2012-13, LD will continue to step up inspection in summer, targeting such work types with high heat stress as outdoor cleansing work, construction work and container handling. LD will also, in collaboration with the Occupational Safety and Health Council and relevant employers' associations and trade unions, launch a promotional campaign on heat stroke prevention, targeting outdoor cleansing workers, professional drivers and construction site workers. The publicity campaign will include outreach promotional visits, educational video shows on mobile advertising media, health messages broadcast on the radio, distribution of heat stress alleviation items (e.g. salts for electrolyte drinks, cooling towels and water bottles), and health talks. The estimated expenditure of the promotional activities is \$1.9 million.

(c) If an employee sustains an injury or dies as a result of an accident arising out of and in the course of employment, including that caused by heat stroke at work, the employer shall be liable to pay compensation under the Employees' Compensation Ordinance. The procedure of handling cases of heat stroke at work is similar to that of normal employee compensation cases. Where necessary, LD will collect relevant information, such as investigation reports and medical reports, and consult Occupational Health Officer with a view to assisting the employer and the injured employee or the surviving family of the deceased employee in promptly handling the claim for compensation.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)054**

Question Serial No.

0255

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employees' Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the legislation on standard working hours, would the Administration please provide the following information:

- (a) The work carried out by the Administration regarding the study on standard working hours and their progress so far. Please set out the details in chronological order.
- (b) In addition to the above, has the Administration planned to carry out any other work regarding the study on standard working hours in 2012-13? If yes, what are the details as well as the estimated manpower and expenditure? If no, what are the reasons?
- (c) By the Administration's estimation, when will this policy study be completed? When will the results be announced to the public and submitted to the Legislative Council for discussion?

Asked by : Hon. IP Wai-ming

Reply :

The information sought is provided as follows:

- (a) The study commenced from late-2010 onwards. We have been studying the systems and experiences of other places in regulating working hours. The Census and Statistics Department has also assisted in collecting statistics on the current working hours situation of our labour force and various sectors of Hong Kong in 2011. The data will be analysed as part of the study findings to be completed by mid-2012.
- (b) & (c) For 2012-13, we are focusing on completing the current study by mid-2012. On completion of the study, we will report the findings to the Labour Advisory Board and the Panel on Manpower of the Legislative Council.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)055**

Question Serial No.

0258

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employees' Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Of the complaints relating to imported workers investigated in the past 3 years (i.e. 2009-10 to 2011-12), how many were substantiated cases? What is their percentage share of the total number of cases and breakdown by job title? What are the numbers of arrests and convictions?

Asked by : Hon. IP Wai-ming

Reply :

In 2009, 2010 and 2011, the Labour Department (LD) received 12, 10 and 17 complaints involving imported workers under the Supplementary Labour Scheme (SLS). The outcomes of the investigations are as follows:

- (a) None of the complaints received in 2009 was substantiated.
- (b) Two (or 20.0%) of the 10 complaints received in 2010 were substantiated, involving care workers (elderly service). Written warning was issued in one case, with prosecution taken out in the other. The prosecution case was subsequently withdrawn owing to insufficient evidence.
- (c) Three (or 17.7%) of the 17 complaints received in 2011 were substantiated, involving care workers (elderly service) and farm workers (fish). Written warning was issued in all three cases.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)056**

Question Serial No.

1068

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The provision for 2012-13 under this Programme is \$1,527.5 million (256.4%) higher than the revised estimate for 2011-12. What are the reasons?

Asked by : Hon. LAM Tai-fai

Reply :

The provision for 2012-13 under this Programme has been increased by \$1,527.5 million to provide additional funding for the following items:

Item	Amount (\$million)
Work Incentive Transport Subsidy Scheme	1,374.9
Employment programmes for young people, the middle-aged and people with disabilities	117.1
Filling of vacancies and additional posts	31.7
“Employment in One-stop” (new job centre in Tin Shui Wai)	2.5
Others	1.3
Total :	1,527.5

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)057**

Question Serial No.

1069

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

What measures have been taken to help persons with disabilities seek employment in the past five years, and what was the amount of expenditure involved for each year?

Asked by : Hon. LAM Tai-fai

Reply :

In the past five years, the Labour Department (LD) has been providing free and personalised placement services, including employment counselling, job matching and referrals to job seekers with disabilities fit for open employment. We also administer the Work Orientation and Placement Scheme which encourages employers to provide work trial opportunities and support to job seekers with disabilities through the provision of financial incentive. Our officers have been actively approaching employers of various industries to promote the work abilities of job seekers with disabilities and to canvass suitable vacancies for them.

For 2007-08, 2008-09, 2009-10 and 2010-11, the actual expenditures incurred by LD's employment services for persons with disabilities were \$17.9 million, \$19.4 million, \$21 million and \$24.3 million respectively. For 2011-12, the estimated amount of expenditure is \$25.9 million.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)058**

Question Serial No.

2463

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Labour Department (LD) plans to conduct a study on legislating for paternity leave in 2012-13. Could the Administration provide information on the scope of the study and a breakdown of the expenditure involved?

Asked by : Hon. LAM Tai-fai

Reply :

LD is conducting a study on the feasibility of legislating for paternity leave in Hong Kong, the scope of which includes looking into the practices of other economies and the provision of paternity leave by local enterprises. In undertaking the study, we are mindful of the actual circumstances of Hong Kong to ensure that any improvement in employees' benefits is in line with the overall development and needs of Hong Kong. We therefore need to assess the possible impact of legislating for paternity leave on employers (especially small-and-medium-sized enterprises) and the economy as a whole in order to strike a balance between the interest of employees and the affordability of employers. We also need to examine the various issues that may possibly emerge during implementation and consider whether there is a general consensus in the community on the matter. The study is being conducted with existing resources.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)059**

Question Serial No.

2464

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

In the past five years, what measures have the Administration taken to assist young people to secure employment with a view to reducing the persistent high rate of youth unemployment, and what was the expenditure involved for each year?

Asked by : Hon. LAM Tai-fai

Reply :

The Labour Department (LD) is committed to enhancing the employability and promoting the employment opportunities of young people through the provision of comprehensive training and employment support services. In the past five years, we have been implementing the Youth Pre-employment Training Programme (YPTP) and the Youth Work Experience and Training Scheme (YWETS) to provide pre-employment and on-the-job training to young people. In September 2009, we enhanced and integrated the two youth programmes to become a “through-train” programme, offering customised career guidance and employment support services provided by professional social workers, pre-employment training, workplace attachment, on-the-job training and reimbursement of course and examination fees to young people aged 15 to 24 with educational attainment at sub-degree or below level. To encourage employers’ participation, training allowances are provided to employers who offer on-the-job training opportunities to the trainees.

Apart from YPTP&YWETS, LD set up two Youth Employment Resource Centres in December 2007 and March 2008 to provide personalised advisory and support services on employment and self-employment to young people aged 15 to 29. Moreover, a special employment project “Action S5” was launched in July 2010, under which non-governmental organisations are commissioned to provide 12 months’ on-the-job training to young people with special employment difficulties due to low educational attainment, emotional/behavioural problems or learning difficulties.

The expenditure for providing the above youth employment support services was \$122.8 million in 2007-08, \$108.2 million in 2008-09, \$116.4 million in 2009-10 and \$119.4 million in 2010-11. The estimated expenditure for 2011-12 is \$96.4 million.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

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

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

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

- (a) What measures will the Administration take in 2012-13 to encourage and promote the use of collective agreements (*excluding negotiation between an employer and individual employees*)? What is the expenditure involved?
- (b) Whether the Administration is aware of the current application of collective agreements in Hong Kong, including the employers (or employers' organisations) that have entered into collective agreements with workers' organisations, the number of workers covered by the agreements, whether the agreements are legally binding and whether any terms of collective agreements have been incorporated into individual employment contracts?

Asked by : Hon. LEE Cheuk-yan

Reply :

The information sought is provided as follows:

- (a) The Labour Department (LD) is committed to the promotion of voluntary and direct negotiation between employers and employees or their organisations concerned. We organised promotional activities at enterprise and industry levels regularly to foster an environment conducive to voluntary and direct negotiation. In 2012-13, we will organise talks and sharing sessions for employers and human resources practitioners, to encourage them to adopt good people management practices and maintain effective communication with their employees or employees' organisations at enterprise level. At industry level, we will strengthen cooperation and promote dialogue between employers, employers' associations and employees' unions through nine industry-based Tripartite Committees. We do not have a separate breakdown of expenditure for the above activities as they are an integral part of our efforts in promoting labour relations.
- (b) It is not mandatory for employers and employees or their organisations to notify the Government of collective agreements that they have entered into. As such, the Government does not have statistics on the number of collective agreements reached and the number of employees covered. That said, employers and employees or their concerned organisations in trades like construction, public bus, air transport, property management, elevator maintenance etc. are known to have reached agreements on

issues related to the terms and conditions of employment. Collective agreements are legally binding on both parties if the terms of the agreements have been incorporated into individual employment contracts. In LD's experience, it is common for the terms of the collective agreements reached at industry or enterprise level to form part of the terms of the employment of the employees covered by the agreements.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)061**

Question Serial No.

1749

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

- (a) Regarding the labour disputes handled in 2011, please provide a breakdown of the figures by industry and cause.
- (b) Regarding the claims handled in 2011, please provide a breakdown of the figures by cause. How many of these claims involved the statutory minimum wage (SMW)?

Asked by : Hon. LEE Cheuk-yan

Reply :

The information sought is provided as follows:

- (a) The breakdown of labour disputes (involving over 20 employees) handled by the Labour Department (LD) in 2011 by industry and cause is as follows:

By industry

<b>Industry</b>	<b>Number of labour disputes</b>
Construction	31
Restaurants & hotels	25
Manufacturing	9
Transport, storage and communication	9
Community, social and personal services	6
Wholesale, retail and import/export trades	4
Financing, insurance, real estate & business services	2
<b>Total</b>	<b>86</b>

By cause

<b>Cause</b>	<b>Number of labour disputes</b>
Cessation of business	31
Disputes involving principal contractor and subcontractor	23
Insolvency	9
Retrenchment	5
Variation of terms of employment contract	3

Non-payment of wages	2
Dismissal	1
Others	12
<b>Total</b>	<b>86</b>

- (b) The breakdown of labour claims (involving 20 or less employees) handled by LD in 2011 by cause is provided as follows:

<b>Cause</b>	<b>Number of claims</b>
Termination of contract	9 279
Non-payment of wages	5 128
Non-payment of holiday pay/ annual leave pay/ rest day pay/ sickness allowance	1 862
Cessation of business	231
Retrenchment	62
Lay-off	41
Variation of terms of employment contract	39
Insolvency	25
Others	1 419
<b>Total</b>	<b>18 086</b>

Among the 18 086 claims handled, 171 arose out of the SMW. These SMW-related claims involved alleged underpayment of SMW, termination of contracts and variation of terms of employment contracts.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)062**

Question Serial No.

1750

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Would the Administration advise on the staff cost of the Work Incentive Transport Subsidy (WITS) Division in 2011-12, as well as the staff establishment (including whether there are any non-civil service contract (NCSC) staff) and staff cost of the WITS Division in 2012-13?

Asked by : Hon. LEE Cheuk-yan

Reply :

The staff cost provision for the WITS Division in 2011-12 is \$42.1 million. In 2012-13, the WITS Division will have an establishment of 198 civil service posts and 100 NCSC positions. Its actual strength is subject to caseload and will be kept under review. The provision for its staff cost in 2012-13 is \$77.5 million.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)063**

Question Serial No.

1751

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

With respect to Programme (2) Employment Services, would the Administration provide the following information:

- (a) A breakdown by gender, age, industry, occupation and earnings of the numbers of able-bodied job seekers who secured placements through the employment services of the Labour Department (LD) from January to April 2011;
- (b) Among the breakdown figures in part (a) above, what are the respective numbers of part-time, temporary and full-time jobs with monthly earnings less than \$4,000?
- (c) A breakdown by gender, age, industry, occupation and earnings of the numbers of able-bodied job seekers who secured placements through the employment services of the LD from May to December 2011;
- (d) Among the breakdown figures in part (c) above, what are the respective numbers of part-time, temporary and full-time jobs with monthly earnings less than \$4,000?

Asked by : Hon. LEE Cheuk-yan

Reply :

The information sought is provided as follows:

- (a) From January to April 2011, LD secured 52 528 placements for able-bodied job seekers. Of these, 5 421 placements were achieved through the referral services of LD and 47 107 placements were the outcomes of direct application by job seekers to employers who advertised their vacancies via LD. As job seekers who secured employment through direct application are not required to report their placement positions to LD, we do not have detailed statistics on such placements. The breakdown of the 5 421 placements achieved through the referral services of LD by gender, age, industry, occupation and earnings is provided as follows:

By gender and age

Age	Male	Female	No. of placements
15-19	189	221	410
20-29	1 177	1 225	2 402

30-39	343	526	869
40-49	271	739	1 010
50-59	208	433	641
60 or above	61	28	89
<b>Total</b>	<b>2 249</b>	<b>3 172</b>	<b>5 421</b>

By industry

<b>Industry</b>	<b>No. of placements</b>
Manufacturing	360
Construction	77
Wholesale, retail and import/export trades, restaurants and hotels	2 745
Transport, storage and communications	261
Financing, insurance, real estate and business services	579
Community, social and personal services	740
Others (including government sector)	659
<b>Total</b>	<b>5 421</b>

By occupation

<b>Occupation</b>	<b>No. of placements</b>
Managers and administrators	44
Professionals	17
Associate professionals	340
Clerical support workers	1 267
Service workers	932
Shop sales workers	1 480
Agriculture, animal husbandry and forestry workers and fishermen	17
Craft and related workers	80
Plant and machine operators and assemblers	131
Elementary occupations	1 097
Others	16
<b>Total</b>	<b>5 421</b>

By earnings

<b>Monthly earnings</b>	<b>No. of placements</b>
Below \$4,000	804
\$4,000 - \$4,999	176
\$5,000 - \$5,999	593
\$6,000 - \$6,999	940
\$7,000 - \$7,999	1 021
\$8,000 - \$8,999	877
\$9,000 - \$9,999	451
\$10,000 or above	559
<b>Total</b>	<b>5 421</b>

- (b) Of the 804 placements with monthly earnings below \$4,000, 751 were part-time or temporary jobs and 53 were full-time jobs.

- (c) From May to December 2011, LD secured 124 519 placements for able-bodied job seekers. Of these, 13 226 placements were achieved through the referral services of LD and 111 293 placements were the outcome of direct application by job seekers to employers who advertised their vacancies through LD. As job seekers who secured employment through direct application are not required to report their placement positions to LD, we do not have detailed statistics on such placements. The breakdown of the 13 226 placements achieved through the referral services of LD by gender, age, industry, occupation and earnings is provided as follows:

By gender and age

Age	Male	Female	No. of placements
15-19	604	941	1 545
20-29	2 912	3 142	6 054
30-39	676	1 043	1 719
40-49	618	1 595	2 213
50-59	472	1 002	1 474
60 or above	140	81	221
<b>Total</b>	<b>5 422</b>	<b>7 804</b>	<b>13 226</b>

By industry

Industry	No. of placements
Manufacturing	649
Construction	188
Wholesale, retail and import/export trades, restaurants and hotels	6 026
Transport, storage and communications	436
Financing, insurance, real estate and business services	1 342
Community, social and personal services	2 211
Others (including government sector)	2 374
<b>Total</b>	<b>13 226</b>

By occupation

Occupation	No. of placements
Managers and administrators	183
Professionals	55
Associate professionals	1 027
Clerical support workers	3 454
Service workers	2 422
Shop sales workers	2 942
Agriculture, animal husbandry and forestry workers and fishermen	48
Craft and related workers	227
Plant and machine operators and assemblers	191
Elementary occupations	2 632
Others	45
<b>Total</b>	<b>13 226</b>

By earnings

Monthly earnings	No. of placements
Below \$4,000	1 687
\$4,000 - \$4,999	591
\$5,000 - \$5,999	498
\$6,000 - \$6,999	1 408

\$7,000 - \$7,999	3 152
\$8,000 - \$8,999	2 610
\$9,000 - \$9,999	1 473
\$10,000 or above	1 807
<b>Total</b>	<b>13 226</b>

- (d) Of the 1 687 placements with monthly earnings below \$4,000, 1 648 were part-time or temporary jobs and 39 were full-time jobs.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)064**

Question Serial No.

1752

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

With respect to Programme (2) Employment Services, would the Administration provide the following information:

- (a) A breakdown by gender, age, industry, occupation and earnings of the numbers of job seekers with disabilities who secured placements through the employment services of the Labour Department (LD) from January to April 2011;
- (b) Among the breakdown figures in part (a) above, what are the respective numbers of part-time, temporary and full-time jobs with monthly earnings less than \$3,000?
- (c) A breakdown by gender, age, industry, occupation and earnings of the numbers of job seekers with disabilities who secured placements through the employment services of the LD from May to December 2011;
- (d) Among the breakdown figures in part (c) above, what are the respective numbers of part-time, temporary and full-time jobs with monthly earnings less than \$3,000?

Asked by : Hon. LEE Cheuk-yan

Reply :

The information sought is provided as follows:

- (a) From January to April 2011, LD achieved 666 placements for job seekers with disabilities. The breakdown of the placements by gender, age, industry, occupation and earnings is provided as follows:

By gender and age

<b>Age</b>	<b>Male</b>	<b>Female</b>	<b>No. of placements</b>
15-19	9	10	19
20-29	138	98	236
30-39	109	99	208
40-49	69	68	137
50-59	34	23	57
60 and above	4	5	9
<b>Total</b>	<b>363</b>	<b>303</b>	<b>666</b>

By industry

<b>Industry</b>	<b>No. of placements</b>
Manufacturing	43
Construction	10
Wholesale, retail and import/export trades, restaurants and hotels	209
Transport, storage and communications	26
Financing, insurance, real estate and business services	142
Community, social and personal services	163
Others (including government sector)	73
<b>Total</b>	<b>666</b>

By occupation

<b>Occupation</b>	<b>No. of placements</b>
Managers and administrators	6
Professionals and associate professionals	16
Clerical support workers	133
Service workers	188
Shop sales workers	181
Agricultural, animal husbandry, forestry workers and fishermen	2
Craft and related workers, plant and machine operators and assemblers, and elementary occupations	140
<b>Total</b>	<b>666</b>

By earnings

<b>Monthly earnings</b>	<b>No. of placements</b>
Below \$3,000	227
\$3,000 - \$3,999	78
\$4,000 - \$4,999	76
\$5,000 - \$5,999	82
\$6,000 - \$6,999	107
\$7,000 - \$7,999	62
\$8,000 - \$8,999	26
\$9,000 - \$9,999	3
\$10,000 or above	5
<b>Total</b>	<b>666</b>

- (b) Of the 227 placements with monthly earnings below \$3,000, 170 were part-time or temporary jobs and 57 were full-time jobs.

- (c) From May to December 2011, LD achieved 1 737 placements for job seekers with disabilities. The breakdown of the placements by gender, age, industry, occupation and earnings is provided as follows:

By gender and age

<b>Age</b>	<b>Male</b>	<b>Female</b>	<b>No. of placements</b>
15-19	26	29	55
20-29	389	291	680
30-39	265	268	533
40-49	134	174	308
50-59	89	55	144
60 and above	7	10	17
<b>Total</b>	<b>910</b>	<b>827</b>	<b>1 737</b>

By industry

<b>Industry</b>	<b>No. of placements</b>
Manufacturing	147
Construction	23
Wholesale, retail and import/export trades, restaurants and hotels	518
Transport, storage and communications	100
Financing, insurance, real estate and business services	311
Community, social and personal services	419
Others (including government sector)	219
<b>Total</b>	<b>1 737</b>

By occupation

<b>Occupational group</b>	<b>No. of placements</b>
Managers and administrators	21
Professionals and associate professionals	42
Clerical support workers	381
Service workers	454
Shop sales workers	426
Agricultural, animal husbandry, forestry workers and fishermen	3
Craft and related workers, plant and machine operators and assemblers, and elementary occupations	410
<b>Total</b>	<b>1 737</b>

By earnings

<b>Monthly earnings</b>	<b>No. of placements</b>
Below \$3,000	504
\$3,000 - \$3,999	158
\$4,000 - \$4,999	193
\$5,000 - \$5,999	209
\$6,000 - \$6,999	238
\$7,000 - \$7,999	246
\$8,000 - \$8,999	113
\$9,000 - \$9,999	35
\$10,000 or above	41
<b>Total</b>	<b>1 737</b>

- (d) Of the 504 placements with monthly earnings below \$3,000, 322 were part-time or temporary jobs and 182 were full-time jobs.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)065**

Question Serial No.

1753

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Last year, the Government estimated that the expenditure for Item 873 - Pilot Employment Navigator Programme (ENP) in 2011-12 was \$59.4 million and 11 000 places would be provided. However, the revised estimate for 2011-12 is only \$4.77 million. Would the Administration advise on:

- (a) the number of participants enrolled in the Programme and the number of those granted with the cash incentive up to now;
- (b) the reason(s) why the number of participants is substantially smaller than expected;
- (c) whether there are any measures for improving the participation rate of the Programme; and
- (d) the estimated expenditure and number of participants in 2012-13?

Asked by : Hon. LEE Cheuk-yan

Reply :

The information sought is provided as follows:

- (a) Up to 31 January 2012, a total of 4 594 unemployed job seekers have enrolled in the Pilot ENP and 465 participants have been granted cash incentive.
- (b) The Pilot ENP aims at encouraging and assisting unemployed persons to secure and stay in jobs through the provision of personalised employment consultation services and cash incentive. Since its launch in December 2010, the local economy has improved and many job openings are available in the employment market. As it is easy for job seekers to find work through their own efforts, the number of the Pilot ENP participants turned out to be lower than originally estimated.
- (c) We shall continue to actively promote the Pilot ENP to job seekers through various means, including making Announcements in the Public Interest on radio, placing advertisements in newspapers and public transport, and widely distributing posters and leaflets etc. Our staff will also proactively introduce the Pilot ENP to job seekers who visit the job centres for employment services.
- (d) The estimated expenditure of the Pilot ENP for financial year 2012-13 is \$4.9 million. Additional funding can be deployed from the allocation earmarked for the Pilot ENP whenever necessary. We cannot realistically estimate the number of participants for the Pilot ENP in 2012-13 as it depends on many factors including the prevailing economic and employment situation.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

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

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Are there any special measures for assisting graduates under the New Senior Secondary (NSS) academic structure and secondary 7 graduates under the old academic structure who do not pursue further studies in entering the labour market this summer? If yes, what are the details of the measures and the expenditure involved?

Asked by : Hon. LEE Cheuk-yan

Reply :

Graduates under the NSS academic structure and secondary 7 graduates under the old academic structure (the senior secondary school graduates) can make use of a wide range of free employment services offered by the Labour Department (LD) to find work. LD also administers the Youth Pre-employment Training Programme and Youth Work Experience and Training Scheme (YPTP&YWETS) to enhance the employability and employment opportunities of young people aged 15 to 24 with educational attainment at sub-degree or below level, including the senior secondary school graduates. Under YPTP&YWETS, customised career guidance and employment support services provided by professional social workers, pre-employment training, workplace attachment, on-the-job training and reimbursement of course and examination fees are provided. Trainees are enrolled on a year-round basis with no pre-set quota. We will maintain close liaison with school career masters, training bodies and the Education Bureau (EDB) to enlist the participation of the senior secondary school graduates in YPTP&YWETS.

As a core service of YPTP&YWETS, we have been organising tailor-made training-cum-employment projects in which trainees will be placed on on-the-job training with participating employers after attending specially designed pre-employment training. In view of the employment needs of the senior secondary school graduates, LD will strengthen its efforts in canvassing more vacancies that suit their interest and qualifications.

Apart from YPTP&YWETS, LD also operates two Youth Employment Resource Centres to provide personalised advisory and support services on employment and self-employment to young people aged 15 to 29. We will offer tailor-made services to the secondary school graduates through personalised career assessment and consultation, interactive training workshops, experience sharing sessions and coaching on self-employment. Moreover, LD will strengthen its promotional activities on all fronts in the summer months, including producing a dedicated webpage to disseminate employment and vacancy information to the senior secondary school graduates speedily and staging large-scale and district-based job fairs with vacancies suitable for young people without working experience.

The expenditure for the above measures will be absorbed within the existing operating costs of the Employment Services Programme of LD.

In addition to the government-funded initiatives of LD, the Employees Retraining Board (ERB) has launched a pilot programme entitled “Learn and Leap – Teen’s Action 2012”. The programme aims at enhancing the awareness of senior secondary school graduates of the characteristics of the labour market, as well as the entry requirements and career prospects of different jobs, through a combination of careers seminars, taster training courses, workplace visits, internships and experience-sharing sessions with industry practitioners. ERB also plans to introduce the “Youth Employment Set Sail” courses for secondary school graduates in 2012-13. Initially, two courses will be offered, providing training on transferable vocational skills and assistance in obtaining relevant trade qualifications for the young people interested in the fields of accountancy, as well as information and communications technology.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)067**

Question Serial No.

1755

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

- (a) Please provide the respective numbers of people suffering from diseases or injuries caused by, related to or aggravated by work among those who sought consultation service at the occupational health clinics of the Labour Department (LD) in 2011. What was the number of patients who had illnesses or injuries unrelated to work?
- (b) Please provide a breakdown of the above two categories of patients by sex, age, industry, occupation and nature of disease.

Asked by : Hon. LEE Cheuk-yan

Reply :

The information sought is provided as follows:

- (a) In 2011, a total of 2 165 patients sought consultation at the occupational health clinics of LD. Among them, 1 894 (87.5%) suffered from diseases or injuries caused by work, related to work or aggravated by work, and 271 (12.5%) suffered from diseases or injuries unrelated to work.
- (b) The following tables provide a breakdown of the two groups of patients by sex, age, industry, occupation and nature of disease:

By sex

Sex	Disease/injury	
	Caused by, related to or aggravated by work	Unrelated to work
Male	677 (35.7%)	108 (39.9%)
Female	1 217 (64.3%)	163 (60.1%)
<b>Total</b>	<b>1 894 (100%)</b>	<b>271 (100%)</b>

By age

Age group	Disease/injury			
	Caused by, related to or aggravated by work		Unrelated to work	
<= 20	3	(0.2%)	3	(1.1 %)
21-40	416	(22.0%)	55	(20.3%)
41-60	1 411	(74.4%)	188	(69.4%)
>60	64	(3.4%)	25	(9.2%)
<b>Total</b>	<b>1 894</b>	<b>(100%)</b>	<b>271</b>	<b>(100%)</b>

By industry

Industry	Disease/injury			
	Caused by, related to or aggravated by work		Unrelated to work	
Public administration, and social and personal services	937	(49.5%)	119	(43.9%)
Wholesale, retail and import/export trades, and accommodation and food services	351	(18.5 %)	44	(16.2%)
Financing, insurance, real estate, and professional and business services	189	(10.0%)	35	(12.9%)
Transportation, storage, postal, courier services, and information and communications	145	(7.7%)	25	(9.2%)
Manufacturing	142	(7.5%)	22	(8.1%)
Construction	86	(4.5%)	14	(5.2%)
Others	44	(2.3%)	12	(4.5%)
<b>Total</b>	<b>1 894</b>	<b>(100%)</b>	<b>271</b>	<b>(100%)</b>

By occupation

Occupation	Disease/injury			
	Caused by, related to or aggravated by work		Unrelated to work	
Services and sales workers	521	(27.5%)	67	(24.7%)
Professionals, associate professionals, technicians, plant and machine operators, assemblers, and craft and related trades workers	509	(26.9%)	69	(25.5%)
Elementary occupations	434	(22.9%)	71	(26.2%)
Clerical support workers	382	(20.2%)	49	(18.1%)
Others	48	(2.5%)	15	(5.5%)
<b>Total</b>	<b>1 894</b>	<b>(100%)</b>	<b>271</b>	<b>(100%)</b>

By nature of disease

Nature of disease	Caused by, related to or aggravated by work		Unrelated to work	
Musculoskeletal	1 660	(87.6%)	182	(67.2%)
Auditory	19	(1.0%)	2	(0.7%)
Skin	10	(0.5%)	3	(1.1%)
Respiratory	10	(0.5%)	1	(0.4%)
Neurological	9	(0.5%)	5	(1.8%)
Visual	5	(0.3%)	2	(0.7%)
Others	181	(9.6%)	76	(28.1%)
<b>Total</b>	<b>1 894</b>	<b>(100%)</b>	<b>271</b>	<b>(100%)</b>

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)068**

Question Serial No.

1756

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employees' Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Would the Administration please provide a breakdown of cases on the basis of time required to effect payment in respect of applications to the Protection of Wages on Insolvency Fund in 2011?

Asked by : Hon. LEE Cheuk-yan

Reply :

The information sought is provided as follows:

Payment Time	Number of Applications
4 weeks or less	3 741
More than 4 weeks to 6 weeks	106
More than 6 weeks to 8 weeks	38
More than 8 weeks to 10 weeks	1
Total	3 886

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)069**

Question Serial No.

1757

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employees' Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

- (a) Regarding the employees' compensation claims processed in 2011, would the Administration provide a breakdown of the figures by industry? As at the end of 2011, how many cases had been resolved? How much compensation was involved?
- (b) Would the Administration provide a breakdown of the number of employees' compensation cases received by the branch offices of the Employees' Compensation Division in 2011?

Asked by : Hon. LEE Cheuk-yan

Reply :

The information sought is provided as follows:

- (a) In 2011, the Labour Department (LD) processed 56 996 employees' compensation claims reported under the Employees' Compensation Ordinance. Of these, 15 944 involved incapacitation of the employees for not more than 3 days with no permanent incapacity. As the employers made direct payment of compensation to the employees in these cases, LD does not have a breakdown on the claims by industry. Of the remaining 41 052 cases, a breakdown by industry is provided as follows:

Industry*	Number of Cases
Public Administration, Social and Personal Services	8 275
Food and Beverage Services	7 782
Finance and Insurance, Real Estate, Professional and Business Services	6 838
Import/Export, Wholesale and Retail Trades, Accommodation Services	5 829
Transportation, Storage, Postal and Courier Services, Information and Communications	5 454
Construction	3 164
Manufacturing	2 736
Others	974
Total	41 052

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

Of all the 56 996 reported cases, 41 481 were resolved as at the end of 2011. The amount of employees' compensation involved is \$218.39 million. The remaining cases are awaiting expiry of sick leave, assessment of permanent incapacity or court judgement.

- (b) The breakdown of these cases reported to different branch offices of the Employees' Compensation Division of LD is provided as follows:

Branch Office	Number of Cases
Hong Kong East Office	5 686
Hong Kong West Office	9 159
Kowloon East Office	6 883
Kowloon West Office	4 986
Kwun Tong Office	6 971
Government Servants and Seamen Office	6 331
Kwai Chung Office	4 884
Tsuen Wan Office	5 286
Shatin Office	6 615
Fatal Cases Office	195
Total	56 996

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)070**

Question Serial No.

1758

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employees' Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding Programme (4) Employees' Rights and Benefits, would the Administration please provide:

- (a) a breakdown by industry and reason(s) for the prosecutions taken out by the Labour Department (LD) under this Programme in 2011; of which the number involving breaches of the statutory minimum wage (SMW) provisions; and
- (b) the details on convictions and penalties.

Asked by : Hon. LEE Cheuk-yan

Reply :

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

Industry	2011	
	No. of Prosecutions	No. of Convictions
Catering	674	542
Manufacturing	194	170
Construction	364	247
Import/Export	291	212
Wholesale/Retail	679	571
Transport, Storage and Communication	168	131
Finance, Insurance, Real Estate and Business Services	329	278
Community, Social and Personal Services	406	327
Others	114	103
Total	3 219	2 581

The prosecutions were mainly related to wage offence, holiday offence and failure to take out employees' compensation insurance. In 2011, the corresponding numbers of these prosecutions were 1 142, 1 084 and 750, resulting in 876, 829 and 694 convictions respectively. Among prosecutions for wage offences, three convictions involved violation of statutory minimum wage requirement.

- (b) In the same year, the highest fines imposed on an individual case involving wage offence, holiday offence and failure to take out employees' compensation insurance were \$110,000, \$31,500 and \$20,000 respectively. Two directors and two employers convicted of wage offences were sentenced to imprisonment. The highest sentence was three months. The court also imposed community service orders on two directors and two employers for wage offences or offences of defaulting awards of the Labour Tribunal or the Minor Employment Claims Adjudication Board.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**Head : 90 – Labour DepartmentSubhead (No. & title) :Programme : (2) Employment ServicesControlling Officer : Commissioner for LabourDirector of Bureau : Secretary for Labour and WelfareQuestion :

The Government has implemented a territory-wide Work Incentive Transport Subsidy (WITS) Scheme since last October. A new WITS Division has been set up under the Labour Department (LD), which is supervised by an Assistant Commissioner for Labour and comprises about 200 non-directorate civil service staff. It performs all the operational functions of the Scheme, including receiving and processing applications, handling appeals, effecting subsidy payments, identifying and investigating fraudulent cases, etc. Since its implementation, what is the number of new applications received each month? What is the number of applications approved each month? What is the total amount of subsidy approved? What is the administrative cost of each application? Is the Scheme effective enough to meet its objectives? When will a review of the Scheme be conducted?

Asked by : Hon. LEE Wai-king, StarryReply :

As at end-January 2012, the WITS Scheme had received 23 158 applications. Processing was completed for 16 217 applications, of which 14 628 applications were granted the subsidy totalling \$52.9 million. A monthly breakdown of the applications received and approved is provided as follows:

Month	No. of applications received	No. of applications approved
October 2011	14 411	114
November 2011	5 110	2 751
December 2011	2 247	6 911
January 2012	1 390	4 852
Total	23 158	14 628

By the end of January 2012, administrative expenses of \$38.2 million had been incurred in setting up and implementing the Scheme. Administrative cost of each application cannot be separately identified. The estimated administrative costs for implementing the whole Scheme will be around 8.5% of its total financial commitment.

The Administration has updated the means test limits of the WITS Scheme with reference to the latest income data of the fourth quarter of 2011. The new household income and asset thresholds have taken effect from March 2012. A mid-term review of the Scheme will be carried out as planned to take account of the operational experience in the first year. A comprehensive review will also be conducted after three years of operation.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)072**

Question Serial No.

2187

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

With respect to “stepping up enforcement and publicity programmes targeting building renovation and maintenance works” mentioned under the matters requiring special attention in 2012-13, would the Administration advise this Committee on the details, staffing arrangement and estimated expenditure of the plan.

Asked by : Hon. LEONG Kah-kit, Alan

Reply :

In 2012-13, the Labour Department (LD) will continue to proactively promote the work safety and health concerning repair, maintenance, alteration and addition (RMAA) works through a three-pronged approach of enforcement, training and publicity. We will work closely with the Occupational Safety and Health Council, Construction Industry Council, trade associations, workers' unions, professional bodies as well as district councils and other government bureaux/departments. The major initiatives include organising safety seminars, talks and roving exhibitions; distributing promotional items at places selling building renovation materials; making joint site safety promotional visits with workers' unions; and promulgating safety messages on newspapers, television, radio and mobile media. In addition, LD will continue to step up area patrols and inspections of RMAA work sites during non-office hours to deter contractors from adopting unsafe work practices. As enforcement and publicity programmes on safety of RMAA works are an integral part of LD's ongoing occupational safety work, the expenditure cannot be separately identified.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)073**

Question Serial No.

2188

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employees' Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the wage offences, please provide information on the number of intelligence collected and the number of successful convictions against employers contravening the wage provisions in the past 3 years (i.e. 2009 to 2011). What are the respective figures involving the catering and construction industries?

Asked by : Hon. LEONG Kah-kit, Alan

Reply :

The intelligence report on wage offences collected by the Labour Department in 2009, 2010 and 2011 amounted to 578, 420 and 533 respectively. The figures involving the catering and construction industries are provided as follows:

Industry	2009	2010	2011
Catering	119	75	104
Construction	77	56	31

The numbers of convictions of employers for contravening wage offences in 2009, 2010 and 2011 were 1 314, 1 481 and 876 respectively. The figures involving the catering and construction industries are provided as follows:

Industry	2009	2010	2011
Catering	212	268	100
Construction	267	185	153

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)074**

Question Serial No.

2189

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

With respect to “launching large-scale promotional campaigns for the construction and catering industries” mentioned under the matters requiring special attention in 2012-13, would the Government advise this Committee on the following information:

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

Asked by : Hon. LEONG Kah-kit, Alan

Reply :

The information sought is provided as follows:

- (a) The Labour Department (LD) will launch two large-scale promotional programmes in 2012-13 to promote the safety and health awareness of employers and employees in the construction and catering industries.

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

The promotional programme targeting the construction industry will be implemented between October 2012 and March 2013, and that for the catering industry between July 2012 and November 2012. We estimate that the programmes will involve more than 200 construction sites and 250 catering establishments. The expenditure on the construction and catering promotional programmes will be around \$1.8 million and \$1.5 million respectively, to be shared between LD and other co-organisers.

- (b) The construction and catering industries are the major sectors of concern for occupational safety and health performance. The construction industry records the highest accident rate and number of fatalities while the catering industry accounts for the largest number of accidents. LD has no plan to organise large-scale promotional programmes for other industries at this juncture. However, we shall

publish industry-specific materials, leaflets and guidelines, and launch publicity and promotional programmes on a need basis.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)075**

Question Serial No.

2190

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employees' Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

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

Asked by : Hon. LEONG Kah-kit, Alan

Reply :

The Labour Department (LD) adopts a multi-pronged strategy to ensure compliance with the MWO through conducting proactive inspections to establishments of various industries, mounting targeted enforcement campaigns for low-paying sectors such as retail, catering, security and cleaning, and undertaking prompt investigations into complaints received. For 2012, we plan to conduct 140 000 inspections to workplaces to check compliance with labour laws including the MWO.

As officers of LD enforce various labour laws in the course of duty, the manpower and financial provision specifically required for enforcing the MWO cannot be separately identified.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)076**

Question Serial No.

2191

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding accidents in the construction industry, please provide a breakdown of accidents in the construction industry by type of accident and their percentage share among all construction accidents, the number of injuries and the amount of compensation claimed for work injuries in the past three years (i.e. 2009-10, 2010-11 and 2011-12).

Asked by : Hon. LEONG Kah-kit, Alan

Reply :

In 2009, 2010 and in the first three quarters of 2011, the numbers of industrial accidents in the construction industry were 2 755, 2 884 and 2 301 respectively. A breakdown of these accidents by types of accidents is set out at Annex.

The amount of employee compensation for work injuries payable in 2009, 2010 and 2011 in the construction industry was \$234.6 million, \$181.4 million and \$225.7 million respectively.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

**Industrial Accidents in Construction Industry in 2009, 2010 and  
the 1<sup>st</sup> Three Quarters of 2011 by Type of Accident**

Type of Accident	2009	2010	1st Three Quarters of 2011	Total	%
Trapped in or between objects	93	85	83	261	3.3%
Injured whilst lifting or carrying	576	546	463	1 585	20.0%
Slip, trip or fall on same level	513	573	454	1 540	19.4%
Fall of person from height	397 (15)	406 (6)	285 (7)	1 088 (28)	13.7%
Striking against fixed or stationary object	219	302	216	737	9.3%
Striking against or struck by moving object	424 (2)	442	382 (2)	1 248 (4)	15.7%
Stepping on object	19	27	24	70	0.9%
Exposure to or contact with harmful substance	8	7	16	31	0.4%
Contact with electricity or electric discharge	5	7 (1)	5 (1)	17 (2)	0.2%
Trapped by collapsing or overturning object	0	1	7 (2)	8 (2)	0.1%
Struck by falling object	87 (1)	75	50 (3)	212 (4)	2.7%
Struck by moving vehicle	17	7	9	33	0.4%
Contact with moving machinery or object being machined	199	245 (2)	146	590 (2)	7.4%
Drowning	1 (1)	0	1 (1)	2 (2)	0.03%
Exposure to fire	8	5	12	25	0.3%
Exposure to explosion	4	3	3	10	0.1%
Injured by hand tool	137	102	79	318	4.0%
Injured by fall of ground	1	0	1	2	0.03%
Contact with hot surface or substance	21	20	15	56	0.7%
Injured by animal	0	0	2	2	0.03%
Others	26	31	48	105	1.3%
<b>TOTAL</b>	<b>2 755 (19)</b>	<b>2 884 (9)</b>	<b>2 301 (16)</b>	<b>7 940 (44)</b>	<b>100.0%</b>

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

(b) Percentages cannot be added up to 100% due to rounding of figures.

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)077**

Question Serial No.

2556

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employees' Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

With respect to the arrangement for productivity assessment of persons with disabilities under the Minimum Wage Ordinance (MWO), would the Administration advise this Committee on the following:

- (a) At present, how many persons with disabilities have applied for a productivity assessment?
- (b) How many qualified assessors are available for the assessment work? What is the average number of persons with disabilities for whom each assessor has conducted the productivity assessment? What is the remuneration for each assessor?

Asked by : Hon. LEONG Kah-kit, Alan

Reply :

The information sought is provided as follows:

- (a) Since the implementation of the statutory minimum wage on 1 May 2011 and up to 31 January 2012, a total of 184 persons with disabilities had undergone productivity assessment under the MWO. Persons with disabilities need not make prior application for the assessment. They only have to select an assessor from a register of approved assessors.
- (b) As at 31 January 2012, there were 730 approved assessors available for conducting productivity assessment under the MWO. On the basis of 184 assessments undertaken, each assessor conducted 0.25 assessment on average. Assessors are remunerated at the rate of \$2,000 per assessment completed.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)078**

Question Serial No.

2557

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please provide the number and ratio of those suffering from diseases or injuries related and unrelated to work by sex, age, industry, occupation and type of disease among the people attending the occupational health clinics of the Labour Department (LD) for consultation service in 2011.

Asked by : Hon. LEONG Kah-kit, Alan

Reply :

In 2011, a total of 2 165 patients sought consultation at the occupational health clinics of LD. Among them, 1 894 (87.5%) suffered from diseases or injuries caused by work, related to work or aggravated by work, and 271 (12.5%) suffered from diseases or injuries unrelated to work.

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

By sex

Sex	Disease/injury			
	Caused by, related to or aggravated by work		Unrelated to work	
Male	677	(35.7%)	108	(39.9%)
Female	1 217	(64.3%)	163	(60.1%)
<b>Total</b>	<b>1 894</b>	<b>(100%)</b>	<b>271</b>	<b>(100%)</b>

By age

Age group	Disease/injury			
	Caused by, related to or aggravated by work		Unrelated to work	
<= 20	3	(0.2%)	3	(1.1 %)
21-40	416	(22.0%)	55	(20.3%)
41-60	1 411	(74.4%)	188	(69.4%)
>60	64	(3.4%)	25	(9.2%)
<b>Total</b>	<b>1 894</b>	<b>(100%)</b>	<b>271</b>	<b>(100%)</b>

By industry

Industry	Disease/injury			
	Caused by, related to or aggravated by work		Unrelated to work	
Public administration, and social and personal services	937	(49.5%)	119	(43.9%)
Wholesale, retail and import/export trades, and accommodation and food services	351	(18.5 %)	44	(16.2%)
Financing, insurance, real estate, and professional and business services	189	(10.0%)	35	(12.9%)
Transportation, storage, postal, courier services, and information and communications	145	(7.7%)	25	(9.2%)
Manufacturing	142	(7.5%)	22	(8.1%)
Construction	86	(4.5%)	14	(5.2%)
Others	44	(2.3%)	12	(4.5%)
<b>Total</b>	<b>1 894</b>	<b>(100%)</b>	<b>271</b>	<b>(100%)</b>

By occupation

Occupation	Disease/injury			
	Caused by, related to or aggravated by work		Unrelated to work	
Services and sales workers	521	(27.5%)	67	(24.7%)
Professionals, associate professionals, technicians, plant and machine operators, assemblers, and craft and related trades workers	509	(26.9%)	69	(25.5%)
Elementary occupations	434	(22.9%)	71	(26.2%)
Clerical support workers	382	(20.2%)	49	(18.1%)
Others	48	(2.5%)	15	(5.5%)
<b>Total</b>	<b>1 894</b>	<b>(100%)</b>	<b>271</b>	<b>(100%)</b>

By nature of disease

Nature of disease	Caused by, related to or aggravated by work		Unrelated to work	
Musculoskeletal	1 660	(87.6%)	182	(67.2%)
Auditory	19	(1.0%)	2	(0.7%)
Skin	10	(0.5%)	3	(1.1%)
Respiratory	10	(0.5%)	1	(0.4%)
Neurological	9	(0.5%)	5	(1.8%)
Visual	5	(0.3%)	2	(0.7%)
Others	181	(9.6%)	76	(28.1%)
<b>Total</b>	<b>1 894</b>	<b>(100%)</b>	<b>271</b>	<b>(100%)</b>

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)079**

Question Serial No.

2558

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding “implementing integrated employment services at Tin Shui Wai ‘Employment in One-stop’ (EOS) to enhance employment support to job seekers” mentioned under the matters requiring special attention in 2012-13, would the Government advise this Committee on:

- (a) the estimated expenditure;
- (b) the expected number of beneficiaries;
- (c) the time for a review and the criteria for assessing its effectiveness?

Asked by : Hon. LEONG Kah-kit, Alan

Reply :

The information sought is provided as follows:

- (a) The estimated recurrent expenditure for EOS in 2012-13 is about \$9.1 million and the annual staff cost is about \$7.8 million.
- (b) We expect that EOS will serve about 10 000 job seekers a year.
- (c) We will review the operation of EOS after two years of operation. Its effectiveness will be evaluated on the basis of the number of visitors, job seekers registered, job referrals made, placements achieved, recruitment activities organised and users’ satisfaction with the services provided.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)080**

Question Serial No.

2559

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Would the Administration please provide the number of cases handled by the Labour Department (LD) in respect of voluntary conciliation service in 2011, and of these cases, the number of labour disputes and claims for which conciliation service could not be rendered because the employers were insolvent or could not be reached? Please also provide a breakdown of the claims handled in 2011 by cause. How would the Administration conclude the effectiveness of the conciliation service rendered in the past year?

Asked by : Hon. LEONG Kah-kit, Alan

Reply :

The information sought is provided as follows:

In 2011, LD handled a total of 18 172 labour dispute and claim cases. Among these, the number of cases where the employers concerned were insolvent or could not be reached for conciliation is as follows:

<b>Year</b>	<b>Employers concerned were insolvent</b>	<b>Employers could not be reached for conciliation</b>
2011	71	615

A breakdown of claims handled by LD in 2011 by cause is provided as follows:

<b>Cause</b>	<b>Number of claims</b>
Termination of contract	9 279
Non-payment of wages	5 128
Non-payment of holiday pay/ annual leave pay/ rest day pay/ sickness allowance	1 862
Cessation of business	231
Retrenchment	62
Lay-off	41
Variation of terms of employment contract	39
Insolvency	25
Others	1 419
<b>Total</b>	<b>18 086</b>

LD provides, among others, timely and effective conciliation service to assist employers and employees in the non-government sector to resolve labour disputes and claims with a view to maintaining and fostering harmonious employer-employee relations. In 2011, our successful settlement rate stood at 71.7%.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)081**

Question Serial No.

2560

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please provide the number of prosecutions arising out of “false self-employment” taken against employers for breaching the law as well as the measures and number of operations carried out to tackle “false self-employment” in 2011-12. What are the manpower and expenditure involved in tackling false self-employment in 2012-13?

Asked by : Hon. LEONG Kah-kit, Alan

Reply :

The Labour Department (LD) has adopted a three-pronged approach to tackle the problem of false self-employment, viz. strengthening promotional and publicity work in enhancing public awareness of the differences in the rights and benefits between an employee and a self-employed person, provision of a user-friendly consultation and conciliation service to those involved in disputes of false self-employment, and taking rigorous enforcement action to deter the malpractices of evading employers' liabilities by falsely labelling an employee as a self-employed person.

To ensure employers' compliance with labour laws, LD conducts inspections to establishments of various industries to check, among other things, whether there are false self-employment practices. In 2011, 138 395 workplace inspections were conducted. On the publicity front, employees suspected to have been deprived of their employment rights under the pretext of self-employment are encouraged to lodge complaints through LD's telephone hotline. All complaints received will be promptly investigated and prosecution will be taken out whenever there is sufficient evidence. In 2011, 89 prosecutions were taken out by LD against employers who had engaged employees under the guise of self-employment for breaching the Employment Ordinance or the Employees' Compensation Ordinance.

As the aforesaid enforcement work is undertaken by existing staff among their other on-going duties, the manpower and financial provision specifically required for tackling “false self-employment” cannot be separately identified.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)082**

Question Serial No.

2561

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

- (a) A breakdown by gender, age, industry, occupation and earnings of the numbers of able-bodied job seekers, job seekers with disabilities, and new arrival and ethnic minority job seekers who secured placements through the employment services of the Labour Department (LD) in 2011;
- (b) Among the breakdown figures in part (a) above, what are the respective numbers of part-time and temporary jobs with monthly earnings less than \$4,000?

Asked by : Hon. LEONG Kah-kit, Alan

Reply :

The information sought is provided as follows:

- (a) In 2011, LD secured 179 450 placements for able-bodied job seekers and job seekers with disabilities. Of these, 21 050 placements were achieved through the referral services of LD while 158 400 placements were made through direct application by job seekers to employers who advertised their vacancies through LD. As job seekers who secured employment through direct application are not required to report their placement positions to LD, we do not have detailed statistics on these placements.

As for the 21 050 placements achieved through the referral services of LD, 18 647 were placements of able-bodied job seekers (including 1 148 placements for new arrival job seekers and 72 placements for ethnic minority job seekers) and 2 403 were placements of job seekers with disabilities. Breakdowns of these placements by age, gender, industry, occupation and earnings are provided as follows:

- (i) Breakdown of 18 647 placements for able-bodied job seekers

By gender and age

Age	Male	Female	No. of placements
15-19	793	1 162	1 955
20-29	4 089	4 367	8 456
30-39	1 019	1 569	2 588
40-49	889	2 334	3 223
50-59	680	1 435	2 115

60 or above	201	109	310
<b>Total</b>	<b>7 671</b>	<b>10 976</b>	<b>18 647</b>

By industry

<b>Industry</b>	<b>No. of placements</b>
Manufacturing	1 009
Construction	265
Wholesale, retail and import/export trades, restaurants and hotels	8 771
Transport, storage and communications	697
Financing, insurance, real estate and business services	1 921
Community, social and personal services	2 951
Others (including government sector)	3 033
<b>Total</b>	<b>18 647</b>

By occupation

<b>Occupation</b>	<b>No. of placements</b>
Managers and administrators	227
Professionals	72
Associate professionals	1 367
Clerical support workers	4 721
Service workers	3 354
Shop sales workers	4 422
Agriculture, animal husbandry and forestry workers and fishermen	65
Craft and related workers	307
Plant and machine operators and assemblers	322
Elementary occupations	3 729
Others	61
<b>Total</b>	<b>18 647</b>

By earnings

<b>Monthly earnings</b>	<b>No. of placements</b>
Below \$4,000	2 491
\$4,000 - \$4,999	767
\$5,000 - \$5,999	1 091
\$6,000 - \$6,999	2 348
\$7,000 - \$7,999	4 173
\$8,000 - \$8,999	3 487
\$9,000 - \$9,999	1 924
\$10,000 or above	2 366
<b>Total</b>	<b>18 647</b>

(ii) Breakdown of 2 403 placements for job seekers with disabilities

By gender and age

<b>Age</b>	<b>Male</b>	<b>Female</b>	<b>No. of placements</b>
15-19	35	39	74
20-29	527	389	916
30-39	374	367	741
40-49	203	242	445
50-59	123	78	201

60 and above	11	15	26
<b>Total</b>	<b>1 273</b>	<b>1 130</b>	<b>2 403</b>

By industry

<b>Industry</b>	<b>No. of placements</b>
Manufacturing	190
Construction	33
Wholesale, retail and import/export trades, restaurants and hotels	727
Transport, storage and communications	126
Financing, insurance, real estate and business services	453
Community, social and personal services	582
Others (including government sector)	292
<b>Total</b>	<b>2 403</b>

By occupation

<b>Occupation</b>	<b>No. of placements</b>
Managers and administrators	27
Professional and associate professionals	58
Clerical support workers	514
Service workers	642
Shop sales workers	607
Agricultural, animal husbandry, forestry workers and fishermen	5
Craft and related workers, plant and machine operators and assemblers, and elementary occupations	550
<b>Total</b>	<b>2 403</b>

By earnings

<b>Monthly earnings</b>	<b>No. of placements</b>
Below \$4,000	967
\$4,000 - \$4,999	269
\$5,000 - \$5,999	291
\$6,000 - \$6,999	345
\$7,000 - \$7,999	308
\$8,000 - \$8,999	139
\$9,000 - \$9,999	38
\$10,000 or above	46
<b>Total</b>	<b>2 403</b>

(iii) Breakdown of 1 148 placements for new arrival job seekers

By gender and age

<b>Age</b>	<b>Male</b>	<b>Female</b>	<b>No. of placements</b>
15-19	16	26	42
20-29	129	286	415
30-39	46	367	413
40-49	36	191	227
50-59	13	32	45

60 or above	3	3	6
<b>Total</b>	<b>243</b>	<b>905</b>	<b>1 148</b>

By industry

<b>Industry</b>	<b>No. of placements</b>
Manufacturing	63
Construction	18
Wholesale, retail and import/export trades, restaurants and hotels	727
Transport, storage and communications	29
Financing, insurance, real estate and business services	106
Community, social and personal services	200
Others (including government sector)	5
<b>Total</b>	<b>1 148</b>

By occupation

<b>Occupation</b>	<b>No. of placements</b>
Associate professionals	66
Clerical support workers	124
Service workers	280
Shop sales workers	357
Agriculture, animal husbandry and forestry workers and fishermen	1
Craft and related workers	19
Plant and machine operators and assemblers	18
Elementary occupations	283
<b>Total</b>	<b>1 148</b>

By earnings

<b>Monthly earnings</b>	<b>No. of placements</b>
Below \$4,000	106
\$4,000 - \$4,999	47
\$5,000 - \$5,999	84
\$6,000 - \$6,999	207
\$7,000 - \$7,999	274
\$8,000 - \$8,999	257
\$9,000 - \$9,999	74
\$10,000 or above	99
<b>Total</b>	<b>1 148</b>

(iv) Breakdown of 72 placements for ethnicity minority job seekers

By gender and age

<b>Age</b>	<b>Male</b>	<b>Female</b>	<b>No. of placements</b>
15-19	3	0	3
20-29	7	6	13
30-39	8	8	16
40-49	5	20	25
50-59	3	9	12
60 or above	0	3	3
<b>Total</b>	<b>26</b>	<b>46</b>	<b>72</b>

By industry

<b>Industry</b>	<b>No. of placements</b>
Manufacturing	6
Construction	5
Wholesale, retail and import/export trades, restaurants and hotels	34
Transport, storage and communications	3
Financing, insurance, real estate and business services	9
Community, social and personal services	14
Others (including government sector)	1
<b>Total</b>	<b>72</b>

By occupation

<b>Occupation</b>	<b>No. of placements</b>
Associate professionals	4
Clerical support workers	2
Service workers	13
Shop sales workers	8
Craft and related workers	1
Plant and machine operators and assemblers	4
Elementary occupations	40
<b>Total</b>	<b>72</b>

By earnings

<b>Monthly earnings</b>	<b>No. of placements</b>
Below \$4,000	4
\$4,000 - \$4,999	3
\$5,000 - \$5,999	8
\$6,000 - \$6,999	11
\$7,000 - \$7,999	14
\$8,000 - \$8,999	12
\$9,000 - \$9,999	7
\$10,000 or above	13
<b>Total</b>	<b>72</b>

- (b) The number of placements in part-time or temporary jobs with monthly earnings below \$4,000 in respect of the different categories of job seekers is provided as follows:

	<b>No. of placements</b>
Able-bodied job seekers	2 399
Job seekers with disabilities	597
New arrival job seekers	98
Ethnic minority job seekers	4

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)083**

Question Serial No.

2562

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

In matters requiring special attention in 2012-13, the Government stated that it will “conduct a study on legislating for paternity leave.” In this connection, could the Government advise on the following:

- (a) the estimated expenditure for the above work;
- (b) the manpower establishment required for undertaking the above work;
- (c) the specific details of the above study; and
- (d) when the study will be completed and the results be reported?

Asked by : Hon. LEONG Kah-kit, Alan

Reply :

The information sought is provided as follows:

- (a) and (b) The Labour Department conducts the study on the feasibility of legislating for paternity leave in Hong Kong with existing resources.
- (c) The scope of the study includes looking into the practices of other economies and the provision of paternity leave by local enterprises. In undertaking the study, we are mindful of the actual circumstances of Hong Kong to ensure that any improvement in employees' benefits is in line with the overall socio-economic development and needs of Hong Kong. We therefore need to assess the possible impact of legislating for paternity leave on employers (especially small-and-medium-sized enterprises) and the economy as a whole in order to strike a balance between the interest of employees and the affordability of employers. We also need to examine the various issues that may possibly emerge during implementation and consider whether there is a general consensus in the community on the matter.
- (d) We expect to complete the study in the first quarter of 2012 and will then brief the Labour Advisory Board on the preliminary findings.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)084**

Question Serial No.

2563

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

“Monitoring the implementation of the Work Incentive Transport Subsidy (WITS) Scheme” is mentioned under the matters requiring special attention in 2012-13. In this regard, would the Government advise this Committee on:

- (a) the number of persons applying for the Scheme and the number of successful applicants in the past year;
- (b) how the effectiveness of the Scheme is assessed?

Asked by : Hon. LEONG Kah-kit, Alan

Reply :

The information sought is provided as follows:

- (a) As at the end of 2011, 23 804 applicants had applied for WITS. Processing was completed for 11 260 applicants, of whom 10 437 applicants were granted the subsidy.
- (b) The Administration will carry out a mid-term review of the WITS Scheme to take account of the operational experience in the first year. A comprehensive review of the Scheme will also be conducted after three years of operation.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)085**

Question Serial No.

0010

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The estimated financial provision for employment services for 2012-13 is \$2,123,200,000, a significant increase of 256.4% over the revised estimate for 2011-12. Would the Administration please advise on the amount of provision to be used for providing career guidance, pre-employment and on-the-job training to young people and the specific details? Besides, what is the comparison between this amount of provision and that for 2011-12?

Asked by : Hon. LEUNG Kwan-yuen, Andrew

Reply :

In 2012-13, the estimated expenditure for providing youth employment services is \$208.8 million, representing an increase of 77.4% when compared with \$117.7 million of the 2011-12 revised estimates.

The Labour Department operates two Youth Employment Resource Centres to provide personalised advisory and support services on employment and self-employment to young people aged 15 to 29. We administer the Youth Pre-employment and Training Programme and Youth Work Experience and Training Scheme (YPTP&YWETS) to offer customised career guidance and employment support services provided by professional social workers, pre-employment training, workplace attachment, on-the-job training and reimbursement of course and examination fees to young people aged 15 to 24 with educational attainment at sub-degree or below level. To encourage employers' participation, training allowances are provided to employers who offer on-the-job training opportunities to the trainees under YPTP&YWETS. Moreover, under a special employment project named "Action S5", non-governmental organisations are commissioned to provide on-the-job training to young people with special employment difficulties owing to low educational attainment, emotional/behavioural problems or learning difficulties for a period of 12 months.

Signature

Name in block letters

Post Title

Date

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CHEUK WING HING

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Commissioner for Labour

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1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)086**

Question Serial No.

0117

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

According to the statistics of the Census and Statistics Department, the population aged between 45 and 64 is 2.221 million. The labour force of this age group is 1.474 million and its labour force participation rate is 66.3%.

- (a) Has the Administration conducted any survey on the employment status of the remaining 740 000 persons? Does the Administration have any information on the respective number of middle-aged persons able to secure re-employment and those having to take early retirement after losing their jobs?
- (b) What measures have been taken for promoting re-employment of the middle-aged? What is the amount of resources and manpower committed?
- (c) What regulatory measures are put in place to ensure that the training programmes for re-employment of the middle-aged can help the job seekers gain re-employment effectively? Are there any measures for preventing the middle-aged from having to retire early after losing their jobs?

Asked by : Hon. LEUNG LAU Yau-fun, Sophie

Reply:

The information sought is provided as follows:

- (a) Some 740 000 persons aged 45-64 mentioned in the question are economically inactive persons (i.e. persons who do not have a job and have not been at work), including home-makers and retired persons. Persons who are on leave/holiday and persons who are unemployed are excluded as they are counted in the labour force. The Administration does not have figures on the number of middle-aged persons who are re-employed or take early retirement after losing their jobs.
- (b) To assist the middle-aged to re-enter the labour market, the Labour Department (LD) launched the Employment Programme for the Middle-aged (EPM) to encourage employers to take on unemployed job seekers aged 40 or above and offer them on-the-job training. Employers who engage these job seekers in full-time permanent jobs and provide them with on-the-job training may apply for a training allowance of \$2,000 per employee per month for up to six months. The estimated recurrent expenditure earmarked for EPM in 2012-13 is around \$10.1 million. While a team of one Labour Officer, two Assistant Labour Officers and two clerical staff is responsible for overseeing and co-ordinating the implementation of EPM, case processing work is handled by staff of job centres among their other duties and the manpower involved cannot be separately identified.

- (c) The Employees Retraining Board (ERB) provides training and retraining services to Hong Kong residents aged 15 or above and with education level at sub-degree or below, benefiting people of different background, including the middle-aged. Apart from providing full-time placement-tied courses to the unemployed, ERB also offers part-time programmes, including the Skills Upgrading Scheme Plus for in-service workers and those seeking to change jobs, with a view to enhancing the employability and competitiveness of its clients. In 2011-12 (up to end-December 2011), 63% of the trainees enrolled in ERB courses are aged 40 or above.

ERB's training bodies (TBs) provide the trainees completing placement-tied courses with three to six months of placement follow-up service. In 2011-12 (up to end-November 2011), the average placement rate of the trainees upon completion of the follow-up reached 83%. The placement rate is one of the key performance indicators of TBs which facilitate ERB's monitoring. ERB bases on, inter alia, the performance indicators in deciding the number of training places to be allocated to TBs in the following year.

LD also provides a comprehensive range of recruitment and employment services to disseminate vacancy information speedily and help unemployed persons, including middle-aged persons, re-enter the employment market.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)087**

Question Serial No.

1879

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the Youth Work Experience and Training Scheme (YWETS) and the Employment Programme for the Middle-aged (EPM) of the Labour Department (LD), could the Administration advise on:

- (a) the respective expenditure of the two programmes in the past 3 years, the number of beneficiaries each year, the estimated expenditure for the coming 3 years, and the Administration's assessment of the effectiveness of these two programmes;
- (b) The unemployment rates of young people and middle-aged people (those aged 40 or above) in Hong Kong are both higher than the overall unemployment rate. Low-skilled middle-aged people even have to face the problem of age discrimination in the employment market. Apart from the two programmes above, what measures were taken to improve the employment of these two groups of people in the past 3 years? What was the expenditure involved? What is the increase in expenditure for this area in the next 3 years?
- (c) What was the expenditure involved in publicity and public education to help eliminate age discrimination in the employment market in the past 3 years? What is the increase in expenditure for this area in the next 3 years?

Asked by : Hon. LEUNG Mei-fun, Priscilla

Reply :

The information sought is provided as follows:

- (a) In September 2009, LD integrated YWETS and the Youth Pre-employment Training Programme (YPTP) into a "through-train" programme – "YPTP&YWETS". YPTP&YWETS operates on the basis of programme year, running from September each year to August of the following year. In the 2009-10 programme year, YPTP&YWETS enrolled 15 543 trainees. In the 2010-11 programme year, YPTP&YWETS enrolled only 11 921 trainees as no fresh Secondary 5 graduates entered the labour market in the summer of 2011 after the implementation of the New Senior Secondary Academic Structure. As the 2011-12 Programme will end in August 2012, the full-year enrolment figure is not yet available. For EPM, the numbers of middle-aged job seekers placed into employment under the programme in 2009, 2010 and 2011 were 4 007, 3 930 and 2 834 respectively.

The expenditures for implementing the YPTP&YWETS in 2009-10 and 2010-11 were \$98.8 million and \$102.9 million respectively. The estimated expenditure for 2011-12 is \$75.5 million. The expenditures for implementing EPM in 2009-10 and 2010-11 were \$6.0 million and \$6.1 million respectively. The estimated expenditure for 2011-12 is \$4.0 million. In 2012-13, we have earmarked around \$153.9 million and \$10.1 million for implementing YPTP&YWETS and EPM respectively. We have not estimated the expenditure for implementing YPTP&YWETS and EPM beyond 2012-13.

Each year, we conduct a trainee development survey on trainees who were enrolled on the YPTP&YWETS and completed the 12 months' support services. The results of the surveys conducted for the trainees of the 2009-10 and 2010-11 Programmes showed that 70.6% and 75.5% of the sampled trainees were in employment respectively. For EPM, a recent survey conducted in April 2011 showed that about 76% of the job seekers placed under the programme were able to achieve a retention period of four months or above and 63% could remain in employment for a period of six months or more.

- (b) Apart from YPTP&YWETS, LD operates two Youth Employment Resource Centres (YERC) to provide personalised advisory and support services on employment and self-employment to young people aged 15 to 29. In July 2010, we launched a special employment project "Action S5", under which non-governmental organisations were commissioned to provide 12 months on-the-job training to young people with special employment difficulties due to low educational attainment, emotional/behavioural problems or learning difficulties. The expenditures for running these employment support measures in 2009-10 and 2010-11 were \$17.5 million and \$16.5 million respectively. The estimated expenditure for 2011-12 is \$20.8 million. In 2012-13, \$25.4 million has been earmarked. We have not estimated the expenditure for these employment support measures beyond 2012-13.

The Employees Retraining Board (ERB) also provides training and retraining services to Hong Kong residents aged 15 or above and with education level at sub-degree or below, benefiting people of different background, including the young people and the middle-aged. ERB's full-time courses for the unemployed are placement-tied, with the training bodies providing the trainees with placement support after course completion. ERB offers the Youth Training Programme (YTP) to help non-engaged youths aged between 15 and 20 to regain interest in learning and to better plan and develop their careers. YTP trainees are provided with six to nine months of placement follow-up service. Furthermore, ERB also offers part-time programmes, including the Skills Upgrading Scheme Plus for in-service workers and those seeking to change jobs, with a view to enhancing the trade knowledge, employability and competitiveness of the trainees.

- (c) About \$550,000, \$550,000 and \$570,000 was incurred in 2009-10, 2010-11 and 2011-12 respectively on education and publicity relating to the elimination of age discrimination in employment. We have earmarked about \$550,000 for the purpose in 2012-13, but have not estimated the expenditure beyond that.

Signature	CHEUK WING HING
Name in block letters	Commissioner for Labour
Post Title	1.3.2012
Date	

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)088**

Question Serial No.

0619

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please provide a breakdown, by industry, of the numbers of applications received and vacancies approved under the Supplementary Labour Scheme (SLS) in 2011-12.

Asked by : Hon. LEUNG Yiu-chung

Reply :

Individual applications under the SLS may involve more than one vacancy. In 2011, the Labour Department received 745 SLS applications involving 2 601 vacancies. Altogether 488 applications were approved involving 980 vacancies. A breakdown of the numbers of applications received and approved (with corresponding numbers of vacancies involved) by industry is provided at Annex.

Signature	_____
Name in block letters	<b>CHEUK WING HING</b>
Post title	Commissioner for Labour
Date	1.3.2012

**Number of applications received and approved  
under the Supplementary Labour Scheme in 2011:  
breakdown by industry**

<b>Industry</b>	<b>Number of applications received</b>	<b>Number of applications approved</b>
1. Agriculture and fishing	217 (502)	174 (344)
2. Manufacturing	70 (350)	34 (98)
3. Construction	12 (263)	1 (14)
4. Wholesale, retail and import/ export trades, restaurants and hotels	92 (233)	51 (65)
5. Transport, storage and communication	13 (95)	1 (2)
6. Financing, insurance, real estate and business services	34 (226)	2 (3)
7. Community, social and personal services	307 (932)	225 (454)
Total	745 (2 601)	488 (980)

Note: Figures in brackets refer to corresponding numbers of vacancies involved.

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

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

What are the rank, salary and job duties of the additional 27 posts to be created?

Asked by : Hon. LEUNG Yiu-chung

Reply :

The rank and salary range of the additional 27 posts to be created in 2012-13 are set out below:

Rank	No. of Posts	Salary Range (per month)
Senior Labour Officer	1*	\$82,975 - \$95,595
Labour Officer	1*	\$53,060 - \$80,080
Assistant Clerical Officer	5	\$10,885 - \$22,240
Clerical Assistant	20	\$9,600 - \$16,855
Total	27	

\* Offset by deletion of time-limited post of the same rank.

The Labour Officer grade posts will be deployed to support youth employment. The clerical grade posts are required to provide employment and recruitment services to job seekers and employers, such as conducting job referrals, processing vacancy orders, answering telephone enquiries, providing support in organising promotional activities, and handling administration work of the specialised employment programmes.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)090**

Question Serial No.

0621

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the Work Incentive Transport Subsidy (WITS) Scheme, does the Administration have the following statistics:

- (a) the total number of applications received as well as the number of applications meeting the eligibility criteria and their percentage;
- (b) the reason(s) for refusal of applications not meeting the eligibility criteria, including those applicants whose household income exceeds the income limit and individual income is within the eligibility criteria; and
- (c) the household size of the eligible applicants?

Asked by : Hon. LEUNG Yiu-chung

Reply :

The information sought is provided as follows:

- (a) As at the end of 2011, the WITS Scheme had received 21 768 applications involving 23 804 applicants. Processing was completed for 11 260 applicants, of whom 10 437 applicants (92.7%) were granted the subsidy.
- (b) As at the end of 2011, the application of 284 applicants had been rejected for the following reasons:

Reason	No. of Applicants
Household asset limit being exceeded	127
Household income limit being exceeded	116
Travelling expenses not incurred in commuting to and from work	33
Applicant not being employed / self-employed	25
Applicant working less than 36 hours per month	16
Applicant being a full-time student / trainee not in employment	6

More than one reason may be applicable to the same applicant. As WITS applications are means-tested on a household basis, we have no separate statistics on the number of applicants whose household income exceeds the income limit but whose individual income is within the eligibility criteria.

- (c) As at the end of 2011, 10 437 applicants from 9 776 applications had been granted the subsidy. A breakdown of these applications by household size is as follows:

Household Size	No. of Applications
1 person	904
2 persons	2 993
3 persons	2 978
4 persons	2 220
5 persons	530
6 persons or above	151
Total	9 776

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)091**

Question Serial No.

0622

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employees' Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the prosecutions taken by the Labour Department (LD) under this Programme in 2011-12, what was the breakdown, by industry and reason(s), of the number of prosecutions taken? What were the details, including the convictions and penalties, of such prosecutions?

Asked by : Hon. LEUNG Yiu-chung

Reply :

(a) The information sought is provided as follows:

Industry	2011	
	No. of Prosecutions	No. of Convictions
Catering	674	542
Manufacturing	194	170
Construction	364	247
Import/Export	291	212
Wholesale/Retail	679	571
Transport, Storage and Communication	168	131
Finance, Insurance, Real Estate and Business Services	329	278
Community, Social and Personal Services	406	327
Others	114	103
Total	3 219	2 581

The prosecutions were mainly related to wage offence, holiday offence and failure to take out employees' compensation insurance. In 2011, the corresponding numbers of these prosecutions were 1 142, 1 084 and 750, resulting in 876, 829 and 694 convictions respectively.

(b) In the same year, the highest fines imposed in a case involving wage offence, holiday offence and failure to take out employees' compensation insurance were \$110,000, \$31,500 and \$20,000 respectively. Moreover, two directors and two employers convicted of wage offences were sentenced to imprisonment. The highest sentence imposed was three months. The court also imposed community

service orders on two directors and two employers for wage offences or offences of defaulting awards of the Labour Tribunal or the Minor Employment Claims Adjudication Board.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)092**

Question Serial No.

0623

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employees' Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Would the Administration inform this Committee of the progress of the study on standard working hours at present, and when will the study be completed?

Asked by : Hon. LEUNG Yiu-chung

Reply :

We have been studying the systems and experiences of other places in regulating working hours. The Census and Statistics Department is also assisting in collecting statistics on the current working hours situation of our labour force and various sectors of Hong Kong. The data will be analysed as part of the study findings. We aim to complete the study by mid-2012.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)093**

Question Serial No.

0624

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

In July 2011, the Census and Statistics Department (C&SD) published statistics and information on employees who worked for less than four weeks continuously for their employers and/or did not work at least 18 hours per week, and those engaged under short-term contracts of less than three months (generally referred to as casual workers). In this connection,

- (a) Please provide a breakdown of the following figures by employment contracts of short duration, short working hours and less than three months: i. ethnic minorities; ii. new arrivals with less than seven years' residence; iii. family carers; iv. single parents; v. persons with disabilities and/or those receiving disability allowance; vi. employees working across districts and the percentage share of their travelling expenses to their income; vii. number of children in their household; viii. percentage share of their income to their household income; ix. percentage of those living in public housing estates, rental housing and self-owned properties; x. those receiving Comprehensive Social Security Allowance; xi. those without making Mandatory Provident Fund contribution; and xii. the amount of loans approved to casual workers with post-secondary degrees and their average amount of debts; and
- (b) If the information requested in (a) is not available, will the Administration consider studying the abovementioned characteristics of casual workers, for a more comprehensive analysis?

Asked by : Hon. LEUNG Yiu-chung

Reply :

Our reply is given as follows:

- (a) The data requested in the question are not available from C&SD.
- (b) The Administration will review the data to be collected from time to time.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)094**

Question Serial  
No.

0757

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the Work Incentive Transport Subsidy (WITS) Scheme under this Programme, would the Administration provide the following information:

- (a) breakdown of the number of beneficiaries and their household size by District Council (DC) district;
- (b) breakdown of the working hours and income distribution of the beneficiaries by DC district; and
- (c) details and breakdown of expenditure for the Scheme as at the end of 2011.

Asked by : Hon. LI Fung-ying

Reply :

The information sought is provided as follows:

(a) and (b)

As at end-2011, 10 437 applicants had received payment under the WITS Scheme. Breakdown of the number of these applicants and their household size as well as their working hours and income distribution by DC district is set out at Annexes 1 to 3.

(c) The expenditure for the WITS Scheme as at end-2011 is provided below.

Item	Amount (\$million)
Subsidy payment	35.0
Staff cost	25.1
Operating expenses	5.3
Accommodation and related expenditure	1.3
Publicity and promotion	4.0
Total	70.7

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Work Incentive Transport Subsidy Scheme

Number of applicants who were granted the subsidy as at end-2011  
with breakdown of household size by DC district

District	No. of applicants granted the subsidy						Total
	Household size						
	1 person	2 persons	3 persons	4 persons	5 persons	6 persons or above	
Central & Western	6	26	13	15	5	0	65
Eastern	28	127	121	85	17	9	387
Southern	9	59	59	47	14	0	188
Wan Chai	4	21	6	8	2	0	41
Kowloon City	25	100	93	71	13	4	306
Kwun Tong	99	446	478	344	78	25	1 470
Sham Shui Po	78	238	234	197	53	10	810
Wong Tai Sin	61	212	216	179	52	19	739
Yau Tsim Mong	35	45	53	51	8	1	193
Islands	21	51	90	94	35	12	303
Kwai Tsing	90	323	324	315	79	29	1 160
North	34	160	174	135	22	11	536
Sai Kung	36	103	109	89	25	12	374
Sha Tin	57	243	210	154	33	8	705
Tai Po	24	76	96	74	16	3	289
Tsuen Wan	15	104	94	59	13	5	290
Tuen Mun	146	420	377	189	43	12	1 187
Yuen Long	127	328	443	359	86	20	1 363
Outside Hong Kong	9	8	8	6	0	0	31
Total	904	3 090	3 198	2 471	594	180	10 437

Work Incentive Transport Subsidy Scheme

Number of applicants who were granted the subsidy as at end-2011  
with breakdown of working hours by DC district

District	No. of applicants granted the subsidy			
	No. of working hours per month			Total
	72 hours or above	Less than 72 hours but at least 36 hours	72 hours or above / Less than 72 hours but at least 36 hours in different months	
Central & Western	62	1	2	65
Eastern	366	11	10	387
Southern	178	3	7	188
Wan Chai	41	0	0	41
Kowloon City	290	8	8	306
Kwun Tong	1 387	21	62	1 470
Sham Shui Po	753	13	44	810
Wong Tai Sin	682	21	36	739
Yau Tsim Mong	180	2	11	193
Islands	284	9	10	303
Kwai Tsing	1 086	24	50	1 160
North	513	2	21	536
Sai Kung	345	7	22	374
Sha Tin	666	15	24	705
Tai Po	271	2	16	289
Tsuen Wan	272	2	16	290
Tuen Mun	1 128	14	45	1 187
Yuen Long	1 291	25	47	1 363
Outside Hong Kong	30	0	1	31
Total	9 825	180	432	10 437

Work Incentive Transport Subsidy Scheme

Number of applicants who were granted the subsidy as at end-2011  
with breakdown of income distribution by DC district

District	No. of applicants granted the subsidy		
	Average monthly income of applicant		Total
	\$6,500 or below	Above \$6,500	
Central & Western	27	38	65
Eastern	135	252	387
Southern	54	134	188
Wan Chai	14	27	41
Kowloon City	86	220	306
Kwun Tong	516	954	1 470
Sham Shui Po	310	500	810
Wong Tai Sin	266	473	739
Yau Tsim Mong	76	117	193
Islands	96	207	303
Kwai Tsing	425	735	1 160
North	149	387	536
Sai Kung	145	229	374
Sha Tin	243	462	705
Tai Po	94	195	289
Tsuen Wan	91	199	290
Tuen Mun	440	747	1 187
Yuen Long	429	934	1 363
Outside Hong Kong	10	21	31
Total	3 606	6 831	10 437

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)095**

Question Serial No.

0758

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Provision for 2012-13 is \$1,527.5 million higher than the revised estimate for 2011-12. Please provide a breakdown of the provision under this Programme.

Asked by : Hon. LI Fung-ying

Reply :

The breakdown of the \$1,527.5 million increase in provision is provided as follows:

Item	Amount (\$million)
Work Incentive Transport Subsidy Scheme	1,374.9
Employment programmes for young people, the middle-aged and people with disabilities	117.1
Filling of vacancies and additional posts	31.7
“Employment in One-stop” (new job centre in Tin Shui Wai)	2.5
Others	1.3
Total :	1,527.5

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)096**

Question Serial No.

0759

Head : 90 – Labour Department

Subhead (No. & title) :

700 General  
non-recurrent

Programme :

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The general non-recurrent expenditure for 2012-13 is estimated at around \$1.6 billion. Please list the estimated expenditure of the programmes under this subhead.

Asked by : Hon. LI Fung-ying

Reply :

The information sought is provided as follows:

	Estimated expenditure (\$ million)
Work Incentive Transport Subsidy Scheme	1,569.9
Enhanced and Integrated Employment Programmes	26.1
Pilot Transport Support Scheme	13.5
Special Employment Project for Vulnerable Youths	10.0
Pilot Employment Navigator Programme	4.9
Loan Guarantee Scheme for Severe Acute Respiratory Syndrome Impacted Industries	0.1
Total	1,624.5

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)097**

Question Serial No.

0760

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the intensification of systematic preventive and enforcement measures mentioned under the matters requiring special attention in 2012-13, please provide the relevant details, manpower and expenditure involved. Will the number of inspections to workplaces be increased?

Asked by : Hon. LI Fung-ying

Reply :

In 2012-13, the Labour Department (LD) will continue to proactively promote the safety and health of our construction workforce through a three-pronged approach of enforcement, training and publicity. We will work closely with the Occupational Safety and Health Council, Construction Industry Council, trade associations, workers' unions, professional bodies as well as district councils and other government bureaux/departments. In the light of the commencement of major infrastructure projects, LD has established a special team and will step up inspections and enforcement action. We will urge contractors to implement safety management systems on construction sites and integrate occupational safety and health elements into their method statements, through participating in project preparatory meetings and site safety committees meetings. In addition, LD will continue to step up area patrols and inspections of repair, maintenance, alteration and addition works during non-office hours to deter contractors from adopting unsafe work practices.

As enforcement and publicity programmes on safety of construction works are part and parcel of LD's ongoing work, the expenditure involved cannot be separately identified.

In addition to 46 000 regular inspections to construction sites, LD will conduct special operations from time to time, having regard to the prevailing risks identified.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)098**

Question Serial No.

0761

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding publicity and enforcement targeting outdoor workplaces with a higher risk of heat stroke by the Labour Department (LD) in 2011 mentioned in the brief description, would the Administration please provide the following information:

- (a) the number of inspections by work type;
- (b) the number of warnings issued and prosecutions taken by work type; and
- (c) the number of cases of heat stroke at work by work type in the past 3 years.

Asked by : Hon. LI Fung-ying

Reply :

The information sought is provided as follows:

- (a) From April to September in 2011, LD conducted special inspections targeting outdoor work with a higher risk of heat stroke. A total of 28 882 inspections were conducted, including 26 098 inspections to construction work and 2 784 inspections to other work types such as outdoor cleansing work and container handling. LD has not kept detailed breakdown of the inspections of work types other than construction work.
- (b) LD issued a total of 437 warnings, of which 402 were related to the construction sector and 35 related to other outdoor work such as cleansing. In addition, LD issued 14 improvement notices and took out 7 prosecutions, all of which were related to the construction sector.
- (c) LD commenced collating statistics on occupational injury cases that are suspected to be related to heat stroke on the basis of employers' notifications in 2011. LD received 27 such notifications, of which 8 cases involved cleansing workers, 4 involved professional drivers and 1 involved construction site worker. The remaining 14 cases involved different occupations such as security, maintenance and goods transportation. These included 2 fatal cases, involving a cleansing worker and an electrician, while the rest related to workers having symptoms such as dizziness and vomiting.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

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

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

With respect to the matters requiring special attention in 2012-13, would the Government advise this Committee on the following:

- (a) It is stated that large-scale public educational activities on the Employment Ordinance (EO) (Cap. 57) and good people management practices will be launched. What are the relevant content, time of implementation, estimated number of participants, manpower, expenditure and methods to assess their effectiveness?
- (b) Apart from the above-mentioned large-scale public educational activities, does the Administration have any other promotional measures to enhance public awareness on and understanding of the EO (Cap. 57)? If yes, what are the details and estimated expenditure? If no, what are the reasons?

Asked by : Hon. PAN Pey-chyou

Reply :

The information sought is provided as follows:

- (a) In 2012-13, the Labour Department plans to launch large-scale public educational activities to promote the EO and good people management practices. The activities in the first half of 2012-13 include introducing new TV and radio Announcements in the Public Interest and promotional materials to encourage the wider use of written employment contract and fair employment terms, as well as producing a new poster to promote differentiation between an employee and a self-employed person. In the second half of 2012-13, we will introduce an online EO Quiz; publish feature articles to promote family-friendly employment practices in newspapers; distribute thematic promotional materials and place advertisements on tackling false self-employment in public transport. In addition, four seminars on the EO and good people management practices for the public will be organised during the year, with an expected participants of 2 000. We shall ensure dissemination of relevant messages to the general public at large and collect feedback from the participants on the effectiveness of the promotional activities. The estimated expenditure of these activities is \$1.15 million. As these promotional activities will be conducted as part of our various ongoing tasks, the manpower requirement involved cannot be separately identified.
- (b) Apart from the above large-scale public educational activities, we shall also enhance public awareness on and understanding of the EO through producing publications, staging roving exhibitions in different districts, publishing feature articles, arranging thematic posters for display at different channels, placing advertisements in public transport, producing promotional materials, organising activities for

nine industry-based Tripartite Committees and 18 Human Resources Managers Clubs formed in various trades and industries. The estimated expenditure of these activities is \$600,000.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)100**

Question Serial No.

0344

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the job search and employment of the ex-mentally ill people, please advise on the following:

- (a) What are the number of registrations for employment service and the number of placements in respect of ex-mentally ill people recorded by the Labour Department (LD) in 2011-12? Please set out the figures by gender, age, occupation, salary and weekly working hours.
- (b) In 2012-13, will there be any new initiatives to assist the ex-mentally ill people with their job search and employment? If yes, what are the details? Please provide the manpower and estimated expenditure involved.

Asked by : Hon. PAN Pey-chyou

Reply :

The information sought is provided as follows:

- (a) In 2011, LD recorded 645 registrations and achieved 576 placements for ex-mentally ill job seekers who are fit for open employment. The breakdown of the number of registrations by gender and age, and the number of placements by gender, age, occupation and monthly earnings are as follows:

Registrations

Gender	No. of registrations
Male	325
Female	320
Total	645

Age group	No. of registrations
15-19	16
20-29	147
30-39	218
40-49	185
50-59	70
60 and above	9
Total	645

## Placements

Gender	No. of placements
Male	295
Female	281
Total	576

Age group	No. of placements
15-19	6
20-29	139
30-39	218
40-49	160
50-59	42
60 and above	11
Total	576

Occupational group	No. of placements
Professional, technical and related workers	18
Administrative and managerial workers	10
Clerical and related workers	137
Sales workers	183
Service workers	147
Agricultural, animal husbandry, forestry workers and fishermen	2
Production workers, transport equipment operators and labourers	79
Total	576

Monthly earnings	No. of placements
Below \$4,000	275
\$4,000 - \$4,999	70
\$5,000 - \$5,999	54
\$6,000 - \$6,999	56
\$7,000 - \$7,999	64
\$8,000 - \$8,999	28
\$9,000 or above	29
Total	576

We do not keep statistics on the number of weekly working hours in respect of the above placements.

- (b) In 2012-13, \$100 million will be injected into the “Enhancing Employment of People with Disabilities through Small Enterprise Project” (the project) administered by the Social Welfare Department, under which funding is granted to non-governmental organisations to set up small enterprises/businesses employing persons with disabilities. The number of employees with disabilities should not be less than 50% of the total number of persons on the payroll of the business. LD will proactively assist the job seekers with disabilities, including the ex-mentally ill, to identify and apply for suitable jobs created under the project. Moreover, to promote employers’ understanding of the working abilities of persons with disabilities including the ex-mentally ill, LD will produce a series of new videos and photos on successful employment cases for viewing by employers through the use of tablet computers during promotional visits. LD will deploy existing manpower to implement these initiatives.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)101**

Question Serial No.

0345

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the enforcement of the Occupational Safety and Health Ordinance (OSHO), the Factories and Industrial Undertakings Ordinance (FIUO) and the Boilers and Pressure Vessels Ordinance (BPVO), please list the top three of the industries and trades with poor performance records and advise on the action taken against these industries and trades in 2011-12.

Asked by : Hon. PAN Pey-chyou

Reply :

In 2011-12, the construction, catering and container handling industries were the major areas of concern in respect of occupational safety and health performance: the construction industry recorded the highest accident rate and number of fatalities; the catering industry accounted for the largest number of accidents; and the container handling industry came second in the number of fatalities.

In 2011-12, the Labour Department (LD) conducted 56 903 inspections to construction sites, 11 545 inspections to catering establishments and 1 638 inspections to container handling establishments, resulting in 1 259, 274 and 18 prosecutions respectively. During the inspections, LD staff paid special attention to high-risk activities, such as building repair, maintenance, alteration and addition works, work-at-height, lifting operations and electrical works on construction sites, as well as tyre repairing work on container handling establishments.

On the promotion side, LD organised large-scale promotional campaigns to enhance the safety awareness of employers and employees in the relevant industries in collaboration with the Occupational Safety and Health Council and major industry stakeholders including the relevant trade associations and labour unions. The major initiatives included annual award schemes for the construction and catering industries, safety seminars and talks, roving exhibitions, joint promotion with District Councils, Announcements in the Public Interest on television and radio, and broadcast of promotional films through mobile advertising media.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)102**

Question Serial No.

0346

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employees' Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the statutory minimum wage (SMW) regime, please provide the following information:

- (a) The number of proactive inspections to workplaces conducted for overseeing the implementation of the Minimum Wage Ordinance (MWO) since its introduction. Please provide a breakdown of the numbers by industry.
- (b) The number of warnings issued and prosecutions taken against employers contravening the MWO. Please provide a breakdown of the numbers by industry and offence.
- (c) Will the Administration introduce new measures in 2012-13 to facilitate employers and employees in understanding their respective obligations and entitlements under the SMW regime, and combat non-compliance more effectively? If yes, what are the details and estimated expenditure? If no, what are the reasons?

Asked by : Hon. PAN Pey-chyou

Reply :

The information sought is provided as follows:

- (a) Since the implementation of the SMW on 1 May 2011 and up to 31 January 2012, the Labour Department (LD) conducted 26 249 proactive inspections to workplaces for enforcing, among others, the MWO. A breakdown of the inspections by industry is as follows:

Industry	No. of Inspections
Retail	7 710
Catering	2 810
Security service	1 207
Cleaning service	611
Beauty parlour	565
Nursing and elderly homes	536
Hairdressing	359
Courier service	220
Others	12 231
Total	26 249

- (b) During the same period, LD issued 12 warnings to employers suspected to have contravened the MWO, all involving under-payment of the SMW. A breakdown of the warnings by industry is as follows:

Industry	No. of Warnings
Retail	2
Catering	2
Nursing and elderly homes	2
Security service	1
Cleaning service	1
Hairdressing	1
Courier service	1
Others	2
<b>Total</b>	<b>12</b>

In addition, LD secured 10 convictions for under-payment of the SMW, including four against two elderly homes and six against a security company.

- (c) In 2012-13, LD will launch a new round of publicity and promotional activities to facilitate employers and employees in understanding their respective obligations and entitlements under the SMW regime. The activities include: publishing new posters for wide distribution and display; advertising on public transports and in publications and websites of target organisations; contributing articles to newspaper columns; inserting promotional message in public utilities bills; conducting seminars on the MWO; and staging roving exhibitions. The estimated expenditure for publicising the SMW in 2012-13 is \$3.4 million. In addition, LD will continue to provide consultation service to employers and employees on their rights and obligations under the MWO. As LD's consultation service covers various labour laws and matters relating to employment contracts, the expenditure involved for the MWO cannot be separately identified.

LD will continue to take rigorous enforcement action to ensure compliance with the MWO, through conducting proactive workplace inspections, mounting targeted enforcement campaigns for low-paying sectors and carrying out prompt investigations into complaints received. As officers of LD enforce various labour laws in the course of duty, the expenditure for enforcing the MWO cannot be separately identified.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)103**

Question Serial No.

0348

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

Programme : (4) Employees' Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Administration actually processed a total of 4 439 applications for payment under the Protection of Wages on Insolvency Fund (PWIF) in 2011. Please provide a breakdown of the figures by industry and cause of application as well as the amount of payment involved.

Asked by : Hon. PAN Pey-chyou

Reply :

The information sought is provided as follows:

(a) Breakdown of applications and amount of payment made by industry

Industry	No. of applications	Amount of payment (\$ million)
Food and beverage service activities	1 213	15.1
Construction	707	10.8
Other personal service activities	520	5.8
Import and export trade	435	10.6
Retail trade	268	8.2
Manufacture of food products	184	2.7
Sports and other entertainment activities	171	3.1
Others	941	18.1
Total	4 439	74.4

(b) Breakdown of applications and the amount of payment made by cause

Cause # (Item owed)	No. of applications*	Amount of payment (\$ million)
Wages	3 385	45.5
Wages in lieu of notice	2 518	16.6
Severance payment	1 036	12.3
Total	—	74.4

# If an employee is owed wages, wages in lieu of notice and/or severance payment by his insolvent employer, he may apply for ex gratia payment from the PWIF.

\* An application may involve more than one item owed.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

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

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the matters requiring special attention in 2012-13, would the Government advise this Committee on the following:

- (a) It is stated that large-scale promotional campaigns will be launched for the construction and catering industries. What are the details, implementation timetable, estimated number of participants, expenditure, manpower arrangement and assessment method of the programmes?
- (b) Has additional resources been allocated for launching similar large-scale promotional campaigns for industries other than the construction and catering sectors? If yes, what are the details and estimated expenditure? If no, what are the reasons?

Asked by : Hon. PAN Pey-chyou

Reply :

The information sought is provided as follows:

- (a) In 2012-13, the Labour Department (LD) will launch two large-scale promotional programmes to promote the safety and health awareness of employers and employees in the catering and construction industries.

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

The promotional programme targeting the catering industry will be implemented between July 2012 and November 2012, and that for the construction industry between October 2012 and March 2013. We estimate that the programmes will involve more than 250 catering establishments and 200 construction sites. The expenditure on the two promotional programmes will be around \$1.5 million and \$1.8 million respectively, to be shared between LD and other co-organisers.

- (b) The construction and catering industries are the major sectors of concern for occupational safety and health performance: the construction industry records the highest accident rate and number of fatalities; the catering industry accounts for the largest number of accidents. LD has no plan to organise large-scale promotional programmes for other industries at this juncture. However, we shall

publish industry-specific materials, leaflets and guidelines, and launch publicity and promotional programmes on a need basis.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)105**

Question Serial No.

0350

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employees' Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

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

- (a) How many persons with disabilities have undergone the productivity assessment and what is their percentage share in the total number of disabled employees since the implementation of SMW? Please provide a breakdown by industry.
- (b) How many requests for assistance or complaints have been received from persons with disabilities who had doubt or dissatisfaction over the assessment results? How many complaints were substantiated? How did the Administration deal with them?
- (c) What is the estimated total expenditure and manpower for the productivity assessment in 2012-13?

Asked by : Hon. PAN Pey-chyou

Reply :

The information sought is provided as follows:

- (a) Since the implementation of the SMW on 1 May 2011 and up to 31 January 2012, a total of 184 persons with disabilities had undergone productivity assessment under the Minimum Wage Ordinance (MWO). A breakdown by industry is as follows:

Industry	No. of persons with disabilities who had undergone productivity assessment
Manufacturing	18
Wholesale, retail and import/export trades, restaurants and hotels	77
Transport, storage and communications	1
Financing, insurance, real estate and business services	35
Community, social and personal services	47
Others	6
Total	184

According to a survey report published by the Census and Statistics Department in December 2008, there were about 41 000 employed persons aged 15 and over with disabilities in 2007. However, since intellectual disability is a very sensitive topic to some respondents, they may be unwilling to provide information pertaining to household members with intellectual disability. The number of persons with intellectual disability is therefore subject to under-estimation and excluded from the above-quoted survey data. In fact, among the persons with disabilities who have undergone productivity assessment under the MWO, over half are persons with intellectual disability. In view of this, it is not appropriate to compare directly the number of persons with disabilities who have undergone productivity assessment with the survey data on employed persons with disabilities.

- (b) The Labour Department (LD) has not received any request for assistance or complaint from persons with disabilities because of doubt or dissatisfaction over the productivity assessment results.
- (c) As the productivity assessment mechanism for persons with disabilities is administered by staff of LD among their other duties for implementing the MWO, the total expenditure and manpower involved cannot be separately identified. In 2012-13, the Administration has reserved a provision of \$25 million for meeting the assessment fees for approved assessors.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)106**

Question Serial No.

0515

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

Programme : (4) Employees' Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please provide details of the 3 219 prosecutions taken in 2011 by industry and class of prosecution.

Asked by : Hon. PAN Pey-chyou

Reply :

The information sought is provided as follows:

Industry	2011	
	No. of Prosecutions	No. of Convictions
Catering	674	542
Manufacturing	194	170
Construction	364	247
Import/Export	291	212
Wholesale/Retail	679	571
Transport, Storage and Communication	168	131
Finance, Insurance, Real Estate and Business Services	329	278
Community, Social and Personal Services	406	327
Others	114	103
Total	3 219	2 581

The prosecutions were mainly related to wage offence, holiday offence and failure to take out employees' compensation insurance. In 2011, the corresponding numbers of these prosecutions were 1 142, 1 084 and 750, resulting in 876, 829 and 694 convictions respectively.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)107**

Question Serial No.

1521

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

What are the details of services provided by Tin Shui Wai “Employment in One-stop” (EOS)? How many people are expected to be provided with the services? How will its effectiveness be assessed?

Asked by : Hon. TONG Ka-wah, Ronny

Reply :

EOS in Tin Shui Wai commenced operation in December 2011. Apart from providing a full range of self-help job search facilities and employment services available at the Job Centres of the Labour Department, EOS also provides new and enhanced services such as the assessment of job seekers' employment needs through a needs assessment tool for provision of tailor-made employment services, and the provision of case management and employment support services by registered social workers to job seekers with special employment difficulties, including recipients of the Comprehensive Social Security Assistance (CSSA). It aims to provide case management and employment support services to 500 and 750 unemployed able-bodied CSSA recipients referred from the Social Welfare Department in 2012 and 2013 respectively. The service will also be provided to 50 other job seekers with special employment difficulties in each of the two years. We expect that EOS will serve about 10 000 job seekers a year. Its effectiveness will be evaluated on the basis of the number of visitors, job seekers registered, job referrals made, placements achieved, recruitment activities organised and users' satisfaction with the services provided.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)108**

Question Serial No.

0355

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

With respect to conducting a study on legislating for paternity leave, would the Government advise this Committee of the details of the relevant plan, including the scope of study, the progress and schedule, estimated manpower arrangement and total expenditure, etc.

Asked by : Hon. WONG Kwok-hing

Reply :

In studying the feasibility of legislating for paternity leave in Hong Kong, we have looked into the practices of other economies and the provision of paternity leave by local enterprises. We are mindful of the actual circumstances of Hong Kong to ensure that any improvement in employees' benefits is in line with the overall development and needs of Hong Kong. To this end, we need to assess the possible impact of legislating for paternity leave on employers (especially small-and-medium-sized enterprises) and the economy as a whole in order to strike a reasonable balance between the interests of employees and the affordability of employers. We also need to examine the various issues that may possibly emerge in the process of implementation and consider whether there is a general consensus in the community on the matter. We expect to complete the study in the first quarter of 2012. The study is being conducted with existing resources.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)109**

Question Serial No.

0356

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

How many cases involving disputes on false self-employment were received by the Administration in the past 3 years (i.e. 2009-10, 2010-11 and 2011-12)? (Please provide a breakdown by cause and industry.) In 2012-13, has sufficient manpower and funding been earmarked by the Administration for working out and implementing new initiatives to tackle false self-employment, and enhancing the awareness of employees to avoid falling into the trap of false self-employment? If yes, what are the details? If no, what are the reasons?

Asked by : Hon. WONG Kwok-hing

Reply :

The Labour Department (LD) has since October 2009 been collecting statistics on cases involving false self-employment disputes. The number of such dispute cases received from October 2009 to December 2011 is as follows:

Period	Oct-Dec 2009	Jan-Dec 2010	Jan-Dec 2011	Total
No. of cases	37	287	219	543

In many of the above dispute cases, the claimants' main concern was to claim back the employment benefits that they were supposed to be entitled to during the period in which they were purportedly employed. There were also isolated cases where disputes were triggered by the employers' attempt to unilaterally change the status of their employees to that of self-employed persons. Disputes on false self-employment tend to be more prevalent in the transportation, personal services and construction sectors.

In 2012-13, LD will continue to tackle the problem of false self-employment by adopting a three-pronged approach, viz. stepping up promotional and publicity efforts, provision of consultation and conciliation service and taking rigorous enforcement actions.

To enhance public awareness of the differences in the rights and benefits between an employee and a self-employed person, LD will continue with its various promotional activities including displaying a new poster at various outlets, placing advertisements on public transport, broadcasting Announcements in the Public Interest on television and radio, staging roving exhibitions, distributing leaflets and delivering talks. The estimated expenditure for the above activities is around \$300,000.

As implementation of the aforesaid initiatives is undertaken by existing staff among their other duties, the manpower and staff costs involved cannot be separately identified.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)110**

Question Serial No.

0357

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The estimated financial provision under this Programme is increased by 256.4% over the revised estimate for 2011-12. Please provide a breakdown of the relevant provision.

Asked by : Hon. WONG Kwok-hing

Reply :

The breakdown of the \$1,527.5 million increase in provision is provided as follows:

Item	Amount (\$ million)
Work Incentive Transport Subsidy Scheme	1,374.9
Employment programmes for young people, the middle-aged and people with disabilities	117.1
Filling of vacancies and additional posts	31.7
“Employment in One-stop” (new job centre in Tin Shui Wai)	2.5
Others	1.3
Total :	1,527.5

Signature

Name in block letters

Post Title

Date

\_\_\_\_\_  
CHEUK WING HING

\_\_\_\_\_  
Commissioner for Labour

\_\_\_\_\_  
1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)111**

Question Serial No.

0362

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

In 2011, what was the total number of ethnic minority job seekers registered with the Labour Department (LD)? Please provide a breakdown by gender, nationality and age, and provide the number of successful placements and the names of industries involved. In 2012-13, will there be any new initiatives to assist ethnic minorities with their employment to help them integrate into society as soon as possible? If yes, what are the details and estimated expenditure? If no, what are the reasons?

Asked by : Hon. WONG Kwok-hing

Reply :

In 2011, a total of 901 ethnic minority job seekers registered with the LD for employment services. The gender, nationality and age profile of these job seekers are provided in the tables below:

Breakdown by gender

<b>Gender</b>	<b>Number of job seekers</b>
Male	494
Female	407
<b>Total</b>	<b>901</b>

Breakdown by nationality

<b>Nationality</b>	<b>Number of job seekers</b>
Pakistani	220
Filipino	178
Indian	160
Nepalese	84
Indonesian	78
Thai	66
Others	115
<b>Total</b>	<b>901</b>

Breakdown by age

<b>Age</b>	<b>Number of job seekers</b>
15 to 19	64
20 to 29	223
30 to 39	274
40 to 49	211
50 to 59	110
60 or above	19
<b>Total</b>	<b>901</b>

Job seekers may be placed into employment either through the referral services of LD or by direct application to employers who advertise their vacancies via LD. Currently, over 90% of the vacancies advertised through LD are open for direct application by job seekers. Job seekers who secure employment through direct application are not required to report their placement positions to LD. We therefore only have information on the placements achieved through the referral services of LD. In 2011, 72 placements were secured for ethnic minority job seekers through this means. A breakdown of the 72 placements by industry is provided as follows:

<b>Industry</b>	<b>No. of placements</b>
Manufacturing	6
Construction	5
Wholesale, retail and import/export trades, restaurants and hotels	34
Transport, storage and communications	3
Financing, insurance, real estate and business services	9
Community, social and personal services	14
Others (including government sector)	1
<b>Total</b>	<b>72</b>

In addition to a wide range of employment services available for all job seekers, we have specifically set up resource corners and special counters to assist ethnic minority job seekers at all LD job centres. Tailor-made employment briefings are organised to help them better understand the local labour market situation and improve job search skills. Those who have difficulties in finding jobs are encouraged to participate in various employment programmes to enhance employability. In 2012-13, LD will launch large-scale and district job fairs to help job seekers, including ethnic minority job seekers. The estimated expenditure is \$2.3 million.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)112**

Question Serial No.

0472

Head : 90 – Labour Department

Subhead (No. & title) :

000 Operational expenses

Programme :

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

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

	2012-13	2011-12	2010-11
Number of NCSC staff	( )	( )	( )
Distribution of NCSC staff posts			
Expenditure on the salaries of NCSC staff	( )	( )	( )
Distribution of monthly salary level of NCSC staff			
• \$30,001 or above	( )	( )	( )
• \$16,001 – \$30,000	( )	( )	( )
• \$8,001 – \$16,000	( )	( )	( )
• \$6,501 – \$8,000	( )	( )	( )
• \$5,001 – \$6,500	( )	( )	( )
• \$5,000 or below	( )	( )	( )
• Number of staff with monthly salary lower than \$5,824	( )	( )	( )
• Number of staff with monthly salary between \$5,824 and \$6,500	( )	( )	( )
Length of employment of NCSC staff			
• 5 years or above	( )	( )	( )
• 3 – 5 years	( )	( )	( )
• 1 – 3 years	( )	( )	( )
• Less than 1 year	( )	( )	( )
Number of NCSC staff successfully turning into civil servants	( )	( )	( )
Number of NCSC staff failing to turn into civil servants	( )	( )	( )
NCSC staff as a percentage of the total number of staff in the department	( )	( )	( )
Staff costs on NCSC staff as a percentage of the total staff costs in the department	( )	( )	( )
Number of NCSC staff with remunerated meal break	( )	( )	( )
Number of NCSC staff without remunerated meal break	( )	( )	( )
Number of NCSC staff on five-day week	( )	( )	( )
Number of NCSC staff on six-day week	( )	( )	( )

*Figures in ( ) denote year-on-year changes*

Asked by : Hon. WONG Kwok-hing

Reply :

The information sought is provided as follows:

	2012-13	2011-12 (Note 2)	2010-11
Number of NCSC staff		252(-)	166(-11.7%)
Distribution of NCSC staff posts		(Note 3)	
Expenditure on the salaries of NCSC staff		\$26.0 million (-)	\$34.2 million (-5.0%)
Distribution of monthly salary level of NCSC staff			
• \$30,001 or above		3(-)	3(0)
• \$16,001 – \$30,000		83(-)	72(-16.3%)
• \$8,001 – \$16,000		166(-)	91(-8.1%)
• \$6,501 – \$8,000		-(-)	-(-)
• \$5,001 – \$6,500		-(-)	-(-)
• \$5,000 or below		-(-)	-(-)
• Number of staff with monthly salary lower than \$5,824		-(-)	-(-)
• Number of staff with monthly salary between \$5,824 and \$6,500		-(-)	-(-)
Length of employment of NCSC staff			
• 5 years or above	(Note 1)	75(-)	61(+27.1%)
• 3 – 5 years		34(-)	54(-28.0%)
• 1 – 3 years		10(-)	28(-30.0%)
• Less than 1 year		133(-)	23(-8.0%)
Number of NCSC staff successfully turning into civil servants		30(-) (Note 4)	23(+76.9%) (Note 4)
Number of NCSC staff failing to turn into civil servants		(Note 5)	
NCSC staff as a percentage of the total number of staff in the department		10.8%(-)	8.4%(-1.0%)
Staff costs on NCSC staff as a percentage of the total staff costs in the department		5.6%(-)	5.6%(+1.0%)
Number of NCSC staff with remunerated meal break		245(-)	160(-11.6%)
Number of NCSC staff without remunerated meal break (Note 6)		7(-)	6(-14.3%)
Number of NCSC staff on five-day week		185(-)	101(-17.9%)
Number of NCSC staff on six-day week		67(-)	65(0)

Figures in ( ) denote year-on-year changes

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

Note 2 : For 2011-12, figures are only available up to 31 December 2011 and no comparison with 2010-11 is available as the figures only cover 9 months.

Note 3 : The particulars of the NCSC posts are:

Service Area	Post Title
Operational Support	<ul style="list-style-type: none"> <li>• Chinese Medicine Advisor</li> <li>• Senior Programme Officer/Programme Officer</li> </ul>

	<ul style="list-style-type: none"> <li>•Investigation Adviser/Investigation Officer</li> <li>•Senior Clerk/Clerk</li> <li>•Executive Assistant</li> </ul>
Information Technology (IT)	<ul style="list-style-type: none"> <li>•IT Support Officer</li> <li>•Senior Technical Support Officer/Technical Support Officer</li> </ul>
Publicity	<ul style="list-style-type: none"> <li>•Information Assistant</li> </ul>

Note 4 : They are NCSC staff appointed as civil servants within the Department.

Note 5 : The Department does not keep this information. NCSC staff are also not obliged to report the information to the Department.

Note 6 : The NCSC staff are remunerated on an hourly basis.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO**  
**INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)113**

Question Serial No.

0497

Head : 90 – Labour Department

Subhead (No. & title) :

000 Operational expenses

Programme :

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

On engaging agency workers, please provide the following information:

	2012-13	2011-12	2010-11
Number of contracts of engaging employment agencies	( )	( )	( )
Contract sum paid to each employment agency	( )	( )	( )
Total amount of commission paid to each employment agency	( )	( )	( )
Length of contract for each employment agency	( )	( )	( )
Number of agency workers	( )	( )	( )
Distribution of the positions held by agency workers			
Distribution of monthly salary level of agency workers			
• \$30,001 or above	( )	( )	( )
• \$16,001 – \$30,000	( )	( )	( )
• \$8,001 – \$16,000	( )	( )	( )
• \$6,501 – \$8,000	( )	( )	( )
• \$5,001 – \$6,500	( )	( )	( )
• \$5,000 or below	( )	( )	( )
• Number of workers with monthly salary lower than \$5,824	( )	( )	( )
• Number of workers with monthly salary between \$5,824 and \$6,500	( )	( )	( )
Length of service of agency workers			
• 5 years or above	( )	( )	( )
• 3 – 5 years	( )	( )	( )
• 1 – 3 years	( )	( )	( )
• Less than 1 year	( )	( )	( )
Percentage of agency workers in the total number of staff in the department	( )	( )	( )
Percentage of amount paid to employment agencies in the total departmental staff cost	( )	( )	( )
Number of workers with remunerated meal break	( )	( )	( )
Number of workers without remunerated meal break	( )	( )	( )
Number of workers on five-day week	( )	( )	( )
Number of workers on six-day week	( )	( )	( )

*Figures in ( ) denote year-on-year changes*

Asked by : Hon. WONG Kwok-hing

Reply :

The information sought is provided as follows:

	Type of contract	2012-13 (Note 1)	2011-12 (Note 2)	2010-11 (as at 31.3.2011)
Number of contracts of engaging employment agencies	Others	( )	4 (-)	4 (+33%)
	T-contract (Note 3)	( )	8 (-)	8 (+14%)
Contract sum paid to each employment agency (\$ million) (Note 4)	Others	( )	0.02 to 0.35 (-)	0.09 to 0.44 (-51%)
	T-contract	( )	0.11 to 5.06 (-)	0.21 to 9.41 (-7%)
Total amount of commission paid to each employment agency	Others	We do not pay commission to employment agencies.		
	T-contract			
Length of contract for each employment agency (Note 4)	Others	( )	6 – 9 months (-)	6 – 9 months (-25%)
	T-contract	( )	12 months (-)	12 months (0%)
Number of agency workers (Note 4)	Others	( )	2 to 26 (-)	2 to 25 (+32%)
	T-contract	( )	1 to 23 (-)	1 to 23 (-4%)
Distribution of the positions held by agency workers	Others	( )	Order processing, data input	Order processing, data input
	T-contract	( )	Information Technology	Information Technology
Distribution of monthly salary level of agency workers (Note 5)				
• \$30,001 or above	Others	( )	( )	Please see Note 5.
	T-contract	( )	35 (-)	
• \$16,001 – \$30,000	Others	( )	( )	
	T-contract	( )	44 (-)	
• \$8,001 – \$16,000	Others	( )	18 (-)	
	T-contract	( )	( )	
• \$6,501 – \$8,000	Others	( )	22 (-)	
	T-contract			
• \$5,001 – \$6,500		( )	( )	
• \$5,000 or below		( )	( )	
• Number of workers with monthly salary lower than \$5,824		( )	( )	
• Number of workers with monthly salary between \$5,824 and \$6,500		( )	( )	
Length of service of agency workers	Please see Note 6.			
• 5 years or above				
• 3 – 5 years				
• 1 – 3 years				
• Less than 1 year				

Percentage of agency workers in the total number of staff in the department	Others	( )	1.9% (-)	2.5% (+0.6%)
	T-contract	( )	3.8% (-)	4.0% (+0.8%)
Percentage of amount paid to employment agencies in the total departmental staff cost	Others	( )	0.4% (-)	0.4% (+0.2%)
	T-contract	( )	3.9% (-)	3.8% (+0.5%)
Number of workers with remunerated meal break	Please see Note 6.			
Number of workers without remunerated meal break				
Number of workers on five-day week				
Number of workers on six-day week				

*Figures in ( ) denote year-on-year changes*

Note 1: Figures for 2012-13 are not available as the number of agency workers varies over time in accordance with the changing service needs.

Note 2: For 2011-12, figures are provided as at 30.9.2011 and no comparison with 2010-11 is available as the figures only cover 6 months.

Note 3: T-contract refers to term contract centrally administrated by the Office of the Government Chief Information Officer.

Note 4: The largest figure in the year is used as the basis for comparison.

Note 5: Information on the wage of agency workers was not available for the contracts that we entered with the employment agencies on or before 31.3.2011.

Note 6: The contracts that we entered with employment agencies only specify our job requirements and the service fees charged by the latter in providing agency workers. We do not require the employment agencies to provide information on the length of service and condition of service of the agency workers. The information is thus unavailable to us.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

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

Head : 90 – Labour Department

Subhead (No. & title) :

000 Operational expenses

Programme :

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

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

	2012-13	2011-12	2010-11
Number of outsourced service contracts	( )	( )	( )
Total amount paid to outsourced service providers	( )	( )	( )
Length of contract for each outsourced service provider	( )	( )	( )
Number of workers engaged through outsourced service providers	( )	( )	( )
Distribution of the positions held by outsourced workers (e.g. customer service, property management, security, cleaning and information technology)			
Distribution of monthly salary level of outsourced workers			
• \$30,001 or above	( )	( )	( )
• \$16,001 – \$30,000	( )	( )	( )
• \$8,001 – \$16,000	( )	( )	( )
• \$6,501 – \$8,000	( )	( )	( )
• \$5,001 – \$6,500	( )	( )	( )
• \$5,000 or below	( )	( )	( )
• Number of workers with monthly salary lower than \$5,824	( )	( )	( )
• Number of workers with monthly salary between \$5,824 and \$6,500	( )	( )	( )
Length of service of outsourced workers			
• 5 years or above	( )	( )	( )
• 3 – 5 years	( )	( )	( )
• 1 – 3 years	( )	( )	( )
• Less than 1 year	( )	( )	( )
Percentage of outsourced workers in the total number of staff in the department	( )	( )	( )
Percentage of amount paid to outsourced service providers in the total departmental staff cost	( )	( )	( )
Number of workers with remunerated meal break	( )	( )	( )
Number of workers without remunerated meal break	( )	( )	( )
Number of workers on five-day week	( )	( )	( )
Number of workers on six-day week	( )	( )	( )

*Figures in ( ) denote year-on-year changes*

Asked by : Hon. WONG Kwok-hing

Reply :

The information sought is provided as follows:

	2012-13 (Estimate)	2011-12	2010-11
Number of outsourced service contracts	7 (0%)	7 (0%)	7 (-42%)
Total amount paid to outsourced service providers (\$ million)	7.064 (+16%)	6.074 (+40%)	4.337 (-2%)
Length of contract for each outsourced service provider (Note 1)	12 – 21 months (-32%)	12 – 31 months (-24%)	12 – 41 months (-2%)
Number of workers engaged through outsourced service providers	58 (+7%)	54 (-4%)	56 (0%)
Distribution of the positions held by outsourced workers (e.g. customer service, property management, security, cleaning and information technology)	Cleaning, security service, information technology, management service of employment centres		
Distribution of monthly salary level of outsourced workers (Note 2)			
• \$30,001 or above	(-)	(-)	Please see
• \$16,001 – \$30,000	(-)	(-)	Note 3.
• \$8,001 – \$16,000	(-)	(-)	
• \$6,501 – \$8,000	7 (0%)	7 (-)	
• \$5,001 – \$6,500	1 (0%)	1 (-)	
• \$5,000 or below	12 (0%)	12 (-)	
• Number of workers with monthly salary lower than \$5,824	12 (0%)	12 (-)	
• Number of workers with monthly salary between \$5,824 and \$6,500	1 (0%)	1 (-)	
Length of service of outsourced workers	Please see Note 4.		
• 5 years or above			
• 3 – 5 years			
• 1 – 3 years			
• Less than 1 year			
Percentage of outsourced workers in the total number of staff in the department	2.47% (+0.16%)	2.31% (-0.51%)	2.82% (+0.02%)
Percentage of amount paid to outsourced service providers in the total departmental staff cost	0.73% (-0.03%)	0.76% (+0.03%)	0.73% (+0.17%)
Number of workers with remunerated meal break	Please see Note 4.		
Number of workers without remunerated meal break			
Number of workers on five-day week			
Number of workers on six-day week			

Figures in ( ) denote year-on-year changes

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

Note 2: Information is only available for non-skilled workers whose employers are required to inform the department the salaries of their workers. Workers with a monthly salary below \$6,500 are part-time workers.

Note 3: Information on the wage of workers was not available for the contracts that we entered with the outsourced service providers on or before 31.3.2011.

Note 4: Our outsourced service contracts only specify the service that we required without stipulating the length of service of outsourced workers and condition of service the contractors have to provide in the contract. Hence, we do not have the information as requested.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)115**

Question Serial No.

0057

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

What are the details and expenditure involved in stepping up publicity and enforcement on prevention of carbon monoxide poisoning among kitchen workers in 2012-13?

Asked by : Hon. WONG Kwok-kin

Reply :

In 2012-13, the Labour Department (LD) will, in collaboration with employers' associations and trade unions of the catering industry, step up publicity to promote awareness of carbon monoxide poisoning prevention among kitchen workers. The publicity campaign includes seminars, out-reaching promotional visits, distribution of publicity materials, and educational articles in newspapers and trade unions' newsletters. In parallel, LD will step up inspections of restaurants and other food preparation workplaces to ensure proper design and maintenance of stoves and ventilation systems.

The publicity and enforcement activities in respect of carbon monoxide poisoning prevention are part of LD's occupational safety and health programme and the expenditure cannot be separately identified.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)116**

Question Serial No.

0058

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employees' Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Does the Administration have any plans to study the feasibility of introducing “training leave” for local employees to enhance the competitiveness of our manpower resources? If yes, what are the details and the expenditure involved? If no, what are the reasons?

Asked by : Hon. WONG Kwok-kin

Reply :

The Government has all along been encouraging enterprises to implement supporting measures such as flexible work or leave arrangements to facilitate employees in upgrading their skills and knowledge so as to enhance their competitiveness in the labour market. We understand that many employers have made arrangements for their employees to receive training during working hours in order to enhance employees' skills and companies' competitiveness.

In contemplating any proposals to improve employees' benefits, we need to take into account the local socio-economic circumstances and secure the consensus of the community to ensure that a reasonable balance is struck between employees' interests and employers' affordability. At present, we have no plan to legislate on training leave.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)117**

Question Serial No.

0059

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employees' Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

How many inspections had been carried out on the workplaces of foreign domestic helpers (FDHs) by the Government in the past three years (i.e. 2009-10, 2010-11 and 2011-12)? How many cases in which FDHs were suspected of illegal employment? After investigation, how many of them had been convicted by the court and what were the reasons for committing the offence?

Asked by : Hon. WONG Kwok-kin

Reply :

The Labour Department (LD) conducts intelligence-based inspections and mounts joint operations with the Immigration Department to raid establishments suspected to have illegally employed FDHs. The numbers of inspections to the suspected workplaces and the numbers of FDHs engaging in illegal employment activities detected in the past three years are as follows:

	<b>2009</b>	<b>2010</b>	<b>2011</b>
No. of inspections to suspected workplaces	188	158	166
No. of FDHs engaging in illegal employment activities detected	77	57	50

Detected cases of illegal employment were referred to the Immigration Department for further investigation and prosecution as appropriate. LD therefore does not have statistics and information on the convicted cases.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

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

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Could the Administration provide the number of labour disputes and claims handled last year (the whole year of 2011) where the employers concerned were insolvent or could not be reached and those cases where the employers were reached but absent at the conciliation meetings? Has the Administration drawn up corresponding measures to address the above situations?

Asked by : Hon. WONG Kwok-kin

Reply :

The information sought is provided as follows:

<b>Year</b>	<b>Employers concerned were insolvent</b>	<b>Employers could not be reached for conciliation</b>
2011	71	615

We have no separate statistics on the number of labour disputes and claims where the employers concerned could be reached but were absent at the conciliation meetings. Nevertheless, despite the employers' absence, our conciliation officers would still assist by attempting conciliation service by telephone or other means.

For cases where the employers concerned were insolvent, the Labour Department would assist the affected employees to apply to the Legal Aid Department for assistance in instituting winding-up or bankruptcy proceedings against the insolvent employers and to apply for ex gratia payment from the Protection of Wages on Insolvency Fund. In cases where the employers concerned could not be reached for conciliation, we would, upon the claimants' request, refer the claims to the Labour Tribunal or Minor Employment Claims Adjudication Board for adjudication.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)119**

Question Serial No.

0119

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the Pilot Employment Navigator Programme (ENP), could the Administration provide the following information:

- (a) The number of participants in 2011-12 and their age and qualification profile; how many participants have secured employment under the programme; whether any assessment of its effectiveness has been conducted; if yes, what are the assessment methods and the findings; and
- (b) Have any additional resources been allocated in 2012-13 for stepping up the publicity and promotion of the programme? If yes, what are the details, the estimated manpower and expenditure involved? If no, what are the reasons?

Asked by : Hon. WONG Kwok-kin

Reply :

The information sought is provided as follows:

- (a) In 2011, a total of 4 079 unemployed job seekers enrolled in the Pilot ENP. The age and education profile of these 4 079 job seekers are provided below:

Breakdown by age

Age	Number of job seekers
15 to 19	122
20 to 29	1 207
30 to 39	851
40 to 49	982
50 to 59	785
60 or above	132
Total:	4 079

Breakdown by education level

Education level	Number of job seekers
Primary 6 or below	236
Secondary 1-3	942
Secondary 4-5	1 780
Secondary 6-7	280
Post-secondary	841
Total:	4 079

As at 31 December 2011, of the 4 079 participants, 904 were still receiving employment consultation services under the Pilot ENP. Of the remaining 3 175 participants, 1 971 were confirmed to have secured employment. The Pilot ENP was launched in December 2010 and will operate for two years. We will review its effectiveness towards the end of the two-year period.

- (b) At the inception of the Pilot ENP, provision of \$0.5 million has been earmarked for promoting and publicising the programme during its two-year operation. We will continue to actively promote the programme to job seekers in 2012-13 and enhance the promotional efforts where necessary.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)120**

Question Serial No.

0120

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Would the Administration please advise this Committee on the following:

- (a) The type of accidents in the construction industry and their percentage share among all construction accidents, the number of injuries and the amount of compensation claimed for work injuries in the past two years (i.e. 2010 and 2011); and
- (b) The Administration will intensify systematic preventive and enforcement measures to forestall high accident toll in the construction sector in 2012-13. What are the details, implementation timetable, estimated expenditure and manpower arrangement as well as planned targets of the relevant measures?

Asked by : Hon. WONG Kwok-kin

Reply :

The information sought is provided as follows:

- (a) In 2010 and in the first three quarters of 2011, the numbers of industrial accidents in the construction industry were 2 884 and 2 301 respectively. A breakdown of these accidents by types of accidents is set out at Annex.

The amounts of employee compensation for work injuries payable in 2010 and 2011 in the construction industry were \$181.4 million and \$225.7 million respectively.

- (b) In 2012-13, the Labour Department (LD) will continue to proactively promote the safety and health of our construction workforce through a three-pronged approach of enforcement, training and publicity, and work closely with the Occupational Safety and Health Council, Construction Industry Council, trade associations, workers' unions, professional bodies as well as district councils and other government bureaux/departments. In the light of the commencement of major infrastructure projects, LD has established a special team and will step up inspections and enforcement action, urge contractors to implement safety management systems on construction sites and integrate occupational safety and health elements into their method statements through participating in project preparatory meetings and site safety committees meetings. In addition, LD will continue to step up area patrols and inspections of repair, maintenance, alteration and addition works during non-office hours to deter contractors from adopting unsafe work practices.

As enforcement and publicity programmes on safety of construction works are an integral part of LD's ongoing occupational safety work, we have not kept separate accounts of the expenditure involved.

The planned targets on the number of inspections and promotional visits to workplaces under the Factories and Industrial Undertakings Ordinance and the Occupational Safety and Health Ordinance for 2012 are set at 113 400 and 4 800 respectively. In addition to 46 000 regular inspections to construction sites, LD will conduct special operations from time to time, having regard to the prevalent risks identified.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

**Industrial Accidents in Construction Industry in 2010  
and the 1<sup>st</sup> Three Quarters of 2011 by Type of Accident**

Type of Accident	2010	2011 (Q1 – Q3)	Total	%
Trapped in or between objects	85	83	168	3.2%
Injured whilst lifting or carrying	546	463	1 009	19.5%
Slip, trip or fall on same level	573	454	1 027	19.8%
Fall of person from height	406 (6)	285 (7)	691 (13)	13.3%
Striking against fixed or stationary object	302	216	518	10.0%
Striking against or struck by moving object	442	382 (2)	824 (2)	15.9%
Stepping on object	27	24	51	1.0%
Exposure to or contact with harmful substance	7	16	23	0.4%
Contact with electricity or electric discharge	7 (1)	5 (1)	12 (2)	0.2%
Trapped by collapsing or overturning object	1	7 (2)	8 (2)	0.2%
Struck by falling object	75	50 (3)	125 (3)	2.4%
Struck by moving vehicle	7	9	16	0.3%
Contact with moving machinery or object being machined	245 (2)	146	391 (2)	7.5%
Drowning	0	1 (1)	1 (1)	0.02%
Exposure to fire	5	12	17	0.3%
Exposure to explosion	3	3	6	0.1%
Injured by hand tool	102	79	181	3.5%
Injured by fall of ground	0	1	1	0.02%
Asphyxiation	0	0	0	0.0%
Contact with hot surface or substance	20	15	35	0.7%
Injured by animal	0	2	2	0.04%
Injured in workplace violence	0	0	0	0.0%
Others	31	48	79	1.5%
<b>TOTAL</b>	<b>2 884 (9)</b>	<b>2 301 (16)</b>	<b>5 185 (25)</b>	<b>100.0%</b>

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

(b) Percentages cannot be added up to 100% due to rounding of figures.

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)121**

Question Serial No.

0121

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please provide the following information:

- (a) A breakdown, by industry and work type, of occupational accidents and work injuries involving musculoskeletal disorders in the past three years (i.e. 2009-10, 2010-11 and 2011-12);
- (b) Has the Administration allocated additional funding for the prevention of work-related musculoskeletal disorders in 2012-13? If yes, what are the details? If no, what are the reasons?
- (c) Does the Administration have any plan to extend the coverage of the Employees' Compensation Ordinance to musculoskeletal disorders to safeguard employees' rights? If yes, what are the details and timetable? If no, what are the reasons?

Asked by : Hon. WONG Kwok-kin

Reply :

The information sought is provided as follows:

- (a) The Labour Department (LD) does not compile a breakdown of the occupational accidents related to musculoskeletal disorders. However, it is observed that musculoskeletal disorders are more commonly found among clerical personnel, catering workers and retail workers.
- (b) In 2012-13, LD will continue to promote employers' and employees' awareness of the prevention of work-related musculoskeletal disorders through organising health talks, distributing publications, publishing feature articles in newspapers, conducting promotional visits to workplaces, and showing educational videos on mobile advertising media. These publicity activities are part of LD's ongoing occupational safety and health programme.
- (c) At present, six musculoskeletal disorders, including tenosynovitis of the hand or forearm, have been included into the list of prescribed occupational diseases under the Employees' Compensation Ordinance (ECO). We would consider the need of including other musculoskeletal disorder in the list, if a disorder bears an obvious or strong relationship with the occupation concerned. Moreover, the ECO provides that an employee shall have the right to claim compensation under the Ordinance in respect of a disease which is not a prescribed occupational disease, if the disease is a personal injury by accident arising out of and in the course of employment.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)122**

Question Serial No.

0974

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Administration stated that two large-scale promotional programmes were launched to promote safety awareness in the catering and construction industries in 2011. Please provide the following information:

- (a) Details of the specific work and expenditure involved in the two large-scale promotional programmes and other publicity programmes in 2011-12?
- (b) Did the Administration assess their effectiveness? If yes, what are the details? If no, what are the reasons?
- (c) Did the Government consider making improvements based on the experience gained in the campaigns launched in the past 3 years, and organising these publicity campaigns on a long-term basis? If yes, what are the details and expenditure involved? If no, what are the reasons?

Asked by : Hon. WONG Sing-chi

Reply :

The information sought is provided as follows:

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

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

The promotional programme targeting the catering industries was implemented between July 2011 and November 2011, and that for the construction industry between October 2011 and March 2012. The programmes involved more than 200 catering establishments and 200 construction sites. The expenditure on the catering and construction promotional programmes was around \$1.5 million and \$1.8 million respectively, shared between LD and other co-organisers.

- (b) The number of industrial accidents in the catering and construction industries decreased by 37% and 69% respectively in the past decade. The two promotional programmes, which are an integral part of LD's three-pronged approach of enforcement, training and publicity, help contribute to the above performance.
- (c) LD has been organising these large-scale promotional programmes for the catering and construction industries since 1999, which have become major annual events for promoting occupational safety and health. LD has made improvements to these programmes in light of the latest developments of the industries. For example, a new category "Minor Renovation and Maintenance Works" was introduced to the Construction Industry Safety Award Scheme since 2008-09 to raise the safety awareness of small-and-medium-sized contractors. The estimated expenditure on the catering and construction promotional programmes in 2012-13 is around \$1.5 million and \$1.8 million respectively, to be shared between LD and other co-organisers.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)123**

Question Serial No.

0975

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Administration stated that publicity and enforcement targeting outdoor workplaces with a higher risk of heat stroke continued in 2011. Please provide the following information:

- (a) Details and expenditure involved in the above publicity campaigns in 2011-12.
- (b) Did the Government consider making improvements based on the experience gained in the campaigns launched in the past 3 years, and organising such publicity and enforcement campaigns on a long-term basis? If yes, what are the details and expenditure involved? If no, what are the reasons?
- (c) Were any suspension notices issued to the responsible persons of workplaces regarding the risk of workers suffering from heat stroke in 2011-12? If yes, what is the number? If no, what are the reasons?

Asked by : Hon. WONG Sing-chi

Reply :

The information sought is provided as follows:

- (a) In 2011-12, the Labour Department (LD) collaborated with the Occupational Safety and Health Council (OSHC), Construction Industry Council, and relevant employers' associations and workers' unions in launching publicity activities between April and September to enhance the awareness of employers and employees on the prevention of heat stroke at work. The publicity activities included publication of guidelines on risk assessment of heat stress, health talks, issue of alert to the public on hot weather conditions through the media, feature articles in newspapers, video shows on mobile advertising media, Announcements in the Public Interest on television and radio, and promotional visits to workplaces. As these publicity activities are part of LD's ongoing occupational safety and health programme, the expenditure cannot be separately identified.
- (b) Having regard to continuous threat of heat stress, LD will organise these campaigns on a long-term basis. In collaboration with OSHC, LD will launch a promotional campaign in May 2012, targeting outdoor cleansing workers, professional drivers and construction site workers. Apart from general publicity work on mass media, public transport and health talks, LD will involve the relevant employers' associations and trade unions in organising out-reaching promotional visits, and distribute heat stress alleviation items (e.g. cooling towels, water bottles and salts for electrolyte drinks). The estimated expenditure of the promotional activities is \$1.9 million. In parallel, LD will continue to step up inspections in summer, targeting such work types with high heat stress as outdoor cleansing work, construction work and container handling.

(c) Between April and September 2011, LD conducted a total of 28 882 surprise inspections to outdoor workplaces with a higher risk of heat stroke. While LD did not issue any suspension notice, 437 warnings and 14 improvement notices were issued, and 7 prosecutions were taken out.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)124**

Question Serial No.

0976

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Regarding the enforcement of the Occupational Safety and Health Ordinance (OSHO), the Factories and Industrial Undertakings Ordinance (FIUO) and the Boilers and Pressure Vessels Ordinance (BPVO), please provide the following information:

- (a) Details of and expenditure involved in the publicity campaign in 2011-12.
- (b) Were any prosecutions taken out to serve as a stern reminder to those who disregard the law and deter others from similar offence in 2011-12? If yes, what are the respective numbers? If no, what are the reasons?
- (c) Were any suspension notices issued to the responsible persons of workplaces with irregularities regarding the health risks posed to workers in 2011-12? If yes, what are the respective numbers? If no, what are the reasons?

Asked by : Hon. WONG Sing-chi

Reply :

The information sought is provided as follows:

- (a) On promotion and publicity, the Labour Department organised large-scale promotional campaigns to enhance the safety awareness of employers and employees in the construction and catering industries which recorded the largest number of industrial accidents. The campaigns were launched in collaboration with the Occupational Safety and Health Council, major trade associations and labour unions in the two industries, District Councils and the related organisations and government bureaux/departments.

We also launched promotional and publicity programmes targeting other industries by staging safety seminars and talks, roving exhibitions, out-reaching promotional visits, broadcasting of Announcements in the Public Interest on television and radio, and showing promotional films through mobile advertising media. The expenditure incurred for occupational safety and health promotion and publicity in 2011-12 was around \$4.66 million.

- (b) In 2011, the prosecution figures under OSHO, FIUO and BPVO were 223, 1 673 and 13 respectively.

- (c) In 2011, 351 suspension notices were served under OSHO on employers or occupiers against activities at the workplaces which created, or were likely to create, an imminent risk of death or serious bodily injury to workers.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)125**

Question Serial No.

0977

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Administration stated that in 2012-13, the regulatory system for mandatory safety training courses would be enhanced. Please provide the following information:

- (a) Details and estimated commitment of the plan for 2012-13; and
- (b) Will the Government consider improving the plan by turning it into a long-term measure? If yes, what are the details? If no, what are the reasons?

Asked by : Hon. WONG Sing-chi

Reply :

The information sought is provided as follows:

- (a) The Labour Department (LD) has reviewed the system of mandatory safety training (MST) courses provided by both private course providers and public bodies and launched three major improvement measures. These include the issuance of examination papers centrally by LD, standardisation of course contents and promulgation of a new set of approval conditions to enhance the regulation of course providers. LD will absorb the additional resources within its existing provision.
- (b) LD will implement the measures to improve the MST system as set out in (a) on a long-term basis.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)126**

Question Serial No.

0978

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Administration stated that in 2012-13, there would be a new plan for stepping up enforcement and publicity programmes targeting building renovation and maintenance works. Please provide the following information:

- (a) Details and estimated financial commitment of the plan for 2012-13; and
- (b) Will the Government consider improving the plan by turning it into a long-term measure? If yes, what are the details? If no, what are the reasons?

Asked by : Hon. WONG Sing-chi

Reply :

The information sought is provided as follows:

- (a) In 2012-13, the Labour Department (LD) will continue to proactively promote the work safety and health of repair, maintenance, alteration and addition (RMAA) works through a three-pronged approach of enforcement, training and publicity. We will work closely with the Occupational Safety and Health Council, Construction Industry Council, trade associations, workers' unions, professional bodies as well as district councils and other government bureaux/departments. LD's programme will feature safety seminars, talks and roving exhibitions; distributing promotional items at renovation materials shops; making joint site safety promotional visits with workers' unions; and promulgating safety messages on mass media. In addition, LD will continue to step up area patrols and inspections of RMAA work sites during non-office hours to deter contractors from adopting unsafe work practices.

As enforcement and publicity programmes on safety of construction works are an integral part of LD's ongoing occupational safety work, the expenditure cannot be separately identified.

- (b) LD will constantly review plans in promoting safety performance in the RMAA sector, having regard to experience in the above measures.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)127**

Question Serial No.

0979

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Administration stated that in 2012-13, there would be a new plan for intensifying systematic preventive and enforcement measures to forestall high accident toll in the construction sector. Please provide the following information:

- (a) Details and estimated financial commitment of the plan for 2012-13; and
- (b) Will the Government consider improving the plan by turning it into a long-term measure? If yes, what are the details? If no, what are the reasons?

Asked by : Hon. WONG Sing-chi

Reply :

The information sought is provided as follows:

- (a) In 2012-13, the Labour Department (LD) will continue to proactively promote the safety and health of our construction workforce through a three-pronged approach of enforcement, training and publicity. We will work closely with the Occupational Safety and Health Council, Construction Industry Council, trade associations, workers' unions, professional bodies as well as district councils and other government bureaux/departments. In the light of the commencement of major infrastructure projects, LD has set up a special team and will step up inspections and enforcement action, urge contractors to implement safety management systems on construction sites and integrate occupational safety and health elements into their method statements, through participating in project preparatory meetings and site safety committees meetings. In addition, LD will continue to step up area patrols and inspections of repair, maintenance, alteration and addition works during non-office hours to deter contractors from adopting unsafe work practices.

As enforcement and publicity programmes on safety of construction works are an integral part of LD's ongoing occupational safety work, the expenditure cannot be separately identified.

- (b) LD will constantly review plans in promoting safety performance in the construction industry, having regard to the experience in the above measures.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)128**

Question Serial No.

0980

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (3) Safety and Health at Work

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Administration stated that in 2012-13, there would be a new plan for stepping up publicity and enforcement campaign on prevention of carbon monoxide poisoning among kitchen workers. Please provide the following information:

- (a) Details and estimated commitment of the plan for 2012-13; and
- (b) Will the Government consider improving the plan by turning it into a long-term measure? If yes, what are the details? If no, what are the reasons?

Asked by : Hon. WONG Sing-chi

Reply :

The information sought is provided as follows:

- (a) In 2012-13, the Labour Department (LD) will, in collaboration with employers' associations and trade unions of the catering industry, step up publicity to promote awareness of carbon monoxide poisoning prevention among kitchen workers. The publicity campaign will include seminars, out-reaching promotional visits, distribution of publicity materials, and educational articles in newspapers and trade unions' newsletters. In parallel, LD will step up inspections of restaurants and other food preparation workplaces to ensure proper design and maintenance of stoves and ventilation systems. The publicity and enforcement activities for carbon monoxide poisoning prevention are part of LD's occupational safety and health programme and the expenditure cannot be separately identified.
- (b) LD will constantly review our publicity and enforcement for carbon monoxide poisoning prevention, having regard to the effectiveness of the above measures.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

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

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employees' Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Administration stated that to promote equal employment opportunities, the Labour Department (LD) had launched publicity campaigns to enhance public awareness of the importance of eliminating age discrimination in employment. Please provide the following information:

- (a) The specific work details of and expenditure involved in the campaigns for 2011-12.
- (b) Did the Administration assess the effectiveness of the campaigns? If yes, what are the details? If no, what are the reasons?
- (c) The estimated expenditure of the campaigns for 2012-13.
- (d) Will the Government consider commencing a study on the legislation for eliminating age discrimination in employment? If yes, what are the details? If no, what are the reasons?

Asked by : Hon. WONG Sing-chi

Reply :

The information sought is provided as follows:

- (a) In 2011-12, LD promoted the importance of eliminating age discrimination in employment through various measures. An Announcement in the Public Interest entitled "Count on talent not age in employment" was broadcast through TV, radio and on buses, trains, at commercial buildings as well as on the outside walls of buildings in busy districts. We also advertised on bus bodies and distributed promotional materials to related trade organisations. The expenditure on the publicity and educational work was \$570,000.
- (b) A survey conducted from December 2008 to March 2009 indicated that the majority of employers had seen or heard of the publicity launched by the Government to encourage equal opportunity in employment. About 85% of the employers considered the publicity programme on TV effective or average, and more than 90% considered the printed publicity materials effective or average.
- (c) We have earmarked \$550,000 for education and publicity in 2012-13.
- (d) The Government currently has no plan to introduce legislation on age discrimination in employment. According to the aforementioned survey, the great majority of the community did not consider age an important factor in employment and age discrimination in employment was not prevalent.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)130**

Question Serial No.

0982

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

It is stated that the Administration will conduct a study on legislating for paternity leave in 2012-13. Please provide the following information:

- (a) Details of the plan;
- (b) The estimated financial commitment of the plan for 2012-13;
- (c) Will the Government release the study findings in phases? If yes, what are the details? If no, what are the reasons?

Asked by : Hon. WONG Sing-chi

Reply :

The information sought is provided as follows:

- (a) The Labour Department is conducting a study on the feasibility of legislating for paternity leave in Hong Kong, the scope of which includes looking into the practices of other economies and the provision of paternity leave by local enterprises. In undertaking the study, we are mindful of the actual circumstances of Hong Kong to ensure that any improvement in employees' benefits is in line with the overall development and needs of Hong Kong. We therefore need to assess the possible impact of legislating for paternity leave on employers (especially small-and-medium-sized enterprises) and the economy as a whole in order to strike a balance between the interest of employees and the affordability of employers. We also need to examine the various issues that may possibly emerge during implementation and consider whether there is a general consensus in the community on the matter.
- (b) The study is conducted with existing resources.
- (c) We expect to complete the study in the first quarter of 2012 and will thereafter brief the Labour Advisory Board on the preliminary findings.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)131**

Question Serial No.

0983

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

It is stated that the Labour Department (LD) provides voluntary conciliation service to assist employers and employees in settling their labour disputes and claims. Please provide the following information:

- (a) Details of the work and the number of service users in 2011-12;
- (b) The financial commitment of the service for 2011-12.

Asked by : Hon. WONG Sing-chi

Reply :

The information sought is provided as follows:

- (a) LD provides voluntary conciliation service to assist employers and employees in the non-government sector to resolve labour disputes and claims with a view to maintaining and fostering harmonious employer-employee relations. In 2011, LD handled a total of 18 172 labour disputes and claims, with a successful settlement rate of 71.7%.
- (b) Conciliation service is an integral part of the work of LD and its financial provision cannot be separately identified.

Signature

Name in block letters

Post Title

Date

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CHEUK WING HING

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Commissioner for Labour

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1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)132**

Question Serial No.

0984

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

It is stated that the Labour Department is responsible for the adjudication of minor employment claims and administration of trade unions. Please provide the following information:

- (a) Details and expenditure of this area of work for 2011-12;
- (b) The provision for such work for 2012-13.

Asked by : Hon. WONG Sing-chi

Reply :

The information sought is provided as follows:

Minor Employment Claims Adjudication Board (MECAB)

- (a) MECAB was established under the Minor Employment Claims Adjudication Board Ordinance to adjudicate minor employment claims arising from disputes of statutory or contractual rights of employment involving not more than 10 claimants, and not exceeding \$8,000 per claimant. In 2011, 1 845 cases were adjudicated by MECAB with a total award of \$4.02 million. The expenditure of MECAB in 2011-12 was about \$10.6 million.
- (b) The estimated provision of MECAB in 2012-13 is \$11.1 million.

Registry of Trade Unions (RTU)

- (a) RTU is responsible for the administration of the Trade Unions Ordinance and its subsidiary regulations. Its major scope of work includes the registration of new trade unions, scrutiny and registration of trade union rules, inspection of trade unions, examination of their annual audited statements of accounts and provision of training for trade union officers and their members. In 2011, RTU made 374 inspections to trade unions. Its expenditure in 2011-12 was about \$5.7 million.
- (b) The estimated provision of RTU in 2012-13 is \$6.4 million.

Signature	_____
Name in block letters	CHEUK WING HING
Post Title	Commissioner for Labour
Date	1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)133**

Question Serial No.

0985

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

It is stated that the major new plans for 2012-13 include monitoring the implementation of the Work Incentive Transport Subsidy (WITS) Scheme. Please provide the following information:

- (a) Will the Administration launch large-scale publicity campaigns in the 18 districts of Hong Kong? If yes, what are the details of the specific work and expenditure involved? If no, what are the reasons?
- (b) What are the details of the interim review for the Scheme? What is the expenditure involved?

Asked by : Hon. WONG Sing-chi

Reply :

The information sought is provided as follows:

- (a) The Labour Department will continue to organise territory-wide publicity activities to promote the WITS Scheme. The activities will include publishing leaflets and posters for extensive distribution and display; advertising on public transports and in newspapers and publications of target organisations such as trade unions and retraining bodies; publicising in job fairs and exhibitions; broadcasting Announcements in the Public Interest, etc. The estimated expenditure in 2012-13 is \$3 million.
- (b) The Administration has updated the means test limits of the WITS Scheme with reference to the latest income data of the fourth quarter of 2011. The new household income and asset thresholds have taken effect from March 2012. A mid-term review of the Scheme will be carried out as planned to take account of the operational experience in the first year. This will be undertaken by existing manpower and does not require additional funding.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)134**

Question Serial No.

0986

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

It is stated that in 2012-13, the Administration will implement integrated employment services at Tin Shui Wai “Employment in One-stop” (EOS) to enhance employment support to job seekers. Please provide the following information:

- (a) The specific details of and expenditure involved in the work of the employment and training centre for 2012-13.
- (b) Will the Administration assess the effectiveness of the plan? If yes, what are the details? If no, what are the reasons?
- (c) Did the Government consider making improvements based on the experience gained in the pioneer plan in Tin Shui Wai, and extending this kind of employment service to all the 18 districts of Hong Kong? If yes, what are the details and estimated expenditure involved? If no, what are the reasons?

Asked by : Hon. WONG Sing-chi

Reply :

The information sought is provided as follows:

- (a) The pioneer one-stop employment and training centre called EOS in Tin Shui Wai commenced operation in December 2011. Apart from providing a full range of self-help job search facilities and employment services available at the Job Centres of the Labour Department (LD), EOS also provides new and enhanced services such as the assessment of job seekers’ employment needs through a needs assessment tool for provision of tailor-made employment services, and the provision of case management and employment support services by registered social workers to job seekers with special employment difficulties, including recipients of the Comprehensive Social Security Assistance (CSSA). It aims to provide case management and employment support services to 500 and 750 unemployed able-bodied CSSA recipients referred from the Social Welfare Department (SWD) in 2012 and 2013 respectively. The service will also be provided to 50 other job seekers with special employment difficulties in each of the two years. The estimated recurrent expenditure for EOS in 2012-13 is about \$9.1 million and the annual staff cost is about \$7.8 million.
- (b) We will review the operation of EOS after two years of operation. Its effectiveness will be evaluated on the basis of the number of visitors, job seekers registered, job referrals made, placements achieved, recruitment activities organised and users’ satisfaction with the services provided.

- (c) EOS is operated on a new service model aiming at integrating and streamlining existing employment and training/retraining services of LD, SWD and the Employees Retraining Board. We will assess its effectiveness in the light of operational experience and consider whether or not the service model should be extended to other districts.

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Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)135**

Question Serial No.

0987

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Labour Department provides free employment service to all job seekers. It provides assistance and counselling services to the unemployed and persons with disabilities; career guidance, pre-employment and on-the-job training to young people; and labour market information to all job seekers, including new arrivals and ethnic minorities. Please provide the following information:

- (a) The number of users of the free employment service for 2011-12 and the expenditure involved;
- (b) The estimated number of users of the service for 2012-13 and the financial provision for the service.

Asked by : Hon. WONG Sing-chi

Reply :

The information sought is provided as follows:

- (a) In 2011, a total of 108 832 job seekers registered for free employment services. Separately, under the Youth Pre-employment Training Programme and Youth Work Experience and Training Scheme (YPTP&YWETS), 9 943 applications were received from young people for pre-employment training, workplace attachment, on-the-job training and personalised career guidance. In 2011-12, the estimated expenditure for providing the full range of employment services is \$383.6 million.
- (b) We estimate that 138 000 job seekers will register for free employment services in 2012. Enrolment of YPTP&YWETS is demand-led and is affected by a number of factors including the economic and labour market conditions then prevailing. However, the integrated programme will flexibly admit all eligible young people. In 2012-13, the estimated expenditure for providing employment services is \$532.7 million.

Signature

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Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)136**

Question Serial No.

0988

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Labour Department (LD) is responsible for processing applications under the Supplementary Labour Scheme (SLS) and ensuring priority of employment for local workers. Please provide the following information:

- (a) Details of SLS for 2011-12 and the expenditure involved;
- (b) Details of its estimated participation and the financial provision for 2012-13.

Asked by : Hon. WONG Sing-chi

Reply :

The information sought is provided as follows:

- (a) In 2011, LD processed 784 applications under SLS and approved 488 applications involving 980 workers. As the operation of SLS involves different work divisions of LD, the expenditure incurred in running SLS cannot be separately identified.
- (b) In 2012, we estimate that 800 applications under SLS will be processed, which is comparable to the level in 2011. Financial provision for SLS in 2012 cannot be identified either, for the same reason given under (a) above.

Signature

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Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)137**

Question Serial No.

0990

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employees' Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

It is stated that the Administration will complete the policy study on “standard working hours” in 2012-13. Please provide the following information:

- (a) Details of the study;
- (b) The estimated financial commitment of the study for 2012-13;
- (c) Will the Government release the study findings in phases? If yes, what are the details? If no, what are the reasons?

Asked by : Hon. WONG Sing-chi

Reply :

The information sought is provided as follows:

- (a) The Labour Department is studying the systems and experiences of other places in regulating working hours. The Census and Statistics Department has also assisted in collecting statistics on the current working hours situation of the labour force and various sectors of Hong Kong. The data will be analysed as part of the study.
- (b) The study is being undertaken with existing manpower and does not require additional funding.
- (c) Standard working hours is a complex issue and we do not consider it appropriate to release the findings of the study in phases. We aim to complete the study and report on the findings by mid-2012.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)138**

Question Serial No.

0992

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (4) Employees' Rights and Benefits

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The Administration stated that targeted operations were mounted by the Labour Department (LD) in collaboration with the Police and the Immigration Department to combat illegal employment for protecting the job opportunities of local workers. LD also launched publicity programmes to enhance public awareness of the adverse consequences of employing illegal workers. Please provide the following information:

- (a) What were the specific work details of and expenditure involved in the targeted operations to be mounted and publicity programmes launched in 2011-12?
- (b) What are the specific work details of and estimated expenditure involved in the targeted operations to be mounted and publicity programmes to be launched in 2012-13?
- (c) Will the Administration assess the effectiveness of the operations? If yes, what are the details? If no, what are the reasons?

Asked by : Hon. WONG Sing-chi

Reply :

The information sought is provided as follows:

- (a) In 2011, LD mounted 193 joint operations with the Immigration Department and the Police to raid establishments suspected to be involved in illegal employment. We also launched publicity campaigns to enhance public awareness of the serious consequences of employing illegal workers and encourage the reporting of suspected offences through the mass media, display of posters and advertisements screened on public transport, etc.

As labour inspectors enforce various labour laws in the course of their duties, the staff cost on combating illegal employment cannot be separately provided. The expenditure on launching publicity to combat illegal employment in 2011-12 was \$106,000.

- (b) In 2012-13, we will continue to launch joint operations and publicity activities to combat illegal employment. The provision earmarked for publicity is \$150,000.
- (c) Combating illegal employment is an on-going effort. We will constantly review the effectiveness of our enforcement actions including intelligence collection and identification of suspected establishments in conjunction with other law enforcement departments.

Signature	_____
Name in block letters	<b>CHEUK WING HING</b>
Post Title	<b>Commissioner for Labour</b>
Date	<b>1.3.2012</b>

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)139**

Question Serial No.

1219

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (2) Employment Services

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

Please provide the titles, the amount of expenditure and manpower involved, and the number of beneficiaries respectively of each transport subsidy scheme implemented by the Government in each of the past 5 years (i.e. 2007-08 to 2011-12).

Asked by : Hon. WONG Sing-chi

Reply :

The Labour Department (LD) launched the Transport Support Scheme (TSS) in June 2007 to provide time-limited transport subsidy to needy job seekers and low-income employees living in four designated remote districts of Tuen Mun, Yuen Long, North and Islands. TSS ceased receiving applications and was replaced by a territory-wide Work Incentive Transport Subsidy (WITS) Scheme in October 2011. Since its inception and up to end-January 2012, a total of 43 578 applicants had been admitted to TSS and the total expenditure incurred was \$242.3 million covering subsidy payment, processing fees and publicity and general administration costs. For the administration of TSS, the TSS Office is staffed by 16 officers. The staff cost is absorbed by LD internally and is not a part of the TSS expenditure.

As at end-January 2012, 15 783 applicants had received payment under the WITS Scheme. The total expenditure incurred was \$95.2 million covering subsidy payment, staff cost, operating expenses, accommodation and related expenditure and publicity and promotion. The WITS Division which is responsible for implementing the Scheme has an establishment of 198 civil service posts and 100 non-civil service contract positions. Its actual strength is subject to caseload and will be kept under review.

Signature

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Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012

Examination of Estimates of Expenditure 2012-13  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**LWB(L)140**

Question Serial No.

0955

Head : 90 – Labour Department

Subhead (No. & title) :

Programme : (1) Labour Relations

Controlling Officer : Commissioner for Labour

Director of Bureau : Secretary for Labour and Welfare

Question :

The issue of false self-employment has been a matter of concern in various sectors of the community. What is the amount of provision for its prevention and rectification by the Labour Department (LD) in 2012-13? What measures are included?

Asked by : Hon. WONG Yuk-man

Reply :

In 2012-13, LD will continue to tackle the problem of false self-employment by adopting a three-pronged approach, viz. strengthening promotional and publicity work in enhancing public awareness of the differences in the rights and benefits between an employee and a self-employed person, provision of a user-friendly consultation and conciliation service to those involved in disputes of false self-employment, and taking rigorous enforcement actions to deter the malpractices of evading employers' liabilities by falsely labelling an employee as a self-employed person.

On the promotional front, LD plans to launch a series of activities in 2012-13 which include displaying a new poster at various outlets, placing advertisements on public transport, broadcasting Announcements in the Public Interest on television and radio, staging roving exhibitions, distributing leaflets and delivering talks. The estimated expenditure for the above activities is around \$300,000.

As implementation of the aforesaid initiatives is undertaken by existing staff among their other duties, the manpower and staff costs involved cannot be separately identified.

Signature

Name in block letters

Post Title

Date

CHEUK WING HING

Commissioner for Labour

1.3.2012