

Chapter 1

Highlights of Year 2011

- 1.1** Hong Kong's labour market conditions continued to exhibit an across-the-board and notable improvement in 2011. The total employment hit successive record highs, and saw a remarkable expansion of 2.9 per cent for 2011 as a whole over the previous year, the highest since 2000. In tandem with such sustained robust growth in labour demand, unemployment rate remained at relatively low levels throughout the year. At 3.4 per cent in 2011, it declined visibly by 0.9 percentage point from 4.3 per cent in 2010. We will continue to closely monitor the employment market situation and enhance our services on all fronts, especially in netting suitable vacancies from the market and rendering assistance to job seekers. In the year, we launched a new series of enhanced measures to provide employment support for job seekers and to better help the less competitive find work.

Employment Services

Enhanced Employment Services

- 1.2** The Labour Department set up a pioneer one-stop employment and training centre called "Employment in One-stop" in Tin Shui Wai in December 2011 to provide employment and training services to needy job seekers, including unemployed able-bodied recipients of Comprehensive Social Security Assistance. This new initiative aims at streamlining, integrating and enhancing the existing employment and training/retraining services provided by the Labour Department, the Social Welfare Department and the Employees Retraining Board. Apart from providing a wide array of employment services and programmes, various enhanced features are introduced at the new centre, such as the use of a needs assessment tool to analyse the employment needs of individual job seekers for the provision of tailor-made services, and the provision of case management and employment support services to those with special employment difficulties.



“Employment in One-stop” was set up in Tin Shui Wai in December 2011 to provide one-stop employment and training services for needy job seekers

- 1.3** To help job seekers enter the labour market and respond speedily to the recruitment needs of employers, the Labour Department organises employment promotion activities at various locations across the territory. A total of 12 large-scale job fairs, 334 mini-job fairs and 10 district-based employment promotion activities were organised in the year.



The North District Recruitment and Training Expo held in September

- 1.4** The Labour Department adopts a proactive approach in providing employment assistance. In major business closure or redundancy cases, we set up enquiry hotlines and special counters at our job centres and the Employment in One-stop to provide special employment services to affected employees. In 2011, the Labour Department recorded 904 086 vacancies from the private and public sectors and achieved 177 047 placements.

Strengthening Employment and Training Support for the Youth

- 1.5** The Labour Department spared no effort in enhancing the employability of young people through the provision of comprehensive youth employment and training support services. Apart from administering the Youth Pre-employment Training Programme and Youth Work Experience and Training Scheme and operating two Youth Employment Resource Centres, the second phase of "Action S5", a special employment project which rendered assistance to vulnerable young people aged 15 to 24 with acute employment difficulties, was launched in 2011.

Work Incentive Transport Subsidy Scheme

- 1.6** To relieve the burden of work-related travelling expenses on low-income households with employed members so as to promote sustained employment, the territory-wide Work Incentive Transport Subsidy Scheme started receiving applications from October 2011. As at the end of 2011, the Labour Department granted subsidy payment to 10 437 applicants.

Labour Relations

Promoting harmonious Labour Relations

1.7 In 2011, the Labour Department continued to adopt a proactive and pragmatic approach in helping employers and employees resolve their conflicts through communication, mutual understanding and flexible adjustments. In the year, we handled a total of 86 labour disputes and 18 086 claims. The success rate of conciliation was at a high level of 71.7 per cent. The average waiting time for conciliation meetings was 2.7 weeks in the year. Besides, the number of working days lost in Hong Kong as a result of labour disputes remained to be among the lowest in the world.

Stepping Up Enforcement Against Wage Offences

1.8 In 2011, the Labour Department sustained its all-out efforts to combat wage offences, including breaches of the statutory minimum wage provisions. Territory-wide inspection campaigns targeted at offence-prone trades were launched. To help step up the enforcement against wage offences, we widely publicised our complaint hotline (2815 2200) and collected intelligence on non-payment of wages in various industries through an early warning system in collaboration with trade unions. The department conducted prompt investigation into suspected wage offences and employed veteran ex-police officers to strengthen the investigative work and collection of intelligence so as to facilitate speedy prosecution.

1.9 We continued to step up the prosecution against employers and responsible persons of companies for wage offences. We also strengthened our educational and promotional efforts to remind employers of their statutory obligation to pay wages on time and to encourage employees to lodge claims promptly and come forward as prosecution witnesses.

1.10 Following the implementation of the Employment (Amendment) Ordinance 2010 since October 29, 2010, employers who wilfully and without reasonable excuse defaulted awards for wages or some other entitlements made by the Labour Tribunal or Minor Employment Claims Adjudication Board are liable to criminal prosecution. This has further strengthened the deterrent against law-defying employers.

Enhancing Good People Management Practices and Harmonious Labour Relations

1.11 To foster labour management communication and good people management practices, the Labour Department organised a variety of promotional activities including seminars, talks and roving exhibitions. A large-scale seminar was staged in September to promote effective communication and dialogue as well as the use of voluntary negotiation between employers and employees or their respective organisations. To educate the public on the provisions of the Employment (Amendment) Ordinance 2010, a leaflet outlining the criminal liability of employers defaulting on awards and the clause related to “without reasonable excuse” was published in the year.



Employees' Rights and Benefits

Statutory Minimum Wage

1.12 The statutory minimum wage (SMW) came into force on the Labour Day (May 1) of 2011 with the initial SMW rate set at \$28 per hour. The introduction of the SMW represents a significant breakthrough in protecting our grassroots workforce. During the year, the Labour Department launched territory-wide publicity activities to assist employers and employees in understanding their respective obligations and entitlements under the SMW system.



法定最低工資 Statutory Minimum Wage

每小時28元
2011年5月1日實施
\$28 per hour
Effective on 1 May 2011

訂立工資下限 保障基層僱員
Set a wage floor and protect grassroots employees

勞工處 Labour Department 殘疾僱員同樣受到保障，但亦有權選擇特別安排。
Employees with disabilities enjoy the same protection but they also have a right to choose a special arrangement.

查詢熱線 enquiry hotline : 2717 1771 (北約克區) 1823 電話中心 接聽 The hotline is handled by the 1823 Call Centre

法定最低工資

Poster on Statutory Minimum Wage

1.13 The SMW has brought substantial improvement to the employment earnings of low-income workers. In the last quarter of 2011, the average employment earnings of the lowest decile of full-time employees registered a year-on-year growth of 14.1 per cent (or an increase of 8.4 per cent net of inflation), outpacing the overall growth of 6.3 per cent (or an increase of 0.6 per cent net of inflation).

1.14 The Minimum Wage Commission (MWC) is an independent statutory body established under the Minimum Wage Ordinance. Its main function is to report to the Chief Executive in Council its recommendation about the SMW rate at least once in every two years. The Chief Executive has appointed its Chairperson and 12 Members drawn from the labour sector, business community, academia and Government for a two-year term with effect from March 1, 2011. The Labour Department and the Economic Analysis and Business Facilitation Unit of the Financial Secretary's Office are responsible for providing secretariat support to the MWC.

Enforcement of the Statutory Minimum Wage

1.15 To tie in with the implementation of the first SMW, the Labour Department adopts a multi-pronged strategy to safeguard employees' rights through conducting proactive workplace inspections to establishments of various trades and mounting targeted enforcement campaigns for low-paying sectors.



Labour inspectors explaining the requirements of the Minimum Wage Ordinance during an inspection to a restaurant

Safeguarding the Rights of Employees of Government Service Contractors

1.16 In tandem with the SMW implementation, the Government has introduced a new wage arrangement whereby government service contractors since May 1, 2011 are required to pay their non-skilled workers at not less than the SMW plus one paid rest day in every seven days. To protect non-skilled workers' statutory rights and benefits, we conduct inspections to workplaces of non-skilled workers employed by government service contractors. With the concerted efforts of the Labour Department and procuring departments in stepping up monitoring and enforcement, the situation of contractors contravening the labour laws has greatly improved.

Applications for Protection of Wages on Insolvency Fund

1.17 The Labour Department is committed to providing assistance in the form of ex gratia payment from the Protection of Wages on Insolvency Fund to eligible employees affected by insolvency of their employer. We also continued our all-out efforts in clamping down at source on employers evading their wage liabilities, thus preventing wage defaults from developing into claims on the Fund.

Vigorous Enforcement against Illegal Employment

1.18 The Labour Department collaborated with the Police and the Immigration Department to clamp down on illegal employment activities. A total of 193 joint operations were mounted in the year.

Policy Study on Standard Working Hours

1.19 The Labour Department carried out the study on standard working hours as requested by the Chief Executive in his 2010-11 Policy Address. The study would lay a good foundation for public discussion.

Safety and Health at Work

Safety of Mega Infrastructure Projects (MIPs)

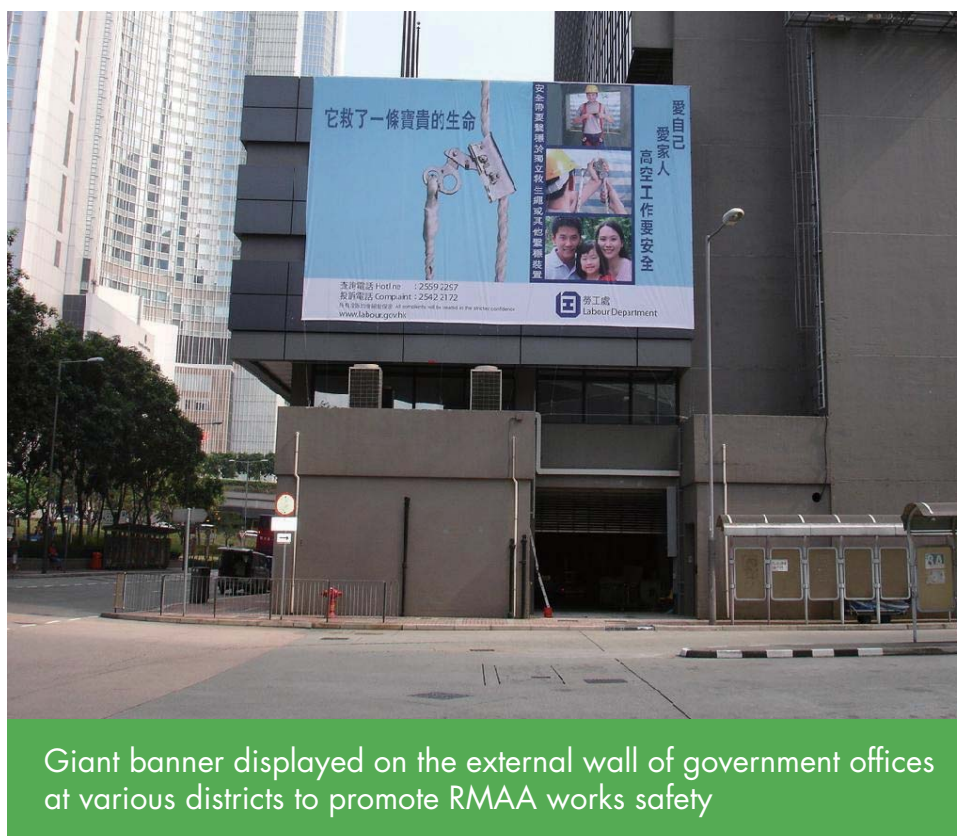
1.20 In the light of the commencement of MIPs, the Labour Department has established a special team to step up inspections and enforcement action, urge contractors to implement safety management systems on construction sites and integrate occupational safety and health elements into their method statements through participating in project preparatory meetings and site safety management committee meetings.

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

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

1.22 To enhance the safety performance of RMAA works, the Labour Department continued to intensify enforcement actions by stepping up area patrols and inspections of RMAA works during non-office hours to deter contractors from adopting unsafe work practices. Territory-wide special enforcement operations on RMAA works with emphasis on work-at-height and use of electricity were also launched. In these special operations, 212 suspension/improvement notices were issued and 135 prosecutions were taken out.

1.23 On the educational and promotional front, we organised in 2011 a series of intensive promotion and publicity campaigns, targeting work-at-height and RMAA works to arouse the safety awareness of all parties involved. These included continuing the two-year publicity campaign launched in 2010 in collaboration with the Occupational Safety and Health Council (OSHC) with new initiatives seeking to reach more directly contractors and workers engaged in RMAA works and impress upon them the importance of safety in RMAA works and work-at-height.



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



Roving exhibition in shopping malls at various districts to promote RMAA works safety

- 1.24** We also partnered with the OSHC, District Councils/District Offices, Safe and Healthy Communities in various districts and the property management sector to organise publicity and promotional activities to promulgate work-at-height and RMAA works safety at the district level.
- 1.25** The Labour Department continued to cooperate with the OSHC to operate the Sponsorship Scheme for Work-at-height Fall Arresting Equipment for Renovation and Maintenance Work for small and medium-sized enterprises. The scheme aimed at helping contractors and employers in need purchase suitable fall protection equipment for improving the safety standard of work-at-height.

Safety Award Schemes

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





Catering Industry Safety Award Scheme - Award Presentation Ceremony 2011/2012

Review of the System of Recognition and Monitoring of Mandatory Safety Training Courses

- 1.27** In 2011, we concluded a review of the system of recognition and monitoring of mandatory safety training courses and, with the support of the Legislative Council Panel on Manpower and related parties, launched three improvement measures to enhance the system.

Prevention of Heat Stroke at Work

1.28 To ensure adequate protection of workers from heat stroke at work in summer, we stepped up our enforcement and publicity efforts from April to September. Apart from promoting the awareness of employers and employees of heat stroke prevention, we also distributed a guide on “Prevention of Heat Stroke at Work in a Hot Environment” and a general checklist on “Risk Assessment for the Prevention of Heat Stroke at Work”. In the year, we also collaborated with the OSHC and relevant workers’ unions to promote prevention of heat stroke at work among professional drivers. Besides, we stepped up our inspections of workplaces with a higher risk of heat stroke. The inspections covered matters such as the provision of adequate drinking water; the provision of sheltered work and rest areas, ventilation facilities; and the provision of appropriate information, instruction and training to workers.



An on-site health talk for construction workers

Strengthening Local and International Partnerships

Labour Day Reception

1.29 On April 29, 2011, Secretary for Labour and Welfare Mr. Matthew Cheung Kin-chung hosted a reception at the Hong Kong Convention and Exhibition Centre to pay tribute to the workforce. Chief Executive Mr. Donald Tsang officiated at the reception, with guests from trade unions, employer associations and other organisations attending.



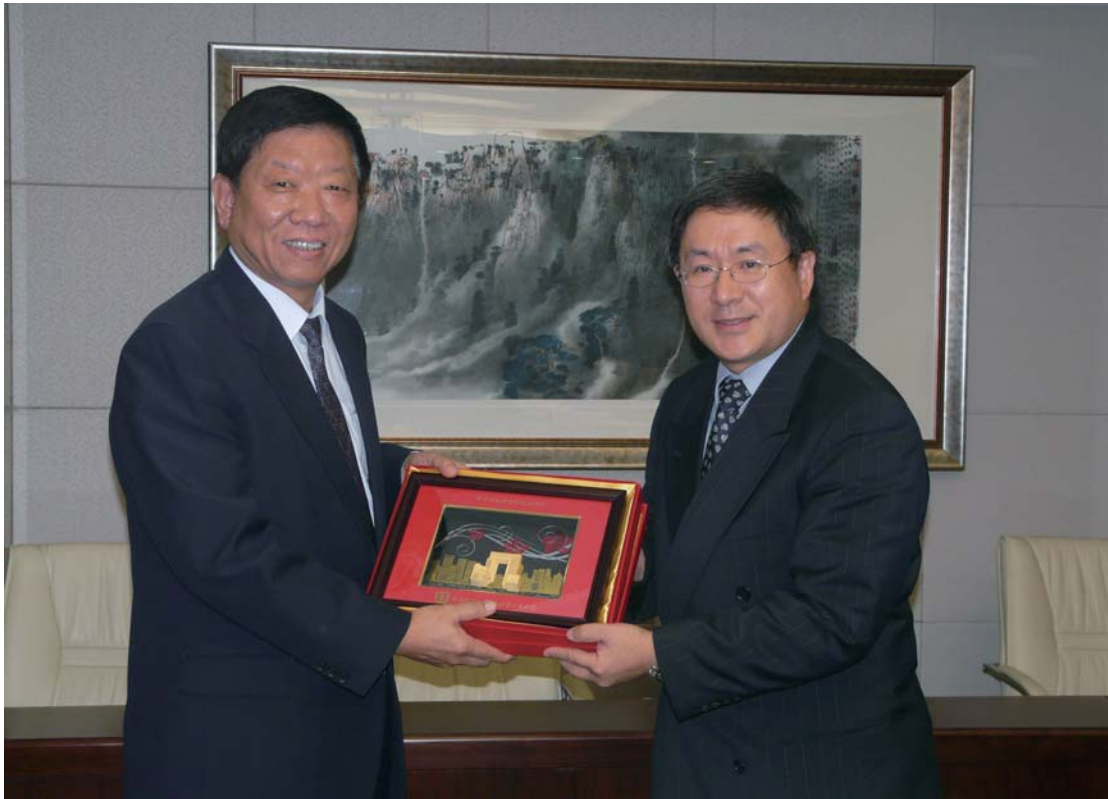
Contacts with Other Labour Administrations

- 1.30** We maintain active liaison and interflows with other labour administrations through visits and participation in various activities.
- 1.31** In June, a tripartite team comprising government, employer and employee representatives, led by Commissioner for Labour Mr. Cheuk Wing Hing, attended the 100th Session of the International Labour Conference in Geneva, Switzerland as part of the Chinese delegation.



Commissioner for Labour Mr. Cheuk Wing Hing (5th from right) and members of the tripartite team attending the 100th Session of the International Labour Conference in Geneva, Switzerland

1.32 In October, a delegation led by Commissioner for Labour Mr. Cheuk Wing Hing visited the Ministry of Human Resources and Social Security of the State Council in Beijing under the Reciprocal Visit Programme and met with Minister Yin Weimin. The delegation also visited the State Administration of Work Safety, the All-China Federation of Trade Unions, the China Enterprise Confederation and the International Labour Organisation (ILO) Country Office for China and Mongolia, exchanging views with them on matters related to labour administration and work safety.



Commissioner for Labour Mr. Cheuk Wing Hing (right) meeting Minister Yin Weimin of Ministry of Human Resources and Social Security (left)

- 1.33** In November, Commissioner for Labour Mr. Cheuk Wing Hing led a delegation to visit the Macao Labour Affairs Bureau to exchange views on various labour administration and occupational safety issues. Members of the Executive Committee of the Standing Committee for the Coordination of Social Affairs of Macao were also met.



Commissioner for Labour Mr. Cheuk Wing Hing (right) meeting ex-Director of Macao Labour Affairs Bureau Mr. Shuen Ka Hung (left)

- 1.34** In December, a tripartite team comprising government, employer and employee representatives attended the 15th Asia and the Pacific Regional Meeting of the ILO in Kyoto, Japan in the name of "Hong Kong, China".



Assistant Commissioner for Labour Mrs. Tonia Leung (middle) and members of the tripartite team attending the 15th Asia and the Pacific Regional Meeting of the ILO in Kyoto, Japan

1.35 Mr. Yang Fu, the Director of the Administration of Work Safety of Guangdong Province, led a delegation to visit the Hong Kong Special Administrative Region in March. The delegation met with the Commissioner for Labour Mr. Cheuk Wing Hing and exchanged views with officers of the Labour Department on occupational safety and health issues.



Commissioner for Labour Mr. Cheuk Wing Hing (right) welcomes Director of the Administration of Work Safety of Guangdong Province Mr. Yang Fu (left)



Labour Department officers meet a delegation of the Administration of Work Safety of Guangdong Province

- 1.36** Mr. Chen Ming, Vice Director, Labor Inspection Bureau, Department of Human Resources and Social Security of Guangdong Province, led a delegation to attend the first training programme on labour inspection and enforcement organised under the Framework Agreement on Hong Kong/Guangdong Co-operation in November/December.



Commissioner for Labour Mr. Cheuk Wing Hing (centre, front row) welcomes Mr. Chen Ming, Vice Director, Labor Inspection Bureau, Department of Human Resources and Social Security of Guangdong Province (third from right, front row) and other delegates to the training programme

Chapter 2

The Labour Department

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

Vision, Mission and Values

2.2 Our Vision

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

2.3 Our Mission

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

2.4 Our Values

We believe in:

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

Key Programme Areas

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

Labour Relations

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

Safety and Health at Work

- To help employers and employees control their risks at work through legislation and enforcement, education and training, as well as publicity and promotion.

Employment Services

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

Employees' Rights and Benefits

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

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

Central Support Services

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

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

- 2.9** The International Liaison Division mainly oversees matters relating to the application of International Labour Conventions in the HKSAR, participation in International Labour Organisation activities, and liaison with labour administration authorities in the Mainland and other places. Besides, the division manages the departmental reference library, collects information pertaining to labour administration and provides secretariat support to the Labour Advisory Board (LAB).
- 2.10** The Prosecutions Division and the Legal Services Division help enforce relevant legislation by instituting prosecutions against suspected offenders. Major statistics on prosecution work are at [Figure 2.1](#).
- 2.11** The Occupational Safety and Health Training Centre organises and co-ordinates training and development activities for staff of the Occupational Safety and Health Branch.
- 2.12** The Information Technology Management Division offers support and advice to the development and management of information technology services.
- 2.13** The Staff Training and Development Division is responsible for implementing the staff training and development policies and coordinating training activities for staff of the Labour Administration Branch.
- 2.14** An organisation chart of the department is set out at [Figure 2.2](#).

Customer-oriented Services

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

Advisory Boards and Committees

- 2.16** The department consults various advisory boards and committees on labour matters. The most important one is the LAB. It is a high-level and representative tripartite advisory body with members from the employee and employer sectors as well as the Government. It advises Commissioner for Labour on matters affecting labour, including legislation and Conventions and Recommendations of the International Labour Organisation. The terms of reference and composition of the LAB and its membership for the term 2011-2012 are in [Figure 2.3](#).

Chapter 3

Labour Relations

The Programme of Labour Relations

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

- 3.1** In Hong Kong, employer and employee relations are largely premised on the freely negotiated terms and conditions of employment entered into between the two parties. Employers and employees in Hong Kong are free to form trade unions and participate in union activities. The objective of the Labour Relations Programme is to maintain and promote harmonious labour relations in establishments outside the government sector. We achieve this by:
- giving advice on matters relating to conditions of employment, requirements of relevant labour legislation, and good people management practices;
 - providing voluntary conciliation service to help employers and employees resolve their employment claims and disputes;
 - promoting understanding of labour laws and encouraging good people management practices;
 - adjudicating minor employment claims speedily through the Minor Employment Claims Adjudication Board (MECAB); and
 - registering and regulating trade unions to bring about sound and responsible trade union administration.
- 3.2** The principal legislation administered by this programme area includes the Employment Ordinance (EO), the Minimum Wage Ordinance (MWO), the Labour Relations Ordinance (LRO), the Minor Employment Claims Adjudication Board Ordinance (MECABO) and the Trade Unions Ordinance (TUO).
- 3.3** The EO provides a comprehensive set of employment standards and is the main piece of legislation governing conditions of employment in establishments outside the government sector. The MWO establishes a statutory minimum wage regime. The procedures for settling labour disputes in establishments outside the government sector are provided for in the LRO. The MECABO establishes the machinery known as the MECAB to adjudicate minor employment claims when settlement cannot be achieved by conciliation. For the regulation of trade unions, the TUO provides a statutory framework for trade union registration and administration.

Our Work and Achievements in 2011

Key indicators of Work

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

Amendments to the Employment Ordinance

3.5 In 2011, the EO and the General Holidays Ordinance were amended to improve the holiday substitution arrangements. The effect is that should any of the Lunar New Year holidays or the day following the Chinese Mid-Autumn Festival fall on a Sunday, the day immediately after instead of before the said holiday will be designated as the holiday in substitution. This is to avoid such holiday in substitution falling on a Saturday.

Conciliation and Consultation Services

3.6 Our consultation and conciliation services have contributed to the maintenance of industrial peace. In 2011, the labour relations scene was by and large stable. We handled 73 882 in-person consultations, 18 086 claims and 86 labour disputes in the year. The number of labour disputes and claims handled in 2011 decreased by 11.4 per cent compared with the figure of 20 502 cases in 2010. In 2011, we attained a high level of settlement rate at 71.7 per cent. Two strikes were recorded in the year. The number of working days lost per thousand salaried employees and wage earners was 0.19, among the lowest in the world. ([Figures 3.2 - 3.7](#))

Strengthening Tripartite Co-operation

3.7 To promote tripartite collaboration at the industry level with a view to fostering harmonious labour relations, nine industry-based tripartite committees have been set up in the catering, construction, theatre, logistics, property management, printing, hotel and tourism, cement and concrete as well as retail industries. These tripartite committees provide useful forums for representatives of employers, employees and the Government to discuss issues of common concern in the industries. Matters of concern to the industries such as statutory minimum wage, legislative amendments to the EO, Qualifications Framework promulgated by the Government and other employment related issues were deliberated in the year.



Members of tripartite committee visited Hotel ICON - a teaching and research hotel

Promotion of Good Employer-Employee Relations

3.8 To promote better public understanding of the EO, good people management and family-friendly employment practices, we organised various promotional activities such as seminars, talks and roving exhibitions for employers, employees, human resources professionals and members of the public. Free publications covering different themes were produced and relevant information was disseminated through the department's website and the media. To tie in with the implementation of statutory minimum wage, we launched diversified publicity measures to acquaint employers and employees with the new requirement in keeping employment records and the importance of adopting written employment contract. We also stepped up our educational and promotional efforts in publicising the differences in the rights and benefits between an employee and a self-employed person by launching two new radio Announcements in the Public Interest in August, widely disseminating the message through the network of targeted industries and in various public transport.



Publications and souvenirs for the promotion of the Employment Ordinance, good people management and family-friendly employment practices

- 3.9** We organised a number of experience-sharing sessions and briefings for human resources practitioners through our network of 18 Human Resources Managers Clubs. In the year, seven roving exhibitions on the EO and good people management measures were also organised over the territory attracting some 16 500 visitors.

Adjudication of Minor Employment Claims

- 3.10** The MECAB provides a speedy, informal and inexpensive adjudication service to members of the public. It is empowered to determine employment claims involving not more than 10 claimants for a sum not exceeding \$8,000 per claimant.
- 3.11** In 2011, the board recorded 1 878 claims amounting to \$7,942,251 and concluded 1 845 claims with a total award of \$4,024,745.

Regulation of Trade Unions

- 3.12** The Registry of Trade Unions is responsible for the promotion of sound and responsible trade union administration, and is entrusted with the statutory duty to register trade unions, process and register their rules, examine their annual audited statements of account, and conduct inspection visits to trade unions to ensure that they comply with the TUO.
- 3.13** In 2011, one new trade union federation and 15 new trade unions were registered, making up a cumulative total of eight registered trade union federations and 836 registered trade unions (comprising 788 employee unions, 18 employers' associations and 30 mixed organisations of employees and employers). Please refer to the following webpage for the key trade union statistics: www.labour.gov.hk/eng/labour/content3.htm
- 3.14** In the year, the Registry of Trade Unions examined 639 statements of account and conducted 374 inspection visits to trade unions to ensure that their administration and financial management were in compliance with the TUO. To facilitate trade union officers in acquiring knowledge of union law and management, the Registry organised three courses on trade union bookkeeping, auditing and provisions of the TUO.

Chapter 4

Safety and Health at Work

The Programme of Safety and Health at Work

www.labour.gov.hk/eng/osh/content.htm

- 4.1** The Occupational Safety and Health Branch is responsible for the promotion and regulation of safety and health at work. The objective of the Programme of Safety and Health at Work is to ensure that risks to people's safety and health at work are properly managed and reduced to the minimum through the three-pronged strategy of legislation and enforcement, education and training, as well as publicity and promotion. More specifically, we achieve the objective by:
- providing a legislative framework to safeguard safety and health at work;
 - ensuring compliance with the Occupational Safety and Health Ordinance (OSHO), the Factories and Industrial Undertakings Ordinance (FIUO), the Boilers and Pressure Vessels Ordinance (BPVO) and their subsidiary regulations by conducting inspections and taking out regulatory actions;
 - investigating accidents and occupational health problems at workplaces;
 - providing to employers, employees and the general public appropriate information and advice to promote knowledge and understanding of occupational safety and health; and
 - organising promotional programmes and training courses to improve safety awareness of the workforce.
- 4.2** The Labour Department establishes the legislative framework to safeguard safety and health at work. The principal legislation for safety and health at work includes the OSHO, the FIUO, and the BPVO.
- 4.3** With few exceptions, the OSHO protects employees' safety and health at work in practically all branches of economic activities. It is a piece of enabling legislation that empowers the Commissioner for Labour to make regulations prescribing standards for general working environment as well as specific safety and health aspects at work.

- 4.4** The FIUO regulates safety and health at work in industrial undertakings, which include factories, construction sites, cargo and container handling areas, as well as catering establishments.
- 4.5** The BPVO aims at regulating the standards and operation of equipment such as boilers, pressure vessels, including thermal oil heaters, steam receivers, steam containers, air receivers and pressurised cement tanks mounted on trucks or trailers.

Our Work and Achievements in 2011

Work Safety Performance

- 4.6** Through the concerted efforts of all parties concerned, including employers, employees, contractors, safety practitioners, and the Government and public sector organisations, Hong Kong's work safety performance has been improving since 1998.
- 4.7** The number of occupational injuries in all workplaces in 2011 stood at 40 578, representing a drop of 13.7 per cent from 47 023 in 2002, while the injury rate per thousand employees decreased to 14.6, down by 24.1 per cent when compared to 19.2 in 2002. The number of industrial accidents for all sectors went down to 13 658, representing 39.2 per cent drop when compared to 22 453 in 2002. The accident rate per thousand workers for all sectors in 2002 and 2011 were 37.4 and 23.6* respectively.

**The compilation of the accident rate per 1 000 workers of all industrial sectors in 2011 is based on the employment size classified under Hong Kong Standard Industrial Classification Version 2.0 (HSIC V2.0) which is different from those under HSIC V1.1 before 2009. Therefore, this accident rate cannot be strictly comparable to those published before 2009.*

- 4.8** The number of industrial accidents in the construction industry decreased significantly by 50.1 per cent, from 6 239 in 2002 to 3 112 in 2011, while the accident rate per thousand workers also decreased from 85.2 to 49.7, down by 41.7 per cent.

Occupational Diseases

- 4.9** In 2011, there were 353 cases of confirmed occupational disease, among which, occupational deafness, silicosis and tenosynovitis of the hand or forearm were the most common.
- 4.10** For more statistics on occupational safety and health, please visit the webpage: www.labour.gov.hk/eng/osh/content10.htm

Key Indicators of Work

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

Enforcement

- 4.12** To ensure safety and health at work, we inspect workplaces, monitor health hazards, investigate work accidents and occupational diseases, register and inspect boilers and pressure equipment and advise on measures to control hazards or prevent accidents.
- 4.13** A key element in enforcement is to give advice on the prevention of accidents. We conduct promotional visits to encourage employers to proactively adopt a self-regulatory approach in managing risks at the workplace. We also conducted regular enforcement inspections to various workplaces to ensure that duty-holders had observed all related statutory requirements stipulated in safety legislation. In 2011, we conducted 15 special enforcement operations targeting various high-risk work activities, including construction safety, safety of Repair, Maintenance, Alteration and Addition (RMAA) works, work safety of temporary platforms/gangways on construction sites, electrical safety, safety of waste recycling work, safety of cleansing work, catering safety, cargo and container-handling safety as well as fire and chemical safety. Some of these special enforcement operations were conducted not only on normal working days but also at night and during holidays to detect and clamp down on unsafe acts. In these 15 operations, a total of 23 426 workplaces were inspected, with 527 improvement notices and 171 suspension notices issued, and 560 prosecutions initiated.

- 4.14** We continued to place establishments with poor safety performance under close surveillance. Improvement notices or suspension notices were issued when necessary to secure a speedy rectification of irregularities, or to remove imminent risks to lives and limbs. To handle workers' complaints on work safety more effectively, our Central Inspection Team conducts independent investigation into complaints lodged by workers and encouraged workers to report unsafe conditions or malpractices in workplaces. In 2011, the team handled 199 complaints and initiated nine prosecutions arising from investigation of these cases. We also enhanced the intelligence reporting system on unsafe RMAA works with the Hong Kong Association of Property Management Companies. In 2011, a total of 319 enquiry/complaint/referral cases were received through the system and other channels. As a result of the follow-up inspections on these cases, we issued 56 suspension/improvement notices and took out 33 prosecutions. We had also established a similar referral mechanism with the Housing Department. In 2011, we received through the mechanism a total of 2 961 notifications of high risk RMAA works in public housing estates and followed up on these referrals.
- 4.15** From April to September, the department stepped up its enforcement, while enhancing publicity on prevention of heat stroke at work during the hot weather, targeting outdoor workplaces with a higher risk of heat stroke, such as construction sites, outdoor cleansing workplaces and container yards, to ensure adequate protection of workers from heat stroke at work. In this special enforcement campaign, we conducted a total of 28 900 surprise inspections, in which 437 warnings and 14 improvement notices were issued and 7 prosecutions taken out. To safeguard the occupational safety and health of cleansing workers, we also launched special enforcement campaigns targeting cleansing workplaces, in which a total of 325 inspections were conducted, with 146 warnings and six improvement notices issued, and four prosecutions taken out.
- 4.16** The Commissioner for Labour, as the Boilers and Pressure Vessels Authority, recognises competent inspection bodies to assess and inspect new pressure equipment during manufacturing. As at the end of 2011, there were 29 appointed examiners and seven recognised inspection bodies. In addition, we conduct examinations, monitor courses for training of competent persons and issue certificates of competency to qualified candidates as competent persons for various types of boilers and steam receivers. In 2011, 380 applications for certificates of competency were processed, with 366 certificates issued/endorsed. We also advise the Fire Services Department on matters related to the approval and preliminary inspections of pressurised cylinders and storage installations for compressed gas.

4.17 As at the end of 2011, there were a total of 192 435 workplaces, including 25 605 construction sites, in Hong Kong. In the year, 118 694 inspections were conducted under the OSHO and the FIUO, while 4 719 inspections were made under the BPVO. As a result, 30 537 warnings were issued by Occupational Safety Officers while 3 134 warnings were given under the BPVO. Altogether, 1 707 suspension or improvement notices were issued. We also carried out 11 859 and 2 998 investigations on accidents and suspected occupational diseases respectively in the year.



An inspecting officer of the Labour Department monitoring the air impurity level in a laboratory to protect employees' health

Education and Training

4.18 We provide training-related services to employers, employees and relevant parties to foster a culture of respect for occupational safety and health among the working population. There are three categories of such services, namely provision of training courses, recognition of mandatory safety training (MST) courses and registration of safety officers and safety auditors.

- 4.19** In 2011, we conducted 504 safety and health training courses related to relevant legislation for 4 742 employees and 319 tailor-made talks for another 9 757. We also recognised seven mandatory basic safety training courses (commonly known as “green card” courses) for construction and container-handling work, 10 MST courses for confined space operation, two for gas welding, seven for crane operators and nine for loadshifting machinery operators. The Labour Department has in place a system to monitor these MST courses to ensure their standard. This includes surprise inspections to ensure that courses are conducted in line with the approval conditions. In February, the Commissioner for Labour withdrew the recognition of three safety training courses granted to a course provider for having violated the conditions imposed for running the three courses concerned.
- 4.20** To enhance the system for recognition and monitoring of MST courses, the Labour Department conducted a comprehensive review of the system with a view to recommending improvement measures. The review was concluded in 2011 and the recommendations were generally supported by the Legislative Council Panel on Manpower and related parties. Three major improvement measures, viz. consolidation of the guidance notes on running MST courses, standardisation of the essential course contents and centralised issuance of examination papers, were rolled out in September. Standardisation of course contents and enhancement of examination arrangement started with the “green card” courses and would progressively be extended to other MST courses.
- 4.21** In 2011, we registered 194 persons as safety officers and 55 as safety auditors. As at the end of the year, there were 2 318 safety officers with valid registration and 1 058 registered safety auditors. Furthermore, a total of 279 applications for renewal and revalidation of registration as safety officers had been approved in 2011.

4.22 Occupational health education raises employers' and employees' awareness of the prevention of occupational health hazards and occupational diseases. In 2011, a total of 1 272 health talks on various occupational health issues was organised for over 38 000 participants. Apart from organising public health talks, we also provided outreaching health talks at the workplaces of individual organisations. These health talks covered more than 30 different topics including "Strategies for the Prevention of Occupational Diseases", "Manual Handling Operations and Prevention of Back Injuries", "Occupational Health for Cleansing Workers", "Prevention of Lower Limb Disorders" and "Occupational Health in Catering Industry".



Occupational Health Talk - manual handling operation and prevention of back injury

4.23 The Labour Department has uploaded a "Work Safety Alert" on its website to help raise the safety awareness of employers, contractors and workers. The Alert summarises recent fatal and serious work accidents, and highlights general safety precautionary measures.

Publicity and Promotion

- 4.24** We organised a series of promotion campaigns in 2011 aiming at heightening safety awareness among employers and employees and cultivating a positive safety culture at the workplaces, some jointly with relevant stakeholders such as the Occupational Safety and Health Council (OSHC), trade associations, workers' unions and other government departments.
- 4.25** The Catering Industry Safety Award Scheme and the Construction Industry Safety Award Scheme were organised again in the year. The two schemes were well received by the industries.
- 4.26** Accidents in RMAA works have become a source of growing concern in recent years and the volume of RMAA works continued to increase. In 2011, the Labour Department, in collaboration with the OSHC, continued to implement the two year publicity campaign launched in 2010 to remind contractors and workers that safety comes first while carrying out RMAA works and working at height. Other major publicity activities included broadcasting Announcements in the Public Interest on television/radio/mobile media, staging roving exhibitions, publishing feature articles in newspapers and on the Labour Department website, publishing leaflets and disseminating safety messages to contractors, employers and employees through various means.
- 4.27** We also partnered with the OSHC, District Councils, District Offices, Safe and Healthy Communities in various districts and the property management sector to organise publicity and promotional activities to promulgate work-at-height and RMAA works safety at district level, including organising safety seminars to promote awareness in the property management sector and property owners. Such publicity and promotional activities have already been launched in 17 districts.

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

4.29 The Occupational Safety Charter, launched jointly with the OSHC since 1996 to promote the spirit of “shared responsibility” in workplace safety and health, sets out a safety management framework for employers and employees to work together to create a safe and healthy working environment. By the end of 2011, 1 139 organisations, including public utilities companies, industrial and non-industrial establishments, banks, construction companies, unions, associations and community organisations, had subscribed to the Occupational Safety Charter.



Occupational Safety Charter Signing Ceremony

4.30 We also collaborated with relevant organisations including the OSHC, Pneumoconiosis Compensation Fund Board, Occupational Deafness Compensation Board, employers' associations, trade unions and community groups in promoting occupational health through a variety of activities such as carnivals, occupational health award presentations, workplace hygiene charter and promotional visits. With a view to further safeguarding the health of workers, apart from publicising the prevention of occupational diseases, we also promoted the prevention of common work-related diseases, such as musculoskeletal disorders which are common among service and clerical personnel and manual workers. In 2011, we also collaborated with the OSHC, employers' associations and trade unions of the retail and catering industries to promote measures for preventing leg diseases like varicose veins and plantar fasciitis among workers of the two industries. The publicity activities included showing promotional videos on mobile advertising media, paying promotional visits to retail stores and restaurants by occupational safety and health ambassadors, distributing educational pamphlets and promotional souvenirs, and inviting the Hong Kong Podiatrists Association and Physical Fitness Association of Hong Kong to design a set of workplace exercises specifically for workers of the two industries, which was promoted through seminars and exercise workshops.

4.31 Moreover, we also stepped up publicity on the prevention of heat stroke at work through a multitude of activities such as organising public and outreaching health talks, distributing publications, printing promotional posters, broadcasting educational videos on mobile advertising media, and issuing press releases to remind employers and employees of the need for due care when working in the hot weather. In the year, apart from distributing the pamphlet "Prevention of Heat Stroke at Work in a Hot Environment" and promoting a general checklist on "Risk Assessment for the Prevention of Heat Stroke at Work", we also collaborated with the OSHC and relevant workers' unions to promote prevention of heat stroke at work among professional drivers.



Outreaching health talks on prevention of heat stroke at work

4.32 Under the Customer Service Teams Project, volunteers visited 17 949 SMEs of food and beverage services, RMAA works, the retail trade and pest control and cleaning services to disseminate safety messages to employers and employees in the year.



Customer Service Teams Project 2011

4.33 In 2011, we published 14 new occupational safety and health publications, including “Safety Hints for Heavy Vehicles Tyre Demounting and Inflation Work”, poster on “Working at height Safety comes first”, leaflets to promote the proper use of respirators, “Occupational Safety and Health Statistics Bulletin Issue No. 11 (July 2011)”, and booklets and leaflets for promoting health at work, e.g. “Health Guide for Working during the Cold Weather” and “Guide on Prevention of Health Hazards of Prolonged Standing for the Catering Industry”. Moreover, we published publications in languages of ethnic minorities for promoting to them work safety and health.



Latest publications on occupational safety and health



Occupational safety and health publications for ethnic minorities

4.34 To promote safety awareness of the industry in operating boilers and pressure vessels, we organised a large-scale seminar jointly with OSHC, professional bodies, other major stakeholders and associations in the trade to enable the sharing of professional knowledge and experience on topics related to safety and quality management. We also distributed a total of 2 680 publications and leaflets regarding the safe operation of boilers and pressure vessels, with one of the publications “Guide to Operation of Steam Receivers” reviewed and revised in 2011.



The Commissioner for Labour Mr. Cheuk Wing Hing officiates at the 22nd Boilers and Pressure Vessels Safety Seminar jointly organised by the Boilers and Pressure Vessels Division and the Occupational Safety & Health Council

4.35 In 2011, the Occupational Safety and Health Branch handled 13 098 enquiries, advising on various safety and health matters. Furthermore, the Occupational Safety and Health Centre provides information and advisory services to workers and employers.

Clinical Occupational Health Services

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



4.37 In 2011, 13 236 clinical consultations were rendered. Moreover, five patient support groups were organised to help patients achieve more desirable rehabilitation progress through health talks, experience sharing and peer support.

Chapter 5

Employment Services

The Programme of Employment Services

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

- 5.1** The objective of the Employment Services Programme is to provide a comprehensive range of free and efficient employment assistance and counselling services to help job seekers find suitable jobs and employers fill their vacancies. We achieve this by:
- providing user-friendly employment services to employers and job seekers;
 - offering intensive employment-related assistance and personalised service to vulnerable groups of unemployed people;
 - assisting young people to enhance their employability and advising them on careers choice;
 - regulating local employment agencies;
 - safeguarding the interests of local employees employed by employers outside Hong Kong to work in other territories; and
 - ensuring that employment opportunities for local workers are not adversely affected by abuse of the labour importation scheme.
- 5.2** The two principal legislation administered by this programme area are the Employment Agency Regulations made under the Employment Ordinance (EO) and the Contracts for Employment Outside Hong Kong Ordinance.
- 5.3** The Employment Agency Regulations, together with Part XII of the EO, regulate the operation of employment agencies in Hong Kong through a licensing system, inspection, investigation and prosecution.
- 5.4** The Contracts for Employment Outside Hong Kong Ordinance safeguards the interests of local manual workers and those non-manual employees with monthly wages not exceeding \$20,000 who are recruited by employers outside Hong Kong to work in other territories through the attestation of employment contracts for these jobs.

Our Work and Achievements in 2011

Employment Situation in Hong Kong

5.5 The department recorded a total of 900 564 vacancies from the private sector in 2011, an increase of about 19.7 per cent when compared with 752 323 in 2010. For updated statistics on the labour force, unemployment rate and underemployment rate, please visit the webpage:

www.censtatd.gov.hk/hong_kong_statistics/statistical_tables/index.jsp?charsetID=1&subjectID=2&tableID=006

5.6 The local employment market remained buoyant in 2011 and more job opportunities were available. In the year, the number of placements achieved increased to 177 047, up 18.3 per cent as compared to the corresponding figure in 2010. ([Figures 5.1](#) and [5.2](#))

A Wider Service Choice

Services offered at Job Centres

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

Telephone Employment Service

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

On-line Employment Service

- 5.9** Our Interactive Employment Service (iES) website (www.jobs.gov.hk) provides round-the-clock on-line employment service and comprehensive employment information. The iES is one of the most popular government websites, recording over 0.35 billion page views in 2011. It hosts a number of dedicated webpages for specific clientele.

Employment in One-stop

- 5.10** In December 2011, a pioneer one-stop employment and training centre called "Employment in One-stop" was set up in Tin Shui Wai to provide employment and training services to needy job seekers, including case management and employment support services to those having special employment difficulties.

Central Processing of Job Vacancies

- 5.11** Employers who need to recruit staff can send their vacancy information to our Job Vacancy Processing Centre by fax (2566 3331) or through the Internet (www.jobs.gov.hk). The vacancy information will be disseminated through a network of 11 Job Centres, the Employment in One-stop, two recruitment centres for the catering and retail industries, the Telephone Employment Service Centre, the Interactive Employment Service (iES) website and vacancy search terminals located in various sites throughout the territory after vetting.

Special Recruitment and Promotional Activities

5.12 We organise a variety of activities to promote our employment services and appeal for vacancies from employers. Job fairs are held to facilitate job seekers and employers to meet and communicate direct. To assist job seekers living in remote areas in securing employment, we held large-scale job fairs in Tuen Mun, Tung Chung and Fanling in 2011. Moreover, to respond more promptly to the recruitment needs of employers and provide a more user-friendly service to job seekers of different districts, we held district-based job fairs at job centres to assist employers to recruit local staff and to enable job seekers to participate in job interviews without having to travel long distance. In the year, 12 large-scale job fairs and 334 district-based job fairs were held, attracting some 44 500 job seekers.



Secretary for Labour and Welfare Mr. Matthew Cheung Kin-chung visits the Tung Chung Job Fair and exchanges views with employers on the latest labour market situation



A job fair co-organised with the Airport Authority Hong Kong attracts over 10 400 visitors

5.13 To further strengthen the dissemination of local vacancy information and to promote Labour Department's employment services, we organise "Job Info Days" and other district-based employment promotional activities at various districts. In the year, we organised 10 such events which attracted about 8 000 visitors.

Intensified Services for the Needy

Middle-aged Job seekers

5.14 The Employment Programme for the middle-aged is launched to assist the unemployed aged 40 or above to secure employment. Employers who engage an eligible middle-aged job seeker in a full-time permanent job and offer him/her on-the-job training will receive a training allowance of \$2,000 per month, for three to a maximum of six months. In 2011, a total of 2 834 placements were secured through the programme.

Work Trial Scheme (WTS)

5.15 The Work Trial Scheme is launched to enhance the employability of job seekers who have special difficulties in finding jobs. There is no age limit for applicants. During the one-month work-trial without employer-employee relationship, participants take up jobs offered by participating organisations. On satisfactory completion of the one-month work trial, the Labour Department will pay each participant an allowance of \$5,500, while the participating organisation will contribute an additional allowance of \$500. In 2011, a total of 439 job seekers were placed into work trials.

Pilot Employment Navigator Programme

5.16 To encourage the unemployed to land on and sustain employment, we launched a two-year Pilot Employment Navigator Programme (ENP) in December 2010 to provide the unemployed with in-depth and personalised employment consultation. A cash incentive of up to \$5,000 will be paid to each unemployed who successfully secures and stays in employment after receiving the employment consultation service under the programme. As at the end of 2011, 4 494 job seekers have enrolled in ENP.

Transport Support Scheme

5.17 Commencing in June 2007 and with eligibility criteria relaxed in July 2008, the Transport Support Scheme is designed to provide time-limited allowances as an incentive for needy job seekers and low-income employees in the four designated remote districts of Yuen Long, Tuen Mun, the North and Islands with a view to encouraging them to “go out” to seek jobs and work across districts. Under the relaxed scheme, time-limited transport allowances, viz. Job Search Allowance of up to \$600 and On-the-job Transport Allowance of \$600 per month for up to 12 months are made available to eligible applicants. The scheme has ceased receiving applications since October 2011 and been replaced by the “Work Incentive Transport Subsidy (WITS) Scheme”. As at the end of 2011, a total of 43 578 applicants have been admitted to the Transport Support Scheme.

Work Incentive Transport Subsidy Scheme

5.18 Since October 2011, the territory-wide WITS Scheme has been open for application with a view to relieving the burden of work-related travelling expenses on low-income households with employed members so as to promote sustained employment. Applicants may apply for WITS for the previous six to 12 months in each application, with the monthly subsidy of \$600 (or \$300 at half-rate) counting from April 2011 the earliest. We have publicised the Scheme through a variety of promotional activities. As at year end, a total of 10 437 applicants received subsidies totalling \$35 million.

New Arrivals and Ethnic Minorities

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

Workers affected by Large-scale Retrenchment

5.20 In major business closure or redundancy cases, the Labour Department sets up hotlines for enquiry and special counters at job centres and the Employment in One-stop to provide special employment services to affected employees. We canvass suitable vacancies from employers to facilitate job search of the affected employees. In addition, under the department's iES website, we set up a dedicated webpage to display vacancies offered by employers interested in recruiting job seekers who lost their jobs in recent closure or redundancy exercises. In 2011, we offered special employment services to 2 044 affected employees.

Job Seekers with Disabilities

5.21 The Selective Placement Division (SPD) offers employment assistance to job seekers with disabilities looking for open employment. Placement officers will provide personalised employment services, including employment counseling, job matching and referral and post placement follow-up services. In 2011, the SPD registered 2 672 job seekers with disabilities and achieved 2 403 placements. ([Figure 5.3](#))

Work Orientation and Placement Scheme

5.22 The Labour Department launches the Work Orientation and Placement Scheme (WOPS) to facilitate open employment of persons with disabilities by encouraging employers to offer job vacancies and providing work trial opportunities to persons with disabilities so that the former will have better understanding of the working capacity of the latter. The scheme also provides pre-employment training to persons with disabilities with a view to enhancing their employability. Eligible employers participating in the scheme receive financial incentive from the Labour Department, equal to two-thirds of the actual salary paid to the employee with disabilities (subject to a ceiling of \$4,000 per month) for up to a maximum of six months. In 2011, the scheme achieved 479 placements.

Self Help Integrated Placement Service

5.23 The Self Help Integrated Placement Service (SHIPS) aims at improving the job-searching skills of job seekers with disabilities and encouraging them to be more proactive in the search for jobs, thereby enhancing their employment opportunities. In 2011, 423 job seekers with disabilities participated in the programme.

Interactive Selective Placement Service (iSPS) Website

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

Promotional Activities

5.25 To enhance public understanding of the working abilities of persons with disabilities as well as to publicise the services of SPD and WOPS, the division conducted a series of promotional activities, such as exhibitions, production of publications and advertisements, broadcast of promotional videos, etc during the year. In addition, a large-scale seminar was held for employers and human resources practitioners. Promotional visits were paid and publicity materials were sent to employers of different trades with a view to canvassing job vacancies for persons with disabilities.

Services for Young People

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

5.26 To enhance the employability of young people, the Labour Department administers the Youth Pre-employment Training Programme and Youth Work Experience and Training Scheme (YPTP&YWETS), a “through-train” programme providing seamless and comprehensive youth training and employment support to young school leavers aged 15 to 24 with educational attainment at sub-degree level or below.

5.27 Trainees can enrol on a year-round basis and are entitled to a full range of coordinated and customised training and employment support services, including pre-employment training, one-month workplace attachment training, on-the-job training of six to 12 months, reimbursement of off-the-job course and examination fees up to \$4,000 per trainee, as well as case management services rendered by registered social workers. Participating employers are entitled to a monthly training subsidy of \$2,000 per trainee during the period of on-the-job training.

5.28 In the 2010/11 programme year running from September 2010 to August 2011, some 5 600 young people attended pre-employment training and around 4 200 trainees were placed into training vacancies under YPTP&YWETS. In addition, some 700 trainees found employment in the open market with the assistance of case managers.

5.29 YPTP&YWETS also closely collaborates with training bodies to launch well-received special employment projects for industries and individual establishments. These projects include “tailor-made employment projects” and “tailor-made training-cum-employment projects”. The former refers to projects co-organised with establishments offering large number of on-the-job training vacancies while the latter provides pre-employment job skills training custom-made for a particular establishment which is immediately followed by on-the-job training. In the 2010/11 Programme, 59 special employment projects were run for employers in the retail, catering, tourism, education, construction and engineering, business services and transport industries.

5.30 In August, we organised the Award Ceremony of Most Improved Trainees of YPTP&YWETS to showcase the creditable improvements of trainees after joining the programme, as well as to commend the caring efforts of training bodies and employers. Trainees’ striving experience for improvement constituted the best encouragement to their peers. It was also a sterling testimony to the achievements of trainees, training bodies, employers and the Government in nurturing the development of the younger generation.



Special Programme for Youths with Acute Employment Difficulties

5.31 To strengthen the employment support for vulnerable youths, the Labour Department in July 2010 launched a special employment project, "Action S5", targeting young people aged 15 to 24 with acute employment difficulties. Under this project, non-governmental organisations are commissioned to nominate vulnerable youths and provide on-the-job training opportunities to them for 12 months. Through intensive and customised training and employment support, the project aims at nurturing the work knowledge and skills of participants for their personal and career development. Phase One of the project ran from July 2010 to November 2011 with 109 trainees enrolled. The nomination for Phase Two was conducted in the end of 2011.

Youth Employment Support

5.32 The Labour Department operates two youth employment resource centres named Youth Employment Start (Y.E.S.). The two centres provide one-stop service on employment and self-employment to young people aged between 15 and 29 to facilitate them to map out their career path, enhance their employability and support young people to pursue self-employment. Services provided include career assessment, career guidance, professional counselling, value-adding training, support services on employment and self-employment as well as up-to-date labour market information. In 2011, the two centres provided services to 74 136 young people.

Regulating Local Employment Agencies and Employment Outside Hong Kong

5.33 We monitor the operation of employment agencies through licensing, inspection and investigation of complaints. In 2011, we issued 2 334 employment agency licences and revoked three. As at year-end, there were 2 295 licensed employment agencies in Hong Kong. A total of 1 330 inspections were made to employment agencies in the year.

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

Regulating Labour Importation

Supplementary Labour Scheme

- 5.35** To cater for the genuine needs of employers, the department administers the Supplementary Labour Scheme that allows the entry of imported workers to take up jobs at technician level or below which cannot be filled locally. The scheme operates on the principles of ensuring the priority of local workers in employment while allowing employers with proven local recruitment difficulties to import labour.
- 5.36** We provide active job matching and referral services for local job seekers to ensure their employment priority. Vacancies under the scheme are widely publicised. Local workers can attend tailor-made retraining courses, if appropriate, to better equip themselves to fill the vacancies. Applications from employers who have set restrictive and unreasonable job requirements or who have no sincerity in employing local workers will be rejected.
- 5.37** As at the end of 2011, there were 2 003 imported workers working in Hong Kong under the Supplementary Labour Scheme.

Policy on Foreign Domestic Helpers (FDHs)

5.38 FDHs have been admitted to work in Hong Kong since the 1970's. Apart from enjoying the same statutory rights and benefits as all employees in Hong Kong, FDHs are further protected by a written Standard Employment Contract. The Standard Employment Contract prescribes that, *inter alia*, the employer has to provide to the FDH free accommodation with reasonable privacy, free food (or food allowance in lieu), free passage to and from the FDH's place of origin and free medical treatment, etc. Furthermore, the Government has since the 1970s prescribed a Minimum Allowable Wage for FDHs as an additional safeguard against exploitation. The Government attaches great importance to safeguarding their statutory and contractual rights. Claims of breach of statutory rights are promptly investigated and prosecution action will be taken out if there is sufficient evidence. In the year, the department also widely publicised the rights and benefits of FDHs by, for instance, staging four information kiosks for FDHs at places they frequently gather on their rest days in January and September. The event attracted over 24 000 visitors. The department also maintains close liaison with consulates of the FDH-exporting countries, non-governmental organisations serving FDHs and FDH employer groups to better address issues relating to importation of FDHs.

5.39 As at the end of 2011, there were 299 961 FDHs in Hong Kong, an increase of 5 per cent compared with 285 681 in 2010. About 49 per cent of the FDHs in Hong Kong were from Indonesia and 48 per cent from the Philippines.

Chapter 6

Employees' Rights and Benefits

The Programme of Employees' Rights and Benefits

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

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

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

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

6.3 The ECO establishes a non-fault, non-contributory employee compensation system under which individual employers are liable to pay compensation for work-related injuries or fatalities. The Ordinance requires all employers to possess valid insurance policies to cover their liabilities under the Ordinance and at common law.

- 6.4** The PMCO provides compensation to persons who suffer from pneumoconiosis and/or mesothelioma. Compensation is paid from the Pneumoconiosis Compensation Fund, which is administered by the Pneumoconiosis Compensation Fund Board.
- 6.5** The EO is the main piece of legislation governing conditions of employment in establishments outside the government sector. The Employment of Children Regulations made under the EO prohibit the employment of children below the age of 15 in industrial undertakings and regulate the employment of children who have attained the age of 13 but under 15 in non-industrial establishments. The Employment of Young Persons (Industry) Regulations set out requirements on the working time arrangements for young persons employed in the industrial sector and prohibit their employment in dangerous trades.
- 6.6** The MWO establishes a statutory minimum wage (SMW) system which provides a wage floor with a view to ensuring an appropriate balance between forestalling excessively low wages and minimising the loss of low-paid jobs, while sustaining Hong Kong's economic growth and competitiveness. Failure to pay the SMW amounts to a breach of the wage provisions under the EO.
- 6.7** The Labour Department also administers Part IVB of the Immigration Ordinance to combat illegal employment in order to protect the employment opportunities of local workers.

Our Work and Achievements in 2011

Key Indicators of Work

- 6.8** We stepped up our efforts to safeguard the rights and benefits of employees through various activities in 2011. Some key indicators of work of this programme area are shown in [Figure 6.1](#).

Amendments to the Protection of Wages on Insolvency Ordinance

- 6.9** In July 2011, an amendment bill was introduced into the Legislative Council to expand the scope of the Protection of Wages on Insolvency Fund to cover pay for untaken annual leave and untaken statutory holidays under the EO, so as to enhance the protection for employees affected by insolvency of their employers.

Proactive Efforts to Combat Wage Defaults

- 6.10** In 2011, the Labour Department continued to adopt a proactive strategy to tackle the problem of non-payment of wages at source through enhancing publicity and promotion, stepping up enforcement and prosecution, and making use of the early warning system set up in collaboration with trade unions to gather intelligence on non-payment of wages. We also proactively monitored selected sectors and establishments with a view to forestalling and detecting at an early stage cases of wages default and intervening early to tackle the problem.
- 6.11** In 2011, the department continued to step up prosecution against employers and responsible persons of companies for wage offences. We conducted territory-wide blitz operations and inspections to workplaces to detect wage offences. Labour inspectors actively interviewed employees during territory-wide routine inspections to combat wage offences and conducted investigation speedily into the suspected offences. The Employment Claims Investigation Division continued to vigorously conduct prompt investigation into suspected wage offences under the EO. Prosecutions were taken out against employers and company responsible persons whenever sufficient evidence was available.
- 6.12** In 2011, 1 142 summonses were heard in respect of wage offences. The number of convicted summonses was 876. During the year, two company responsible persons and two employers were jailed or given suspended sentences for wage defaults. In addition, community service orders were imposed on one company responsible person and two employers for committing wage offences. A company responsible person was fined \$110,000 in one prosecution case. In the year, the Labour Department secured convictions for 35 summonses relating to default of awards made by the Labour Tribunal or Minor Employment Claims Adjudication Board. One company responsible person and one employer were ordered to perform community service. These sentences sent a strong message to employers on the seriousness of wage defaults.

Vigorous Enforcement to Protect Employees' Rights and Benefits

- 6.13** We continue our vigorous enforcement efforts to ensure that the statutory rights of employees under labour legislation are well protected.
- 6.14** In 2011, labour inspectors carried out 138 395 workplace inspections to establishments in different trades to enforce labour laws ([Figure 6.2](#)), of which 24 027 inspections were conducted during May to December 2011 to check compliance with the MWO.
- 6.15** We conducted routine inspections and trade-targeted operations to enforce the compulsory requirement of taking out employees' compensation insurance policy under the ECO. In the year, a total of 62 752 inspections were conducted to enforce the statutory requirement. Employers failing to comply with the requirement were prosecuted.
- 6.16** In the year, we continued to work closely with government departments in monitoring their service contractors to ensure that non-skilled employees of the contractors enjoyed their statutory rights and benefits. A total of 709 inspections were conducted to the workplaces of such workers and 2 584 workers were interviewed to check contractors' compliance with labour laws.
- 6.17** To ensure compliance with the conditions under the Supplementary Labour Scheme, we investigated 44 complaints and cases on suspected irregularities involving imported workers, such as allegations of long working hours and late payment of wages.

Processing Employees' Compensation Cases

- 6.18** Under the current no-fault employees' compensation system, compensation is payable to injured employees or family members of deceased employees for any work-related injuries or deaths. Claims for compensation involving fatality are determined by the courts or the Commissioner for Labour under the improved settlement mechanism introduced in August 2000.
- 6.19** In 2011, 56 996 employees' compensation cases, including 15 944 minor cases which involved sick leave of not exceeding three days, were received. At year-end, among the 41 052 fatal cases or non-fatal cases involving sick leave exceeding three days, 25 537 cases were settled. The amount of employees' compensation involved was \$209 million. The remaining cases are awaiting expiry of sick leave, assessment of permanent incapacity or court judgement. ([Figures 6.3](#) and [6.4](#))

- 6.20** In 2010, 58 791 employees' compensation cases, including 16 165 minor cases which involved sick leave of not exceeding three days were received. As at the end of 2011, among the 42 626 fatal cases or non-fatal cases with sick leave exceeding three days, 39 329 cases were settled. The amount of employees' compensation involved was \$638 million. The number of working days lost was 1 210 188. The remaining cases are awaiting expiry of sick leave, assessment of permanent incapacity or court judgement. ([Figure 6.5](#))
- 6.21** The Loan Scheme for Employees Injured at Work and Dependents of Deceased Employees provides temporary relief to victims of work accidents. Under the scheme, an interest-free loan up to \$15,000 in each case will be made to eligible applicants.

Briefings and Promotional Campaigns

- 6.22** In 2011, we arranged five briefings for government departments and 37 briefings for imported workers to publicise the rights and obligations of the parties concerned.
- 6.23** Extensive publicity campaigns were launched to publicise our complaint telephone hotline (2815 2200) through press releases, posters, and advertisements on tram body, inside MTR stations and compartments etc. to encourage employees to report suspected breaches of employment rights.

6.24 We also organised extensive publicity activities to familiarise the community with the SMW legislation. These activities included: conducting briefings and seminars on the MWO for employers, employees, stakeholder groups and the public; issuing general reference guidelines and industry-specific guidelines on the SMW; broadcasting television and radio Announcements in the Public Interest and a set of mini-programmes on television; publishing leaflets and posters for wide distribution and display; inserting promotional message in electricity and water bills; placing advertisements in various media; holding roving exhibitions; and launching the Minimum Wage Reference Calculator at the department's homepage, etc.

6.25 We strengthen promotion on employers' statutory obligation on timely reporting of work accidents and to take out insurance policies through electronic media, leaflets, departmental homepage and seminars on the ECO. In the year, we held 10 talks on ECO, and made announcements on employers' statutory obligation on timely reporting of work accidents and to take out insurance policies via outdoor electronic media.



Snapshot of a seminar on Employees' Compensation Ordinance

Partnership with Statutory Bodies

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

Protection of Wages on Insolvency Fund Board

- 6.27** The Protection of Wages on Insolvency Ordinance (PWIO) provides for the establishment of the Protection of Wages on Insolvency Fund and its administration by a board. Employees who are owed wages, wages in lieu of notice and severance payment by their insolvent employers may apply to the fund for ex gratia payment in accordance with the PWIO.
- 6.28** We provide administrative support to the Protection of Wages on Insolvency Fund Board, verify applications and approve payment from the fund. We received 3 729 applications in 2011. A breakdown of applicants by economic sector is shown in [Figure 6.6](#). During the year, we processed 4 439 applications, leading to payment of \$74 million and the fund recorded a surplus of \$477 million.
- 6.29** By providing a safety net for employees affected by business closures, the fund plays an important role in maintaining harmonious labour relations and social stability. Both the department and the fund board attach great importance to protecting the fund from abuse. To this end, stringent vetting procedures are in place to process all applications. An inter-departmental task force has been formed by representatives of the Labour Department, Commercial Crime Bureau of the Police Force, Official Receiver's Office and Legal Aid Department to take concerted actions against suspected fraudulent cases.

Pneumoconiosis Compensation Fund Board

- 6.30** The Pneumoconiosis Compensation Fund Board (PCFB) is established under the PMCO to provide compensation to persons suffering from pneumoconiosis and/or mesothelioma. The PCFB is financed by a levy collected from the construction and quarrying industries. Under the PMCO, the Labour Department is responsible for determining whether an applicant is entitled to compensation. As at the end of 2011, 1 759 eligible persons were receiving compensation in the form of monthly payments from the PCFB. In the year, the PCFB made a total compensation payment of \$147 million.

Employees Compensation Assistance Fund Board

6.31 The Employees Compensation Assistance Fund Board (ECAFB) is set up under the Employees Compensation Assistance Ordinance (ECAO). The ECAFB is responsible for running the Employees Compensation Assistance Scheme which provides payment to injured employees who are unable to receive their entitlements for employment-related injuries from their employers or insurers. In 2011, the ECAFB approved 55 applications, leading to payment of \$50.83 million. With effect from April 1, 2004, the Employees Compensation Insurer Insolvency Bureau established by the insurance industry has taken over from the ECAFB the responsibility of meeting the liabilities arising from employees' compensation insurance policies in the event of the insolvency of the relevant insurers.

Occupational Deafness Compensation Board

6.32 The Occupational Deafness Compensation Board (ODCB) is established under the Occupational Deafness (Compensation) Ordinance to provide compensation and reimbursement of expenses incurred in purchasing, repairing and replacing hearing assistive devices to those persons who suffer from noise-induced deafness due to employment in specified noisy occupations. The ODCB also has an important role in providing educational and publicity programmes for the prevention of occupational deafness, and providing rehabilitation programmes for those suffering from noise-induced deafness by reason of employment. In 2011, the ODCB approved 322 applications for compensation with a total compensation payout at \$25.29 million and 620 applications for payment of expenses on hearing assistive devices with a total payout at \$2.29 million. The ODCB also provided 517 activities under its rehabilitation programmes for people having occupational deafness.

Chapter 7

International Labour Affairs

International Instruments Setting Out Labour Standards

- 7.1** International Labour Conventions set by the International Labour Organisation (ILO) prescribe relevant labour standards for member states. As at year-end, 41 International Labour Conventions were applied to the Hong Kong Special Administrative Region (HKSAR), with or without modification ([Figure 7.1](#)), notwithstanding that Hong Kong is neither a sovereign entity nor an ILO member. Other international instruments, including the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, also touch on labour standards, albeit to a much smaller extent.
- 7.2** A comprehensive set of labour legislation and administrative measures are in place in the HKSAR to enable the Government to implement internationally accepted labour standards. Through continuous improvements to labour legislation and administrative measures, the HKSAR maintains a level of labour standards broadly equivalent to those of neighbouring places with similar economic development as well as social and cultural background.

Participation in the Activities of the ILO

- 7.3** The HKSAR participates in the activities of the ILO, either as part of the delegation of the People's Republic of China or, for activities which are not limited to states, on its own using the name "Hong Kong, China".
- 7.4** In 2011, the Labour Department continued to participate actively in activities organised by the ILO to keep abreast of the latest development of international labour matters. In the year, representatives from the HKSAR participated in the 100th Session of the International Labour Conference held in Geneva, Switzerland and the 15th Asia and the Pacific Regional Meeting of the ILO in Kyoto, Japan. ([Figure 7.2](#))

Contacts with Other Labour Administrations

- 7.5** Delegations of labour administrators from the Mainland and other places visited the Labour Department in the year. The department also sent study missions to the Mainland and foreign countries such as Singapore, Japan, Republic of Korea, Belgium, UK, USA and Canada. Apart from strengthening mutual cooperation, these visits provided opportunities for representatives of the department to exchange views and experience with its counterparts on various labour issues.
- 7.6** In January, the Memorandum of Understanding on Labour Cooperation between Hong Kong, China and New Zealand, concluded between the Labour Department and the Department of Labour of New Zealand, came into force. The Memorandum establishes a set of shared labour principles and a framework for cooperation on labour matters of mutual interest and benefit.

Chapter 8: Figures and Charts

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Figure 2.1**Number of summonses convicted and total fines in 2011**

Ordinance	Summonses convicted	Fines (\$)
Boilers and Pressure Vessels Ordinance		
Sub-total	10	45,200
Employees' Compensation Ordinance		
Sub-total	748	1,574,400
Employment Ordinance and subsidiary regulations		
Statutory benefits cases	1 780	3,972,050
Young persons cases	2	6,000
Others	8	10,000
Sub-total	1 790	3,988,050
Factories and Industrial Undertakings Ordinance and subsidiary regulations		
Factory cases	397	2,639,100
Building and engineering construction cases	873	7,827,100
Sub-total	1 270	10,466,200
Occupational Safety and Health Ordinance and subsidiary regulations		
Sub-total	204	1,494,300
Immigration Ordinance		
Sub-total	43	52,200
Total	4 065	17,620,350

Figure 2.2
Organisation Chart of the Labour Department
 (as at 31 December 2011)

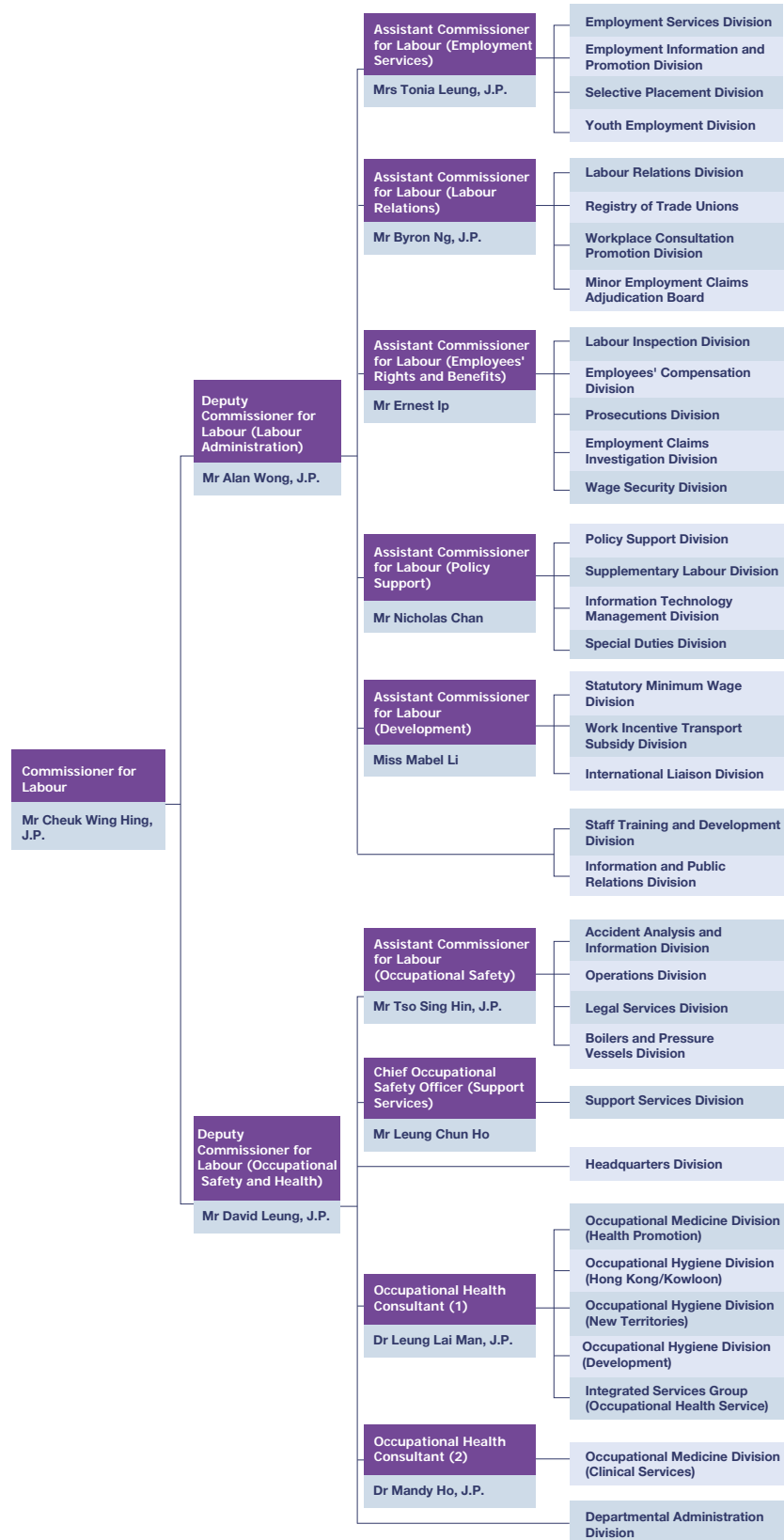


Figure 2.3

Terms of Reference and Composition of the Labour Advisory Board and Membership for the term 2011-2012

Terms of Reference

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

Composition

The composition of the Labour Advisory Board is as follows:

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

Membership (as at 31.12.2011)

Chairman	Mr Cheuk Wing Hing, JP	Commissioner for Labour
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Members

Employee Representatives

Mr Leung Chau Ting Ms Ng Wai Yee, MH Mr Chung Kwok Sing Mr Lee Tak Ming Mr Ng Chau Pei Mr Cheng Kai Ming	} elected by registered employee unions appointed ad personam
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Employer Representatives

Mr Ho Sai Chu, GBS, JP	representing the Chinese General Chamber of Commerce
Dr Kim Mak Kin Wah, BBS, JP	representing the Employers' Federation of Hong Kong
Mr Stanley Lau Chin Ho, BBS, MH, JP	representing the Federation of Hong Kong Industries
Mr Stanley Hui Hon Chung, JP	representing the Hong Kong General Chamber of Commerce
Mr Irons Sze, JP	representing the Chinese Manufacturers' Association of Hong Kong
Mr Cheung Sing Hung, BBS	appointed ad personam

Secretary	Mr Raymond Leung Kwok Kee	Senior Labour Officer
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Figure 3.1**Key Indicators of Work of the Labour Relations Programme Area in 2011**

Key Indicators of Work		Number
I.	Conciliation and Consulation Services	
	Labour disputes and claims handled	18 172
	In-person consultations handled	73 882
	Percentage of labour disputes and claims resolved through conciliation	71.7%
II.	Adjudication of Minor Employment Claims	
	Claims adjudicated by Minor Employment Claims Adjudication Board	1 845
III.	Regulation of Trade Unions	
	Registration of new trade unions and changes of union names/rules	133
	Inspection visits to trade unions	374
	Account statements of trade unions examined	639
	Training courses organised for trade unions	3

Figure 3.2

Number of Labour Disputes Handled by the Labour Relations Division from 2007 to 2011

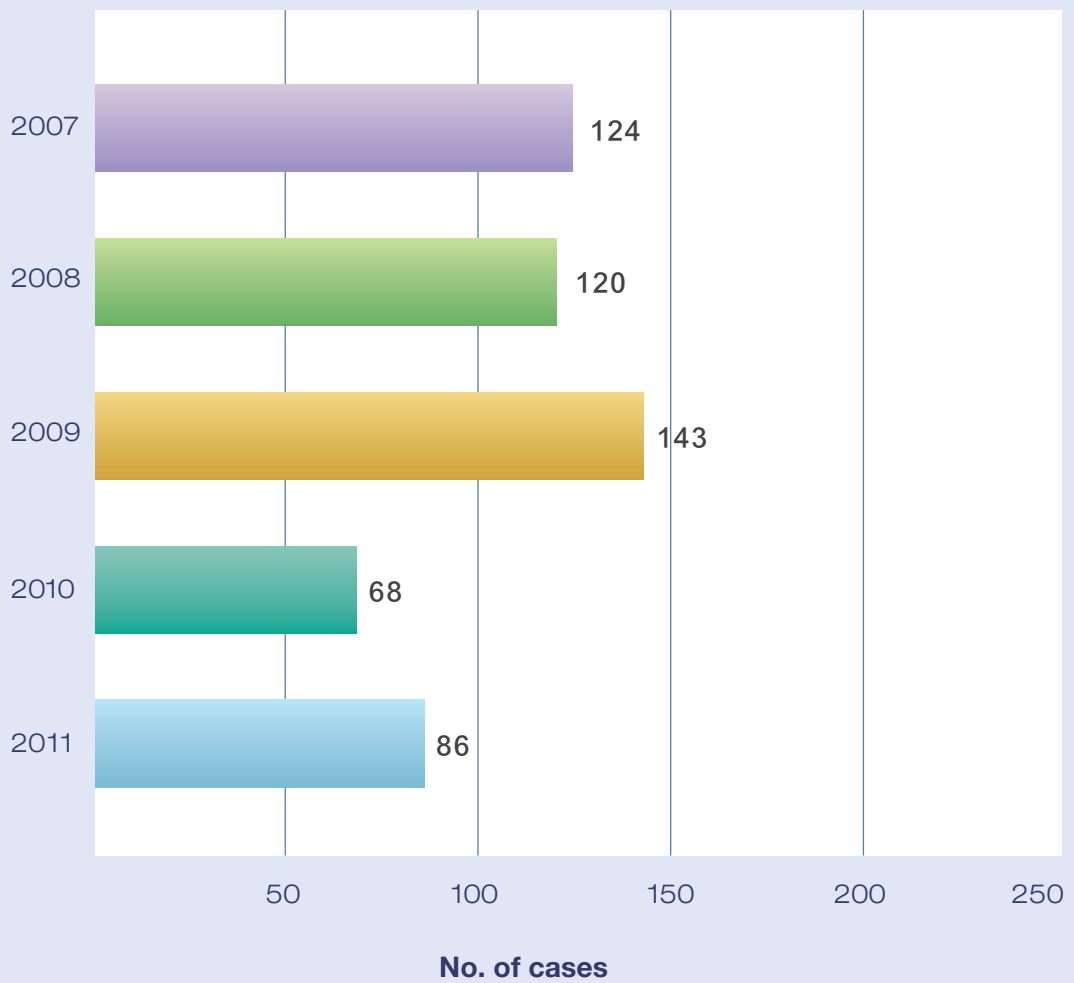


Figure 3.3

Number of Claims Handled by the Labour Relations Division from 2007 to 2011

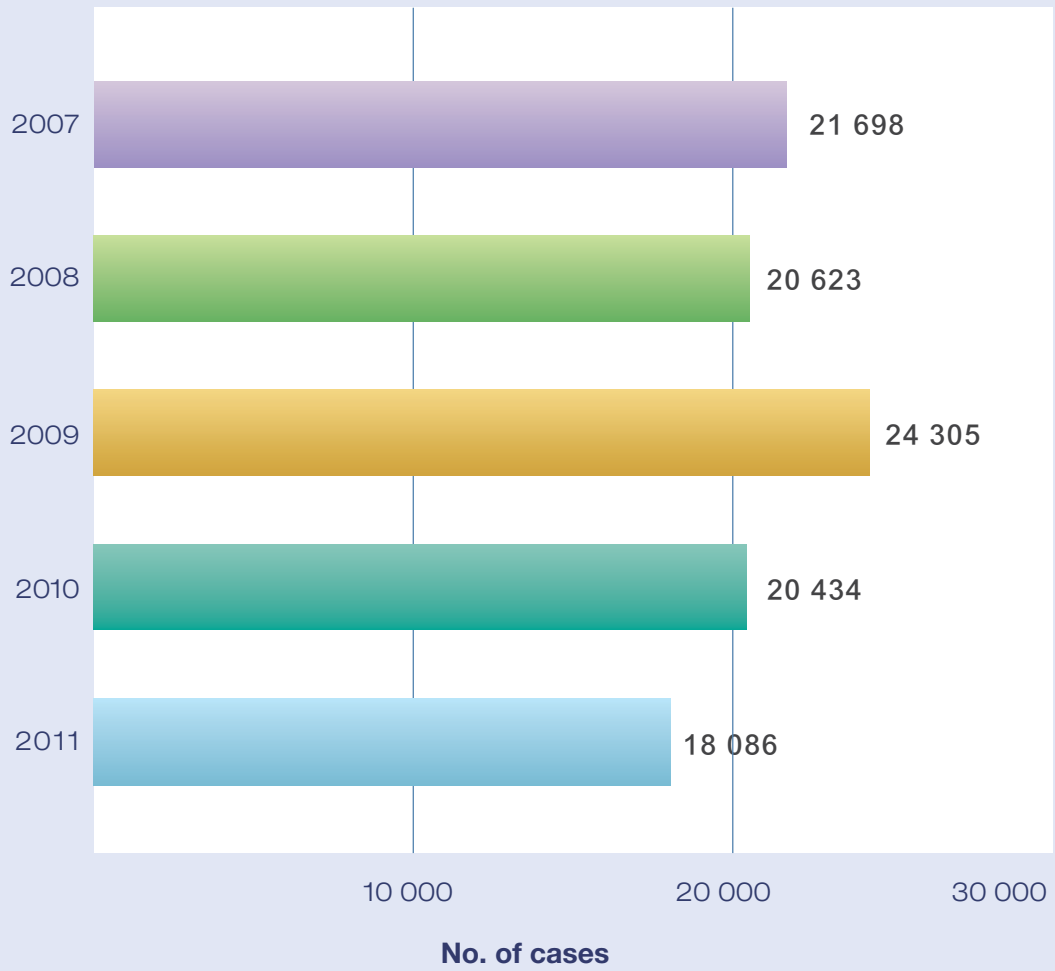
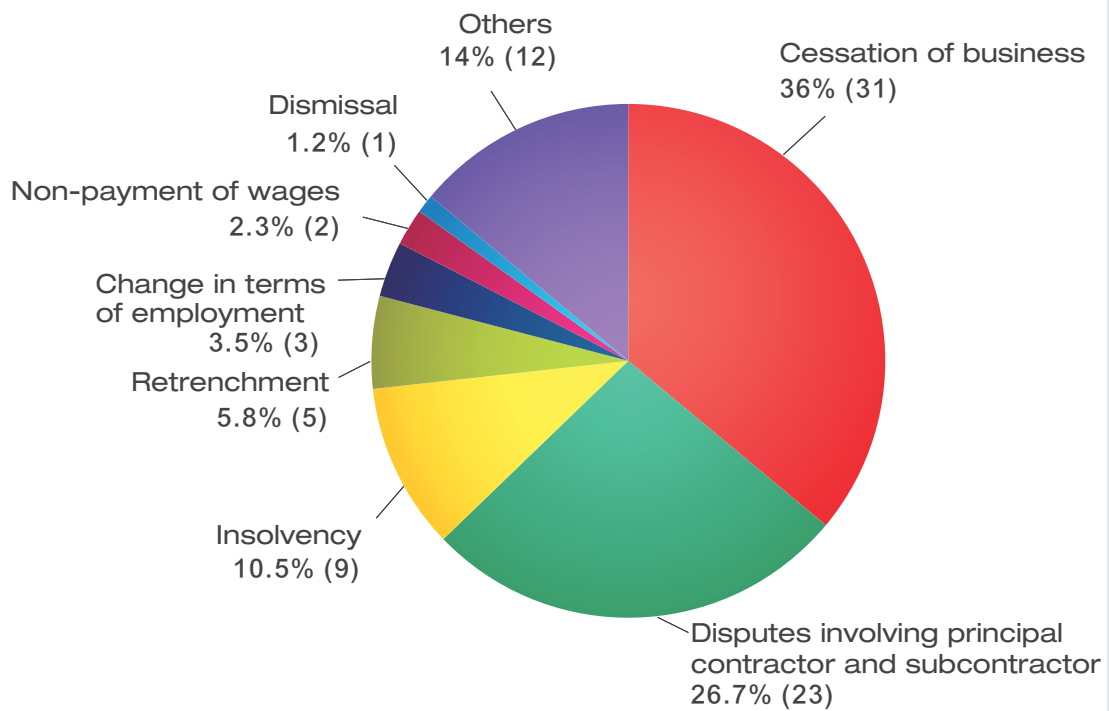


Figure 3.4

Number of Labour Disputes Handled by the Labour Relations Division in 2011 by Cause

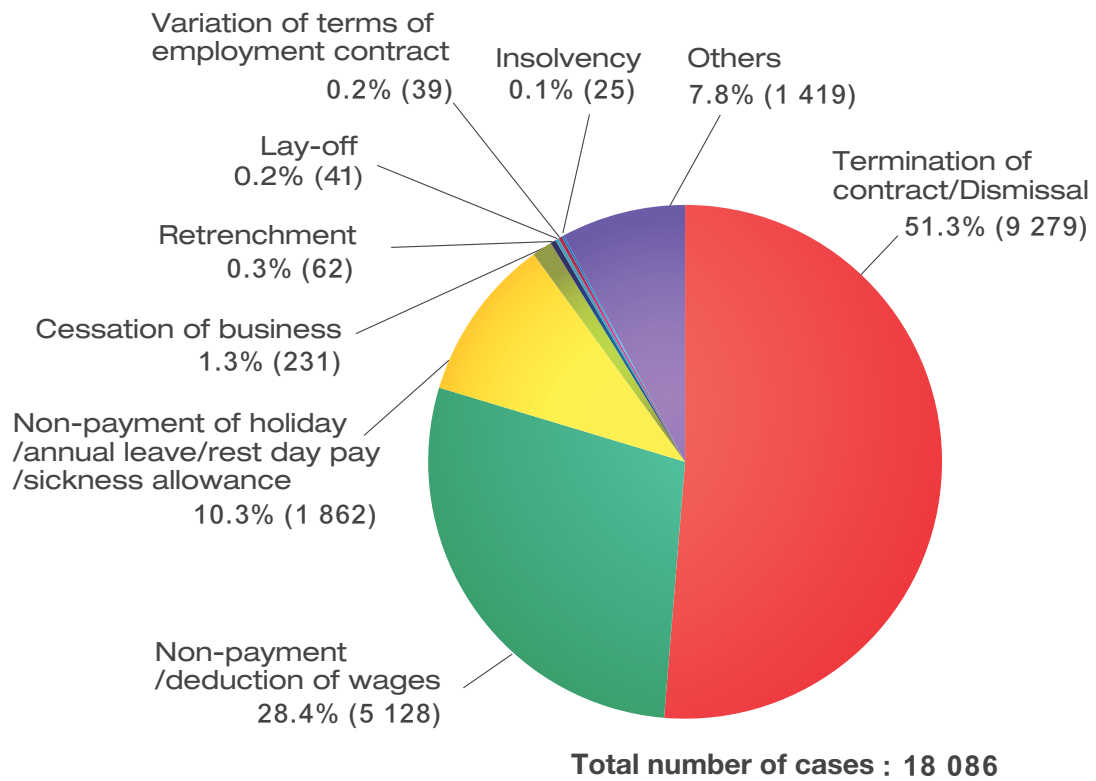


Total number of cases : 86

* Figures in bracket indicate the number of related cases

Figure 3.5

Number of Claims Handled by the Labour Relations Division in 2011 by Cause



* Figures in bracket indicate the number of related cases

Figure 3.6

Number of Strikes and Number of Employees Involved from 2007 to 2011

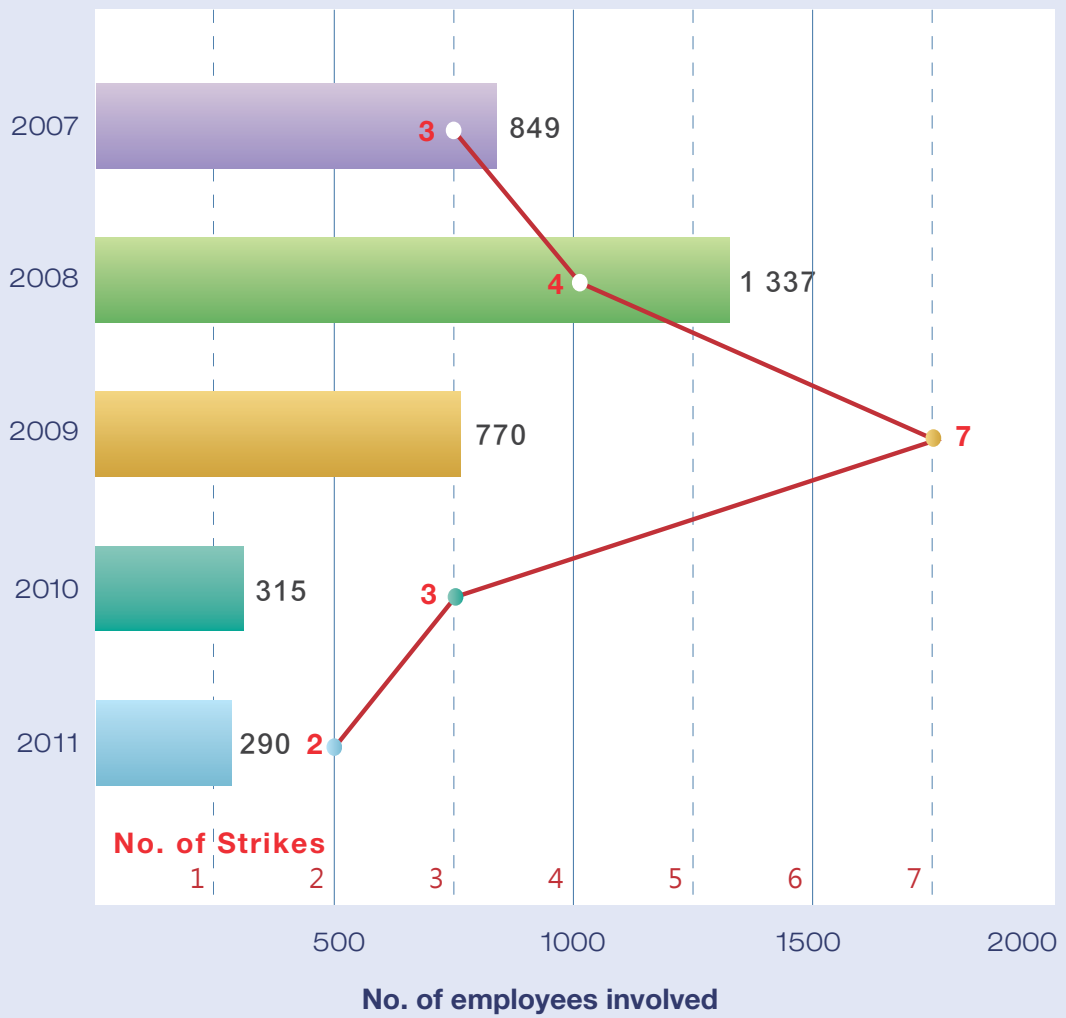
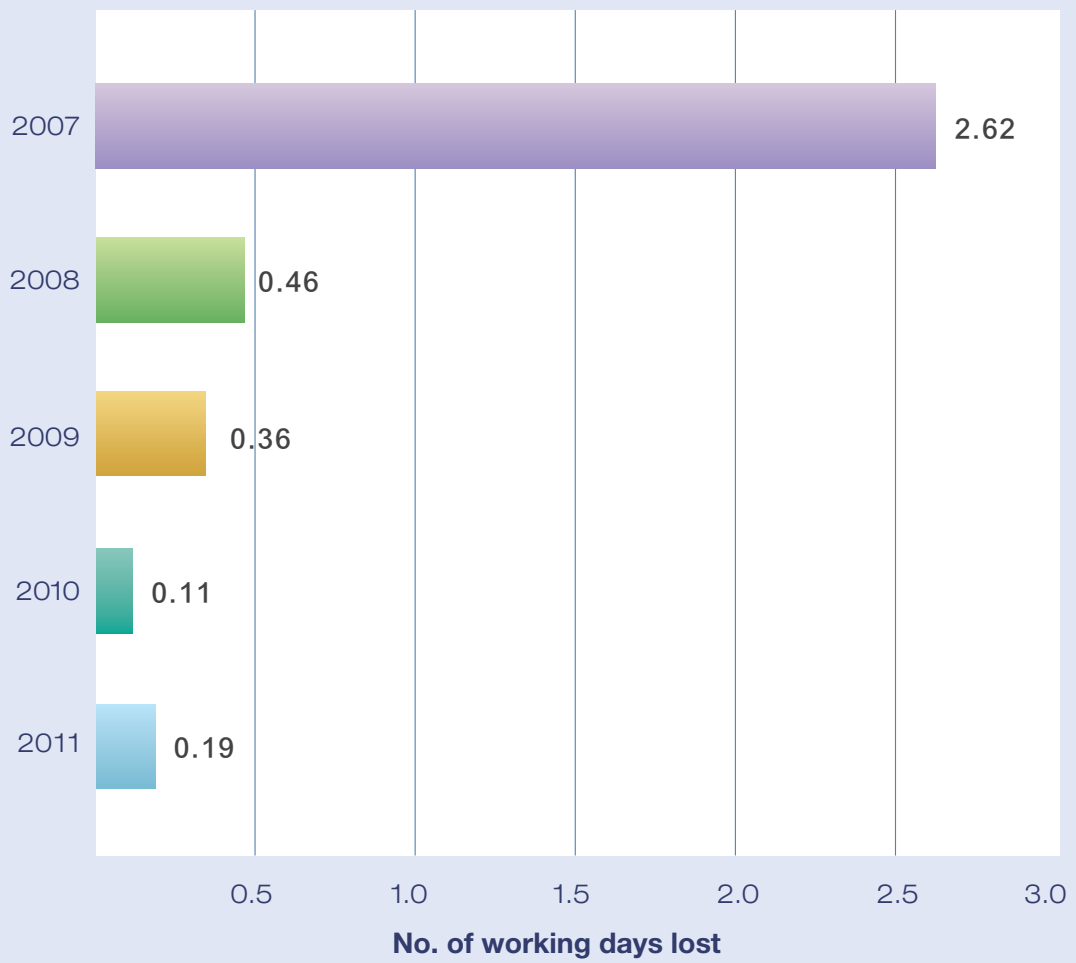


Figure 3.7

Number of Working Days Lost per 1 000 Salaried Employees and Wage Earners* from 2007 to 2011



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

Figure 4.1**Key Indicators of Work of the Programme of Safety and Health at Work in 2011**

Indicator		Number
I.	Inspections	
	Inspections under the FIUO ¹ and the OSHO ²	118 694
	Inspections under the BPVO ³	4 719
II.	Investigations	
	Investigations of accidents at workplaces	11 859
	Investigations of suspected cases of occupational diseases	2 998
III.	Promotion and Education	
	Promotional visits to workplaces under the FIUO ¹ and the OSHO ²	4 961
	Talks, lectures and seminars organised	2 146
IV.	Pressure Equipment Registration	
	Pressure equipment registered	1 613
	Examinations conducted and exemptions granted, for the issue or endorsement of certificates of competency	380
V.	Clinical Services	
	Clinical consultations conducted	13 236

Notes:

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

Figure 5.1**Key Indicators of Work of the Employment Services Programme Area in 2011**

Key Indicators of Work		Number
I.	Able-bodied Job Seekers	
	Persons registered	106 160
	Placements	177 047
II.	Job Seekers with Disabilities	
	Persons registered	2 672
	Placements	2 403
III.	Regulating Employment Agency	
	Licences issued	2 334
	Inspections	1 330
IV.	Applications under Supplementary Labour Scheme Processed	784

Figure 5.2

**Key Indicators of Work on Employment Assistance
Rendered to Able-bodied Job Seekers from 2007 to 2011**

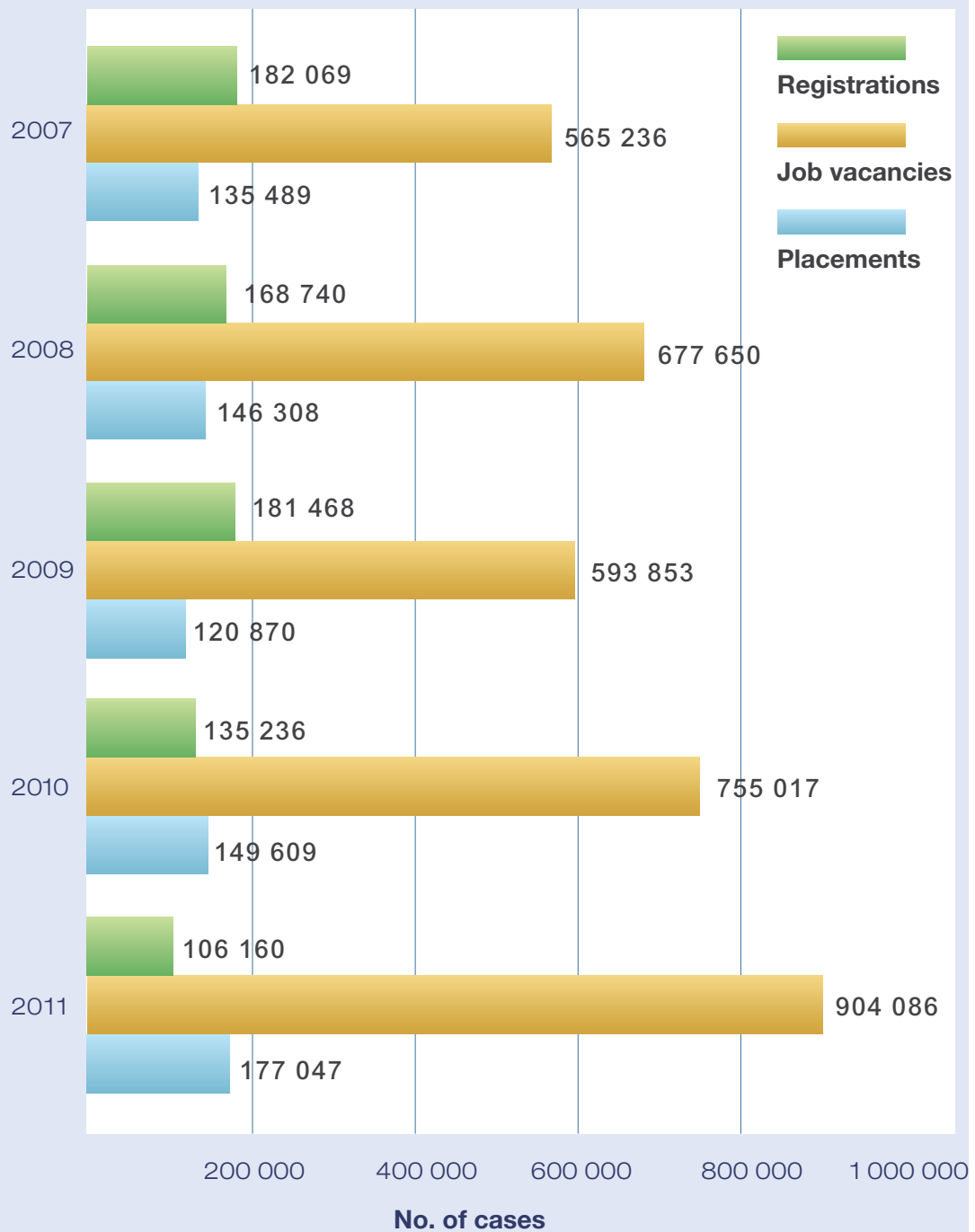


Figure 5.3

**Key Indicators of Work on Employment Assistance
Rendered to Job Seekers with Disabilities from 2007 to 2011**

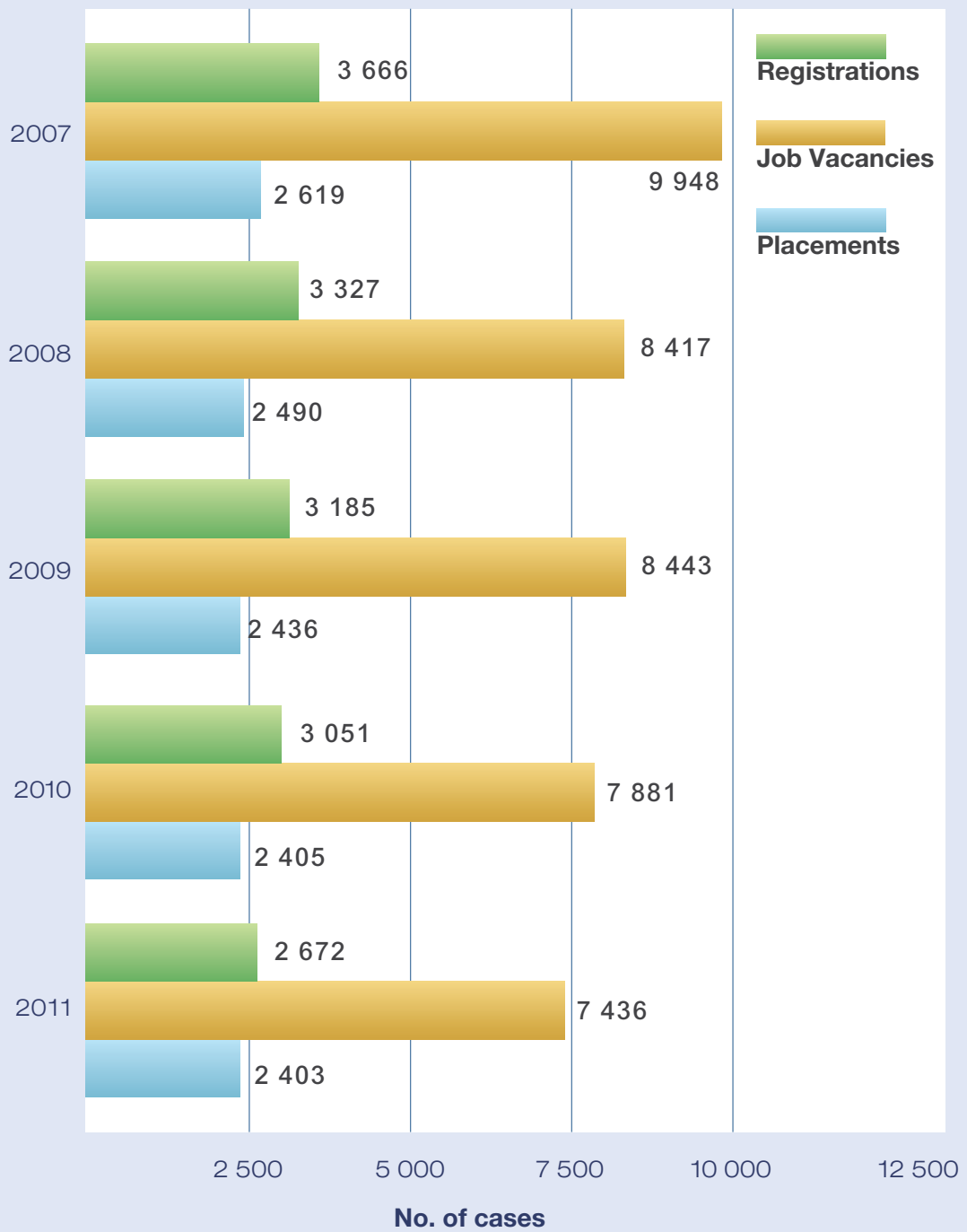
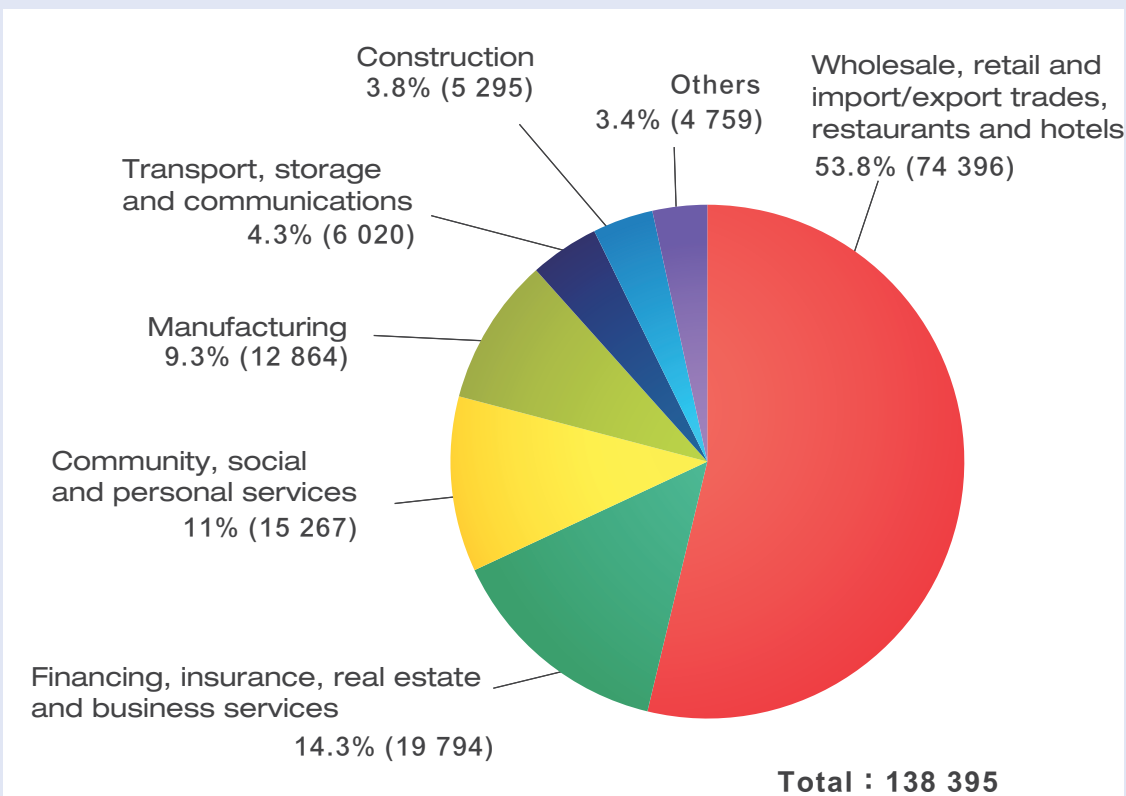


Figure 6.1**Key Indicators of Work of the Employees' Rights and Benefits Programme Area in 2011**

Key Indicators of Work		Number
I.	Inspections to workplaces	138 395
II.	Employees' compensation claims received	56 996
III.	Sick leave clearance interviews for injured employees conducted	43 531
IV.	Assessment of loss of earning capacity of injured employees	
	Ordinary assessment	18 517
	Special assessment	0
	Review assessment	3 327
V.	Applications for payment under the Protection of Wages on Insolvency Fund processed	4 439
VI.	Cases related to imported workers investigated	44
VII.	Convicted summonses on wage offences	876

Figure 6.2

Number of Inspections Made in 2011 by Major Economic Sector



* Figures in bracket indicate the number of related inspections

Figure 6.3

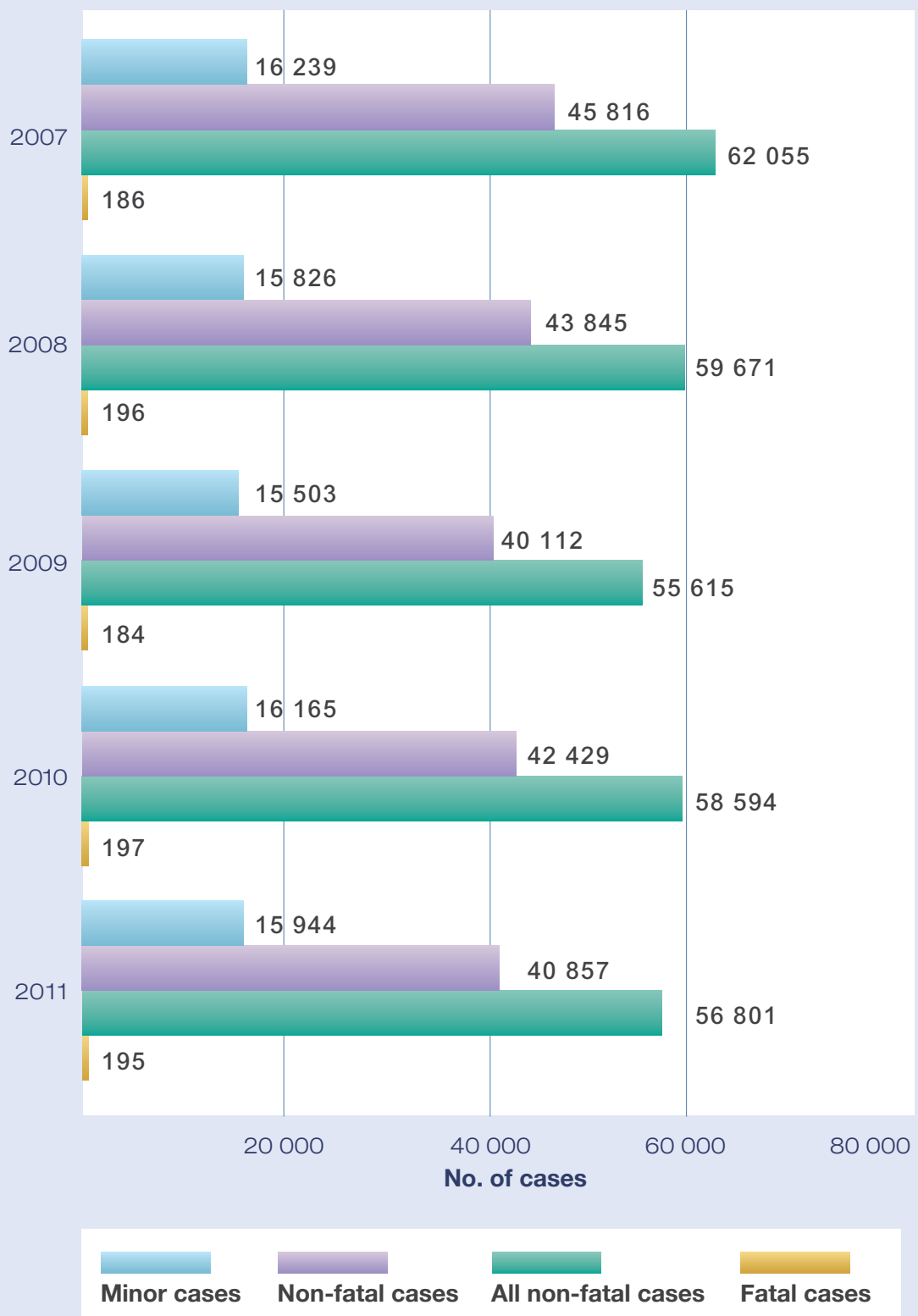
Number of Cases Reported under the Employees' Compensation Ordinance in 2011 by Sex and Age*



* The figures have not included 15 944 cases involving sick leave of not exceeding three days.

Figure 6.4

Number of Cases Reported under the Employees' Compensation Ordinance from 2007 to 2011

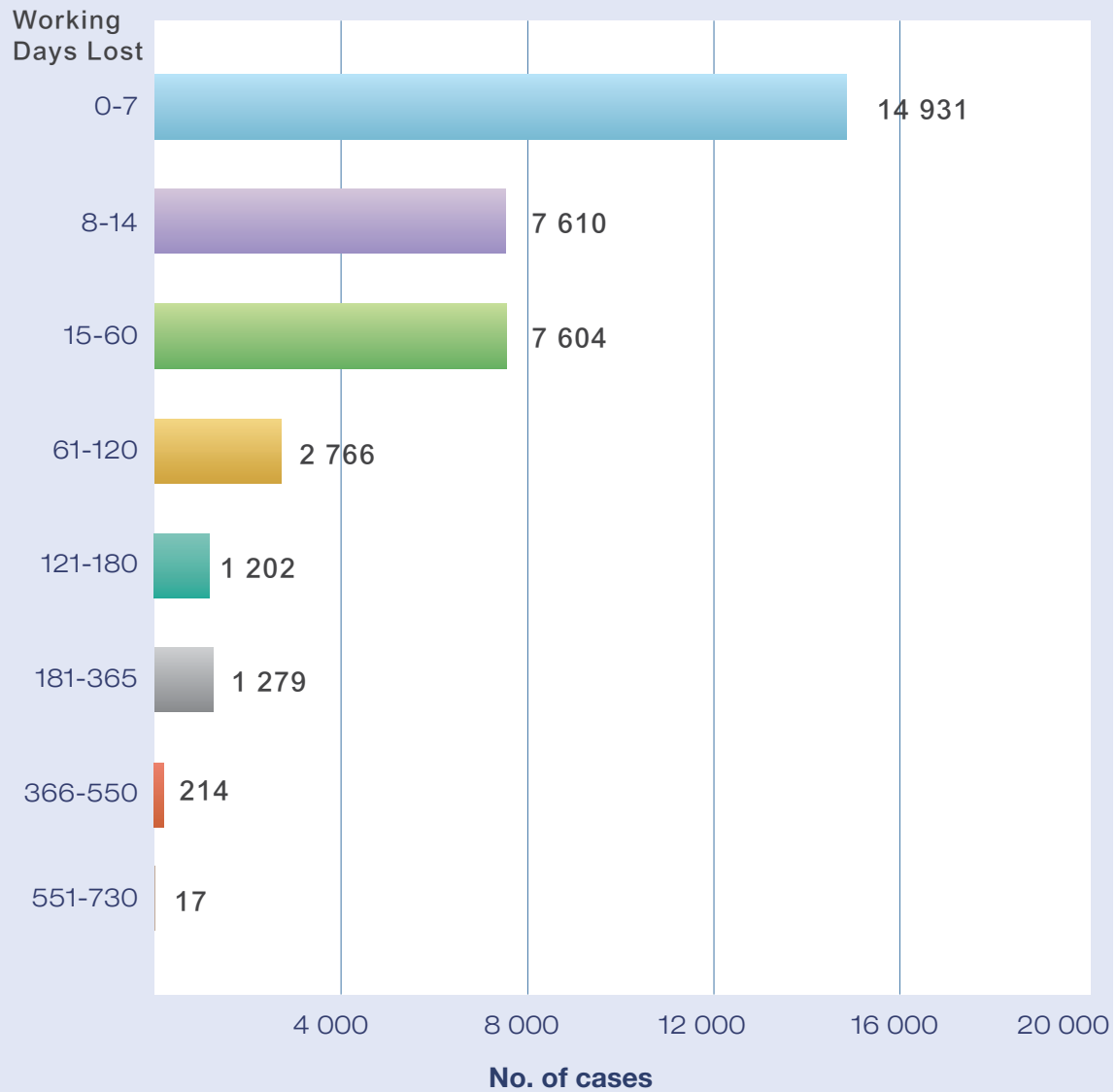


*(1) The figures for 2007, 2008, 2009, 2010 and 2011 include 17, 25, 27, 35 and 35 cases respectively in which the death of the employee was found to be due to natural cause.

(2) Minor cases refer to cases involving sick leave of not exceeding three days.

Figure 6.5

Number of Employees' Compensation Cases by Working Days Lost for Cases Reported in 2010 and Result Known as at 31 December 2011 *



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

Figure 6.6

Number of Applicants of the Protection of Wages on Insolvency Fund in 2011 by Economic Sector

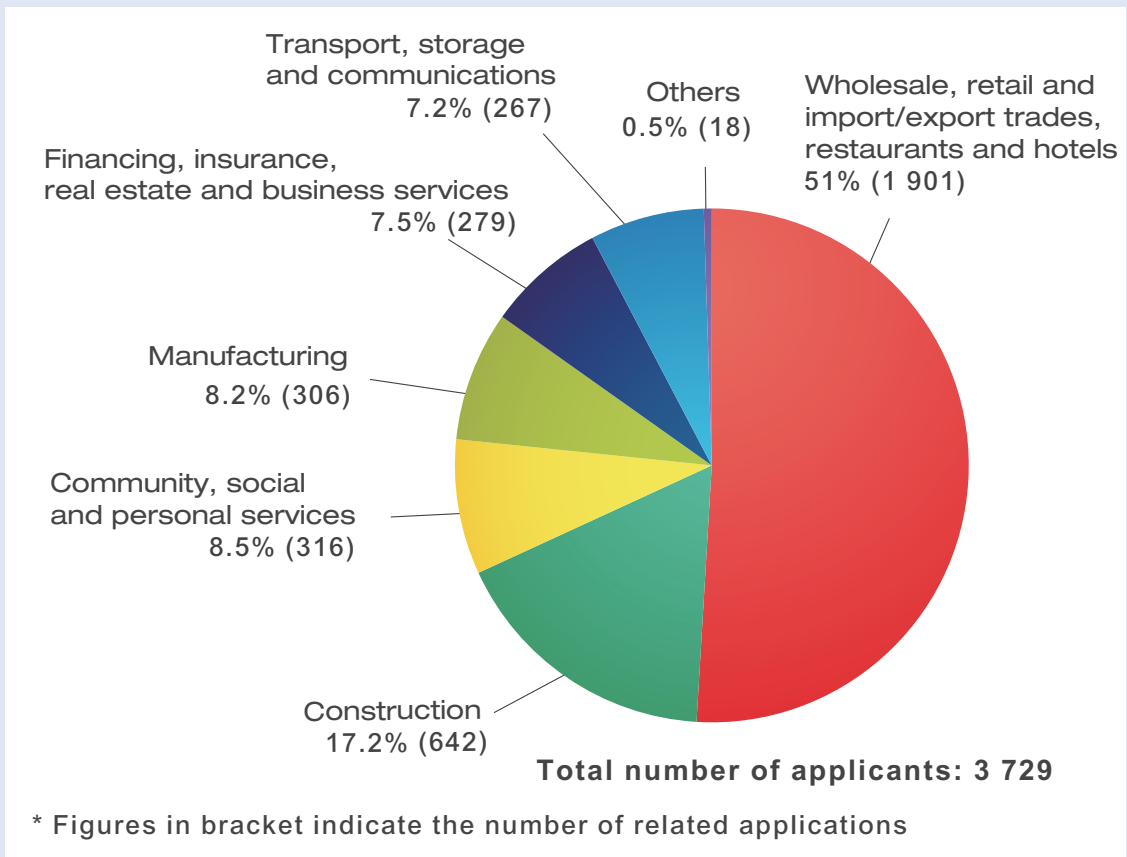


Figure 7.1**List of the 41 International Labour Conventions Applied to the Hong Kong Special Administrative Region**

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

Figure 7.2

Participation in Major ILO Activities and Contacts with Other Labour Administrations in 2011

1. Commissioner for Labour led a tripartite team comprising government, employer and employee representatives to attend the 100th Session of the International Labour Conference in Geneva, Switzerland as part of the Chinese delegation.
2. Commissioner for Labour led a delegation under the Reciprocal Visit Programme to visit the Ministry of Human Resources and Social Security of the State Council in Beijing and met with Minister Yin Weimin. The delegation also visited the State Administration of Work Safety, the All China-Federation of Trade Unions, the China Enterprise Confederation and the International Labour Organisation (ILO) Country Office for China and Mongolia, exchanging views with them on matters related to labour administration and work safety.
3. Commissioner for Labour led a delegation to visit the Macao Labour Affairs Bureau to exchange views on labour administration and occupational safety issues. Members of the Executive Committee of the Standing Committee for the Coordination of Social Affairs of Macao were also met.
4. Assistant Commissioner for Labour (Employment Services) led a tripartite team comprising government, employer and employee representatives to attend the 15th Asia and the Pacific Regional Meeting of the ILO in Kyoto, Japan in the name of "Hong Kong, China".
5. Mr. Yang Fu, the Director of the Administration of Work Safety of Guangdong Province, led a delegation to visit the HKSAR. The delegation met with the Commissioner for Labour and exchanged views with officers of the Labour Department on occupational safety and health issues.
6. Mr Chen Ming, Vice Director, Labor Inspection Bureau, Department of Human Resources and Social Security of Guangdong Province, led a delegation to visit the HKSAR and attend the first training programme on labour inspection and enforcement organised under the Framework Agreement on Hong Kong/Guangdong Co-operation.
7. The Labour Department sent a delegation to Hunan to attend the fifth Pan-Pearl River Delta Regional Work Safety Co-operation Joint Conference and Work Safety Development Forum.
8. The Labour Department sent three delegations to Singapore, Macao Special Administrative Region, Belgium and the UK to study their experience in regulating working hours.
9. The Labour Department sent a delegation to Japan and Republic of Korea to study their experience in regulating working hours and implementing statutory minimum wage.
10. The Labour Department sent a delegation to Canada to study its labour relations system.
11. The Labour Department sent a delegation to attend the "Pan-Pearl River Delta Regional Labour Services Cooperation Joint Conference" in Nanchang.
12. The Labour Department sent a delegation to Colorado, USA to attend a seminar on evaluation of permanent impairment and study its employees' compensation assessment system.