



勞工處年報2016

Labour Department Annual Report



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Chapter 1

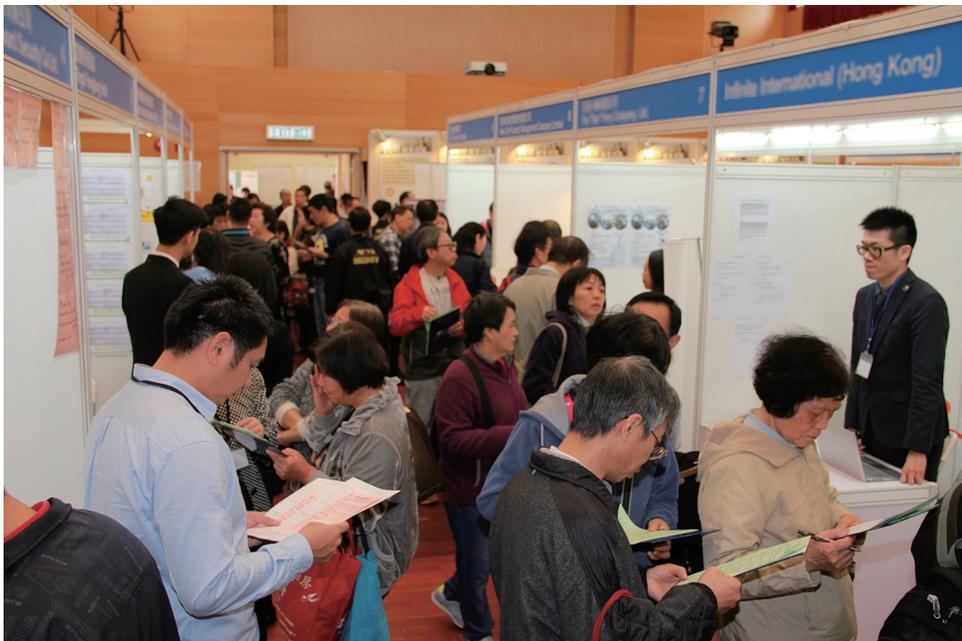
Highlights of Year 2016

- 1.1** The labour market stayed resilient in overall terms in 2016. Both total employment and the labour force expanded further, with the former reaching 3 812 400 in 2016. The unemployment rate hovered at a low level of 3.3-3.4% during the year, averaging at 3.4% for the year as a whole, signifying another year of full employment. We will continue to closely monitor the employment market situation and enhance our employment services on all fronts, especially in netting suitable vacancies from the market and rendering assistance to job seekers.

Employment Services

Enhancing Employment Services

- 1.2** To help job seekers enter the labour market and respond speedily to the recruitment needs of employers, the Labour Department (LD) organises employment promotion activities at various locations across the territory. A total of 19 large-scale job fairs and 960 district-based job fairs were organised in the year.



Large-scale job fairs organised for job seekers

- 1.3** LD adopts a proactive approach in providing employment assistance. For example, in major business closure or redundancy cases, we set up enquiry hotlines and special counters at our job centres to provide special employment services to affected employees. In the year, the free recruitment service provided for employers by LD recorded 1 350 993 vacancies from the private and public sectors; and 149 794 placements were secured.

- 1.4** LD set up the Construction Industry Recruitment Centre (CIRC) in January 2016 to provide a venue for employers of the industry to organise job fairs and conduct on-the-spot job interviews with job seekers. CIRC is the third industry-based recruitment centre of LD, following the other two recruitment centres for the catering and retail trades.



On-the-spot job interviews with employers arranged for job seekers in the Construction Industry Recruitment Centre

- 1.5** To strengthen employment support for persons with higher education, in particular Hong Kong students who are educated in tertiary institutes outside Hong Kong, the second generation of Hong Kong emigrants as well as persons from overseas with higher academic/professional qualifications who are interested in working in Hong Kong, LD launched the Higher Education Employment Information e-Platform in December 2016.

Strengthening Employment and Training Support for the Youth

- 1.6** LD spared no efforts in enhancing the employability of young people through the provision of comprehensive youth employment and training support services by administering the Youth Employment and Training Programme (YETP) and operating two youth employment resource centres. In 2016, LD continued to collaborate with training bodies, individual employers or specific sectors to launch special employment projects, providing tailor-made pre-employment training and on-the-job training for young people.

Broadening Horizons of our Youths

- 1.7** LD continued to explore with more economies to establish new Working Holiday Scheme (WHS) arrangements while at the same time sought to expand our existing bilateral arrangements. We agreed with Japan to significantly increase the reciprocal annual quota under WHS from 250 to 1 500 starting from October 2016. In December 2016, a new WHS was established with Hungary.

Labour Relations

Promoting Harmonious Labour Relations

- 1.8** To foster harmonious labour relations, LD continued to adopt a proactive and pragmatic approach in helping employers and employees resolve their disagreements through communication, mutual understanding and flexible adjustments. In 2016, we handled a total of 55 labour disputes and 14 672 claims. Over 70% of cases with conciliation service rendered were resolved. 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 strike remained among the lowest in the world.

Stepping Up Enforcement against Wage Offences

- 1.9** In 2016, LD 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. Apart from proactive inspections to check compliance, 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. LD conducted prompt investigation into suspected wage offences and employed veteran ex-police officers to strengthen the investigative work and collection of evidence so as to facilitate speedy prosecution.
- 1.10** 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.

1.11 Since the implementation of the Employment (Amendment) Ordinance 2010 from October 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 have become liable to criminal prosecution. This has further strengthened the deterrent against law-defying employers.

Enhancing Good People Management Practices and Harmonious Labour Relations

1.12 LD organised a wide range of promotional activities including exhibitions, seminars and talks to promote employer-employee communication and “employee-oriented” good people management measures. In 2016, a large-scale seminar was staged for around 280 human resources managers and corporate executives to promote good people management practices. Newspaper supplement and radio promotional messages were also launched to convey relevant messages to the general public. Promotional activities were organised in collaboration with industry-based tripartite committees to encourage wider adoption of good people management methods, including the implementation of family-friendly employment practices in different industries.



Seminar on Good People Management

Employees' Rights and Benefits

Statutory Minimum Wage (SMW)

- 1.13** In 2016, LD organised various publicity activities to promote the Minimum Wage Ordinance (MWO). To safeguard employees' entitlement to SMW, we also conducted proactive workplace inspections to establishments of various trades and mounted targeted enforcement campaigns in low-paying sectors. Overall, the implementation of SMW was smooth and the employment market remained stable.
- 1.14** The Minimum Wage Commission (MWC) is an independent statutory body established under MWO with the main function of reporting to the Chief Executive in Council its recommendation about the SMW rate at least once in every two years. MWC comprises a Chairperson and 12 Members drawn from the labour sector, business community, academia and Government. In October 2016, MWC completed a new round of review of the SMW rate and submitted its report with the recommendation of raising the SMW rate from \$32.5 per hour to \$34.5 per hour.

Safeguarding the Rights of Employees of Government Service Contractors

- 1.15** To protect the statutory rights and benefits of non-skilled workers employed by government service contractors, we conduct inspections to their workplaces to check employers' compliance with legal and contractual requirements. With the concerted efforts of LD and procuring departments in stepping up monitoring and enforcement, the situation of contractors abiding by the labour laws had improved.

Protection of Wages on Insolvency Fund

- 1.16** The Protection of Wages on Insolvency Fund provides assistance in the form of ex gratia payment to eligible employees affected by insolvency of their employers. LD continued its 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

- 1.17** LD collaborated with the Police and the Immigration Department to combat illegal employment activities. A total of 220 joint operations were mounted in the year.

Standard Working Hours Committee (SWHC)

- 1.18** In April 2013, the Government set up SWHC, comprising members drawn from the labour and business sectors, academia, community and Government. SWHC is tasked to follow up on the Government's completed policy study on standard working hours, promote informed and in-depth discussions of the community on the subject of working hours, and assist the Government to identify the way forward.
- 1.19** SWHC completed the "Consultation on Working Hours Policy Directions" (Second-stage Consultation) in July 2016 and continued relevant discussion with a view to formulating the recommendations on the working hours policy directions and preparing its report to the Government.

Safety and Health at Work

Safety of Major Works Projects (MWP)

- 1.20** In light of the commencement of MWPs, LD's dedicated teams continued to urge contractors to implement safety management systems on construction sites for the prevention of accidents through stepping up inspection and enforcement, publicity and promotion, as well as participating in the project preparatory meetings and site safety management meetings. LD strengthened the coordination with the Development Bureau, relevant works departments and other public works project clients to enhance MWP site safety measures, with a view to ensuring more effective control of risks by contractors. LD also launched enforcement operations with the Marine Department on sea-based construction works to deter work practices contravening safety requirements.

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 and the volume of such works are expected to grow further with the ageing of our buildings and the implementation of mandatory requirements for inspection of buildings and windows by the Government.
- 1.22** To enhance the safety condition of RMAA works, LD continued to step up inspection and enforcement efforts to deter contractors from adopting unsafe work practices. Territory-wide special enforcement operations on RMAA works with emphasis on high risk processes, such as work-at-height, truss-out scaffolding works, lifting operations, electrical work, were also launched. During the special operations, 516 suspension/improvement notices were issued and 283 prosecutions were taken out.

- 1.23** On the educational and promotional front, we organised a series of intensive promotion and publicity campaigns, targeting RMAA works, work-at-height and electrical work to arouse the safety awareness of all parties involved. These included launching a two-year publicity campaign in 2016 in collaboration with the Occupational Safety and Health Council (OSHC) with a wide range of initiatives seeking to reach contractors and workers engaged in RMAA works more effectively and impress upon them the importance of work safety. We also partnered with 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 safety at the district level. In 2016, we in collaboration with OSHC produced safety promotional videos on “Work-at-height” and “Electrical Work Safety” for broadcast on the website of LD and OSHC, the Housing Channel of Housing Authority, district job centres and Social Welfare Department offices.
- 1.24** In 2016, we organised in collaboration with OSHC a series of safety seminars including RMAA works, work-at-height, electrical work and housekeeping to engage industry stakeholders in exploring means to further enhance the construction safety standard.
- 1.25** LD and OSHC continued with the Occupational Safety and Health (OSH) Enterprise Scheme on RMAA Safety Accreditation in 2016. It enhanced the OSH standard of the industry through auditing the safety management system, training and subsidising purchase of fall arresting equipment and related facilities. In August 2016, the OSH Enterprise Scheme on RMAA Safety Accreditation for non-Small and Medium Enterprise (SME) was launched to enhance their overall safety performance.
- 1.26** In May 2016, LD and OSHC jointly launched a new portable residual current device (PRCD) sponsorship scheme for SMEs in the construction, RMAA, and electrical and mechanical engineering sectors to purchase PRCD that met the safety standard to enhance electrical work safety. In December 2016, the scope of the scheme was extended to real estate maintenance management & servicing and repairing of motor vehicles and motorcycles to benefit more workers.
- 1.27** Falling from height has always been the major cause of industrial fatal accidents. LD collaborated with property management sector and relevant government departments to promote work-at-height safety to owners’ corporations, owners/tenants, contractors and workers concerned including use of suitable working platforms instead of ladders for work above ground. In order for safety helmets to provide the best protection by reducing head injury on workers falling from height, LD had also enhanced the publicity effort on the use of safety helmet with chin straps to workers through relevant trade associations and workers’ unions.

Safety Award Schemes

1.28 Two safety award schemes were organised for the catering and construction industries to inculcate a work 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 buses.

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

1.29 LD continued the improvement measures to enhance the system of recognition and monitoring of mandatory safety training courses, including our enhanced inspections to training course providers.

Prevention of Heat Stroke at Work

1.30 To ensure adequate protection of workers from heat stroke at work in summer, we stepped up enforcement and publicity 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". During the year, we also collaborated with 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 by employers; the provision of sheltered work and rest areas; ventilation facilities; and the provision of appropriate information, instruction and training to workers.

Strengthening Local and International Partnerships

Labour Day Reception

1.31 On 29 April 2016, the Secretary for Labour and Welfare, Matthew Cheung Kin Chung, hosted a reception at the Hong Kong Convention and Exhibition Centre to pay tribute to the workforce. The Chief Executive, C Y Leung, officiated at the reception, with guests from trade unions, employer associations and other organisations attending.



Chief Executive, C Y Leung (2nd from left), officiating at the Labour Day Reception

Contacts with Other Labour Administrations

1.32 We maintained active liaison and interflows with other labour administrations through visits and participation in various activities in 2016.

1.33 In June, a tripartite team comprising the Government, employer and employee representatives, led by the Deputy Commissioner for Labour (Labour Administration), Byron Ng Kwok Keung, attended the 105th Session of the International Labour Conference in Geneva, Switzerland as part of the delegation of the People's Republic of China.



Deputy Commissioner for Labour (Labour Administration), Byron Ng Kwok Keung (6th from left), and members of the tripartite team attending the 105th Session of the International Labour Conference in Geneva, Switzerland

1.34 In November, Deputy Director General Cui Changzheng, Department of General Affairs, Ministry of Human Resources and Social Security of the State Council (MoHRSS), led a delegation to visit Hong Kong under the Reciprocal Visit Programme. The delegation exchanged views on labour issues with the Commissioner for Labour, Carlson Chan Ka Shun, and LD officers.



Commissioner for Labour, Carlson Chan Ka Shun (right), meeting Deputy Director General Cui Changzheng, Department of General Affairs, Ministry of Human Resources and Social Security (left)

1.35 In December, Vice Minister Kong Changsheng of MoHRSS, at the invitation of the Government, visited Hong Kong and met with the Commissioner for Labour, Carlson Chan Ka Shun, and other officials of LD to exchange views on the latest development of labour affairs.



Commissioner for Labour, Carlson Chan Ka Shun (4th from left), meeting Vice Minister Kong Changsheng, Ministry of Human Resources and Social Security (3rd from left)

Chapter 2

Labour Department

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

Vision, Mission and Values

2.2 Our Vision

We aspire to be a leading labour administrator in the region. Our aim is to enhance the well-being of our workforce progressively and to promote the safety and health of those at work at a pace commensurate with the socioeconomic 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 enforcement, 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 LD has four 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 inspection 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 LD's overall strategy on publicity and public relations. It mounts extensive publicity and explains the policy and work of LD to the public through the media, and co-ordinates the production of publications.

- 2.9** The International Liaison Division oversees matters relating to the application of International Labour Conventions in Hong Kong, participation in the activities of the International Labour Organisation, and liaison with labour administration authorities in the Mainland and other places. It also 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 in Figure 2.1.
- 2.11** The Occupational Safety and Health Training Centre organises and coordinates training and development activities for staff of the Occupational Safety and Health Branch.
- 2.12** The Information Technology Management Division offers support to the development and management of information technology services.
- 2.13** The Staff Training and Development Division is responsible for staff training and development of the Labour Administration Branch as well as coordinating training activities.
- 2.14** An organisation chart of LD is set out in 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 LD's pledged services. For details of our performance pledges, please visit the webpage: www.labour.gov.hk/eng/perform/pledge.htm.

Advisory Boards and Committees

- 2.16** LD consults various advisory boards and committees on labour matters. The most important one is LAB. It is a high-level and representative tripartite consultative body which gives advice on matters affecting labour, including legislation and Conventions and Recommendations of the International Labour Organisation. LAB is chaired by the Commissioner for Labour and comprises members representing employees and employers. Its terms of reference, composition and membership for 2015-2016 are in Figure 2.3. An election of employee representatives for the 2017-2018 term of LAB was held on 12 November 2016.



Labour Advisory Board meeting

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 stipulations of various pieces of labour laws, and the terms and conditions of employment agreed and entered into between the two parties. Employers and employees 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 trade unions and their rules, organising courses and conducting visits to 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 EO sets the basic standard on the conditions of employment that establishments outside the government sector have to meet. MWO establishes a Statutory Minimum Wage regime. The procedures for settling labour disputes in establishments outside the government sector are provided for in LRO. MECABO establishes the machinery known as MECAB to adjudicate minor employment claims when settlement cannot be achieved by conciliation. For the regulation of trade unions, TUO provides a statutory framework for trade union registration and administration.

Our Work and Achievements in 2016

Key indicators of Work

3.4 Some key indicators of work of the Labour Relations Programme Area were contained in Figure 3.1.

Conciliation and Consultation Services

3.5 Our consultation and conciliation services are conducive to the sound record of industrial relations in Hong Kong. In 2016, the labour relations scene remained generally stable. We held 63 268 consultation meetings, and handled 14 672 claims and 55 labour disputes in the year. Over 70% of cases with conciliation service rendered were settled in the year. In 2016, the Labour Department (LD) handled three strikes. The average number of working days lost due to strike per thousand salaried employees and wage earners was 0.05, which was among the lowest in the world. (Figures 3.2 - 3.7)

Strengthening Tripartite Co-operation

3.6 LD runs nine industry-based tripartite committees, covering catering, cement and concrete, construction, hotel and tourism, logistics, printing, property management, retail and theatre industries, to promote tripartite dialogue and collaboration at the industry level with a view to fostering harmonious labour relations among employers, employees and the government. These tripartite committees provide effective forums for members to discuss issues of common concern to their industries. Employment related matters such as good people management, family-friendly employment practices, measures to tackle the decline in labour force as well as latest development of Mandatory Provident Fund Schemes were deliberated in the year. We also arranged an organisation visit cum sharing session for representatives of employers' associations, employers and trade unions of various industries to enhance communication and understanding among the parties concerned.

Promotion of Good Employer-Employee Relations

3.7 To enhance public understanding of EO and to promote good people management measures, we organised various promotional activities and published free publications covering different themes for employers, employees, human resources professionals and the public. Relevant information was also disseminated through LD's homepage and the media. In the year, six roving exhibitions on EO, good people management and family-friendly employment practices were organised over the territory. There was a set of television and radio Announcements in the Public Interest to encourage employers to help employees achieve balance between work and family life. Furthermore, we widely publicised messages on good people management as well as statutory employees' rights and protection through extensive network of employers' associations and trade unions.

3.8 We organised a number of experience-sharing sessions and briefings and published newsletters regularly for members of 18 human resources managers' clubs established in different trades to promote good people management measures. We also published newspaper articles and comic strips, broadcasted radio promotional messages and placed advertisements in public transport network and periodic journals of major employers' associations and trade union federations, etc. to encourage adoption of "employee-oriented" employment practices and cultivate a family-friendly working environment. In the year, we published newspaper supplement on successful experiences of implementing good people management as well as family-friendly employment practices.



Publications and publicity materials promoting the Employment Ordinance and good people management practices

Adjudication of Minor Employment Claims

- 3.9** 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.
- 3.10** In 2016, MECAB recorded 900 claims amounting to \$3,889,888 and concluded 923 claims with a total award of \$2,155,488.

Administration of Trade Unions

- 3.11** The Registry of Trade Unions (RTU) is responsible for administering TUO and Trade Union Registration Regulations. Its major areas of work include registering trade unions and their rules, examining trade unions' annual statements of account and any other returns required by the law to be furnished to RTU, organising courses on trade union legislation and fundamental trade union account management for trade unions and conducting visits to trade unions to facilitate trade unions to manage union affairs in accordance with the law and their respective rules.
- 3.12** In 2016, eight new trade unions were registered, making up a cumulative total of 890 trade unions (comprising 828 employee unions, 15 employers' associations, 36 mixed organisations of employees and employers and 11 trade union federations) registered under TUO. Please refer to the following webpage for the key trade union statistics: www.labour.gov.hk/eng/labour/content3.htm.
- 3.13** In the year, RTU examined 783 annual statements of account and conducted 361 visits to trade unions with a view to promoting sound and responsible trade union administration. To facilitate trade union officers in acquiring knowledge of union legislation and management, RTU organised four courses on trade union bookkeeping and trade union management and legislation.

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 inspection 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 enhance safety awareness of the workforce.
- 4.2** OSHO protects employees' safety and health at work generally in 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.
- 4.3** 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.

- 4.4** BPVO aims at regulating the standards and operation of boilers and pressure vessels, including steam boilers, steam receivers and air receivers.

Our Work and Achievements in 2016

Work Safety Performance

- 4.5** 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.
- 4.6** The number of occupational injuries in all workplaces in 2016 stood at 35 768, representing a drop of 18.7% from 43 979 in 2007, while the injury rate per thousand employees decreased to 11.9, down by 29.2% when compared to 16.9 in 2007. The number of industrial accidents for all sectors went down to 10 883, representing 32.5% drop when compared to 16 117 in 2007. The accident rate per thousand workers for all sectors in 2007 and 2016 were 29.3 and 17.1¹ respectively.
- 4.7** In 2016, there were 3 720 industrial accidents in the construction industry, representing an increase of 22.3% when compared to 3 042 in 2007. The accident rate per thousand workers, however, decreased from 60.6 to 34.5, down by 43.1%.

Occupational Diseases

- 4.8** In 2016, there were 334 cases of confirmed occupational disease (including monaural hearing loss), among which, occupational deafness, silicosis and tenosynovitis of the hand or forearm were the most common.
- 4.9** For more statistics on occupational safety and health, please visit the webpage: www.labour.gov.hk/eng/osh/content10.htm.

¹ The compilation of the accident rate per thousand workers of all industrial sectors in 2016 was based on the employment size classified under Hong Kong Standard Industrial Classification Version 2.0 (HSIC V2.0) which was different from those under HSIC V1.1 before 2009. Therefore, this accident rate cannot be strictly comparable to those published before 2009.

Key Indicators of Work

4.10 Some key indicators of work of this programme area were shown in Figure 4.1.

Inspection and Enforcement

4.11 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.

4.12 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 and regular enforcement inspections to various workplaces to ensure that duty-holders have observed relevant statutory requirements stipulated in safety legislation. We have stepped up inspection and enforcement efforts to clamp down on unsafe acts. In 2016, 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. In 2016, we also conducted 16 special enforcement operations targeting high-risk work safety, including new works safety, safety of repair, maintenance, alteration, and addition (RMAA) works, electrical safety, bamboo scaffolding safety, work safety for sea-based construction works, safety of waste management works, catering safety, logistic, cargo and container-handling safety as well as fire and chemical safety. In these 16 operations, a total of 16 904 workplaces were inspected, with 1 121 improvement notices and 283 suspension notices issued, and 979 prosecutions initiated.

4.13 We conduct independent investigation into complaints lodged by workers on unsafe conditions or malpractices in workplaces. In 2016, we handled 100 complaints and initiated 20 prosecutions arising from investigation of these cases. We also enhanced the intelligence reporting system on unsafe RMAA works with various strategic partners. In 2016, a total of 707 complaint/referral cases were received through the system and other channels. As a result of the follow-up inspections on these cases, we issued 282 suspension/improvement notices and took out 108 prosecutions. We had also established a similar referral mechanism with the Housing Department. In 2016, we received through the mechanism a total of 4 189 notifications of high risk RMAA works in public housing estates and followed up on these referrals.

- 4.14** From April to September, the Labour Department (LD) 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. In this special enforcement campaign, we conducted a total of 28 489 surprise inspections, issued 95 warnings and one improvement notice, and one prosecution was taken.
- 4.15** The Commissioner for Labour, as the Boilers and Pressure Vessels Authority, recognises competent inspection bodies to assess and inspect new pressure equipment during manufacturing. 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 2016, 535 applications for certificates of competency were processed, with 523 certificates issued/endorsed. We also advised the Fire Services Department on matters related to the approval and preliminary inspections of pressurised cylinders and storage installations for compressed gas.
- 4.16** As at the end of 2016, LD recorded a total of 223 074 workplaces, including 35 108 construction sites. In the year, 131 339 inspections were conducted under OSHO and FIUO. As a result, 31 062 warnings and 3 085 suspension or improvement notices were issued. Besides, 4 535 inspections were made under BPVO. 3 144 warnings were given and 45 prohibition orders on the use and operation of boilers and pressure vessels were issued. We also carried out 14 730 and 2 983 investigations on work accidents and suspected occupational diseases respectively in the year.

Education and Training

- 4.17** 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.

- 4.18** In 2016, we conducted 553 safety and health training courses related to relevant legislation for 4 698 employees and 251 tailor-made talks for another 10 127. We also recognised two mandatory basic safety training courses (commonly known as “green card” courses) for construction work, seven MST courses for operators of cranes, four MST courses for confined spaces operation, one MST course for operators of loadshifting machine and one MST course for gas welding. LD has in place a system to monitor these MST courses to ensure that courses are conducted in line with the approval conditions. We also continued to implement improvement measures of the MST system.
- 4.19** In 2016, we registered 339 persons as safety officers and 38 as safety auditors. As at the end of the year, there were 3 607 safety officers with valid registration and 1 261 registered safety auditors. Furthermore, a total of 456 applications for renewal or revalidation of registration as safety officers had been approved in 2016.
- 4.20** Occupational health education raises employers’ and employees’ awareness of the prevention of occupational health hazards and occupational diseases. In 2016, a total of 1 260 health talks on various occupational health issues was organised for over 40 000 participants. Apart from organising public health talks, we also provided outreaching health talks at the workplaces of individual organisations. These health talks covered various occupations with more than 40 different topics such as “Occupational Health for Office Workers”, “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 messages promoted to the public during outreach health talk held in the HK Brands and Products Expo

4.21 LD had uploaded the “Work Safety Alert” and “Systemic Safety Alert” on its website respectively to help raise the safety awareness of employers, contractors and workers and to remind the Registered Safety Officers and Registered Safety Auditors in exercising their statutory functions to advise their employers/clients to fulfill their safety responsibilities and render the necessary assistance. The Work Safety Alert summarised recent fatal and serious work accidents, and highlighted general safety precautionary measures whereas the Systemic Safety Alert provided accident prevention measures arising from the major systemic problems.

Publicity and Promotion

4.22 We organised a series of promotion campaigns in 2016 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.

4.23 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.



Catering Industry Safety Award Scheme - Award Presentation Ceremony



Construction Industry Safety Award Scheme - Award Presentation Ceremony

- 4.24** Accidents in RMAA works have become a source of growing concern in recent years and the volume of RMAA works continued to increase. In 2016, LD, in collaboration with OSHC, launched a two-year publicity campaign to remind contractors and workers to pay special attention to safety while carrying out RMAA works, electrical work and working at height. Other major publicity activities included broadcasting Announcements in the Public Interest (APIs) on television/radio/mobile media, staging roving exhibitions, publishing feature articles in newspapers and on the LD website, publishing leaflets and disseminating safety messages to contractors, employers and employees through various means. In 2016, we in collaboration with OSHC produced safety promotional videos on “Work-at-height” and “Electrical Work Safety” for broadcast on the website of LD and OSHC, the Housing Channel of Housing Authority, district job centres and Social Welfare Department offices.
- 4.25** In May 2016, LD and OSHC jointly launched a new portable residual current device (PRCD) sponsorship scheme for SMEs in the construction, RMAA, and electrical/mechanical engineering sectors to subsidise their purchase of PRCD that met the safety standard to enhance electrical work safety. In December 2016, the scope of the scheme was extended to real estate maintenance management & servicing and repairing of motor vehicles and motorcycles to benefit more workers. As at the end of 2016, 346 applications were received with 302 approved, benefiting over 4 300 workers.
- 4.26** LD continued to operate jointly with OSHC the sponsorship scheme for Work-at-height Fall Arresting Equipment for Renovation and Maintenance Work for SMEs to encourage them to use proper safety equipment.

- 4.27** LD and OSHC continued with the scheme on RMAA safety accreditation in 2016. It enhances the OSH standard of the industry through the auditing of safety management system, training and subsidising SMEs to purchase fall arresting equipment and related facilities. The Employees' Compensation Insurance Residual Scheme Bureau undertook to offer insurance premium discount to accredited contractors, and thus provides financial incentives for enterprises to continuously improve their occupational safety performance.
- 4.28** The Occupational Safety Charter, launched jointly with 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 2016, 1 224 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

- 4.29** We also collaborated with relevant organisations including 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 ceremony, workplace hygiene charter and promotional visits. Moreover, we promoted the prevention of common work-related diseases, such as musculoskeletal disorders which are common among service and clerical personnel and manual workers. In 2016, we continued to collaborate with OSHC, Department of Health and trade unions to promote healthy living among professional drivers.

4.30 We also stepped up publicity on the prevention of heat stroke at work through a multitude of activities such as organising public and outreach health talks, distributing publications, printing promotional posters, broadcasting educational videos on mobile advertising media, and issuing press releases. During 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 OSHC and relevant workers’ unions to promote prevention of heat stroke at work among professional drivers.



The Labour Department's TV API promoting the messages of prevention of heat stroke at work

4.31 In 2016, we published 21 new occupational safety and health publications, including “Guidance Notes on Safety at Work for Demounting, Mounting and Inflation of Tyres of Heavy Mechanical Vehicles”, “Electrically Heated Boilers and Their Operation”, “An Employer’s Guide to Manual Handling Operation”, “An Employee’s Guide to Manual Handling Operation”, “An Employer’s Guide to Work Involving Repetitive Movements or Manual Work”, “An Employee’s Guide to Work Involving Repetitive Movements or Manual Work” as well as posters related to tail lift safety and proper use of chin straps of safety helmets. 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



A poster with ethnic minority languages produced by the Labour Department to promote the preventive measures on heat stroke at work

4.32 To promote safety awareness of the industry in operating boilers and pressure vessels, we distributed around 3 000 publications and leaflets regarding registration and safe operation of pressure equipment. We also uploaded 13 existing publications onto the LD website for public reference and downloading.

4.33 In 2016, the Occupational Safety and Health Branch handled 15 400 enquiries, advising on various safety and health matters. Furthermore, the Occupational Safety and Health Centre provides information and advisory services to workers and employers.

4.34 LD collaborated with property management sector to promote RMAA work safety. A Task Force was formed to step up the promotion of work-at-height safety to stakeholders including contractors and workers on the use of suitable working platforms instead of ladders for working above ground and the use of safety helmets with chin straps.

4.35 LD collaborated with OSHC to ride on Home Affairs Department's community platforms to promote RMAA works safety particularly work-at-height safety, to owners' corporations, property owners and tenants, etc.

Clinical Occupational Health Services

4.36 LD 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 2016, 10 444 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.



Attendees actively participating in the activities of the support groups held by the Occupational Health Clinic

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 employment assistance and recruitment services to help job seekers find suitable jobs and employers fill their vacancies. We achieve this by:

- providing user-friendly employment and recruitment services to job seekers and employers;
- offering dedicated 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 principal legislation administered by this programme area includes 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 EO, regulate the operation of employment agencies in Hong Kong through licensing, 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 2016

Employment Situation in Hong Kong

5.5 The Hong Kong economy grew modestly in 2016. The labour market remained generally stable, with the annual unemployment rate staying at a low level of 3.4% in 2016. For updated statistics on the labour force, unemployment rate and underemployment rate, please visit the webpage: www.censtatd.gov.hk/hkstat/sub/sp200.jsp?tableID=006&ID=0&productType=8.

5.6 The Labour Department (LD) recorded a total of 1 347 613 vacancies offered by employers of the private sector for free recruitment service in 2016. In the year, a total of 149 794 placements were secured. (Figures 5.1 and 5.2)

A Wider Service Choice

Services offered at Job Centres

5.7 Job seekers can browse vacancies at job centres and seek referral service provided by the staff or apply to the employers direct. Job seekers may also meet with employment officers who will provide job search advice as well as assist them in matching and finding suitable jobs in accordance with their individual needs and preferences. Various facilities such as digital display system, touchscreen vacancy search terminals, fax machines, toll-free telephones, computers connected to the Internet and resource corners are available for the use by job seekers.

Industry-based Recruitment Centres

5.8 The three industry-based recruitment centres of LD i.e. the Recruitment Centre for the Catering Industry, the Recruitment Centre for the Retail Industry and the Construction Industry Recruitment Centre provide free as well as one-stop and on-the-spot recruitment services for employers and job seekers, enhancing the efficiency of recruitment and job search.

Telephone Employment Service

5.9 Job seekers registered at LD 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

- 5.10** Our Interactive Employment Service (iES) website (www.jobs.gov.hk) provides round-the-clock on-line employment service and comprehensive employment information. The iES website is one of the most popular government websites, recording around 220 million page views in 2016. It hosts a number of thematic webpages to provide dedicated employment information for specific clientele. Job seekers can also use the iES mobile application to look for suitable vacancies in the job vacancy database of LD anytime and anywhere. The mobile application recorded around 150 million hit counts in 2016.
- 5.11** We launched the Higher Education Employment Information e-Platform (www.hee.gov.hk) in December 2016 to strengthen employment support for job seekers with higher education, with a view to enhancing their understanding of the Hong Kong employment market and facilitating them to search and apply for suitable job openings through the new thematic webpage.

Central Processing of Job Vacancies

- 5.12** Employers who need to recruit staff can send their vacancy information to our Job Vacancy Processing Centre by fax (2566 3331) or through the Internet (www.jobs.gov.hk). The vacancy information is then disseminated through a network of 13 job centres, three recruitment centres for the catering, retail and construction industries, the iES website and mobile application as well as vacancy search terminals located in various sites throughout the territory after vetting.

Special Recruitment and Promotional Activities

5.13 LD organises 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. In 2016, LD held different kinds of large-scale job fairs to cater for various needs of job seekers and employers from different sectors, including large-scale job fairs in Tuen Mun and Sheung Shui to assist job seekers living in remote areas in securing employment, as well as thematic job fairs assisting ethnic minority and mature job seekers to find suitable jobs and employers from retail industry to recruit employees. LD also staged job fairs that provided employment and vacancy information on the Mainland to deepen job seekers' understanding of the employment opportunities on the Mainland and broaden their choices in job search. Moreover, to enhance efficiency of the recruitment process and facilitate placements of job seekers in the vicinity of their residence, district-based job fairs were held at job centres to assist employers to recruit local residents and to enable job seekers to participate in job interviews without having to travel long distance. In the year, 19 large-scale job fairs and 960 district-based job fairs were held, attracting over 61 000 job seekers.



Job Fair for Middle-aged and Elderly Employment

Intensified Services for the Needy

Mature Job Seekers

5.14 We provide dedicated employment services for mature persons and promote their employment through various means such as setting up special counters at job centres to provide priority registration and job referral services for mature job seekers, conducting employers' experience sharing sessions, and organising employment briefings and job fairs targeted at mature persons.

5.15 The Employment Programme for the Middle-aged (EPM) assists the unemployed job seekers aged 40 or above to find work. Employers who engage an eligible mature job seeker in a full-time or part-time permanent job and offer him/her on-the-job training are entitled to a maximum training allowance of \$3,000 per month, for a period of three to six months. In 2016, a total of 2 978 placements were secured through the programme.

Work Trial Scheme (WTS)

5.16 WTS seeks to enhance the employability of job seekers who have 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 completion of the one-month work trial, each participant will receive an allowance of \$6,900, of which \$500 will be contributed by the participating organisation. In 2016, a total of 192 job seekers were placed into work trials.

Work Incentive Transport Subsidy (WITS) Scheme

5.17 LD administers the territory-wide WITS Scheme which aims at helping low-income earners reduce their cost of travelling to and from work and encouraging them to secure or stay in employment. Qualified applicants may choose to apply for WITS on an individual or household basis for the previous six to 12 months in each application, with the monthly subsidy of \$600 (or \$300 at half-rate). The income and asset limits for the subsidy had been raised since the claim month of February 2016 under the annual adjustment mechanism. In 2016, we completed a review of the Scheme and rolled out enhancement measures. As at year end, a total of 109 346 applicants received subsidies totalling \$1,451 million.

New Arrivals and Ethnic Minorities

5.18 We provide a comprehensive range of employment services to new arrival and ethnic minority job seekers through job centres. These include employment advisory service, job referral, tailor-made employment briefing and resources. Those who have difficulties finding jobs are encouraged to participate in various employment programmes to enhance their employability. We also proactively promote our recruitment activities to them so as to speed up their job search.

5.19 To strengthen the employment services for ethnic minority job seekers, LD launched the “Employment Services Ambassador Programme for Ethnic Minorities” in September 2014. Trainees of the Youth Employment and Training Programme who can communicate in ethnic minority languages are employed by LD to work as Employment Services Ambassadors at our job centres, industry-based recruitment centres and job fairs to provide employment services to job seekers, particularly the ethnic minorities. Furthermore, large-scale and district-based inclusive job fairs are organised to enhance the employment opportunities of the ethnic minorities.

Workers affected by Large-scale Retrenchment

5.20 In major business closure or redundancy cases, LD sets up hotlines for enquiry and special counters at job centres to provide special employment services to affected employees. LD canvasses suitable vacancies from employers to facilitate job search of the affected employees. In addition, under our iES website, a dedicated webpage displays vacancies offered by employers interested in recruiting job seekers who have lost their jobs in recent closure or redundancy exercises. In the year, LD offered such special employment services to some 1 500 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. Employment consultants provide personalised employment services, including employment counselling, job matching and referral and post placement follow-up services. In 2016, SPD registered 2 790 job seekers with disabilities and secured 2 250 placements. ([Figure 5.3](#))

5.22 To strengthen the employment support for job seekers with disabilities, SPD launched a two-year pilot scheme in September 2016 to engage a non-governmental welfare organisation to provide professional psychological and emotional counselling service to job seekers with disabilities in need of this service.

Work Orientation and Placement Scheme (WOPS)

5.23 WOPS facilitates open employment of persons with disabilities by encouraging employers to offer job vacancies to persons with disabilities through the provision of an allowance. An eligible employer who employs persons with disabilities having employment difficulties is entitled to an allowance equivalent to the amount of actual salary paid to an employee with disabilities less \$500 per month during the first two months of employment, subject to a monthly allowance ceiling of \$5,500. After the first two months, the employer is entitled to an allowance equivalent to two-thirds of the actual salary paid to the employee concerned, subject to an allowance ceiling of \$4,000 per month, and for a maximum payment period up to six months. WOPS also provides pre-employment training to persons with disabilities with a view to enhancing their employability. In 2016, 816 placements were secured through the scheme.

Self Help Integrated Placement Service (SHIPS)

5.24 SHIPS aims at improving the job-searching skills of job seekers with disabilities and encouraging them to be more proactive in search for jobs, thereby enhancing their employment opportunities. In 2016, 461 job seekers with disabilities participated in the programme.

Interactive Selective Placement Service (iSPS) Website

5.25 The 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 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 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 various on-line employment services and other related support services.

Promotional Activities

5.26 To enhance public understanding of the working abilities of persons with disabilities as well as to publicise the services of SPD and WOPS, SPD conducted a series of promotional activities, such as staging of exhibitions, production of publications and advertisements, broadcast of promotional videos, publicising promotional messages through newspapers, publications of employers' associations, radio and television channels, public transport vehicles, wall banners and mobile application advertisements, 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 Employment and Training Programme (YETP)

5.27 To enhance the employability of young people, LD administers YETP, a "through-train" programme providing seamless and comprehensive training and employment support to young school leavers aged 15 to 24 with educational attainment at sub-degree level or below.

5.28 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. Employers who engage trainees under YETP and provide them with on-the-job training are entitled to a maximum training allowance of \$3,000 per month per employee for six to 12 months.

5.29 In the 2015/16 programme year running from September 2015 to August 2016, 2 883 young people attended pre-employment training and 3 011 trainees were placed into on-the-job training vacancies under YETP.

5.30 YETP closely collaborates with training bodies and individual employers or employers of specific sectors to launch special employment projects, providing tailor-made pre-employment training and on-the-job training for young people. In the 2015/16 programme year, 58 special employment projects were launched involving employers in the aviation, catering, logistics, personal and business services, property management and retail industries, etc.

5.31 In August, we co-organised the Award Ceremony of Most Improved Trainees of YETP cum Concert with Radio 2 of Radio Television Hong Kong. The event, themed "Power Your Life", showcased the creditable improvements of trainees after joining YETP and commended the caring efforts of training bodies and employers. Trainees' successful experience 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. In the year, LD also produced a drama and a micro-movie both entitled "Seize the Second" which were adapted from the encouraging stories of YETP trainees.

Programme for Youths with Acute Employment Difficulties

5.32 To strengthen the employment support for vulnerable youths, LD 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 (NGOs) were 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 aimed at nurturing the work knowledge and skills of participants to improve their employability. The project was implemented in five phases with the last one ended in 2016. Altogether, a total of 466 trainees participated in on-the-job training under the project.

Youth Employment Support

5.33 LD operates two youth employment resource centres named Youth Employment Start (Y.E.S.). The two centres provide personalised advisory and support services 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 them to pursue self-employment. Services provided include career assessment, career guidance, professional counselling, value-adding training, self-employment support as well as up-to-date labour market information. In 2016, the two centres provided services to 72 661 young people.

Working Holiday Scheme (WHS)

- 5.34** Since 2001, Hong Kong has established bilateral WHS arrangements with a total of 11 economies, including New Zealand, Australia, Ireland, Germany, Japan, Canada, Korea, France, the United Kingdom (UK), Austria and Hungary. WHS aims to provide an opportunity for our youths aged between 18 and 30 to enrich their global exposure and broaden their horizon, by experiencing foreign culture through living and working temporarily overseas while holidaymaking. At the same time, WHS allows youths of our partner economies to learn more about Hong Kong.
- 5.35** Save for the UK and Austria which allow our youths to stay for up to 24 months and six months respectively, the remaining nine partners issue working holiday visas to eligible Hong Kong youths to stay in their economies for up to 12 months for holidaying and taking up short-term employment to subsidise their expenses, and/or studying short-term courses (except for Ireland).
- 5.36** These WHSs have been well received. As of end-2016, around 78 000 Hong Kong youths participated in WHS. LD will continue to enhance the publicity of WHS and explore with more economies to establish new WHS arrangements or seek to expand our existing bilateral arrangements in order to provide more choices and opportunities for our youths to participate in WHS.

Regulating Local Employment Agencies and Employment Outside Hong Kong

- 5.37** We monitor the operation of employment agencies through licensing, inspection and investigation of complaints. In 2016, we issued 3 158 employment agency licences and revoked five. As at end of 2016, there were 2 978 licensed employment agencies in Hong Kong. A total of 1 816 inspections were made to employment agencies in the year.
- 5.38** To promote professionalism and quality service in the industry, LD decided to promulgate a Code of Practice for Employment Agencies and conducted a two-month public consultation during April to June 2016 on the draft Code.
- 5.39** 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 (SLS)

- 5.40** LD administers SLS which operates on the principles of ensuring the priority of local workers in employment while allowing employers with proven local recruitment difficulties to import workers at technician level or below.
- 5.41** We provide active job matching and referral services for local job seekers to ensure their employment priority. Vacancies under SLS 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.
- 5.42** As at the end of 2016, there were 4 769 imported workers working in Hong Kong under SLS.

Policy on Foreign Domestic Helpers (FDHs)

- 5.43** 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 (SEC), which prescribes that 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. FDHs also enjoy wage protection through the Government-prescribed Minimum Allowable Wage (MAW), where employers have to pay FDHs a salary no less than the prevailing MAW when the contracts are signed. The Government attaches great importance to safeguarding their statutory and contractual rights. We spare no efforts in investigating the suspected offence cases and prosecution action will be taken out if there is sufficient evidence.

- 5.44** In the year, LD widely publicised the rights and benefits of FDHs by conducting various publicity activities, including producing related publications in mother languages of FDHs for distribution, placing advertisements in local newspapers in FDHs' mother languages, collaborating with respective Consulates-General and attending their briefings for new FDHs, staging information kiosks at FDHs' popular gathering places to distribute the publicity materials and screen publicity videos, etc. We also broadcasted television and radio Announcements in the Public Interest to raise the public's awareness of FDHs' rights and to appeal to employers to treat their FDHs well. In 2016, we published a new leaflet on the respective "Do's" and "Don'ts" for FDHs, employers and employment agencies and introduced a one-stop on-line platform (www.fdh.labour.gov.hk) on employment of FDHs. Both the leaflet and the on-line platform are available in major FDHs' languages so as to facilitate their understanding on their rights and benefits.
- 5.45** To safeguard the occupational safety of FDHs, LD announced in November 2016 that a clause on cleaning outward-facing windows would be added to SEC for FDHs for contracts signed from 1 January 2017 onwards. Publicity and educational efforts were stepped up to raise the awareness of FDHs and the general public on occupational safety, particularly in respect of the safety precautions to be taken when cleaning outward-facing windows.
- 5.46** LD also maintains close liaison with governments of FDH home countries and their consulates in Hong Kong, non-governmental organisations serving FDHs and FDH employer groups to discuss matters relating to further protection of FDHs.
- 5.47** As at the end of 2016, there were 351 513 FDHs in Hong Kong. About 53.8% of the FDHs in Hong Kong were from the Philippines and 43.8% from Indonesia.

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 reaches of the statutory provisions and prosecution of offenders;
- Processing employees' compensation claims;
- Processing applications for ex gratia payment from the Protection of Wages on Insolvency Fund (PWIF);
- 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), the Protection of Wages on Insolvency Ordinance (PWIO) as well as Part IVB of the Immigration Ordinance.

6.3 ECO establishes a no-fault, non-contributory employees' compensation system so that individual employers are liable to pay compensation for work-related injuries or fatalities. It requires all employers to possess valid insurance policies to cover their liabilities under the laws (including the common law).

- 6.4** PMCO provides compensation to persons who suffer from pneumoconiosis and/or mesothelioma or family members of persons died of the diseases. Compensation is paid from the Pneumoconiosis Compensation Fund, which is administered by the Pneumoconiosis Compensation Fund Board.
- 6.5** EO is the main piece of legislation governing conditions of employment. The Employment of Children Regulations made under 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** MWO establishes a Statutory Minimum Wage (SMW) system which provides a wage floor with a view to forestalling excessively low wages, but without unduly jeopardising Hong Kong's labour market flexibility, economic growth and competitiveness or leading to significant adverse impact on the employment opportunities of vulnerable workers. Failure to pay SMW amounts to a breach of the wage provisions under EO.
- 6.7** PWIO establishes PWIF to provide timely relief in the form of ex gratia payment to employees affected by their insolvent employers.
- 6.8** The Labour Department (LD) 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 2016

Key Indicators of Work

- 6.9** We stepped up our efforts to safeguard the rights and benefits of employees through various activities in 2016. Some key indicators of work of this programme area were shown in Figure 6.1.

Proactive Efforts to Combat Wage Defaults

- 6.10** In 2016, LD 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 relevant intelligence. We also proactively monitored selected sectors and establishments with a view to forestalling and detecting cases of wages default at an early stage and intervening early to tackle the problem.
- 6.11** In 2016, we continued to step up prosecution against employers and responsible officers of companies for wage offences. We conducted territory-wide blitz inspections to workplaces to detect wage offences. Labour inspectors actively interviewed employees during inspections and conducted investigation speedily into the suspected offences. The Employment Claims Investigation Division continued to vigorously conduct prompt investigation into suspected wage offences under EO. Prosecutions were taken out against employers and company responsible officers whenever sufficient evidence was available.
- 6.12** In 2016, 713 summonses were heard in respect of wage offences. The number of convicted summonses was 503. Besides, LD secured convictions for 73 summonses relating to default of awards made by the Labour Tribunal (LT) or the Minor Employment Claims Adjudication Board (MECAB). During the year, one company director was ordered to perform community service for wage defaults. An employer and another company director were respectively sentenced to imprisonment and community service for wage defaults and failure to pay sums awarded by the tribunal. In addition, a company was fined a total of \$764,000 for wage offences, the highest recorded during the year. These sentences disseminated a strong message to employers and company responsible officers on the seriousness of defaults of wages and awards made by LT or MECAB.

Vigorous Enforcement to Protect Employees' Rights and Benefits

- 6.13** LD continued our vigorous enforcement efforts to ensure that the statutory rights of employees under labour legislation were well protected.
- 6.14** In 2016, labour inspectors carried out 148 968 workplace inspections to establishments in different trades to enforce labour laws (Figure 6.2), of which 44 084 inspections were conducted to check compliance with MWO.

- 6.15** We conducted inspections and trade-targeted operations to enforce ECO's compulsory requirement of taking out employees' compensation insurance policy. In the year, a total of 86 063 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 687 inspections were conducted to the workplaces of such workers and 2 035 workers were interviewed to check contractors' compliance with labour laws.
- 6.17** To ensure compliance with the conditions under SLS, we investigated 69 complaints and cases on suspected irregularities involving imported workers. Items investigated included payment of wages, arrangement of working hours, etc.

Processing Employees' Compensation Cases and Improving Work Injury Protection for Employees

- 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 fatalities. Claims for compensation involving fatality are determined by the courts or, under the improved settlement mechanism introduced in August 2000, by the Commissioner for Labour.
- 6.19** In 2016, 51 554 employees' compensation cases, including 15 134 minor cases which involved sick leave of not exceeding three days, were received. At year-end, among the 36 420 fatal cases or non-fatal cases involving sick leave exceeding three days, 22 156 cases were settled. The amount of employees' compensation involved was \$273 million. The remaining cases were pending expiry of sick leave, assessment of permanent incapacity or court judgment. (Figures 6.3 and 6.4)
- 6.20** 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 is made to eligible applicants.

6.21 The Task Force on Improving Work Injury Protection for Employees in High-risk Industries coordinated by LD furthered the discussions on employees' compensation insurance, case processing and therapy/rehabilitation, conducted consultations and progressively implemented improvement measures.

Briefings and Promotional Campaigns

6.22 In 2016, we arranged two briefings for government departments and 63 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, advertisements on newspapers, tram body, inside MTR stations and compartments, etc. to encourage employees to report suspected breaches of employment rights.

6.24 In 2016, we organised various publicity activities to continue to promote MWO. These activities included: broadcasting television and radio Announcements in the Public Interest through different media; wide distribution and display of leaflets and posters; holding seminars and roving exhibitions; and placing advertisements in publications of major labour unions and trade associations as well as on Internet platforms and public transport, etc.



Talk on the Minimum Wage Ordinance

6.25 We continued to promote employers' statutory obligation on timely reporting of work accidents and to take out employees' compensation insurance policies through electronic media, leaflets, departmental homepage and seminars on ECO. In the year, we held 12 talks on ECO.



Seminar on the Employees' Compensation Ordinance

Partnership with Statutory Bodies

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

Protection of Wages on Insolvency Fund Board (PWIFB)

6.27 PWIFB is established under PWIO and is responsible for administering PWIF. Employees who are owed wages, wages in lieu of notice, severance payment, pay for untaken annual leave and pay for untaken statutory holidays by their insolvent employers may apply for ex gratia payment from PWIF in accordance with PWIO. PWIF is mainly financed by a levy on business registration certificates.

6.28 We provide administrative support to PWIFB, verify applications and approve ex gratia payment from PWIF. In 2016, we received 3 348 applications and processed 2 905 applications from employees who were owed wages and other statutory entitlements due to business cessation and sought relief from PWIF, with ex gratia payment of \$80.2 million made. A breakdown of applications received by economic sector was shown in [Figure 6.5](#). During the year, PWIF recorded a surplus of \$228 million.

6.29 By providing a safety net for employees affected by business closures, PWIF plays an important role in maintaining harmonious labour relations and social stability. Both LD and PWIFB attach great importance to protecting PWIF from possible 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 LD, 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 (PCFB)

6.30 PCFB is established under PMCO to provide compensation to persons suffering from pneumoconiosis and/or mesothelioma or family members of persons died of the diseases. PCFB is financed by a levy collected from the construction and quarrying industries. Under PMCO, LD is responsible for determining whether an applicant is entitled to compensation. As at the end of 2016, 1 543 eligible persons were receiving compensation in the form of monthly payments from PCFB. In the year, PCFB made a total compensation payment of \$192 million.

Employees Compensation Assistance Fund Board (ECAFB)

6.31 ECAFB is set up under the Employees Compensation Assistance Ordinance (ECAO). ECAFB is responsible for administering the Employees Compensation Assistance Scheme which provides payment to injured employees or family members of deceased employees who are unable to receive their entitlements for work-related injuries or fatalities from their employers or insurers. In 2016, ECAFB approved 59 applications, leading to payment of \$53.78 million. With effect from 1 April 2004, the Employees Compensation Insurer Insolvency Bureau established by the insurance industry took over from 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 (ODCB)

6.32 Established under ODCO, ODCB provides compensation for persons who suffer from noise-induced deafness by reason of employment in specified noisy occupations and financial assistance for their purchase, fitting, repair or maintenance of hearing assistive devices. ODCB also has an important role in launching educational and publicity programmes for the prevention of occupational deafness, and providing rehabilitation programmes for those suffering from occupational deafness. In 2016, ODCB approved 218 applications for compensation with a total compensation payout at \$18.27 million and 577 applications for payment of expenses on hearing assistive devices with a total payout at \$2.77 million. ODCB also provided 404 rehabilitation programmes for people with hearing impairment caused by their employment in specified noisy occupations.

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 its Members. As at end of 2016, 41 International Labour Conventions were applied to Hong Kong, 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 Hong Kong to enable the Government to implement internationally accepted labour standards. Through continuous improvements to labour legislation and administrative measures, Hong Kong maintains a level of labour standards that are comparable with those of neighbouring places with similar economic development as well as social and cultural background.

Participation in the Activities of ILO

- 7.3** Hong Kong participates in the activities of 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 2016, the Labour Department (LD) continued to participate actively in activities organised by ILO to keep abreast of the latest development of international labour matters. In the year, representatives from Hong Kong participated as members of the delegation of the People's Republic of China in the 105th Session of the International Labour Conference held in Geneva, Switzerland and attended the 16th Asia and the Pacific Regional Meeting of ILO held in Bali, Indonesia in the name of "Hong Kong, China".

Contacts with Other Labour Administrations

- 7.5** In the year, LD received delegations of labour administrators from other places and sent representatives to participate in labour-related activities in other places, so as to strengthen its cooperation with other countries and regions, and to exchange views and experience with its counterparts on various labour issues. (Figure 7.2)

Chapter 8: Figures and Charts

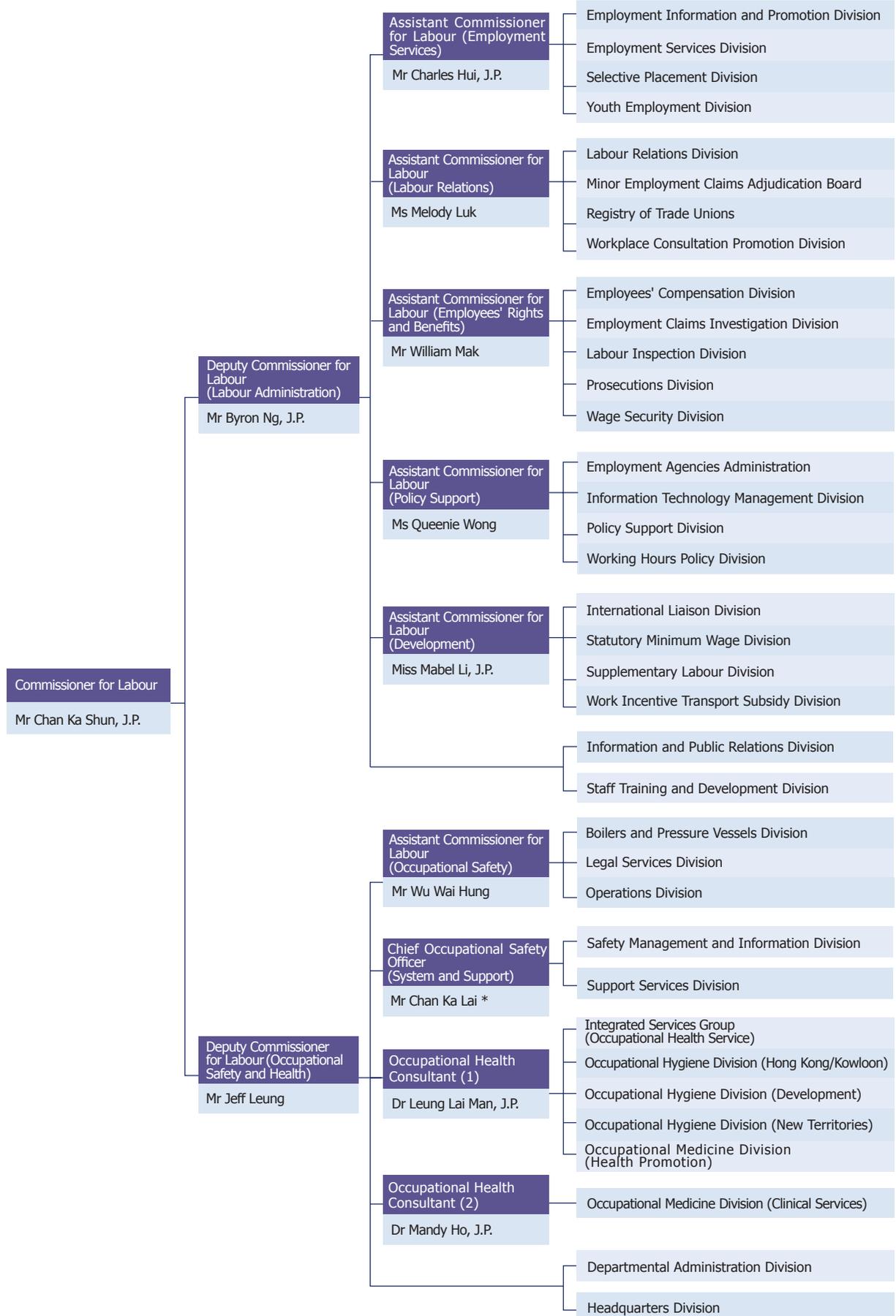
- Figure 2.1** Number of summonses convicted and total fines in 2016
- Figure 2.2** Organisation Chart of Labour Department (as at 31 December 2016)
- Figure 2.3** Terms of Reference and Composition of the Labour Advisory Board and Membership for the 2015-2016 term
- Figure 3.1** Key Indicators of Work of the Labour Relations Programme Area in 2016
- Figure 3.2** Number of Labour Disputes Handled by the Labour Relations Division from 2012 to 2016
- Figure 3.3** Number of Claims Handled by the Labour Relations Division from 2012 to 2016
- Figure 3.4** Number of Labour Disputes Handled by the Labour Relations Division in 2016 by Cause
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- Figure 3.6** Number of Strikes and Number of Employees Involved from 2012 to 2016
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- Figure 7.1** List of the 41 International Labour Conventions Applied to Hong Kong
- Figure 7.2** Participation in Major International Labour Organisation Activities and Contacts with Other Labour Administrations in 2016

Figure 2.1
Number of summonses convicted and total fines in 2016

Ordinance	Summonses convicted	Fines (\$)
Boilers and Pressure Vessels Ordinance		
Sub-total	7	59,500
Employees' Compensation Ordinance		
Sub-total	638	1,773,550
Employment Ordinance and subsidiary regulations		
Statutory benefits cases	695	3,624,000
Young persons cases ¹	-	-
Others ²	1	4,000
Sub-total	696	3,628,000
Factories and Industrial Undertakings Ordinance and subsidiary regulations		
Factory cases	393	4,154,000
Building and engineering construction cases	1,493	17,073,660
Sub-total	1,886	21,227,660
Occupational Safety and Health Ordinance and subsidiary regulations		
Sub-total	251	3,113,300
Immigration Ordinance		
Sub-total	10	18,500
Total	3,488	29,820,510

Notes: 1. Cases involving the Employment of Young Persons (Industry) Regulations
2. Cases involving the Employment Agency Regulations and the Employment of Children Regulations

Figure 2.2
Organisation Chart of Labour Department
(as at 31 December 2016)



* Doubling up the post of Chief Occupational Safety Officer (System and Support)

Figure 2.3

Terms of Reference and Composition of the Labour Advisory Board and Membership for the 2015-2016 term

Terms of Reference

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

Composition

The composition of the Labour Advisory Board is as follows:

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

Membership

Chairman

Mr Donald Tong Chi Keung, JP (up to 18.9.2016)	Commissioner for Labour
Mr Carlson Chan Ka Shun, JP (from 6.10.2016 onwards)	

Members

Employee Representatives

Mr Leung Chau Ting	} elected by registered employee unions
Mr Stanley Ng Chau Pei	
Mr Chau Siu Chung	
Ms Wong Siu Han	
Mr Charles Chan Yiu Kwong	
Ms Rose Chan So Hing	appointed ad personam

Employer Representatives

Hon Ho Sai Chu, GBM, GBS, JP	representing the Chinese General Chamber of Commerce
Dr Kim Mak Kin Wah, BBS, JP	representing the Employers' Federation of Hong Kong
The Late Mr Stanley Lau Chin Ho, SBS, MH, JP (up to 12.6.2016)	representing the Federation of Hong Kong Industries
Mr Jimmy Kwok Chun Wah, BBS, MH, JP (from 8.7.2016 onwards)	
Mr Irons Sze, BBS, JP	representing the Chinese Manufacturers' Association of Hong Kong
Mr Emil Yu Chen On	representing the Hong Kong General Chamber of Commerce
Mr Cheung Sing Hung, BBS	appointed ad personam

Secretary

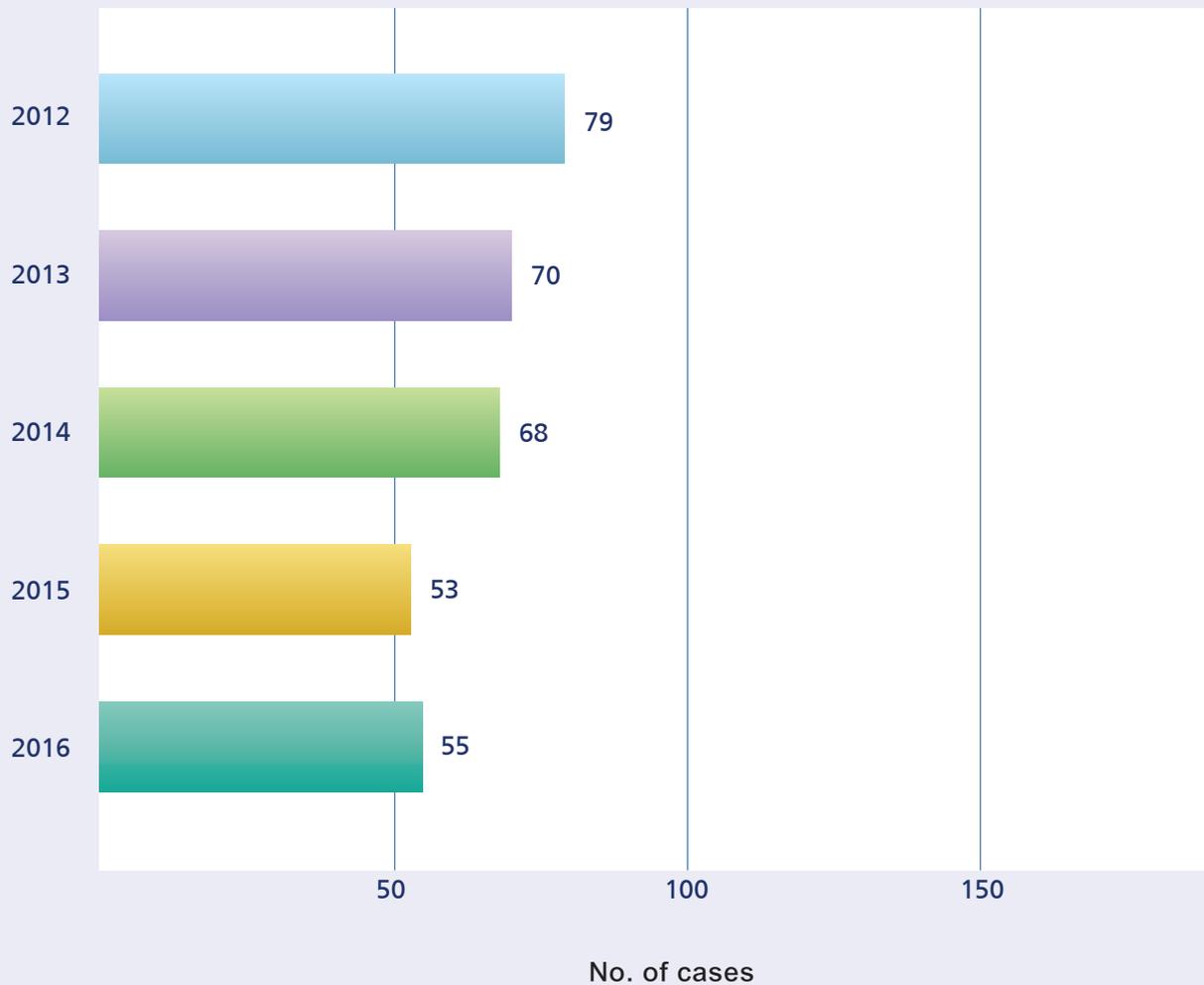
Ms Samantha Lam Yick Wah (up to 20.12.2016)	Senior Labour Officer
Ms Esther Chan Lai Heung (from 21.12.2016 onwards)	

Figure 3.1**Key Indicators of Work of the Labour Relations Programme Area in 2016**

Key Indicators of Work		Number
I.	Conciliation and Consultation Services	
	Labour disputes and claims handled	14 727
	Consultation meetings held	63 268
	Percentage of labour disputes and claims resolved through conciliation	72.9%
II.	Adjudication of Minor Employment Claims	
	Claims adjudicated by Minor Employment Claims Adjudication Board	923
III.	Administration of Trade Unions	
	Registration of new trade unions and changes of union names / rules	119
	Visits to trade unions	361
	Account statements of trade unions examined	783
	Training courses organised for trade unions	4

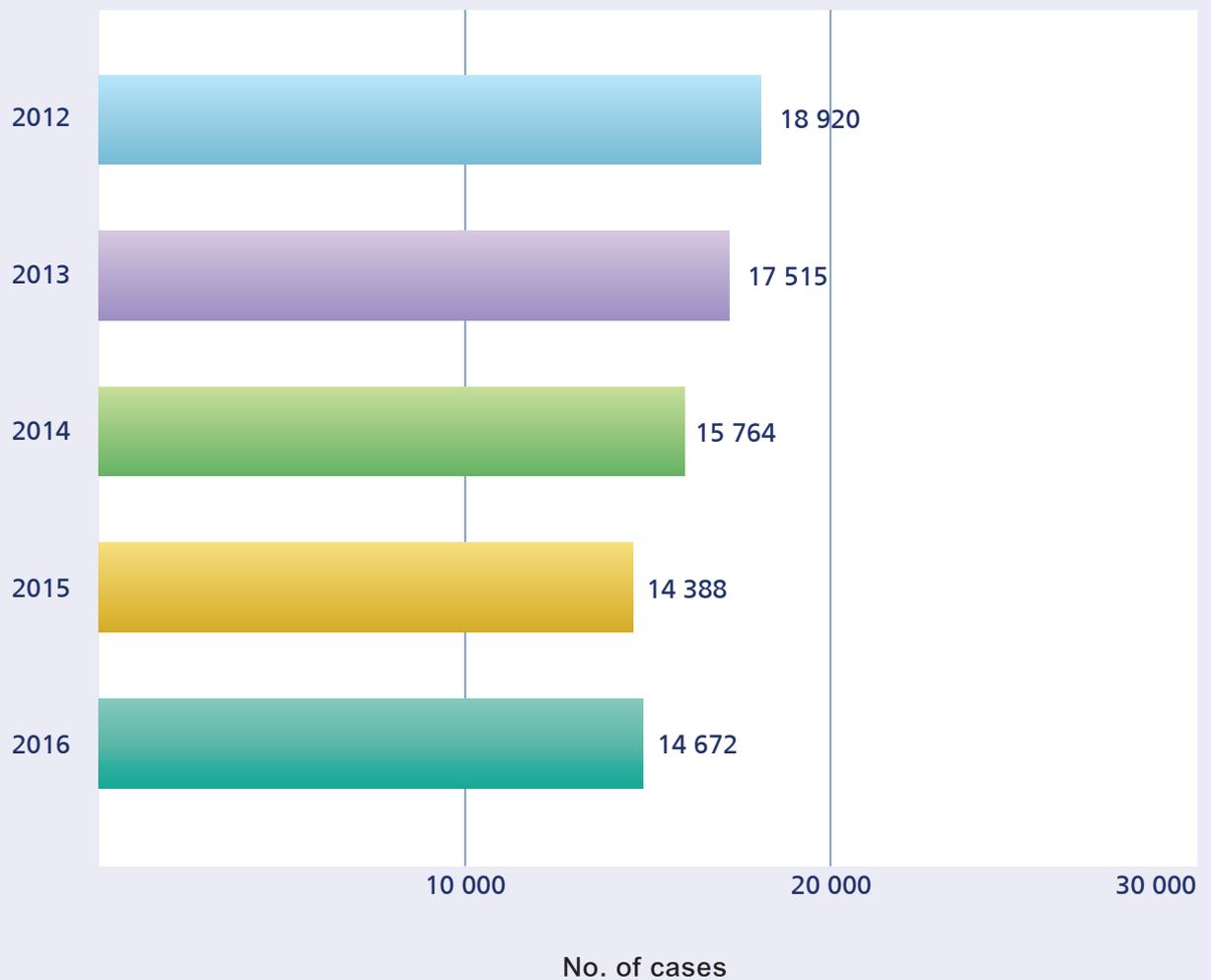
Figure 3.2

Number of Labour Disputes Handled by the Labour Relations Division from 2012 to 2016



Year	No. of cases
2012	79
2013	70
2014	68
2015	53
2016	55

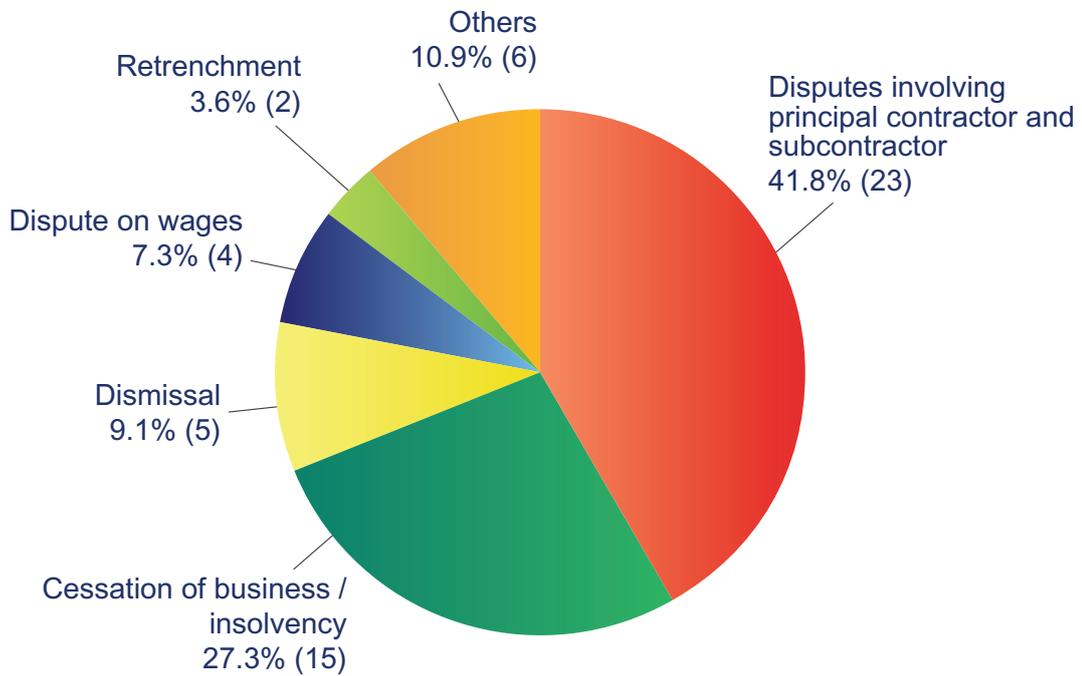
Figure 3.3
Number of Claims Handled by the Labour Relations Division
from 2012 to 2016



Year	No. of cases
2012	18 920
2013	17 515
2014	15 764
2015	14 388
2016	14 672

Figure 3.4

Number of Labour Disputes Handled by the Labour Relations Division in 2016 by Cause

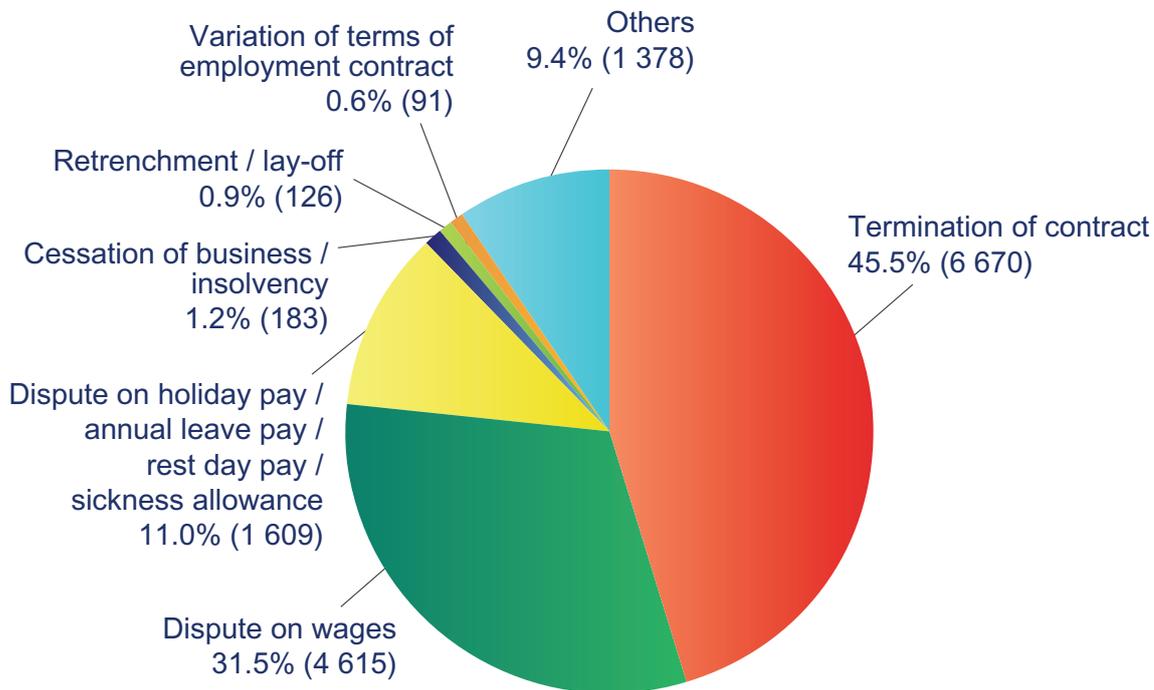


Total number of cases : 55

* Figures in bracket indicate the number of related cases

Cause	Number of cases	Percentage
Disputes involving principal contractor and subcontractor	23	41.8%
Cessation of business / insolvency	15	27.3%
Dismissal	5	9.1%
Dispute on wages	4	7.3%
Retrenchment	2	3.6%
Others	6	10.9%
Total number of cases	55	

Figure 3.5
Number of Claims Handled by the Labour Relations Division
in 2016 by Cause



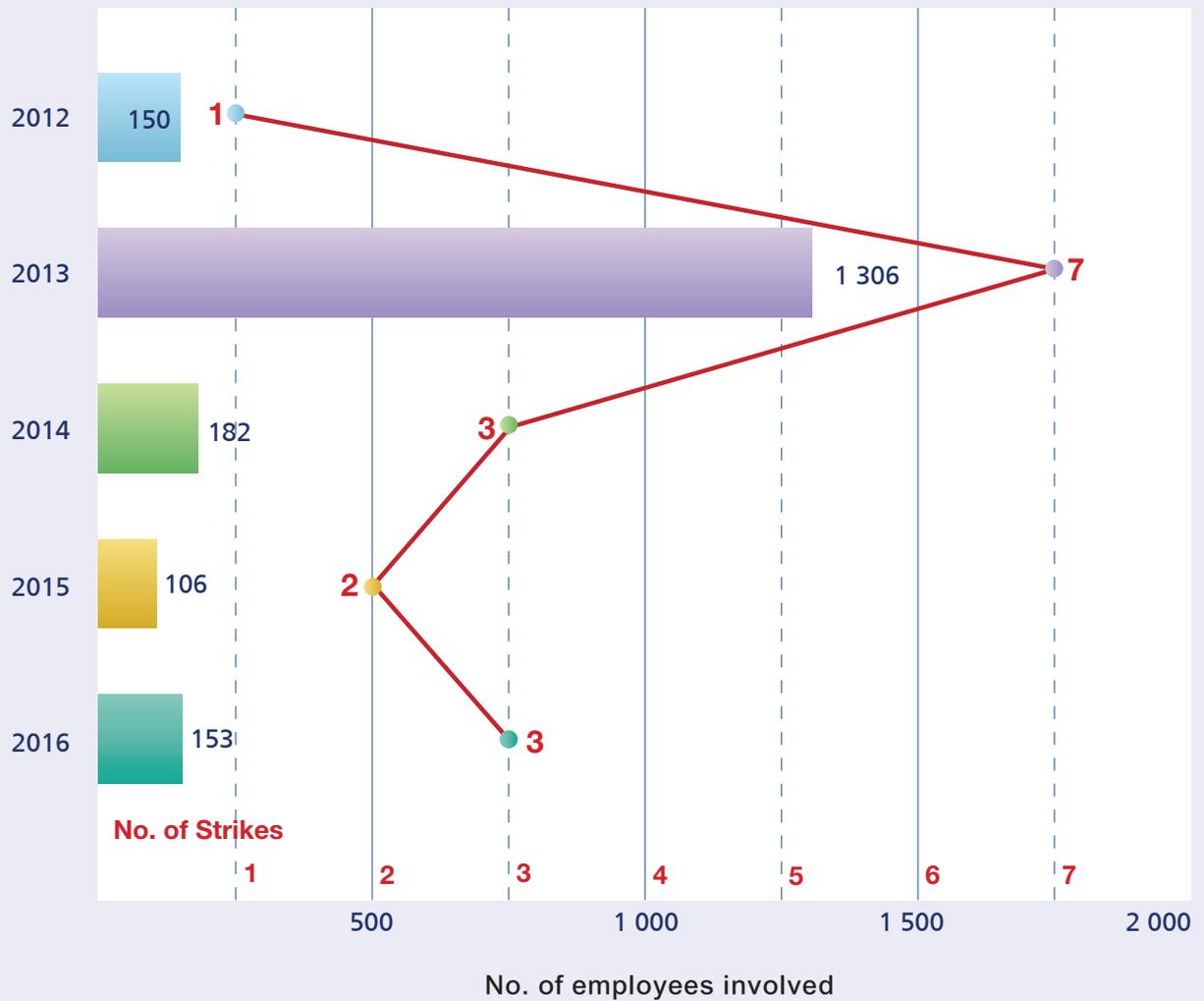
Total number of cases : 14 672

* Figures in bracket indicate the number of related cases

Cause	Number of cases	Percentage
Termination of contract	6 670	45.5%
Dispute on wages	4 615	31.5%
Dispute on holiday pay / annual leave pay / rest day pay / sickness allowance	1 609	11.0%
Cessation of business / insolvency	183	1.2%
Retrenchment / lay-off	126	0.9%
Variation of terms of employment contract	91	0.6%
Others	1 378	9.4%
Total number of cases	14 672	

There may be a slight discrepancy between the sum of individual items and the total as shown in the table due to rounding.

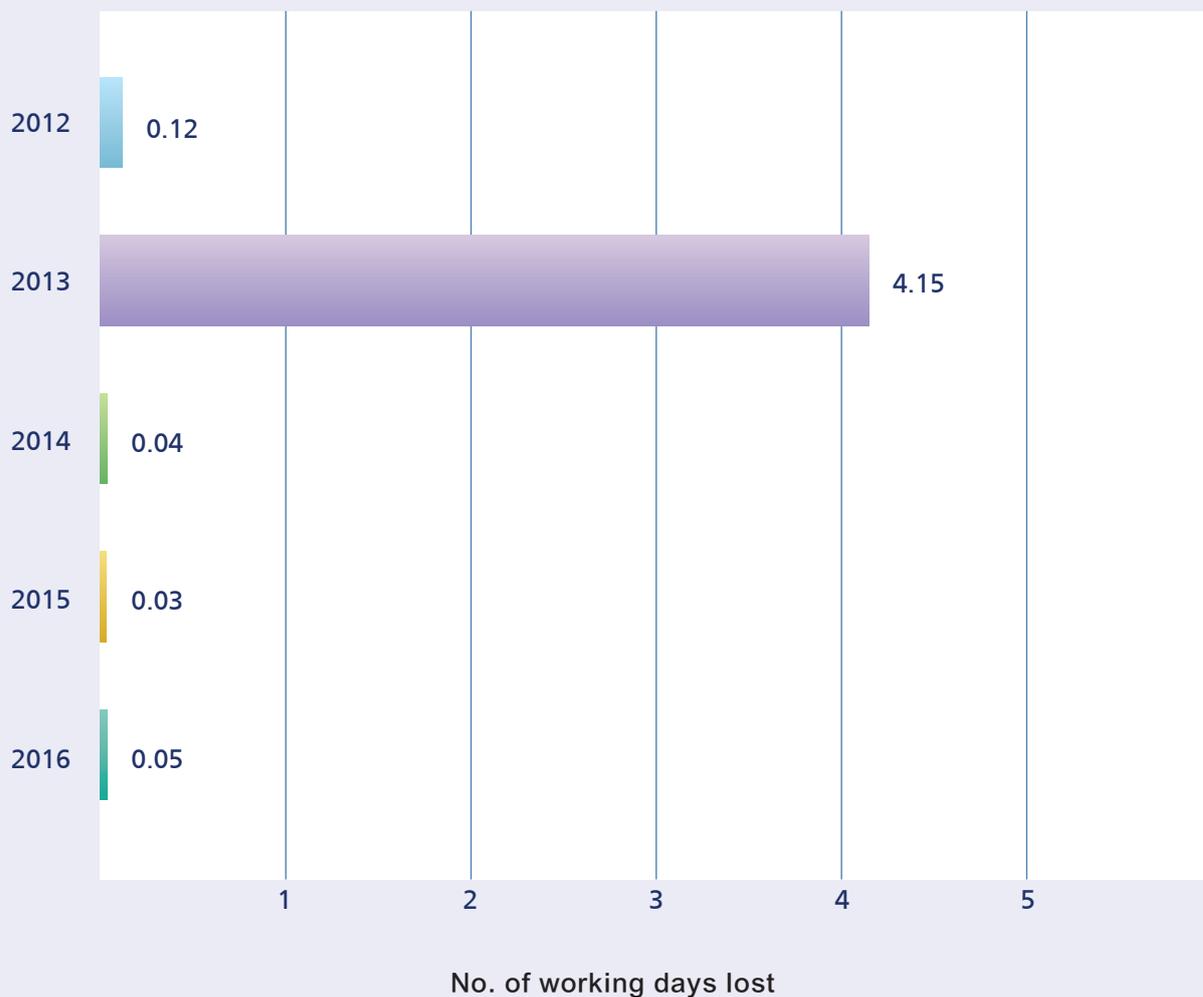
Figure 3.6
Number of Strikes and Number of Employees Involved
from 2012 to 2016



Year	No. of Strikes	No. of employees involved
2012	1	150
2013	7	1 306
2014	3	182
2015	2	106
2016	3	153

Figure 3.7

Number of Working Days Lost due to Strike per Thousand Salaried Employees and Wage Earners* from 2012 to 2016



Year	No. of working days lost
2012	0.12
2013	4.15
2014	0.04
2015	0.03
2016	0.05

* 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 2016**

Key Indicators of Work		Number
I.	Inspections	
	Inspections under FIUO ¹ and OSHO ²	131 339
	Inspections under BPVO ³	4 535
II.	Investigations	
	Investigations of accidents at workplaces	14 730
	Investigations of suspected cases of occupational diseases	2 983
III.	Promotion and Education	
	Promotional visits to workplaces under FIUO ¹ and OSHO ²	5 436
	Talks, lectures and seminars organised	2 097
IV.	Pressure Equipment Registration	
	Pressure equipment registered	2 404
	Examinations conducted and exemptions granted, for the issue or endorsement of certificates of competency	523
V.	Clinical Services	
	Clinical consultations conducted	10 444

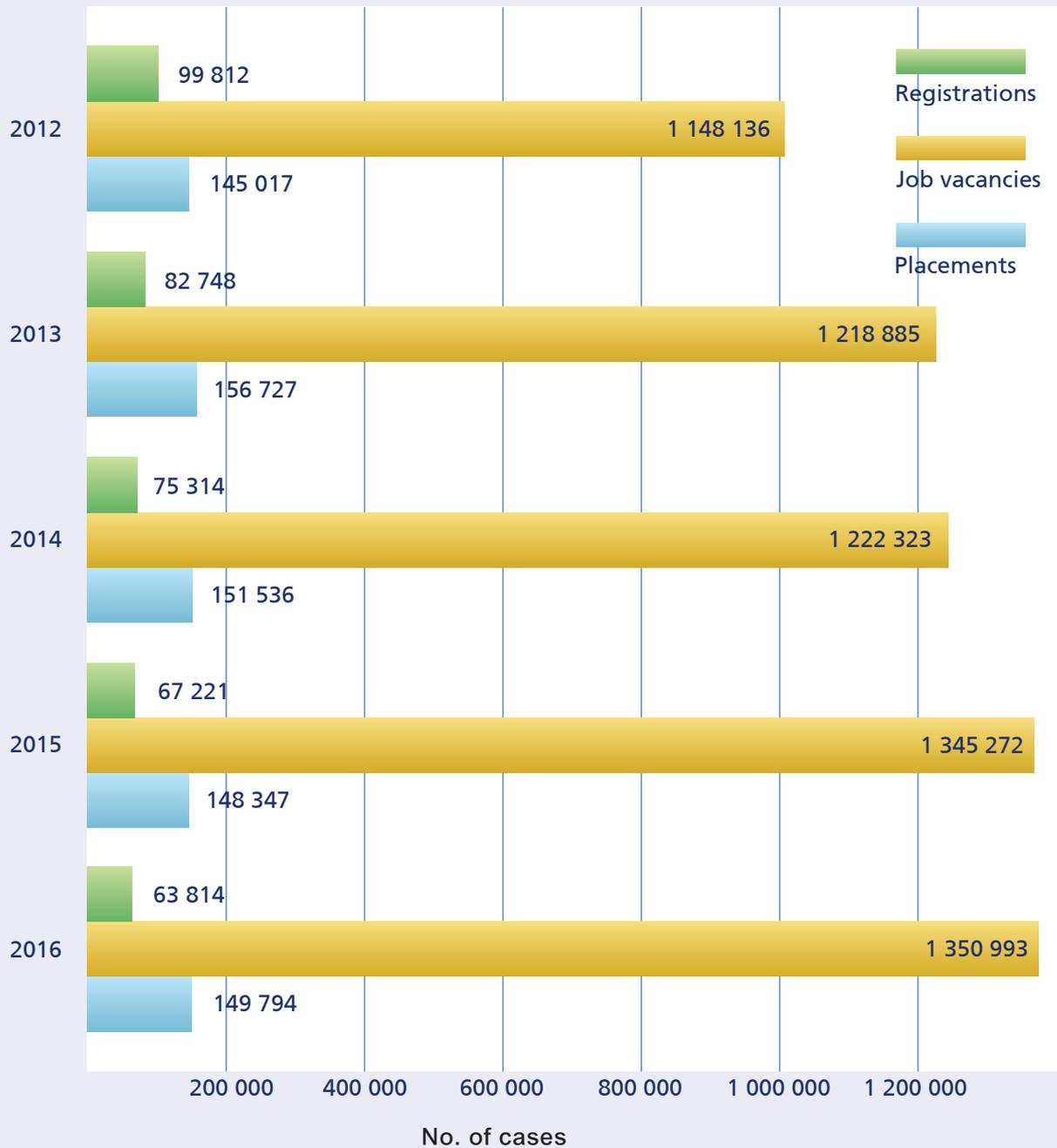
Notes: 1. Factories and Industrial Undertakings Ordinance
2. Occupational Safety and Health Ordinance
3. Boilers and Pressure Vessels Ordinance

Figure 5.1
Key Indicators of Work of the Employment Services Programme
Area in 2016

Key Indicators of Work		Number
I.	Able-bodied Job Seekers	
	Persons registered	63 814
	Placements	149 794
II.	Job Seekers with Disabilities	
	Persons registered	2 790
	Placements	2 250
III.	Regulating Employment Agency	
	Licences issued	3 158
	Inspections	1 816
IV.	Applications under the Supplementary Labour Scheme processed	1 153

Figure 5.2

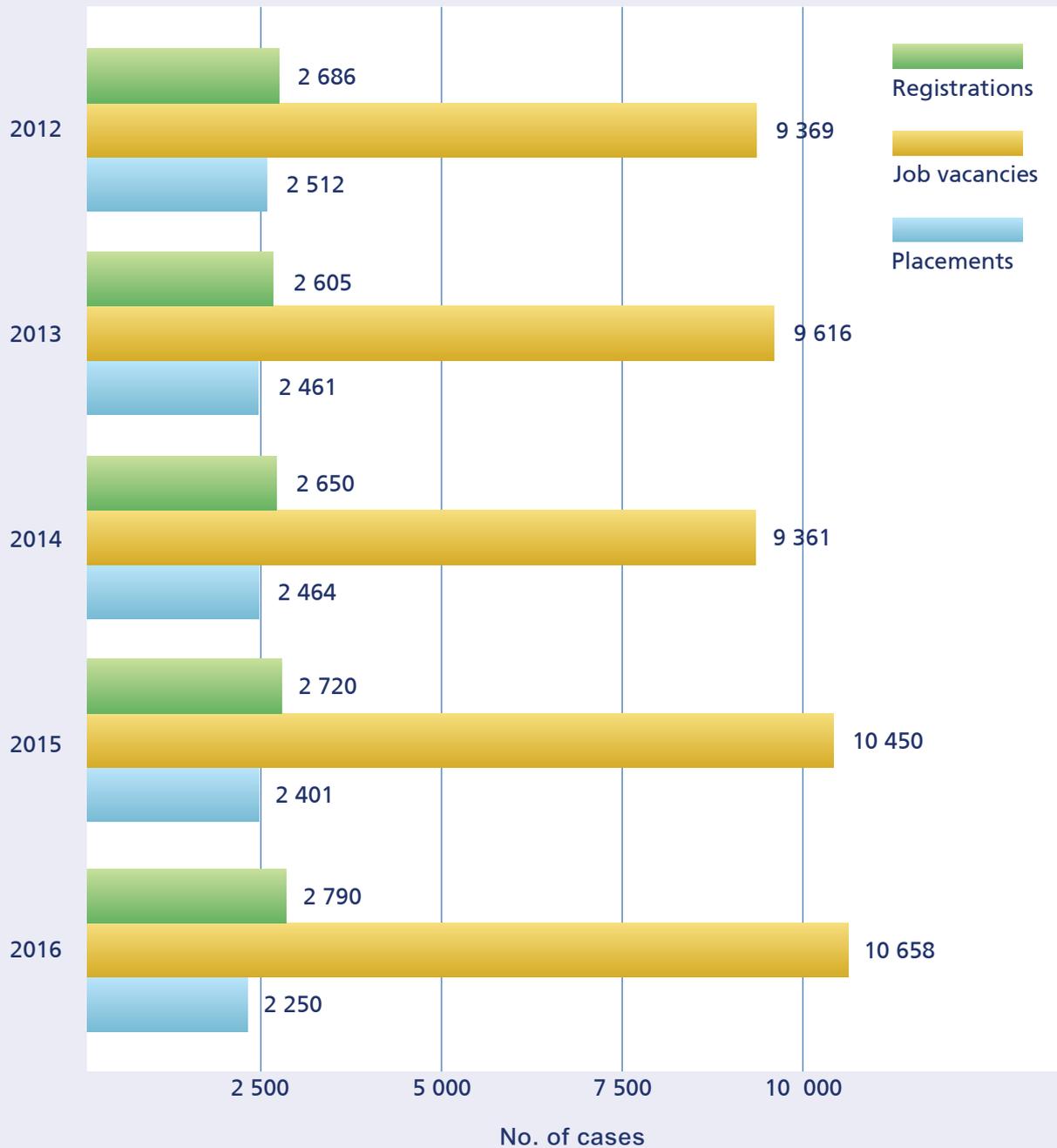
Key Indicators of Work on Employment Assistance Rendered to Able-bodied Job Seekers from 2012 to 2016



Year	Registrations	Job vacancies	Placements
2012	99 812	1 148 136	145 017
2013	82 748	1 218 885	156 727
2014	75 314	1 222 323	151 536
2015	67 221	1 345 272	148 347
2016	63 814	1 350 993	149 794

Figure 5.3

Key Indicators of Work on Employment Assistance Rendered to Job Seekers with Disabilities from 2012 to 2016

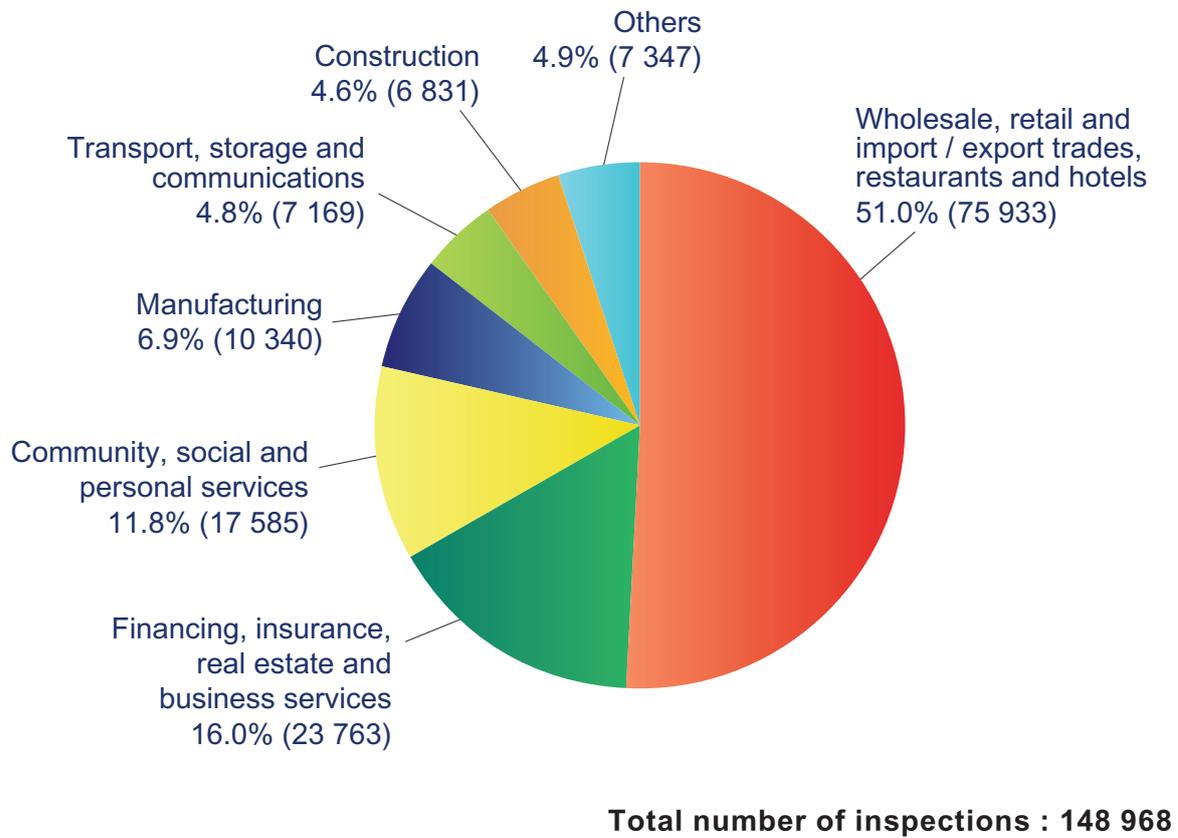


Year	Registrations	Job vacancies	Placements
2012	2 686	9 369	2 512
2013	2 605	9 616	2 461
2014	2 650	9 361	2 464
2015	2 720	10 450	2 401
2016	2 790	10 658	2 250

Figure 6.1**Key Indicators of Work of the Employees' Rights and Benefits Programme Area in 2016**

Key Indicators of Work		Number
I.	Inspections to workplaces	148 968
II.	Employees' compensation claims received	51 554
III.	Sick leave clearance interviews for injured employees conducted	44 992
IV.	Assessment of loss of earning capacity of injured employees	
	Ordinary assessment	18 890
	Special assessment	0
	Review assessment	4 105
V.	Applications for payment under the Protection of Wages on Insolvency Fund processed	2 905
VI.	Cases related to imported workers under the Supplementary Labour Scheme investigated	69
VII.	Convicted summonses on wage offences	503

Figure 6.2
Number of Inspections Made in 2016 by Major Economic Sector

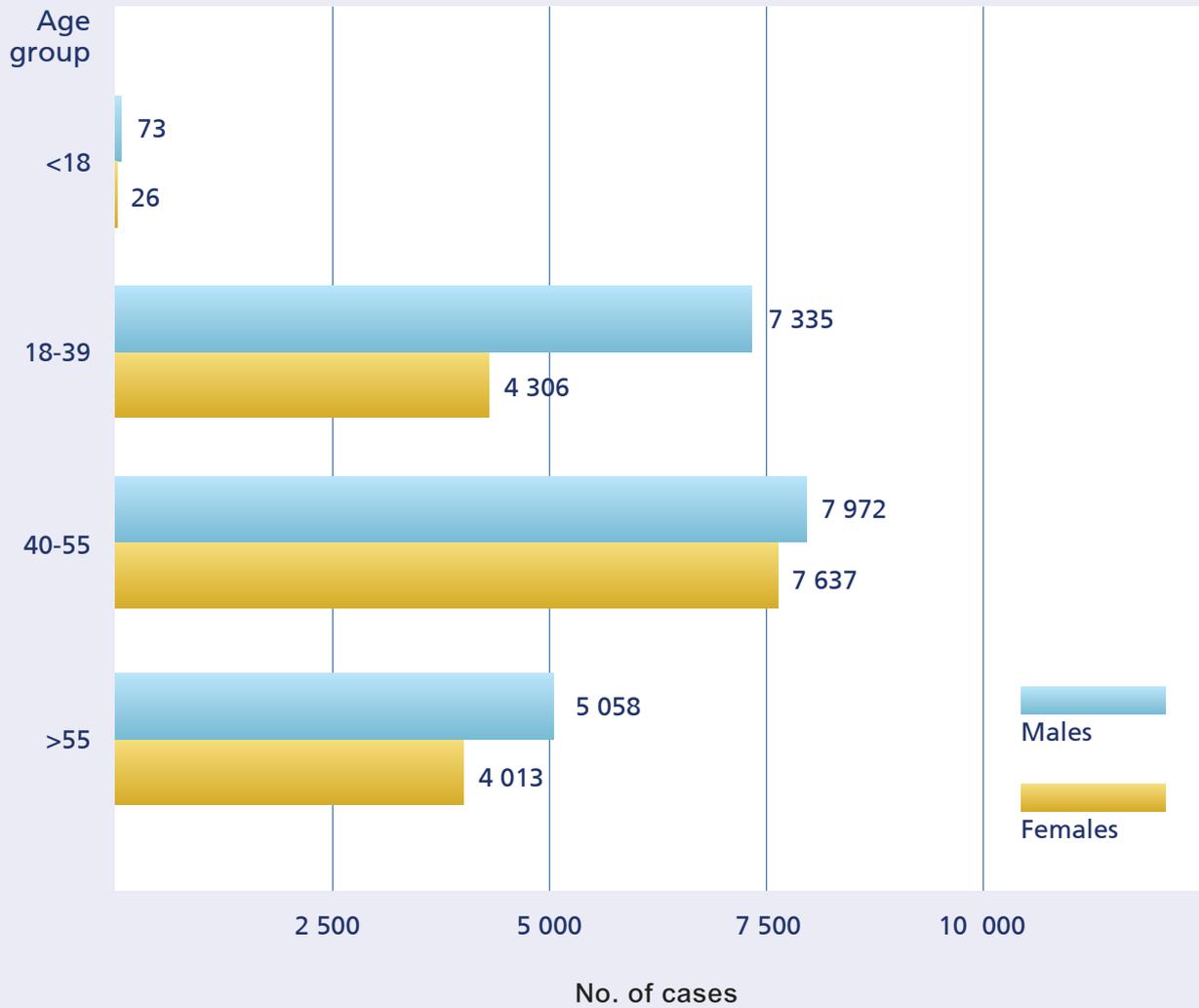


* Figures in bracket indicate the number of related inspections

Economic sector	No. of inspections	Percentage
Wholesale, retail and import / export trades, restaurants and hotels	75 933	51.0%
Financing, insurance, real estate and business services	23 763	16.0%
Community, social and personal services	17 585	11.8%
Manufacturing	10 340	6.9%
Transport, storage and communications	7 169	4.8%
Construction	6 831	4.6%
Others	7 347	4.9%
Total number of inspections	148 968	

Figure 6.3

Number of Cases Reported under the Employees' Compensation Ordinance in 2016 by Sex and Age*

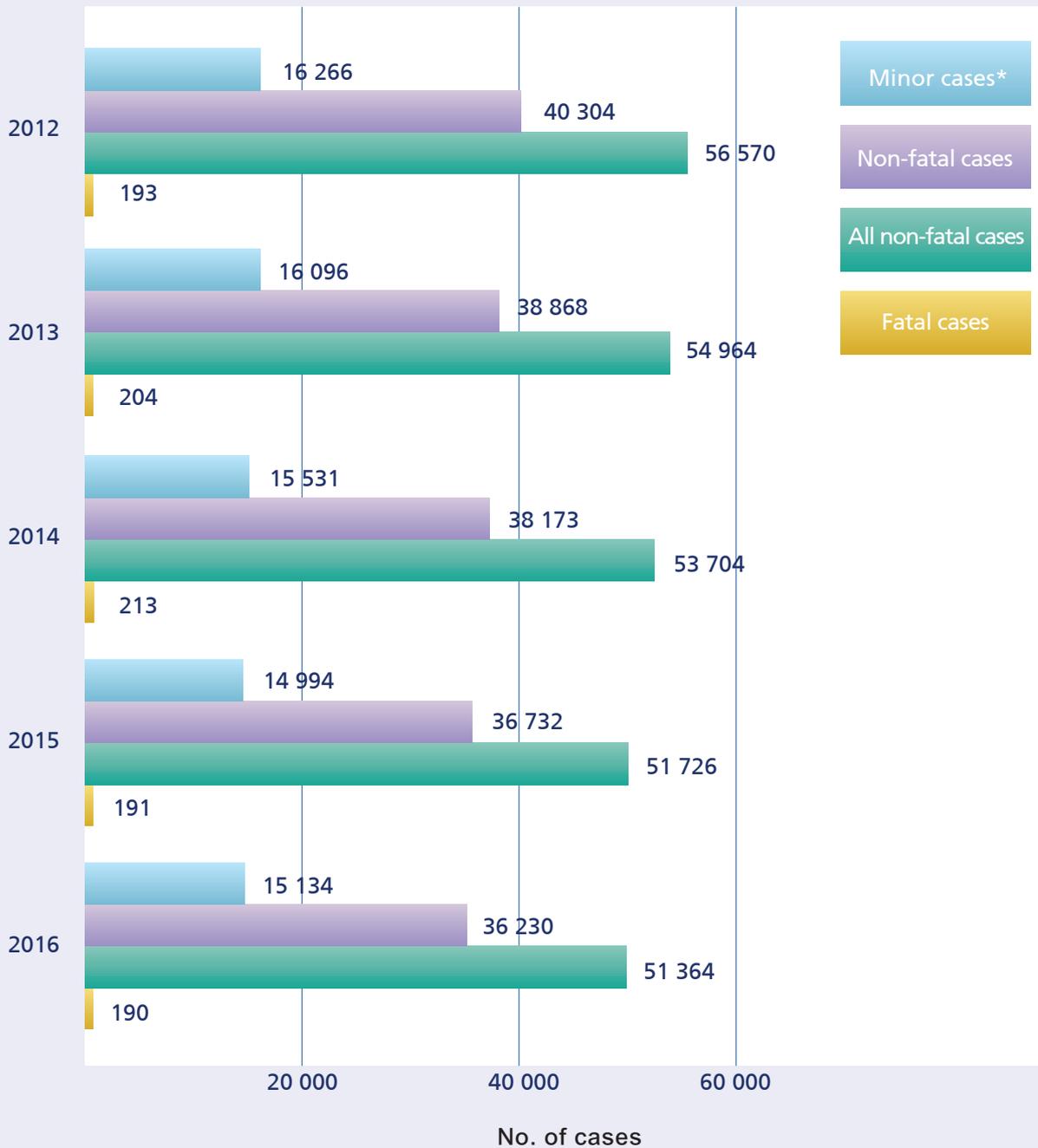


Age group	Males	Females
<18	73	26
18-39	7 335	4 306
40-55	7 972	7 637
>55	5 058	4 013

* The figures have not included 15 134 cases involving sick leave of not exceeding three days.

Figure 6.4

Number of Cases Reported under the Employees' Compensation Ordinance from 2012 to 2016

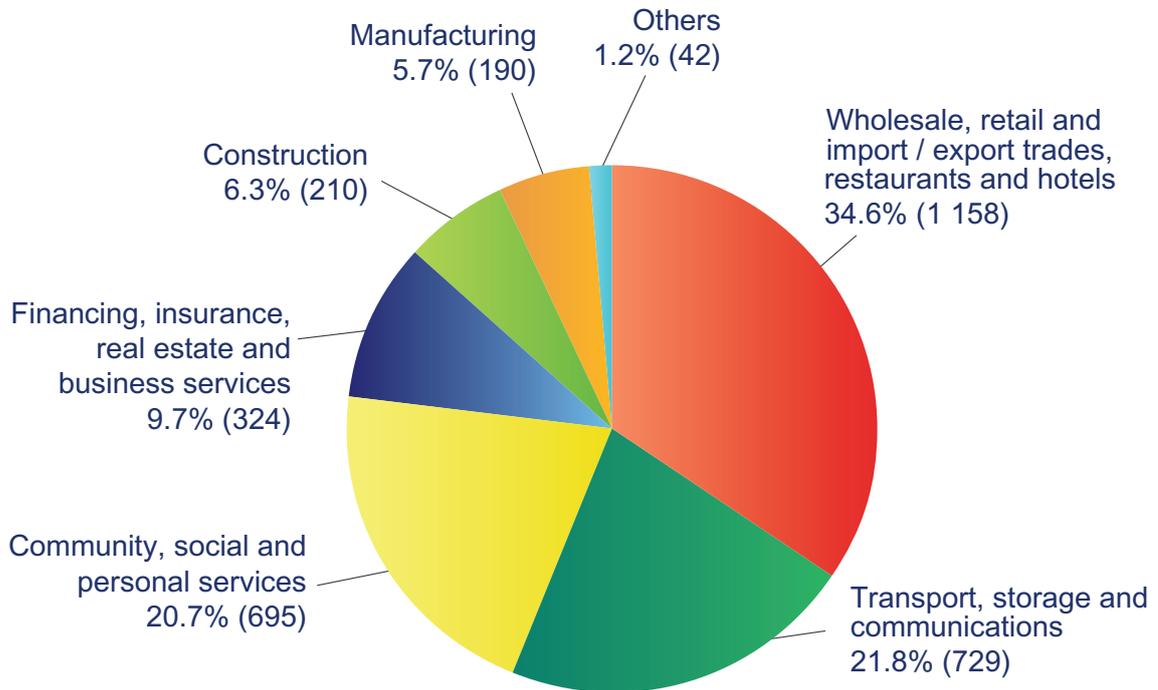


Year	Minor cases*	Non-fatal cases	All non-fatal cases	Fatal cases
2012	16 266	40 304	56 570	193
2013	16 096	38 868	54 964	204
2014	15 531	38 173	53 704	213
2015	14 994	36 732	51 726	191
2016	15 134	36 230	51 364	190

* Minor cases refer to cases involving sick leave of not exceeding three days.

Figure 6.5

Number of Applicants of the Protection of Wages on Insolvency Fund in 2016 by Economic Sector



Total number of applicants: 3 348

* Figures in bracket indicate the number of related applicants

Economic Sector	No. of applicants	Percentage
Wholesale, retail and import / export trades, restaurants and hotels	1 158	34.6%
Transport, storage and communications	729	21.8%
Community, social and personal services	695	20.7%
Financing, insurance, real estate and business services	324	9.7%
Construction	210	6.3%
Manufacturing	190	5.7%
Others	42	1.2%
Total number of applicants	3 348	

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

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 International Labour Organisation Activities and Contacts with Other Labour Administrations in 2016**

Month	Activities
Jan	The Commissioner for Labour led a delegation to attend the 2015 Guangdong-Hong Kong-Macao Exchange Meeting on Labour Inspection and Law Enforcement in Macao.
Jun	The Deputy Commissioner for Labour (Labour Administration) led a tripartite team comprising the Government, employer and employee representatives to attend the 105th Session of the International Labour Conference in Geneva, Switzerland as part of the delegation of the People's Republic of China.
Oct	LD sent a delegation to attend the "Guangdong-Hong Kong-Macao Training Programme on Labour Inspection and Law Enforcement" in Macao.
Nov	Deputy Director General Cui Changzheng, Department of General Affairs, Ministry of Human Resources and Social Security of the State Council (MoHRSS), led a delegation to visit Hong Kong under the Reciprocal Visit Programme. The delegation exchanged views on labour issues with the Commissioner for Labour and officers of LD.
Dec	The Assistant Commissioner for Labour (Development) led a tripartite team comprising the Government, employer and employee representatives to attend the 16th Asia and the Pacific Regional Meeting of the International Labour Organisation in Bali, Indonesia in the name of "Hong Kong, China".
Dec	Vice Minister Kong Changsheng of MoHRSS was invited to visit Hong Kong. He met with the Commissioner for Labour and officers of LD to exchange views on the latest development of labour affairs.
Dec	Mr Xie Shuxing, Deputy Director General, Department of Human Resources and Social Security of Guangdong Province and Mr Wong Chi Hong, Director, Labour Affairs Bureau of Macao, led their respective delegations to visit Hong Kong to attend the 2016 Guangdong-Hong Kong-Macao Exchange Meeting on Labour Inspection and Law Enforcement chaired by the Commissioner for Labour.

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