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Chapter 1

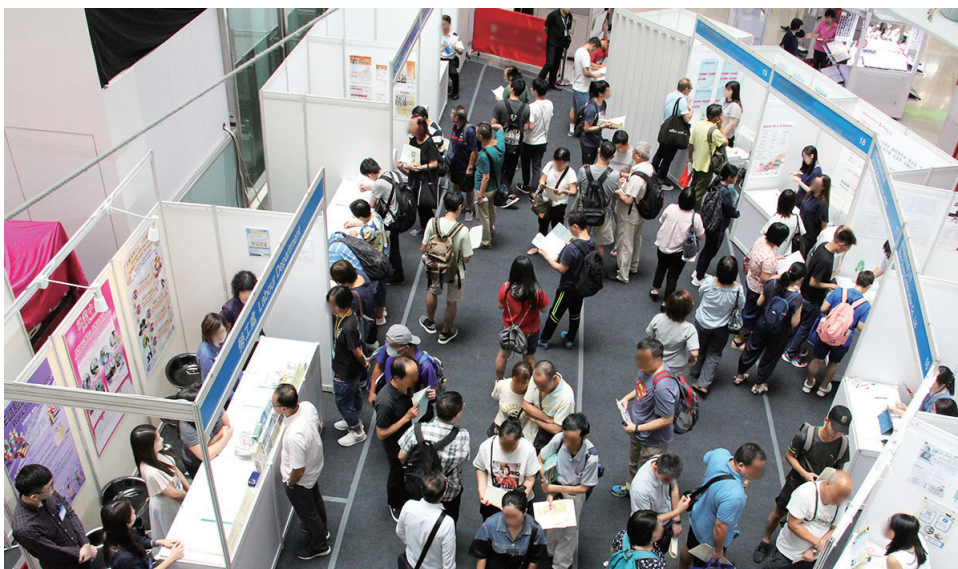
Highlights of Year 2019

- 1.1** The labour market was increasingly under pressure during 2019, especially in the second half when economic conditions deteriorated abruptly. The seasonally adjusted unemployment rate went up from a low of 2.8% in the second quarter of 2019 to 3.3% in the fourth quarter. The underemployment rate edged up to 1.2% in the fourth quarter, after staying at a low of 1.0% in the previous three quarters. For 2019 as a whole, the unemployment rate was 2.9%, up 0.1 percentage point from 2018, while the underemployment rate was 1.1%, the same as in the preceding year. We will continue to closely monitor the labour 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

Employment and Recruitment 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 18 large-scale job fairs and 960 district-based job fairs were organised in the year.



Large-scale job fairs of the Labour Department well received by job seekers

- 1.3** The 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 the LD recorded 1 291 502 vacancies from the private and public sectors; and 111 568 placements were secured.

Broadening Horizons of our Youths

- 1.4** The LD continued to expand the Working Holiday Scheme (WHS) network. In July 2019, a new WHS was established between Hong Kong and Italy (commencement date to be confirmed).

Labour Relations

Promoting Harmonious Labour Relations

- 1.5** To foster harmonious labour relations, the LD continued to adopt a proactive and pragmatic approach in helping employers and employees resolve their disagreements through communication and mutual understanding. In 2019, we handled a total of 76 labour disputes and 13 755 claims. Over 70% of cases with conciliation service rendered were resolved. The average waiting time for conciliation meetings was 2.4 weeks in the year.

Stepping up Enforcement against Wage Offences

- 1.6** In 2019, the 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 by labour inspectors. 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. We conducted prompt investigation into suspected wage offences so as to facilitate speedy prosecution.
- 1.7** We continued to step up the prosecution against employers and responsible individuals 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.

Enhancing Good Human Resource Management Practices and Harmonious Labour Relations

- 1.8** The LD organised a wide range of promotional activities including exhibitions, seminars and talks to promote public understanding of labour laws and publicise employee-oriented and good human resource management measures. In 2019, a series of seminars were conducted for human resources managers and corporate executives, including the promotion of effective workplace communication. We also launched the Good Employer Charter 2020 in November to further encourage more employers in different industries to adopt good human resource management, including the implementation of family-friendly employment practices in the workplace.



Roving exhibitions promoting public understanding of labour laws and publicising employee-oriented and good human resource management measures

Employees' Rights and Benefits

Statutory Minimum Wage (SMW)

- 1.9** The SMW was uprated to \$37.5 per hour effective from 1 May 2019. In the year, the LD organised territory-wide publicity activities to promote the revised SMW rate and the Minimum Wage Ordinance (MWO). To safeguard employees' entitlement to the SMW, we also conducted proactive workplace inspections of various establishments and mounted targeted enforcement campaigns for low-paying sectors. Overall, the implementation of the SMW was smooth and the earnings of low-income employees continued to improve.

1.10 The Minimum Wage Commission (MWC) is an independent statutory body established under the 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. The MWC comprises a Chairperson and 12 Members drawn from the labour sector, business community, academia and the Government. The current two-year term of the MWC commenced on 1 March 2019.

Safeguarding the Rights of Employees of Government Service Contractors

1.11 The Government has introduced new improvement measures since April 2019 to enhance the protection of non-skilled employees engaged by government service contractors, such as increasing the technical weighting (including the marks assigned to wage level) in the marking schemes for tender evaluation, and requiring the contractors to pay contractual gratuity to the employees. The LD continued to step up inspections of workplaces to check government service contractors' compliance with statutory requirements and the relevant improvement measures.

Protection of Wages on Insolvency Fund

1.12 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. The 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

1.13 The LD collaborated with the Police and the Immigration Department to combat illegal employment activities. A total of 81 joint operations were mounted in the year.

Working Hours Policy

1.14 In 2019, the LD continued to engage its 11 industry-based tripartite committees (including nine existing committees and two committees being set up specifically to discuss working hours arrangements of the cleaning services and elderly homes industries) to formulate for these sectors working hours guidelines with suggested sector-specific working hours arrangements, overtime compensation arrangements and good working hours management measures for reference and adoption by employers and their employees.

Safety and Health at Work

Safety of Major Public Works Projects (PWPs)

1.15 In light of the commencement of major PWPs (including major infrastructure projects), the LD established dedicated teams to monitor the safety performance of their workplaces. Besides, we continued to urge contractors to enhance construction site safety through stepping up inspection and enforcement, as well as promotion and education. These included conducting in-depth surprise inspections of the major PWP sites with high risk processes or poor safety performance to scrutinise the safe system of work and safety management system of duty holders. We also stepped up participation in site safety management committee meetings of major PWPs to keep close tabs on the projects' occupational safety and health (OSH) conditions and risks, with a view to devising more focused inspection strategies accordingly. During the meetings, we gave advice on work processes of higher risk and urged the contractors and relevant duty holders to conduct risk assessments, devise safe working procedures and adopt adequate safety measures with respect to these processes as early as possible. We also strengthened the coordination with the Development Bureau, works departments and other public works project clients to enhance the site safety measures of major PWPs, with a view to ensuring more effective control of risks by contractors. We also launched enforcement operations with the Marine Department on sea-based construction works to deter work practices from contravening safety requirements.

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

1.16 The volume of RMAA works is expected to grow further with the continuous ageing of buildings in Hong Kong and the implementation of mandatory requirements for inspection of buildings and windows by the Government.

1.17 In light of serious accidents that happened from time to time in the RMAA works in recent years, the LD continued to step up inspection and enforcement efforts to deter contractors from adopting unsafe work practices, so as to enhance the occupational safety condition of the RMAA works. Territory-wide special enforcement operations on the RMAA works with emphasis on high risk processes, such as work-at-height, truss-out scaffolding works, lifting operations and electrical work were also launched. During the special operations, 646 suspension/improvement notices were issued and 344 prosecutions were taken out.

- 1.18** On the fronts of education and promotion, we organised a series of intensive promotion and publicity campaigns, targeting the RMAA works, as well as the related work-at-height and electrical work to arouse the safety awareness of all parties involved. These included continuing the two-year publicity campaign which was launched in 2018 in collaboration with the Occupational Safety and Health Council (OSHC) with a wide range of initiatives seeking to reach contractors and workers engaged in the RMAA works more effectively and to impress upon them the importance of work safety. We also partnered with the Home Affairs Department and the property management sector to organise publicity and promotional activities to promulgate work safety at the district level.
- 1.19** In 2019, the LD organised in collaboration with the OSHC a series of safety seminars concerning the RMAA works and work-at-height to engage industry stakeholders in exploring means to further enhance construction safety.
- 1.20** To encourage the contractors of the RMAA industry to use suitable working platforms for work-above-ground, the LD in collaboration with the OSHC and the Hong Kong Association of Property Management Companies actively deepened the “Pilot Partnership Scheme on Promotion of Light-duty Working Platforms by Property Management Companies” launched in January 2018 to encourage contractors and workers conducting repair and maintenance works in relevant properties to use suitable step platforms and hop-up platforms (light-duty working platforms).

Safety Award Schemes

- 1.21** 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 and producing radio programmes, as well as broadcasting Announcements in the Public Interest (APIs) and promotional films on television/radio and public transport.

Encouraging and Facilitating the OSH Complaints

- 1.22** In order to facilitate employees and members of the public to lodge complaints against OSH malpractices more conveniently, the LD launched a new online OSH platform in March 2019 to facilitate complainants to lodge complaints by using online forms accessible to mobile electronic devices such as smart phones, tablets and laptops to report unsafe working conditions and environments at workplaces. Upon receiving the complaints, the LD will, having regard to the nature and content, conduct investigations and follow-up actions as soon as possible with a view to preventing occurrence of accidents. We have also produced a set of new TV and Radio APIs for publicising the new platform.
- 1.23** Besides, the LD produced and widely distributed a new OSH poster with messages in Chinese, English and six languages of diverse race (Indonesian, Hindi, Nepali, Tagalog, Thai and Urdu) and a handy plastic card holder printed with details of the complaint channels in 2019 to step up their promotion to facilitate workers of diverse race to lodge complaints.

“Work Safety Alert” Animation

- 1.24** The LD continued to produce “Work Safety Alert” in the form of animation videos to enable the industry to better comprehend how some accidents happened and the necessary preventive measures to be taken to prevent recurrence of such accidents. Eight animation videos were produced, and uploaded to the LD’s website and disseminated through various channels in 2019.

Continuous Refinement of Mandatory Safety Training (MST) Courses

- 1.25** The LD continued to refine the content of different MST courses. In 2019, we launched the revamped “Safety Training Courses of Confined Spaces Operation” to enhance workers’ knowledge of common risks in confined spaces operation. We also continued to conduct different modes of inspections to enhance the monitoring of training course providers.

Reducing Health Risks Associated with Standing at Work

- 1.26** In December 2018, the LD issued a new guideline providing practical preventive measures on reducing health risks associated with standing at work and recommendations on service counter design in light of the fact that many employees in the retail, catering, security and other service industries often stand at work. In 2019, the LD widely publicised the guideline and strengthened enforcement work.

Pilot Rehabilitation Programme for Employees Injured at Work

1.27 The Chief Executive announced in the 2019 Policy Address that the LD would introduce a three-year pilot rehabilitation programme for employees injured at work (Pilot Programme) targeting construction industry employees injured at work, and commission the OSHC to take charge of this programme. In 2019, the LD consulted relevant stakeholders on the design and proposed mechanics of the Pilot Programme, and undertook relevant preparatory work, with the aim of launching the Pilot Programme in 2022.

Strengthening Local and International Partnerships

Labour Day Reception

1.28 On 26 April 2019, the Secretary for Labour and Welfare, Dr Law Chi-kwong, hosted a reception at the Hong Kong Convention and Exhibition Centre to pay tribute to the workforce. The Acting Chief Executive, Mr Matthew Cheung Kin-chung, officiated at the reception, with guests from trade unions, employers' associations and other organisations attending.



Acting Chief Executive, Mr Matthew Cheung Kin-chung,
officiating at the Labour Day Reception

Contacts with Other Labour Administrations

1.29 The LD maintained active liaison and interflows with other labour administrations through visits and participation in various activities in 2019.

1.30 In June, a tripartite team comprising representatives of the Government, employers and employees, led by the Secretary for Labour and Welfare, Dr Law Chi-kwong, attended the 108th Session of the International Labour Conference (the “Centenary Conference” to mark the 100th anniversary of the International Labour Organisation) in Geneva, Switzerland as part of the delegation of the People’s Republic of China.



Secretary for Labour and Welfare, Dr Law Chi-kwong (seventh from right), and members of the tripartite team attending the 108th Session of the International Labour Conference in Geneva, Switzerland

1.31 A delegation led by the Commissioner for Labour, Mr Carlson Chan Ka-shun, visited the Ministry of Human Resources and Social Security of the State Council and met with Vice Minister You Jun in Beijing in October under the Reciprocal Visit Programme. The delegation also met with senior representatives of the National Health Commission, the Ministry of Emergency Management, the All-China Federation of Trade Unions, the China Enterprise Confederation and the International Labour Organisation Country Office for China and Mongolia to exchange views on labour and work safety issues.



Commissioner for Labour, Mr Carlson Chan Ka-shun (centre), leading a delegation to Beijing under the Reciprocal Visit Programme

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 coordination 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
- Proactiveness
- Premier customer service
- Partnership
- Participation

Key Programme Areas

- 2.5** The 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 ensure that occupational safety and health risks at workplaces are properly controlled and minimised 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 Departmental Administration Division assumes the primary responsibility for financial, personnel and general resources management.

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

- 2.9** The International Liaison Division oversees matters relating to the application of International Labour Conventions in Hong Kong, the LD's 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 Staff Training and Development Division is responsible for staff training and development of the Labour Administration Branch as well as coordinating training activities.
- 2.12** The Registration and Staff Training Division organises and coordinates training and development activities for staff of the Occupational Safety and Health Branch.
- 2.13** The Information Technology Management Division offers support to the development and management of information technology services.
- 2.14** An organisation chart of the 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 the LD's pledged services. For the LD's updated performance pledges, please visit the webpage: www.labour.gov.hk/eng/perform/pledge.htm.

Advisory Boards and Committees

- 2.16** The LD consults various advisory boards and committees on labour matters. The most important one is the 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. Chaired by the Commissioner for Labour, the LAB comprises members representing employees and employers. Its terms of reference, composition and membership for 2019-2020 are in Figure 2.3.



Labour Advisory Board for the 2019-2020 term

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 human resource management practices;
- providing voluntary conciliation service to help employers and employees resolve their employment claims and labour disputes;
- promoting understanding of labour laws and encouraging good human resource 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 The EO sets the basic standard on the conditions of employment that establishments outside the government sector have to meet. The MWO establishes a Statutory Minimum Wage regime. The procedures for settling labour disputes in establishments outside the government sector are provided for in the LRO. The MECABO establishes the machinery known as the MECAB to adjudicate minor employment claims when settlement cannot be achieved by conciliation. For the regulation of trade unions, the TUO provides a statutory framework for trade union registration and administration.

Our Work and Achievements in 2019

Key Indicators of Work

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

Improvement to Employees' Benefits

3.5 The Employment (Amendment) (No. 3) Ordinance 2018 took effect from 18 January 2019 to increase statutory paternity leave from three days to five days.

3.6 During the year, the Government completed the drafting of the Employment (Amendment) Bill 2019 which sought to extend statutory maternity leave from the current 10 weeks to 14 weeks. The bill was introduced into the Legislative Council (LegCo) on 8 January 2020 and was subsequently passed on 9 July 2020.

3.7 Regarding the abolition of the arrangement of “offsetting” severance payment and long service payment with the accrued benefits attributable to employers' mandatory contributions under the Mandatory Provident Fund System, the Labour Department (LD) worked in full steam on the preparatory work, including thrashing out the implementation details of the supporting measures and commencing drafting of the enabling legislation, in collaboration with relevant bureaux and departments in the year with a view to coming up with the enabling bill for introduction into the LegCo.

Conciliation and Consultation Services

3.8 Our conciliation and consultation services are conducive to maintaining harmonious industrial relations in Hong Kong. In 2019, we held 65 343 consultation meetings, and handled 13 755 claims and 76 labour disputes. Over 70% of cases with conciliation service rendered were settled in the year. (Figures 3.2 - 3.7)

Strengthening Tripartite Cooperation

3.9 The 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 human resource management, labour relations and employment situation of the industries as well as work arrangements in times of typhoons and rainstorms were deliberated in the year.



Industry-based tripartite committees run by the Labour Department providing effective forums for members to discuss issues of common concern to their industries

Promotion of Good Employer-Employee Relations

3.10 To enhance public understanding of the EO and to promote good human resource management culture, the LD 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 the LD's homepage and the media. In the year, six roving exhibitions were organised over the territory. We also widely publicised messages about good human resource management as well as statutory employment rights and protection through the extensive network of employers' associations and trade unions. Furthermore, to promote employee-oriented and progressive good human resource management practices, we launched the Good Employer Charter 2020 featuring the theme of "Family-friendly Good Employer". Employers were encouraged to empathically consider the family role of their employees and suitably adopt family-friendly employment practices.



Free publications enhancing public understanding of the Employment Ordinance and promoting good human resource management culture



Kick-off ceremony of the Good Employer Charter 2020 to promote employee-oriented and progressive good human resource management practices

3.11 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. We also published newspaper articles and comic strips, and placed advertisements in public transport network and periodic journals of major employers' associations and trade union federations to promote culture on good human resource management and encourage employers to jointly cultivate a family-friendly working environment. In the year, we revised and extensively promoted the "Code of Practice in Times of Typhoons and Rainstorms" for employers and employees pursuant to the Government's review of the handling of super typhoons. Employers and employees were advised to draw up as early as possible their work arrangements in times of adverse weather conditions for ensuring the safety of employees and smooth operation of establishments and maintaining good labour-management relations.



Regular experience-sharing sessions and briefings for members of human resources managers' clubs established in different trades

Adjudication of Minor Employment Claims

3.12 The MECAB provides a speedy, informal and less costly adjudication service for 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.

3.13 In 2019, the MECAB recorded 561 claims amounting to \$2,492,920 and concluded 570 claims with a total award of \$1,380,184.

Administration of Trade Unions

3.14 The Registry of Trade Unions (RTU) is responsible for administering the TUO and the 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 the RTU, organising courses on trade union legislation and fundamental 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.

3.15 In 2019, 25 new trade unions were registered, making up a cumulative total of 928 trade unions (comprising 866 employee unions, 12 employers' associations, 39 mixed organisations of employees and employers and 11 trade union federations) registered under the TUO. Please refer to the following webpage for the key trade union statistics:
www.labour.gov.hk/eng/labour/content3.htm.

3.16 In the year, the RTU examined 629 annual statements of account and conducted 360 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, the 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;
- enforcing 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 through inspection of workplaces to ensure that the requirements are complied with;
- investigating accidents and occupational health problems at workplaces and giving advice to employers and employees on how to reduce existing workplace hazards;
- offering advice to owners in the design and layout of workplaces, and in the implementation of safety programmes in workplaces;
- providing to employers, employees and the general public appropriate information and advice to promote knowledge and understanding of occupational safety and health (OSH); and
- organising promotional programmes and training courses to enhance safety awareness of the workforce.

4.2 The 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** The FIUO regulates safety and health at work in industrial undertakings, which include factories, construction sites, cargo and container handling areas, as well as catering establishments.
- 4.4** The 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 2019

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 2019 stood at 32 872, representing a drop of 21.6% from 41 907 in 2010, while the injury rate per thousand employees decreased to 10.8, down by 30.2% when compared to 15.5 in 2010. The number of industrial accidents for all sectors went down to 9 254, representing 34.0% drop when compared to 14 015 in 2010. The accident rate per thousand workers for all sectors decreased to 14.8, down by 40.8% when compared to 24.9 in 2010.
- 4.7** In 2019, there were 2 947 industrial accidents in the construction industry, representing an increase of 2.2% when compared to 2 884 in 2010. The accident rate per thousand workers, however, decreased from 52.1 to 29, down by 44.4%.

Occupational Diseases

- 4.8** In 2019, there were 442 cases of confirmed occupational diseases, among which occupational deafness, silicosis and tenosynovitis of the hand or forearm were the most common.
- 4.9** For more statistics on the OSH, please visit the webpage:
www.labour.gov.hk/eng/osh/content10.htm.

Key Indicators of Work

4.10 Some key indicators of work of this programme area are 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 and prevent accidents.

4.12 We conduct promotional visits to give advice to employers on the prevention of accidents and encourage them to proactively adopt a self-regulatory approach in managing risks at the workplace. We also conduct enforcement inspections to various workplaces to ensure that duty holders have observed relevant statutory requirements stipulated in safety legislation. We adopt a risk-based approach to adjust the intensity of inspection and enforcement efforts from time to time to effectively combat unsafe acts.

4.13 In 2019, we continued to place workplaces with poor safety performance under close surveillance. Improvement notices or suspension notices were issued when necessary to secure speedy rectification of irregularities, or to remove imminent risks to lives. In 2019, we also conducted 14 special enforcement operations targeting specific workplace hazards or workplaces with higher risk work processes, including new works; repair, maintenance, alteration and addition (RMAA) works; electrical works; bamboo scaffolding; sea-based construction works; waste management works; catering; logistic, cargo and container-handling industries as well as fire and chemical safety. In these 14 operations, a total of 17 701 workplaces were inspected, with 1 559 improvement notices and 212 suspension notices issued, and 1 041 prosecutions initiated. Besides, we launched 41 in-depth surprise inspections to work sites with higher risk processes or poor safety performance. A total of 924 suspension/improvement notices were issued and 414 prosecutions initiated. In order to enhance safety performance of public work projects, representatives of the Labour Department (LD) participated in 526 site safety management committee meetings of public work projects and safety advice, in particular concerning work processes with relatively high risk, were provided to the contractors and relevant duty holders.

- 4.14** We conduct investigations into complaints concerning unsafe conditions or malpractices in workplaces. In 2019, we handled 251 complaints lodged by workers and initiated 13 prosecutions arising from investigation of these cases. Through the intelligence reporting system on unsafe RMAA works developed with various strategic partners, a total of 6 853 complaint/referral cases were received. As a result of the follow-up inspections on these referral cases, we issued 350 suspension/improvement notices and took out 81 prosecutions.
- 4.15** The LD launched a new online OSH complaint platform in March 2019 to facilitate employees using mobile electronic devices such as smart phones, tablets or laptops to report unsafe working conditions so that the LD could conduct prompt follow-up actions. The LD also produced a set of new TV and Radio Announcement in the Public Interest ("API"), and made use of various channels such as training courses organised by MST course providers and workers registration service centres, to promote the complaint platform widely. As at the end of December 2019, the LD received a total of 1 913 OSH complaint cases through the platform. A total of 38 suspension notices and 172 improvement notices were issued and 150 prosecutions were/will be taken out by the LD upon discovery of breaches of OSH legislation from the above complaints. Besides, the LD produced a new OSH poster with messages in Chinese, English and six other languages (Indonesian, Hindi, Nepali, Tagalog, Thai and Urdu) and a handy plastic card holder printed with details of the complaint channels to step up promotion, with a view to eliminating unsafe working conditions. The LD has also widely distributed the card holders, and the posters to relevant parties through various channels for display.
- 4.16** In 2019, the LD continued enforcement campaign and publicity targeting outdoor workplaces with a higher risk of heat stroke. These workplaces include construction sites, outdoor cleansing workplaces, horticulture workplaces and container yards. In this special enforcement campaign from April to September, we conducted a total of 29 514 surprise inspections and issued 26 warnings.
- 4.17** Targeting health risks of standing at work, the LD in 2019 conducted inspections at the workplaces of various industries including catering, retail, property management and hotel. In the year, the LD conducted 281 surprise inspections and issued 18 warnings.

4.18 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, the LD 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 2019, 546 applications for certificates of competency were processed, with 543 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.

4.19 As at the end of 2019, the LD recorded a total of 223 766 workplaces, including 27 980 construction sites. In the year, 166 036 inspections were conducted under the OSHO and the FIUO and their subsidiary regulations. As a result, 33 633 warnings and 4 528 suspension or improvement notices were issued. Besides, 4 680 inspections were made under the BPVO. 2 998 warnings were given and 9 prohibition orders on the use and operation of boilers and pressure vessels were issued. We also carried out 20 243 and 2 625 investigations on work accidents and suspected occupational diseases/occupational health problems respectively in the year. We also conducted 6 024 occupational hygiene surveys on workplace health hazards.

Education and Training

4.20 We provide training-related services to employers, employees and relevant parties to foster an OSH culture among the working population. The services are provision of training courses, recognition of mandatory safety training (MST) courses and registration of safety officers and safety auditors.

4.21 In 2019, we organised 557 safety and health training courses related to relevant legislation for 4 248 employees and 234 tailor-made talks for another 10 819. We also recognised seven mandatory basic safety training courses (commonly known as “green card” courses) for construction work, three MST courses for operators of cranes, three MST courses for confined spaces operation and four MST courses for operators of loadshifting machine. We also continued to implement improvement measures of the MST system. We launched the revamped safety training courses of confined spaces operation in 2019 to enhance workers’ knowledge of common risks in confined spaces operation and ability to eradicate those risks. We have a system in place to monitor these MST courses. We conducted different modes of monitoring inspections, including surprise inspections and covert inspections which involved inspecting officers in the guise of a course participant, to ensure that the courses were delivered in accordance with the course contents.

- 4.22** In 2019, we registered 201 persons as safety officers and 52 as safety auditors. As at the end of the year, there were 3 904 safety officers with valid registration and 1 381 registered safety auditors. Furthermore, a total of 838 applications for renewal or revalidation of registration as safety officers were approved in 2019.
- 4.23** Occupational health education raises employers' and employees' awareness of the prevention of occupational health hazards and occupational diseases. In 2019, a total of 1 194 health talks on various occupational health issues were organised for over 38 100 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".
- 4.24** The 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. In 2019, we continued to produce "Work Safety Alert" in the form of animation videos to enable the industry to better comprehend how accidents happened and the necessary precautionary measures to be taken for preventing recurrence of similar accidents. Eight animation videos on various topics, such as work-at-height safety and electrical work safety, were uploaded to the LD's website and widely disseminated through different channels.

Publicity and Promotion

- 4.25** We held a series of promotional campaigns in 2019 to heighten safety awareness among employers and employees and to cultivate a positive safety culture at the workplaces, with some jointly organised with relevant stakeholders such as the Occupational Safety and Health Council (OSHC), trade associations, workers' unions and other government departments.

4.26 The Catering Industry Safety Award Scheme and the Construction Industry Safety Award Scheme were organised again in 2019. The two schemes were well received by the industries.



Construction Industry Safety Award Scheme – Award Presentation Ceremony



Catering Industry Safety Award Scheme – Catering Industry Occupational Safety and Health Seminar cum Briefing

4.27 Accidents in the RMAA works have become a source of concern in recent years and the volume of the RMAA works continued to increase. In 2019, the LD, in collaboration with the OSHC, continued to implement the two-year publicity campaign launched in 2018 to remind contractors and workers to pay special attention to safety while carrying out the RMAA works, electrical work and working at height. Two safety seminars on truss-out bamboo scaffolding work safety and electrical work safety were held in May and September respectively. Other major publicity activities included broadcasting APIs on television/radio/mobile media, staging roving exhibitions, publishing feature articles in newspapers and on the LD's website, publishing leaflets and disseminating safety messages to contractors, employers and employees through various means.

- 4.28** We also collaborated with relevant organisations including the OSHC, the Pneumoconiosis Compensation Fund Board, the 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, health talks 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 2018, we collaborated with the Department of Health and the OSHC to jointly organise the "Joyful@Healthy Workplace" programme to promote physical and mental health among employers and employees at workplaces.
- 4.29** The LD also stepped up publicity on the prevention of heat stroke at work through a multitude of activities such as organising public and outreaching health talks, distributing publications and promotional posters, showing educational videos and displaying advertisements on mobile advertising media, and issuing press releases. During the year, we collaborated with the OSHC in launching a large-scale promotion campaign on heat stroke prevention. Through distributing protective equipment, broadcasting a new publicity video and conducting extensive publicity, the campaign reminded employers and employees to prevent heat stroke at work. The main targets of this campaign included construction workers, outdoor cleansing workers, horticulture workers, security guards, container terminal workers and airport apron workers.
- 4.30** To further reduce health risks associated with standing at work, the LD issued a new guideline in December 2018. The guideline emphasises that employers must, as far as reasonably practicable, provide suitable work chairs or chairs for occasional resting at the working locations to the employees who are engaged in standing work with restricted movement (e.g. cashier work at retail shops or fast food restaurants). The guideline also provides recommendations on service counter design. In 2019, the LD widely publicised the guideline through broadcasting APIs on television and radio, publishing feature articles in newspapers, organising health talks and distributing pamphlets. In addition, the LD strengthened promotional visits, inspections and enforcement work to assist employers in complying with the requirements of the guideline.



Enhancing employers and employees' awareness of reducing health risks associated with standing at work by TV Announcement in the Public Interest

4.31 In 2019, the LD published 12 new/revised OSH publications for promoting work safety and health. Besides, we published 15 OSH publications in six languages of diverse race (Indonesian, Hindi, Nepali, Tagalog, Thai and Urdu), such as "Safety Guide for construction work over/near Water", "Fatal Accidents Related to Electrical Work – Case 1", "A Casebook of Fatal Accidents Related to Work-at-Height", "Always Fasten The Chin Strap Of Your Safety Helmet, Work At Height With A Working Platform At All Times I" and "Always Fasten The Chin Strap Of Your Safety Helmet, Work At Height With A Working Platform At All Times II" posters, with a view to enhancing the safety awareness of workers of diverse race.



Latest publications on occupational safety and health



Occupational safety and health publications for workers of diverse race

4.32 In 2019, the Occupational Safety and Health Branch handled 13 987 enquiries, advising on various safety and health matters. Furthermore, the Occupational Safety and Health Centre provides information and advisory services to workers and employers.

- 4.33** The LD collaborated with the property management sector to promote the 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. We in collaboration with the OSHC actively deepened the “Pilot Partnership Scheme on Promotion of Light-duty Working Platforms by Property Management Companies” launched in January 2018 to encourage contractors and workers conducting repair and maintenance works in relevant properties to use suitable step platforms and hop-up platforms (light-duty working platforms). We also in collaboration with the OSHC continued the “Safety Helmets with Y-type Chin Straps Sponsorship Scheme for SMEs” to subsidise the Small and Medium Enterprises (SMEs) of the construction industry to purchase safety helmets which conform to safety standards with a view to reducing head injury during a fall. This sponsorship scheme ended in June 2019 and received 821 applications in total. As at the end of 2019, 760 applications have been approved, benefiting over 11 700 workers.
- 4.34** Using straight ladder or A-ladder for work-at-height carries a lot of risk. In the past, there were several fatal accidents which involved workers falling from these ladders. In order to enhance the safety awareness of employers and workers in work-at-height, the LD in collaboration with the OSHC continued the “Enhanced Light-duty Working Platform Sponsorship Scheme with the SMEs” to subsidise the SMEs to purchase enhanced step platforms and hop-up platforms for work-above-ground. As at the end of 2019, 493 applications were received with 449 approved, benefiting over 7 600 workers.
- 4.35** The LD collaborated with the OSHC to ride on the Home Affairs Department’s community platforms to promote the RMAA works safety particularly work-at-height safety, to owners’ corporations, property owners and tenants, etc.
- 4.36** To promote safety awareness of the industry in operating boilers and pressure vessels, we distributed around 1 900 publications and leaflets regarding registration and safe operation of pressure equipment.

Clinical Occupational Health Services

- 4.37** The 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.
- 4.38** In 2019, 10 718 clinical consultations were rendered. Moreover, patient support groups were organised to help patients achieve more desirable rehabilitation progress through health talks, experience sharing and peer support.

Chapter 5

Employment Services

The Programme of Employment Services

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

- 5.1** The objective of the Employment Services Programme is to provide a comprehensive range of free 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 services 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
 - processing applications under the Supplementary Labour Scheme and ensuring employment priority for local workers in filling vacancies under the Scheme.
- 5.2** The principal legislation administered by this programme area includes Part XII of the Employment Ordinance (EO), the Employment Agency Regulations made under the EO and the Contracts for Employment Outside Hong Kong Ordinance (CEOHKO).
- 5.3** Part XII of the EO, together with the Employment Agency Regulations, regulates the operation of employment agencies in Hong Kong through licensing, inspection, investigation and prosecution.
- 5.4** The CEOHKO 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 2019

Employment Situation in Hong Kong

- 5.5** The labour market was increasingly under pressure during 2019. The seasonally adjusted unemployment rate went up from a low of 2.8% in the second quarter to 3.3% in the fourth quarter. The underemployment rate edged up to 1.2% in the fourth quarter, after staying at a low of 1.0% in the previous three quarters. 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 1 288 926 vacancies offered by employers of the private sector for free recruitment service in 2019. In the year, a total of 111 568 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 13 job centres of the LD 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 the LD, namely 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 the 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.

Online Employment Services

- 5.10** The LD's Interactive Employment Service (iES) website (www.jobs.gov.hk) provides round-the-clock on-line employment services and comprehensive employment information. The iES website is one of the most popular government websites, recording around 163 million page views in 2019. 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 the LD anytime and anywhere. The mobile application recorded around 135 million hit counts in 2019.
- 5.11** The Higher Education Employment Information e-Platform (www.hee.gov.hk) provides employment support for job seekers with higher education so as to enhance their understanding of the Hong Kong employment market and facilitate them to search and apply for suitable job openings. The e-Platform recorded around 1.97 million page views in 2019.

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 The 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 2019, we 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 Fanling to assist job seekers living in remote areas in securing employment, as well as thematic job fairs assisting ethnic minority and elderly job seekers to find suitable jobs. 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 residents in the locality and to enable job seekers to participate in job interviews without having to travel long distance. In the year, 18 large-scale job fairs were held, attracting over 25 000 job seekers while 960 district-based job fairs were organised, with over 32 000 on-the-spot interviews arranged.



Job Fair for Middle-aged and Elderly Employment

Intensified Services for the Needy

Middle-aged and Elderly Job Seekers

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

5.15 We implement the Employment Programme for the Elderly and Middle-aged (EPEM) to assist unemployed job seekers aged 40 or above to find work. Employers engaging job seekers aged 60 or above who are unemployed or have left the workforce and providing them with on-the-job training are offered a monthly on-the-job training allowance up to \$4,000 per employee for a period of six to 12 months under the EPEM. As for employers engaging each unemployed job seeker aged 40 to 59, the maximum amount of on-the-job training allowance is \$3,000 per month for a period of three to six months. The EPEM covers both full-time and part-time jobs. In 2019, 3 061 placements eligible for joining the programme were recorded.

New Arrival and Ethnic Minority Job Seekers

5.16 The LD provides 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 information 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.

5.17 Since September 2014, the LD has implemented the “Employment Services Ambassador Programme for Ethnic Minorities” to employ trainees of the Youth Employment and Training Programme who can communicate in ethnic minority languages to work as Employment Services Ambassadors at job centres, industry-based recruitment centres and job fairs. Moreover, since May 2017, we have engaged two Employment Assistants proficient in ethnic minority languages at two selected job centres on a pilot basis to strengthen employment support for ethnic minority job seekers, especially those of South Asian origins. Furthermore, large-scale and district-based inclusive job fairs are organised to enhance the employment opportunities of the ethnic minorities.

Work Trial Scheme (WTS)

5.18 The 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. With effect from 1 May 2019, the amount of work trial allowance has been raised and the scheme has expanded to cover part-time posts. On completion of the one-month full-time work trial, the maximum allowance payable to each participant is \$8,300, while the allowance for part-time work trial is calculated at an hourly rate of \$49. Of this allowance, \$500 are contributed by the participating organisation. In 2019, a total of 227 job seekers were placed into work trials.

Workers Affected by Large-scale Retrenchment

5.19 In major business closure or redundancy cases, the LD sets up hotlines for enquiry and special counters at job centres to provide special employment services to affected employees. We canvass suitable vacancies from employers to facilitate job search of the affected employees. In addition, under 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. This would help the affected employees find suitable jobs more effectively. In the year, we offered such special employment services to some 300 affected employees.

Job Seekers with Disabilities

5.20 Our 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 as well as post-placement follow-up services. In 2019, the SPD registered 2 766 job seekers with disabilities and secured 2 213 placements. (Figure 5.3)

Work Orientation and Placement Scheme (WOPS)

5.21 The WOPS facilitates open employment of persons with disabilities by encouraging employers to engage persons with disabilities and render them with coaching and support through the provision of an allowance. Employers hiring a job seeker with disabilities under the WOPS are entitled to an allowance of up to \$7,000 per month during the work adaptation period in the first three months and \$5,000 per month for the following six months. The maximum period within which allowance is payable is nine months and the maximum allowance payable to an employer for engaging each person with disabilities having employment difficulties is \$51,000. In 2019, 942 placements were secured through the scheme.

Self Help Integrated Placement Service (SHIPS)

5.22 The SHIPS aims at improving the job searching skills of job seekers with disabilities and encouraging them to be more proactive in job hunt, thereby enhancing their employment opportunities. In 2019, 343 job seekers with disabilities participated in the programme.

Interactive Selective Placement Service (iSPS) Website

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

Promotional Activities

5.24 To enhance public understanding of the work abilities of persons with disabilities as well as to publicise the services of the SPD and the WOPS, the SPD conducted a series of promotional activities, such as staging exhibitions, producing publications and advertisements, broadcasting promotional videos, and publicising promotional messages through newspapers, publications of employers' associations, radio and television channels, public transport network, wall banners and mobile application advertisements during the year. In addition, a large-scale seminar was held for employers and human resources practitioners. Promotional visits were paid to employers of different trades and publicity materials were sent to them to canvass more job vacancies for persons with disabilities.



Publications and publicity materials promoting services of the Selective Placement Division

Services for Young People

Youth Employment and Training Programme (YETP)

5.25 To enhance the employability of young people, the LD administers the 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.

5.26 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 the YETP and provide them with on-the-job training are entitled to a maximum training allowance of \$4,000 per month per employee for six to 12 months.

5.27 In the 2018/19 programme year running from September 2018 to August 2019, 1 929 young people attended pre-employment training and 2 004 trainees were placed into on-the-job training vacancies under the YETP.

5.28 The YETP 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 2018/19 programme year, 61 special employment projects were launched, involving employers in the aviation, healthcare, logistics, personal and business services as well as property management industries, etc.

5.29 In August, the LD co-organised the Award Ceremony of the YETP Most Improved Trainees 2019 cum Concert “Dream Journey with YETP” with Radio 2 of Radio Television Hong Kong. The event showcased the creditable improvements of trainees after joining the 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, we also introduced new TV and Radio Announcements in the Public Interest to attract young people to join the YETP.

Programme for Youths with Acute Employment Difficulties

5.30 To strengthen the employment support for vulnerable youths, the YETP continued to operate the “Career Kick Start” project in 2019 to offer on-the-job training of 12 months’ duration to young people with special needs through placements in non-governmental organisations (NGOs) so as to enhance their employability. Participating NGOs are encouraged to assist trainees in securing full-time jobs in the open employment market through the provision of “Placement Incentive”.

Youth Employment Support

5.31 The 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 2019, the number of services provided to young people by the two centres totalled 70 305.

Working Holiday Scheme (WHS)

5.32 Since 2001, Hong Kong has established bilateral WHS arrangements with a total of 14 economies, including New Zealand, Australia, Ireland, Germany, Japan, Canada, Korea, France, the United Kingdom (UK), Austria, Hungary, Sweden, the Netherlands and Italy (commencement date to be confirmed). The WHS aims to provide an opportunity for our youths aged between 18 and 30 to enrich their global exposure and broaden their horizons, by experiencing foreign culture through living and working temporarily overseas while holidaymaking. At the same time, the WHS allows youths of our partner economies to learn more about Hong Kong.

5.33 Save for the UK which allows our youths to stay for up to 24 months, the remaining 13 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).

5.34 These WHSs have been well received. As of end-2019, about 96 000 Hong Kong youths participated in the WHS. The LD will continue to enhance the publicity of the 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 the WHS.

Regulating Local Employment Agencies and Employment outside Hong Kong

- 5.35** The LD regulates employment agencies in Hong Kong through licensing, inspection, complaint investigation and prosecution. In 2019, we issued 3 266 employment agency licences and revoked or refused to issue/renew 13 licences. As at the end of 2019, there were 3 240 licensed employment agencies in Hong Kong. A total of 2 043 inspections were made to employment agencies in the year.
- 5.36** We have promulgated the Code of Practice for Employment Agencies (the Code) for compliance by the industry with a view to promoting professionalism and service quality in the industry. At the same time, the dedicated Employment Agencies Portal (www.eaa.labour.gov.hk) provides employment agency operators and staff, job seekers, employers and other members of the public with updated information related to the regulation of employment agencies. The portal also publishes the records of conviction of the offences of overcharging and unlicensed operation, revocation or refusal of renewal of licence and written warnings issued for non-compliance with the Code, so as to assist members of the public in making informed decisions when engaging employment agencies. The enhanced transparency would also help foster the adoption of good practices by the industry.
- 5.37** The LD also safeguards 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)

- 5.38** The LD administers the SLS which operates on the principles of ensuring the employment priority for local workers while allowing employers with proven local recruitment difficulties to import workers at technician level or below.
- 5.39** We provide active job matching and referral services for local job seekers to ensure their employment priority. Vacancies under the SLS are also 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.

5.40 As at the end of 2019, there were 5 637 imported workers working in Hong Kong under the SLS.

Policy on Foreign Domestic Helpers (FDHs)

5.41 The FDHs have been admitted to work in Hong Kong since the 1970s. Apart from enjoying the same statutory rights and benefits as all employees in Hong Kong, the FDHs are further protected by a Government-prescribed Standard Employment Contract, which stipulates that the employer has to provide to an 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. The FDHs also enjoy wage protection through the Government-prescribed Minimum Allowable Wage (MAW), under which employers have to pay the FDHs a salary no less than the prevailing MAW when the contracts are signed. The Government attaches great importance to safeguarding the FDHs' statutory and contractual rights. The LD spares no efforts in investigating suspected offence cases and prosecution action will be taken out if there is sufficient evidence.

5.42 In order to strengthen the protection of the FDHs and enhance their awareness of their rights and benefits, the LD continued to organise a host of publicity and educational activities and maintained close liaison with the governments of the FDH source countries and their consulates-general in Hong Kong, NGOs serving the FDHs, and the FDH employer groups to discuss matters relating to furthering the protection of the FDHs. As for employers, we issued newsletters to introduce the LD's services and support channels. We also organised briefings for newly-arrived FDHs and first-time employers to raise awareness of their respective rights and obligations.

5.43 As at the end of 2019, there were 399 320 FDHs in Hong Kong, with 55.0% coming from the Philippines and 43.0% 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 takes into account 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 of workplaces, investigation into suspected breaches 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 Occupational Deafness (Compensation) Ordinance (ODCO), the Employees Compensation Assistance Ordinance (ECAO), 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** The ECO establishes a no-fault, non-contributory employees' compensation system so that individual employers are liable to pay compensation for work-related injuries and fatalities. It requires all employers to possess valid insurance policies to cover their liabilities under the laws (including the common law).
- 6.4** The PMCO provides for compensation payable to persons who suffer from pneumoconiosis and/or mesothelioma and family members of persons who die of these diseases. Compensation is paid from the Pneumoconiosis Compensation Fund, which is administered by the Pneumoconiosis Compensation Fund Board.
- 6.5** The ODCO provides for compensation payable to persons who suffer from noise-induced deafness by reason of employment in specified noisy occupations. Compensation is paid from the Occupational Deafness Compensation Fund, which is administered by the Occupational Deafness Compensation Board.
- 6.6** The ECAO establishes the Employees Compensation Assistance Fund to provide assistance payment to injured employees and family members of deceased employees who are unable to receive their entitlements for work-related injuries and fatalities from employers and insurers. The Fund is administered by the Employees Compensation Assistance Fund Board.
- 6.7** The EO is the main piece of legislation governing conditions of employment. The Employment of Children Regulations made under the EO prohibit the employment of children below the age of 15 in industrial undertakings and regulate the employment of children who have attained the age of 13 but under 15 in non-industrial establishments. The Employment of Young Persons (Industry) Regulations set out requirements on the working time arrangements for young persons employed in the industrial sector and prohibit their employment in dangerous trades.
- 6.8** The 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 the SMW amounts to a breach of the wage provisions under the EO.

- 6.9** The PWIO establishes the PWIF to provide timely relief in the form of ex gratia payment to employees affected by their insolvent employers.
- 6.10** The Labour Department (LD) also administers Part IVB of the Immigration Ordinance to combat illegal employment in order to protect the employment opportunities of local workers.

Our Work and Achievements in 2019

Key Indicators of Work

- 6.11** We stepped up our efforts to safeguard the rights and benefits of employees through various activities in 2019. Some key indicators of work of this programme area are shown in Figure 6.1.

Improvement to Employees' Benefits

- 6.12** In 2019, the ECO, the PMCO and the ODCO were amended to increase the amounts of a total of 18 compensation items payable in cases involving work accidents or prescribed occupational diseases and expand the list of medical appliances under the PMCO. The revised levels of compensation and the expanded list of medical appliances have taken effect since 26 April 2019.
- 6.13** The SMW rate under the MWO was increased by 8.7% from \$34.5 to \$37.5 per hour with effect from 1 May 2019.

Proactive Efforts to Combat Wage Defaults

- 6.14** In 2019, the 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 wage default at an early stage and intervening early to tackle the problem.

- 6.15** We continued to step up enforcement and prosecution against employers and responsible individuals of companies for wage offences. We conducted territory-wide inspections of workplaces to detect wage offences. Labour inspectors actively interviewed employees during inspections and conducted investigation speedily into the suspected offences. Prosecutions were taken out whenever sufficient evidence was available.
- 6.16** During the year, the LD secured 836 convicted summonses for wage offences and 186 convicted summonses for defaults of awards made by the Labour Tribunal (LT) or the Minor Employment Claims Adjudication Board (MECAB). A total of five company directors were sentenced to imprisonment for these offences, and another two company directors and one employer were ordered to perform community service. These sentences disseminated a strong message to employers and company responsible individuals on the seriousness of defaults of wages and awards made by the LT or the MECAB.

Vigorous Enforcement to Protect Employees' Rights and Benefits

- 6.17** The LD continued vigorous enforcement efforts to ensure that the statutory rights of employees under labour legislation were well protected.
- 6.18** In 2019, labour inspectors carried out 152 927 workplace inspections of establishments in various trades to enforce labour laws (Figure 6.2), of which 59 383 inspections were conducted to check compliance with the MWO.
- 6.19** We conducted inspections and trade-targeted operations to enforce the ECO's compulsory requirement of taking out employees' compensation insurance policy. In the year, a total of 116 618 inspections were conducted to enforce the statutory requirement.
- 6.20** We continued to work closely with government departments in monitoring their service contractors to ensure that non-skilled employees of the contractors enjoyed their rights and benefits. A total of 823 inspections were conducted to the workplaces of such workers and 2 445 workers were interviewed to check contractors' compliance with labour laws.
- 6.21** To ensure compliance with the conditions under the Supplementary Labour Scheme, we investigated 49 complaints and cases on suspected irregularities involving imported workers. Items investigated included wages and working hours arrangement, etc.

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

- 6.22** 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.
- 6.23** In 2019, 48 421 employees' compensation cases, including 14 641 minor cases which involved sick leave of not exceeding three days, were received. At year-end, among the 33 780 fatal cases or non-fatal cases involving sick leave exceeding three days, 20 089 cases were settled. The amount of employees' compensation involved was \$282 million. The remaining cases were pending expiry of employees' sick leave, assessment of permanent incapacity or court judgment. (Figures 6.3 and 6.4)
- 6.24** The LD enhanced the Claims Support Services through dedicated follow-up, early intervention, proactive contact and arrangement of face-to-face meetings, to facilitate timely resolution of differences between employers and employees in employees' compensation cases.
- 6.25** The Task Force on Improving Work Injury Protection for Employees in High-risk Industries (Task Force) coordinated by the LD continued to implement improvement measures including stepping up the publicity and promotion of taking out adequate employees' compensation insurance coverage by employers, enhancing the case processing of employees' compensation claims and shortening the waiting time of injured employees for work injury assessments, etc. The Task Force will continue to discuss and implement other improvement measures.

Briefings and Promotional Campaigns

- 6.26** In 2019, the LD arranged three briefings for government departments and 64 briefings for imported workers to publicise the rights and obligations of the parties concerned.

6.27 Extensive publicity campaigns were launched to publicise our complaint telephone hotline (2815 2200) through mobile applications and webs, flat-panel displays in commercial buildings, public transportation, inside MTR stations and compartments, etc. to encourage employees to report suspected breaches of employment rights.

6.28 We organised various publicity activities to promote the revised SMW rate and the MWO during the year. These activities included broadcasting TV and Radio Announcements in the Public Interest (APIs) through different media; distributing and displaying leaflets and posters; holding seminars and roving exhibitions; and placing advertisements in newspapers and mobile applications, on Internet platforms as well as public transport.



Footbridge pillar stickers publicising the revised Statutory Minimum Wage rate



Seminar on the Minimum Wage Ordinance

6.29 We continued to promote employers' statutory obligation on timely reporting of work accidents and taking out employees' compensation insurance policies through APIs, advertisements on public transport, leaflets distributed and posters displayed through various channels, publicity messages delivered through journals of workers' unions and trade associations, publicity at departmental homepage, and outlining the key points of legislative requirements and consequences of non-compliance during seminars on the ECO. In the year, we held and participated in nine seminars/talks on the ECO.

僱主守法 勞保買足免刑責
Obey the Law
Take out adequate Employees' Compensation Insurance cover

《僱員補償條例》規定，所有僱主，不論僱員全職或兼職（包括外籍或本地家庭傭工），合約期或工作時數的長短，必須投購足夠金額的僱員補償保險。若僱主不依法例投購僱員補償保險，可被檢控，一經定罪，最高可被判罰款十萬元及監禁兩年。
The Employees' Compensation Ordinance provides that all employers are required to take out adequate employees' compensation insurance cover for their employees, regardless of whether they are full-time or part-time (including foreign or local domestic helpers), their contract periods or length of working hours. An employer who fails to comply with the Ordinance to secure an insurance is liable to prosecution and, upon conviction, to a maximum fine of \$100,000 and imprisonment for two years.

僱員如懷疑僱主未有投購僱員補償保險，可向勞工處舉報，電話：
An employee who suspects that his/her employer has not taken out employees' compensation insurance could report to the Labour Department by phone: **2815 2200**

勞工處
Labour Department

<https://www.labour.gov.hk/tc/public/pdf/edgsci.pdf>

<https://www.labour.gov.hk/eng/public/pdf/edgsci.pdf>

Publicity poster promoting employers' statutory obligation to take out employees' compensation insurance



Seminar on the Employees' Compensation Ordinance

Partnership with Statutory Bodies

6.30 We maintain close partnership with various statutory bodies that have been 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)

6.31 The PWIFB established under the PWIO is responsible for administering the 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 the PWIF in accordance with the PWIO. The PWIF is mainly financed by a levy on business registration certificates.

6.32 The LD provides administrative support to the PWIFB, verifies applications and approves ex gratia payment from the PWIF. In 2019, we received 3 171 applications and processed 2 865 applications from employees who were owed wages and other statutory entitlements due to business cessation and sought relief from the PWIF, with ex gratia payment of \$83.1 million made. A breakdown of applications received by economic sector was shown in Figure 6.5.

6.33 By providing a safety net for employees affected by business closures, the PWIF plays an important role in maintaining harmonious labour relations and social stability. Both the LD and the PWIFB attach great importance to protecting the 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 the LD, the Commercial Crime Bureau of the Hong Kong Police Force, the Official Receiver's Office and the Legal Aid Department to take concerted actions against suspected fraudulent cases.

Pneumoconiosis Compensation Fund Board (PCFB)

6.34 The PCFB is established under the PMCO to provide compensation to persons suffering from pneumoconiosis and/or mesothelioma and family members of persons who die of these diseases. The PCFB is financed by a levy collected from the construction and quarrying industries. Under the PMCO, the LD is responsible for determining whether an applicant is entitled to compensation. As at the end of 2019, 1 432 eligible persons were receiving compensation in the form of monthly payments from the PCFB. In the year, the PCFB made a total compensation payment of \$213 million.

Occupational Deafness Compensation Board (ODCB)

6.35 Established under the ODCO, the 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. The 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 2019, the ODCB approved 362 applications for compensation with a total compensation payout at \$33.9 million and 841 applications for payment of expenses on hearing assistive devices with a total payout at \$5.61 million. The ODCB also provided 745 rehabilitation programmes for people with hearing impairment caused by their employment in specified noisy occupations.

Employees Compensation Assistance Fund Board (ECAFB)

6.36 The ECAFB is set up under the ECAO. It is responsible for administering the Employees Compensation Assistance Fund which provides assistance payment to eligible injured employees and family members of deceased employees who are unable to receive their entitlements for work-related injuries and fatalities from employers and insurers after exhausting all legal and financially viable means of recovery. In 2019, the ECAFB approved 43 applications, leading to payment of \$48.84 million.

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 the end of 2019, 31 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** Comprehensive legislative 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 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 the ILO, either as part of the delegation of the People's Republic of China or, for activities which are not limited to states, on its own using the name "Hong Kong, China".
- 7.4** In 2019, the Labour Department (LD) continued to participate actively in activities organised by the ILO to keep abreast of the latest development of international labour matters. In the year, representatives from Hong Kong participated as members of the delegation of the People's Republic of China in the 108th Session of the International Labour Conference, a centenary conference marking the ILO's 100th anniversary, held in Geneva, Switzerland.

Contacts with Other Labour Administrations

- 7.5** In the year, the LD received delegations of labour administrators from other places and sent representatives to participate in labour-related activities in other places so as 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 2019
- Figure 2.2** Organisation Chart of Labour Department (as at 31 December 2019)
- Figure 2.3** Terms of Reference and Composition of the Labour Advisory Board and Membership for the 2019-2020 term
- Figure 3.1** Key Indicators of Work of the Labour Relations Programme Area in 2019
- Figure 3.2** Number of Labour Disputes Handled by the Labour Relations Division from 2015 to 2019
- Figure 3.3** Number of Claims Handled by the Labour Relations Division from 2015 to 2019
- Figure 3.4** Number of Labour Disputes Handled by the Labour Relations Division in 2019 by Cause
- Figure 3.5** Number of Claims Handled by the Labour Relations Division in 2019 by Cause
- Figure 3.6** Number of Strikes and Number of Employees Involved from 2015 to 2019
- Figure 3.7** Number of Working Days Lost due to Strike per Thousand Salaried Employees and Wage Earners from 2015 to 2019
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- Figure 6.2** Number of Inspections Made in 2019 by Major Economic Sector
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- Figure 6.5** Number of Applications of the Protection of Wages on Insolvency Fund received in 2019 by Economic Sector
- Figure 7.1** List of the 31 International Labour Conventions Applied to Hong Kong
- Figure 7.2** Participation in Major International Labour Organisation Activities and Contacts with Other Labour Administrations in 2019

Figure 2.1
Number of summonses convicted and total fines in 2019

Ordinance	Summonses convicted	Fines (\$)
Boilers and Pressure Vessels Ordinance		
Sub-total	6	17,200
Employees' Compensation Ordinance		
Sub-total	1,110	2,718,200
Employment Ordinance and subsidiary regulations		
Statutory benefits cases	1,307	5,988,450
Young persons and children cases ¹	-	-
Employment agencies cases ²	37	282,000
Sub-total	1,344	6,270,450
Factories and Industrial Undertakings Ordinance and subsidiary regulations		
Factory cases	443	3,853,450
Building and engineering construction cases	1,745	15,243,600
Sub-total	2,188	19,097,050
Occupational Safety and Health Ordinance and subsidiary regulations		
Sub-total	185	2,219,450
Immigration Ordinance		
Sub-total	10	16,200
Total	4,843	30,338,550

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

2. Cases involving offences by employment agencies under the Employment Ordinance and the Employment Agency Regulations

Figure 2.2
Organisation Chart of Labour Department
(as at 31 December 2019)

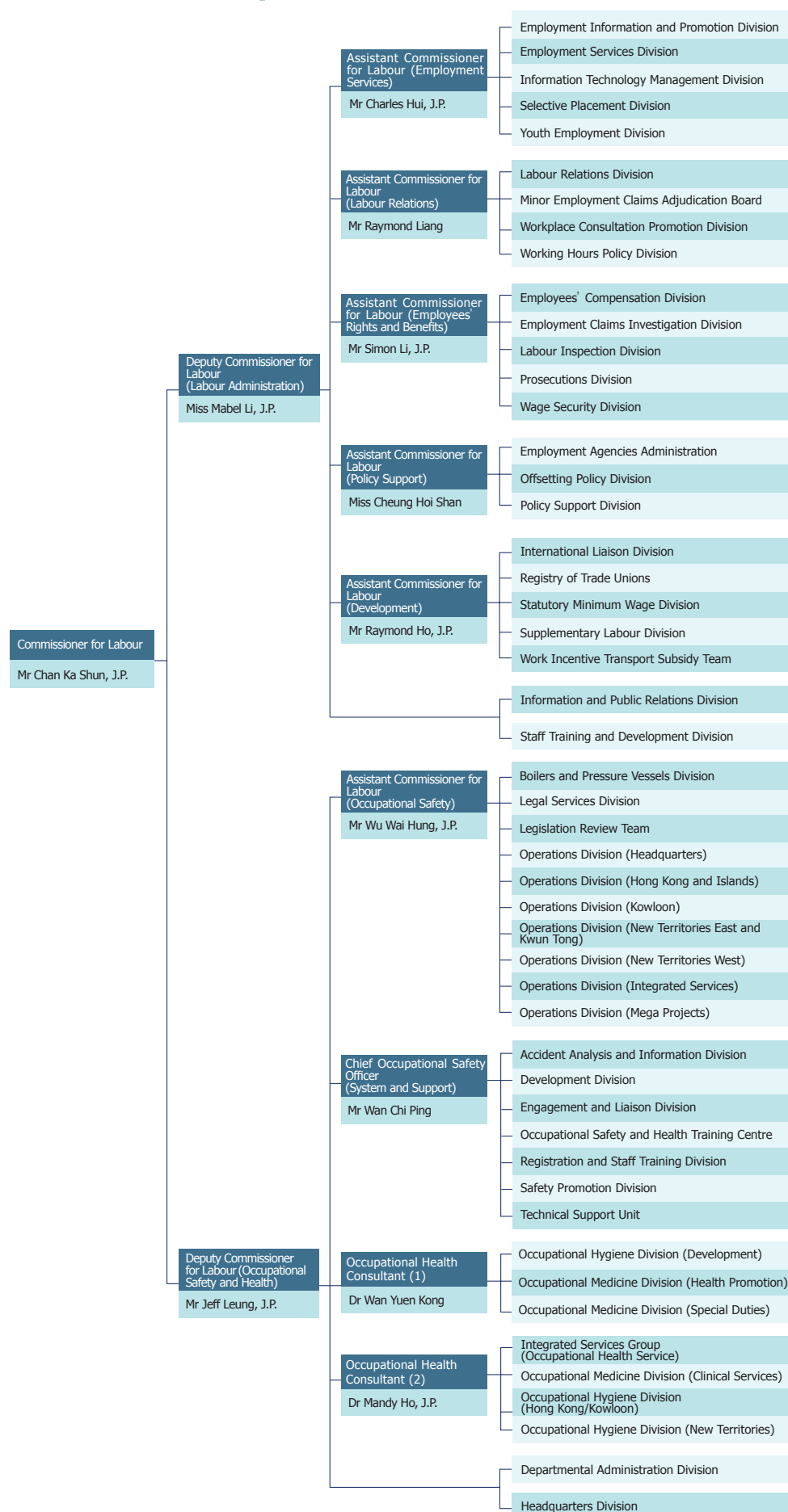


Figure 2.3**Terms of Reference and Composition of the Labour Advisory Board and Membership for the 2019-2020 term****Terms of Reference**

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 Carlson Chan Ka Shun, JP

Commissioner for Labour

Members**Employee Representatives**

Mr Chau Siu Chung

Mr Charles Chan Yiu Kwong

Mr Tang Ka Piu, JP

Mr Lee Kwok Keung

Mr Leung Chau Ting

Ms Molly Shea Wai Man

elected by registered employee unions

appointed ad personam

Employer Representatives

Hon Ho Sai Chu, GBM, GBS, JP

Dr Kim Mak Kin Wah, BBS, JP

Mr Irons Sze, BBS, JP

Mr Emil Yu Chen On, JP

Mr Jimmy Kwok Chun Wah, SBS, MH, JP

Mr Cheung Sing Hung, BBS

representing the Chinese General Chamber of Commerce

representing the Employers' Federation of Hong Kong

representing the Chinese Manufacturers' Association of Hong Kong

representing the Hong Kong General Chamber of Commerce

representing the Federation of Hong Kong Industries

appointed ad personam

Secretary

Ms Esther Chan Lai Heung

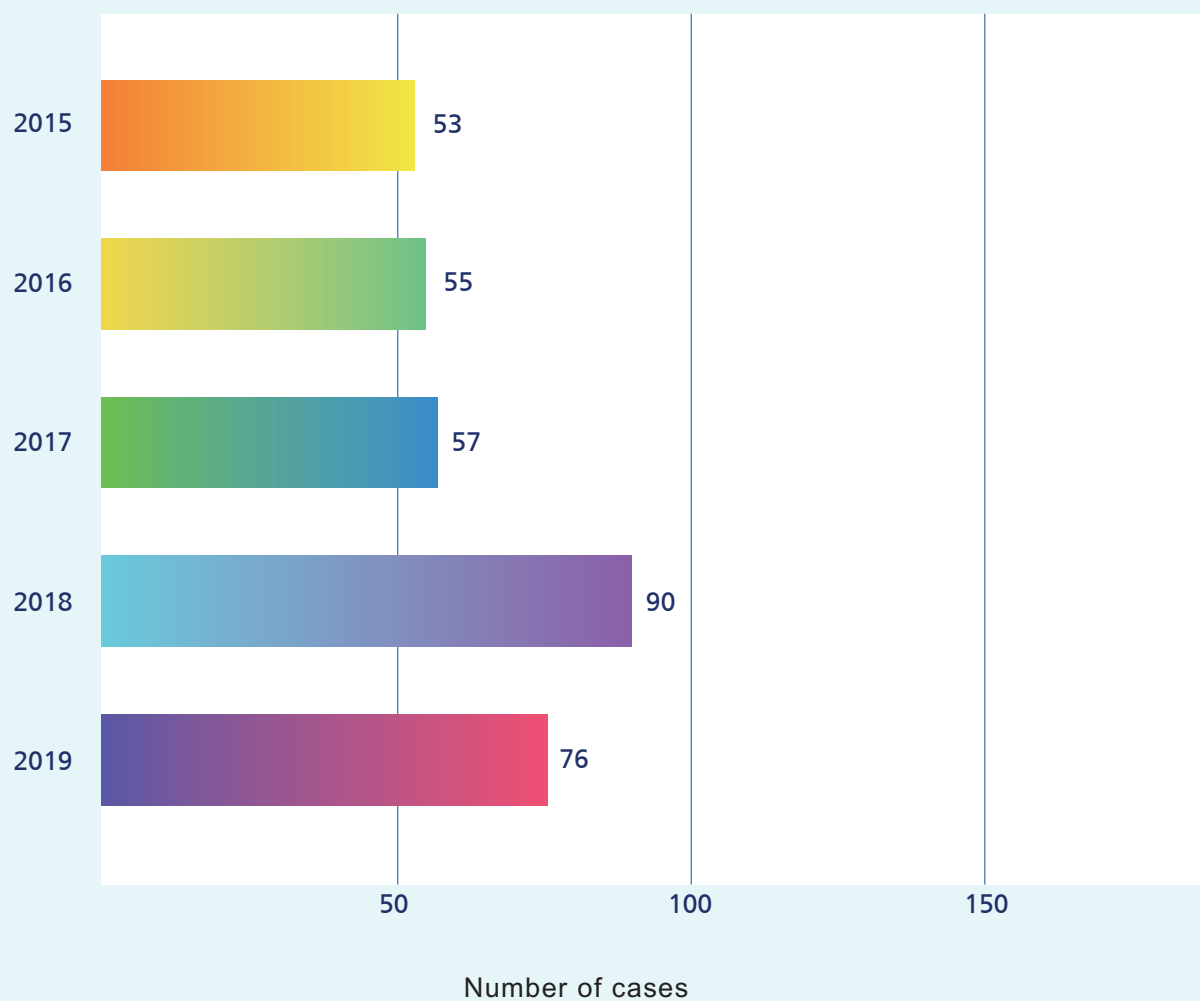
Senior Labour Officer

Figure 3.1**Key Indicators of Work of the Labour Relations Programme Area in 2019**

Key Indicators of Work		Number
I.	Conciliation and Consultation Services	
	Labour disputes and claims handled	13 831
	Consultation meetings held	65 343
	Percentage of labour disputes and claims resolved through conciliation	75.9%
II.	Adjudication of Minor Employment Claims	
	Claims adjudicated by Minor Employment Claims Adjudication Board	570
III.	Administration of Trade Unions	
	Registration of new trade unions and changes of union names/rules	96
	Visits to trade unions	360
	Account statements of trade unions examined	629
	Training courses organised for trade unions	4

Figure 3.2

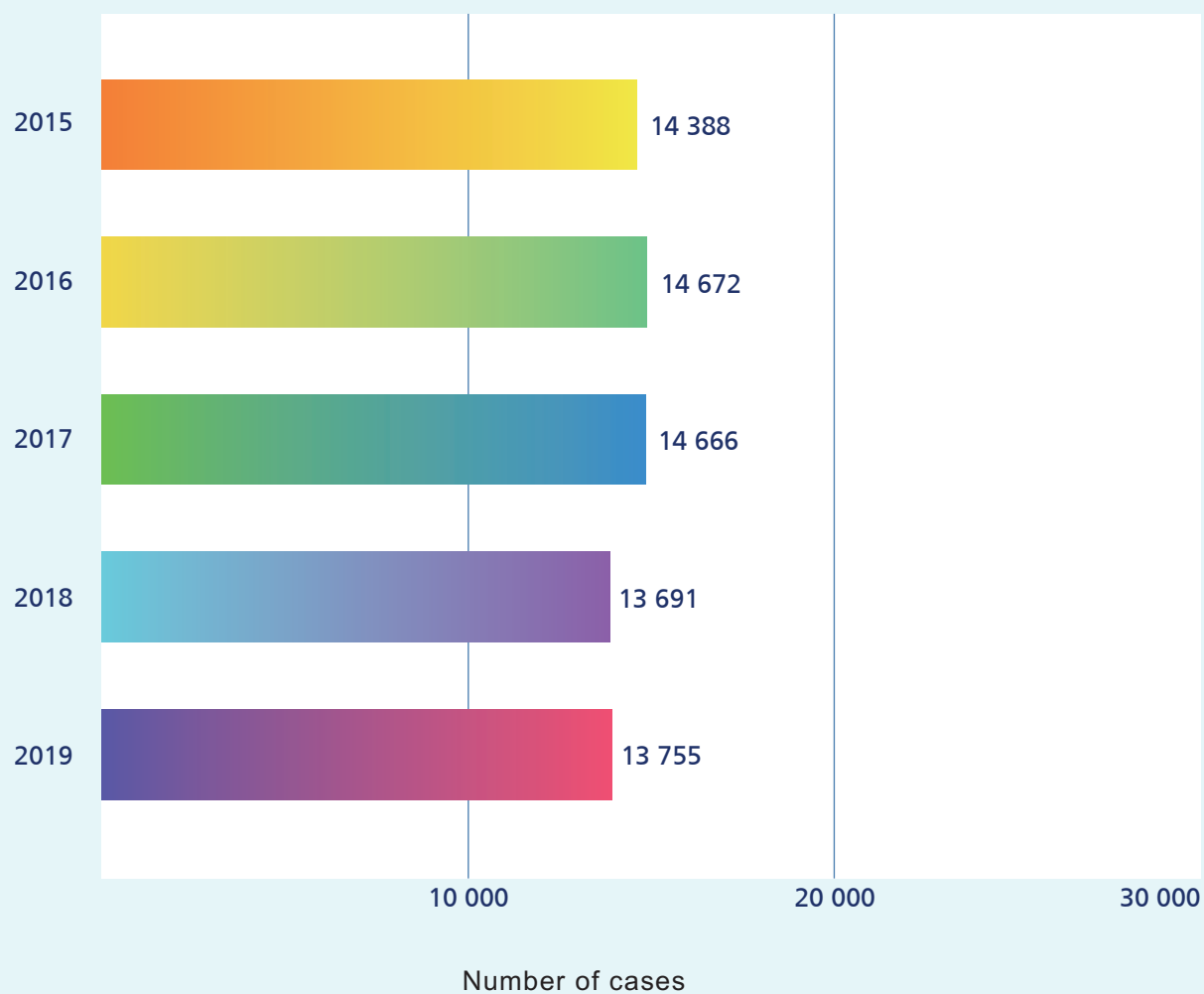
Number of Labour Disputes Handled by the Labour Relations Division from 2015 to 2019



Year	Number of cases
2015	53
2016	55
2017	57
2018	90
2019	76

Figure 3.3

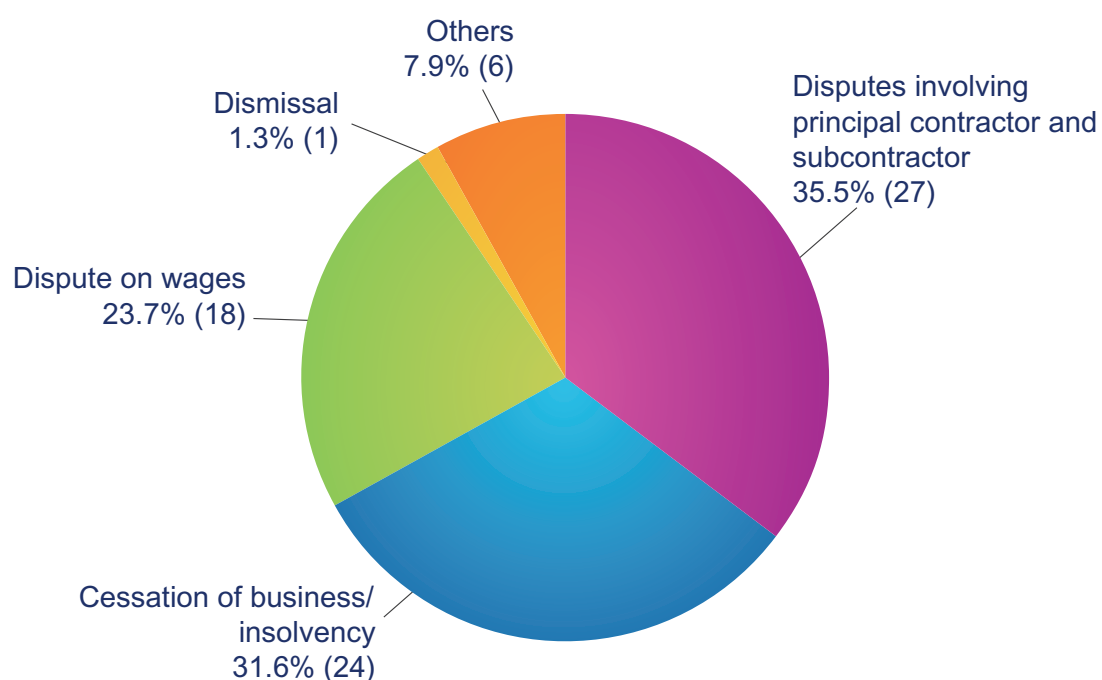
**Number of Claims Handled by the Labour Relations Division
from 2015 to 2019**



Year	Number of cases
2015	14 388
2016	14 672
2017	14 666
2018	13 691
2019	13 755

Figure 3.4

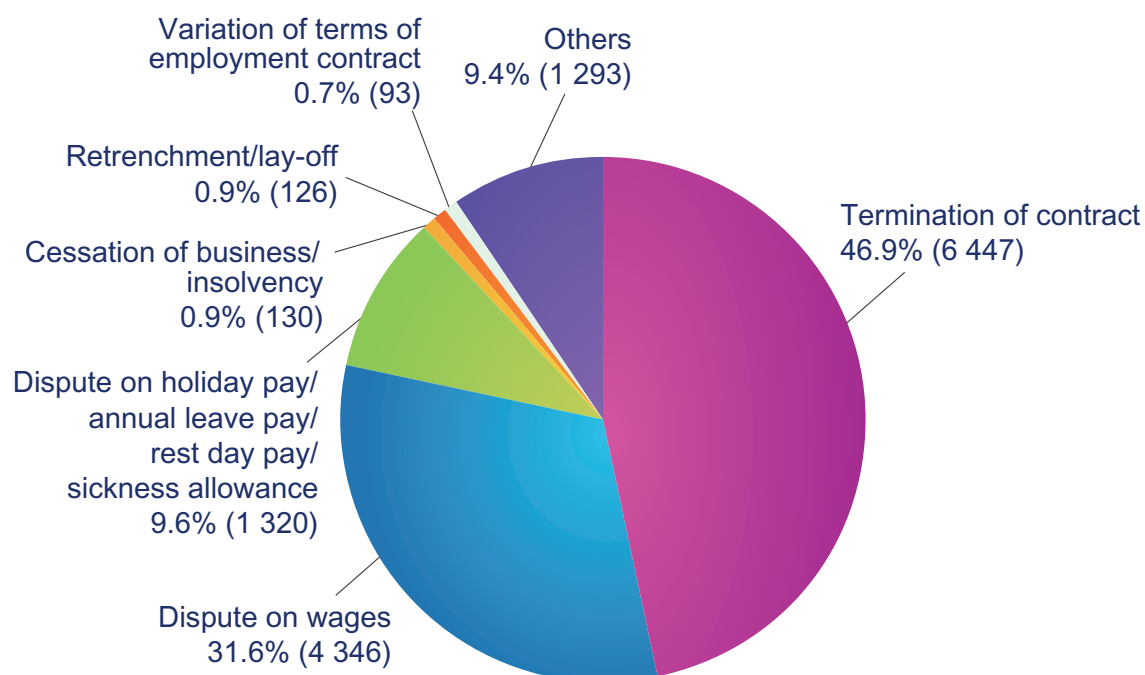
Number of Labour Disputes Handled by the Labour Relations Division in 2019 by Cause



Total number of cases : 76

* Figures in brackets indicate the number of related cases

Cause	Number of cases	Percentage
Disputes involving principal contractor and subcontractor	27	35.5%
Cessation of business/insolvency	24	31.6%
Dispute on wages	18	23.7%
Dismissal	1	1.3%
Others	6	7.9%
Total number of cases	76	

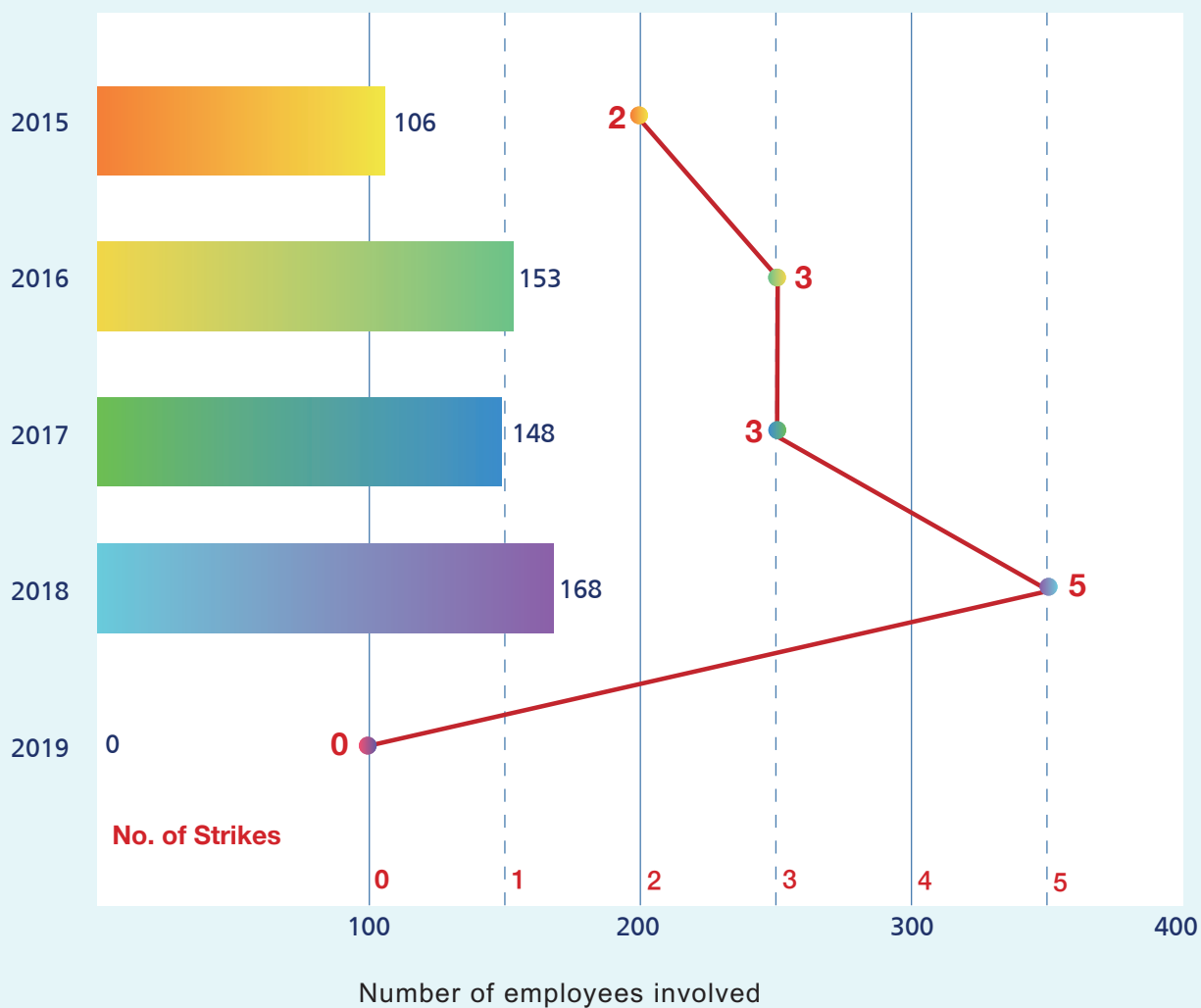
Figure 3.5**Number of Claims Handled by the Labour Relations Division in 2019 by Cause**

Total number of cases : 13 755

* Figures in brackets indicate the number of related cases

Cause	Number of cases	Percentage
Termination of contract	6 447	46.9%
Dispute on wages	4 346	31.6%
Dispute on holiday pay/annual leave pay/rest day pay/sickness allowance	1 320	9.6%
Cessation of business/insolvency	130	0.9%
Retrenchment/lay-off	126	0.9%
Variation of terms of employment contract	93	0.7%
Others	1 293	9.4%
Total number of cases	13 755	

Figure 3.6
Number of Strikes and Number of Employees Involved
from 2015 to 2019

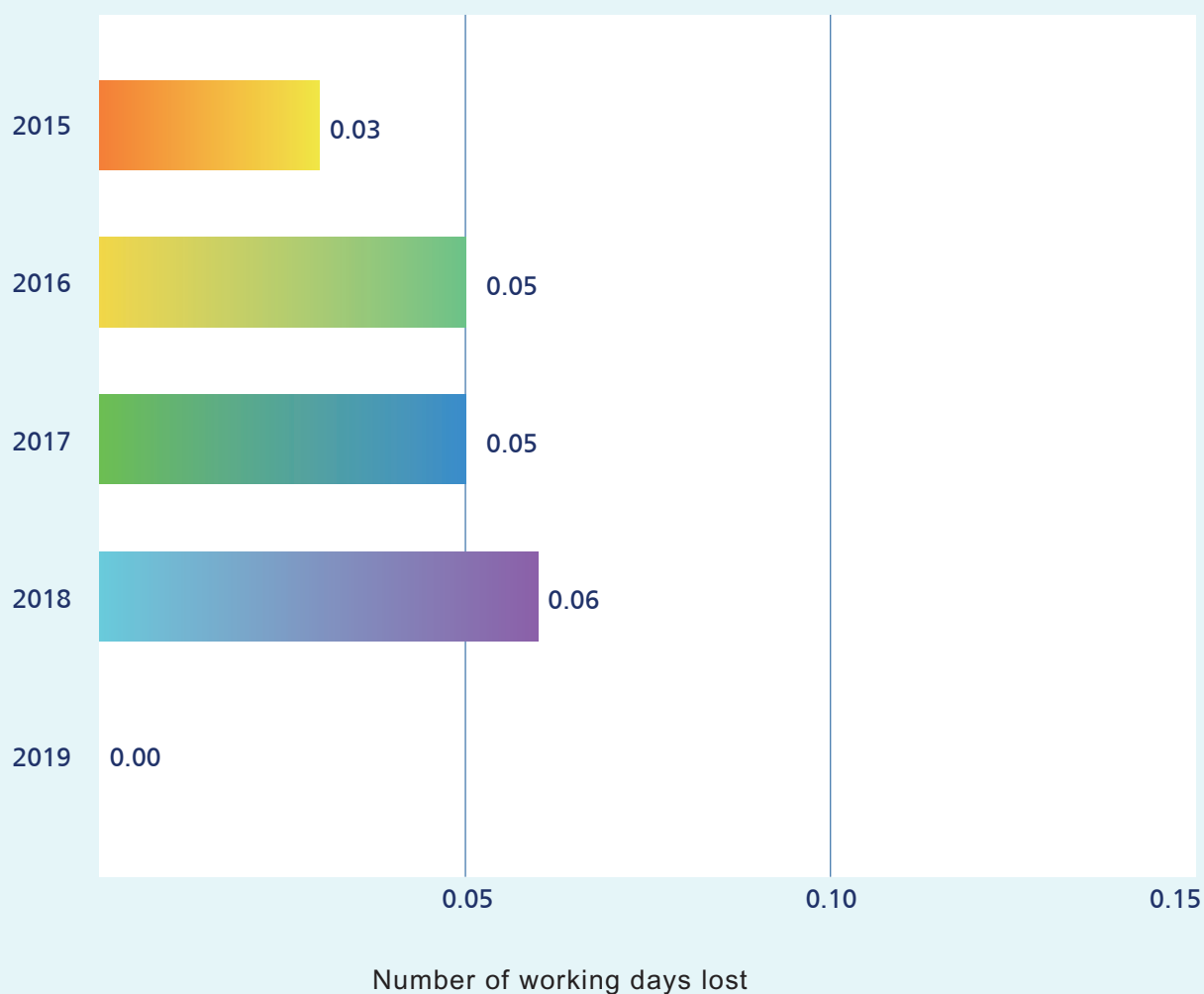


Year	Number of Strikes	Number of employees involved
2015	2	106
2016	3	153
2017	3	148
2018	5 [^]	168 [^]
2019	0	0

[^] Including one strike which started in late 2017 and ended in early 2018

Figure 3.7

Number of Working Days Lost due to Strike per Thousand Salaried Employees and Wage Earners* from 2015 to 2019



Year	Number of working days lost
2015	0.03
2016	0.05
2017	0.05
2018	0.06
2019	0.00

* 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 2019**

Key Indicators of Work		Number
I.	Inspections	
	Inspections under FIUO ¹ and OSHO ²	166 036
	Inspections under BPVO ³	4 680
II.	Investigations	
	Investigations of accidents at workplaces	20 243
	Investigations of suspected cases of occupational diseases/ occupational health problems	2 625
III.	Promotion and Education	
	Promotional visits to workplaces under FIUO ¹ and OSHO ²	6 633
	Talks, lectures and seminars organised	2 046
IV.	Pressure Equipment Registration	
	Pressure equipment registered	2 022
	Examinations conducted and exemptions granted, for the issue or endorsement of certificates of competency	543
V.	Clinical Services	
	Clinical consultations conducted	10 718

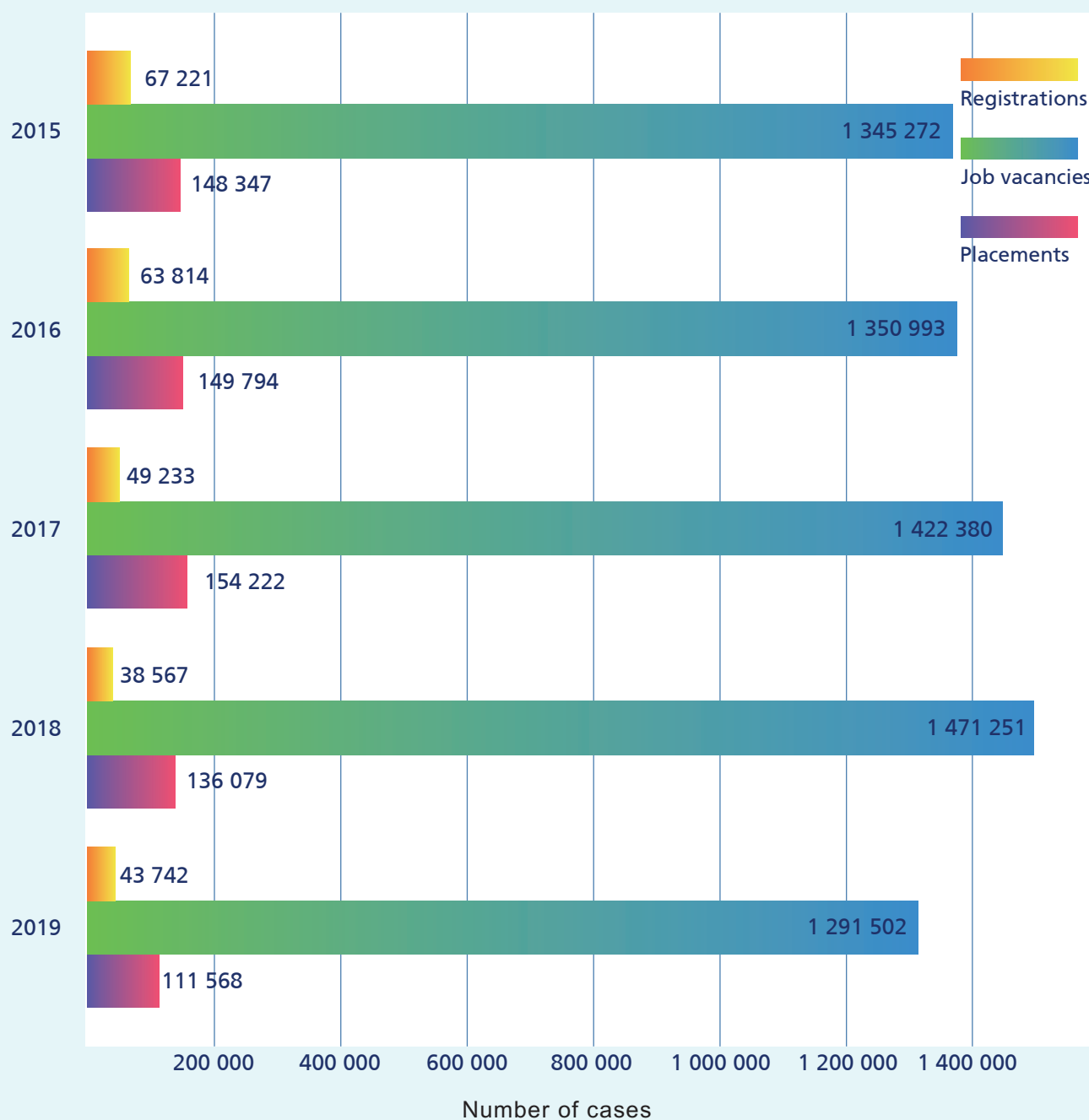
Notes: 1. Factories and Industrial Undertakings Ordinance
2. Occupational Safety and Health Ordinance
3. Boilers and Pressure Vessels Ordinance

Figure 5.1**Key Indicators of Work of the Employment Services Programme Area in 2019**

Key Indicators of Work		Number
I.	Able-bodied Job Seekers	
	Persons registered	43 742
	Placements	111 568
II.	Job Seekers with Disabilities	
	Persons registered	2 766
	Placements	2 213
III.	Regulating Employment Agencies	
	Licences issued	3 266
	Inspections	2 043
IV.	Applications under the Supplementary Labour Scheme processed	1 153

Figure 5.2

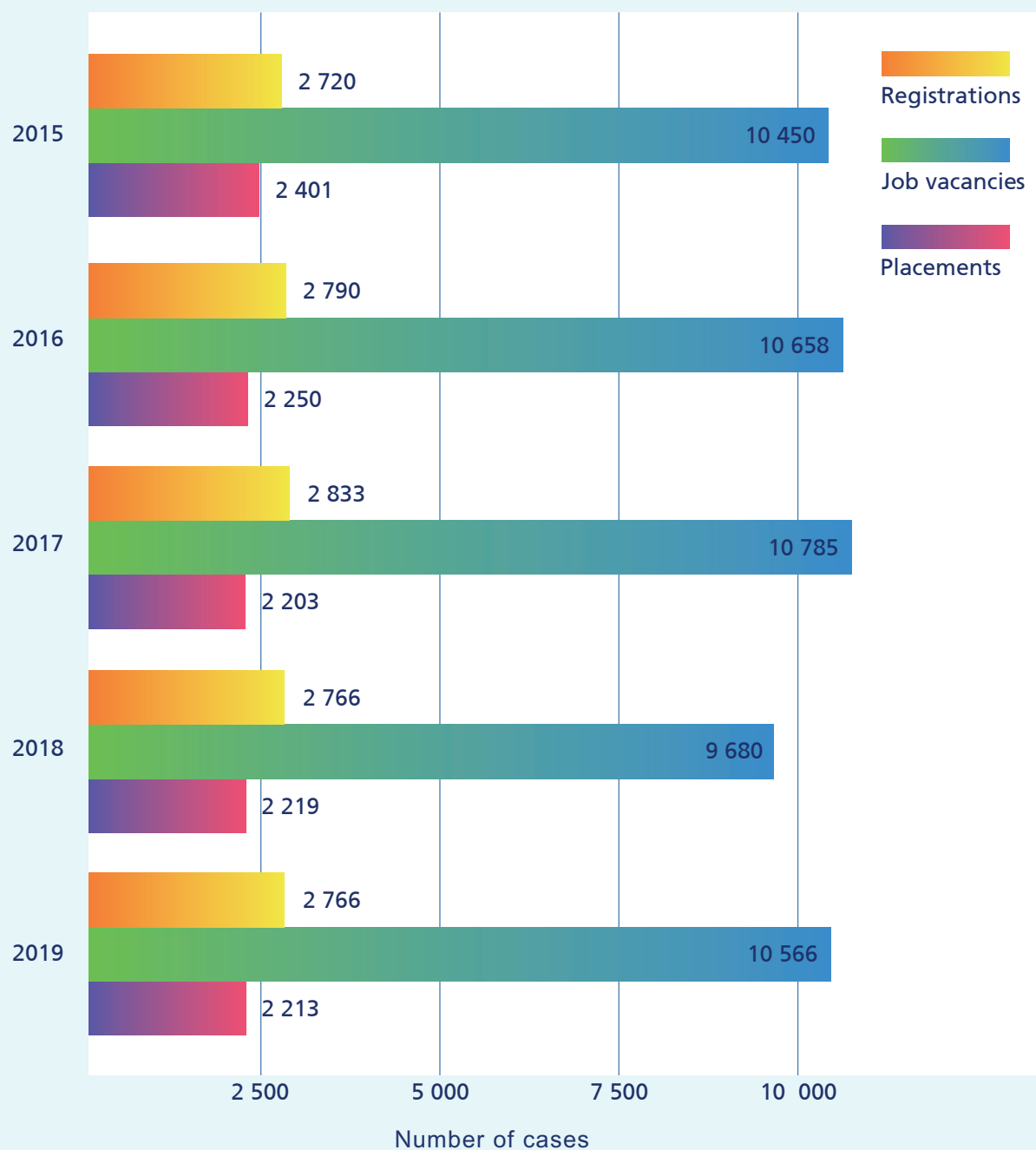
Key Indicators of Employment Services Rendered to Able-bodied Job Seekers from 2015 to 2019



Year	Registrations	Job vacancies	Placements
2015	67 221	1 345 272	148 347
2016	63 814	1 350 993	149 794
2017	49 233	1 422 380	154 222
2018	38 567	1 471 251	136 079
2019	43 742	1 291 502	111 568

Figure 5.3

Key Indicators of Employment Services Rendered to Job Seekers with Disabilities from 2015 to 2019

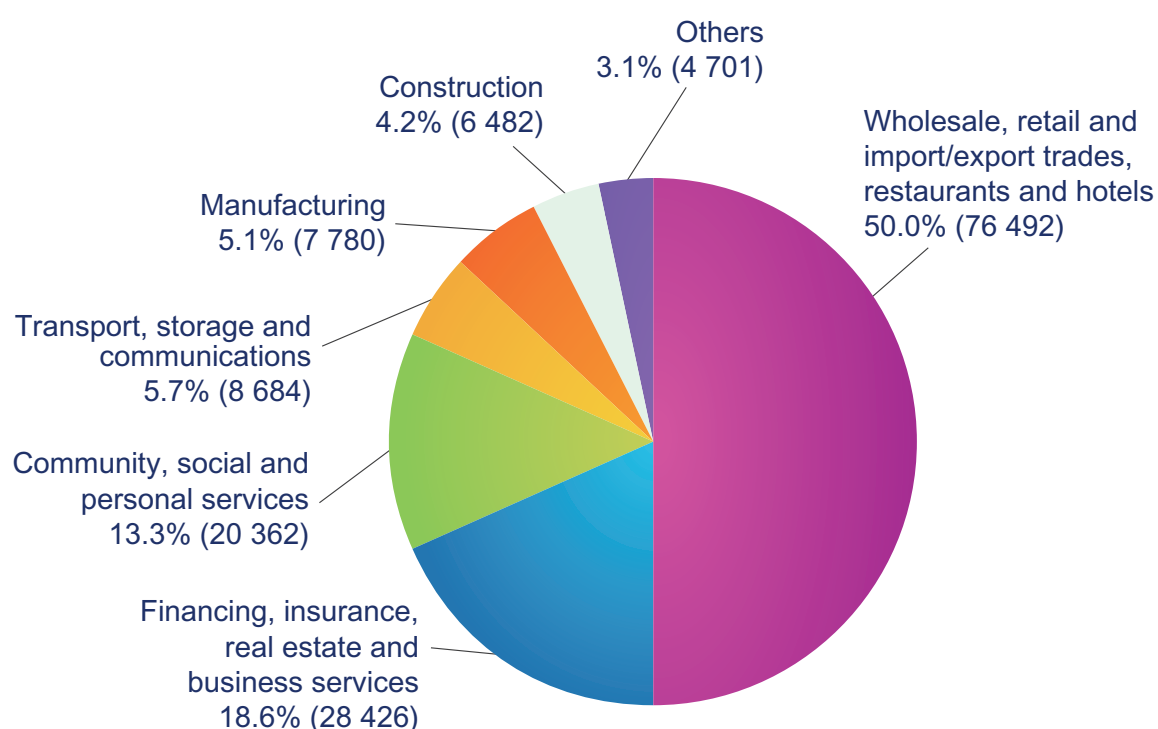


Year	Registrations	Job vacancies	Placements
2015	2 720	10 450	2 401
2016	2 790	10 658	2 250
2017	2 833	10 785	2 203
2018	2 766	9 680	2 219
2019	2 766	10 566	2 213

Figure 6.1**Key Indicators of Work of the Employees' Rights and Benefits Programme Area in 2019**

Key Indicators of Work		Number
I.	Inspections to workplaces	152 927
II.	Employees' compensation claims received	48 421
III.	Sick leave clearance interviews for injured employees conducted	41 159
IV.	Assessment of loss of earning capacity of injured employees	
	Ordinary assessment	18 543
	Special assessment	0
	Review assessment	4 451
V.	Applications for payment under the Protection of Wages on Insolvency Fund processed	2 865
VI.	Cases related to imported workers under the Supplementary Labour Scheme investigated	49
VII.	Convicted summonses on wage offences	836

Figure 6.2
Number of Inspections Made in 2019 by Major Economic Sector



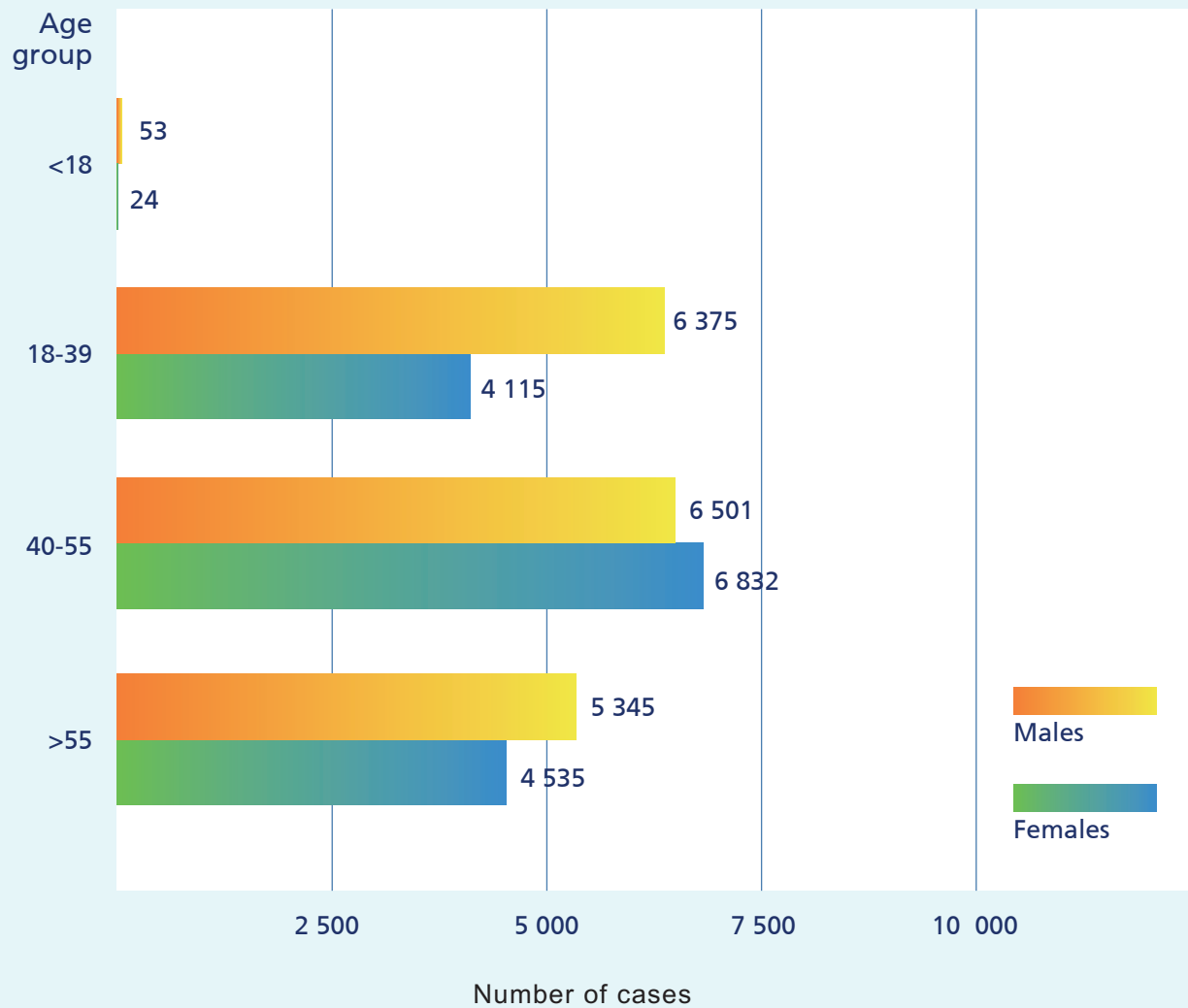
Total number of inspections : 152 927

* Figures in brackets indicate the number of related inspections

Economic sector	Number of inspections	Percentage
Wholesale, retail and import/export trades, restaurants and hotels	76 492	50.0%
Financing, insurance, real estate and business services	28 426	18.6%
Community, social and personal services	20 362	13.3%
Transport, storage and communications	8 684	5.7%
Manufacturing	7 780	5.1%
Construction	6 482	4.2%
Others	4 701	3.1%
Total number of inspections	152 927	

Figure 6.3

Number of Cases Reported under the Employees' Compensation Ordinance in 2019 by Sex and Age*

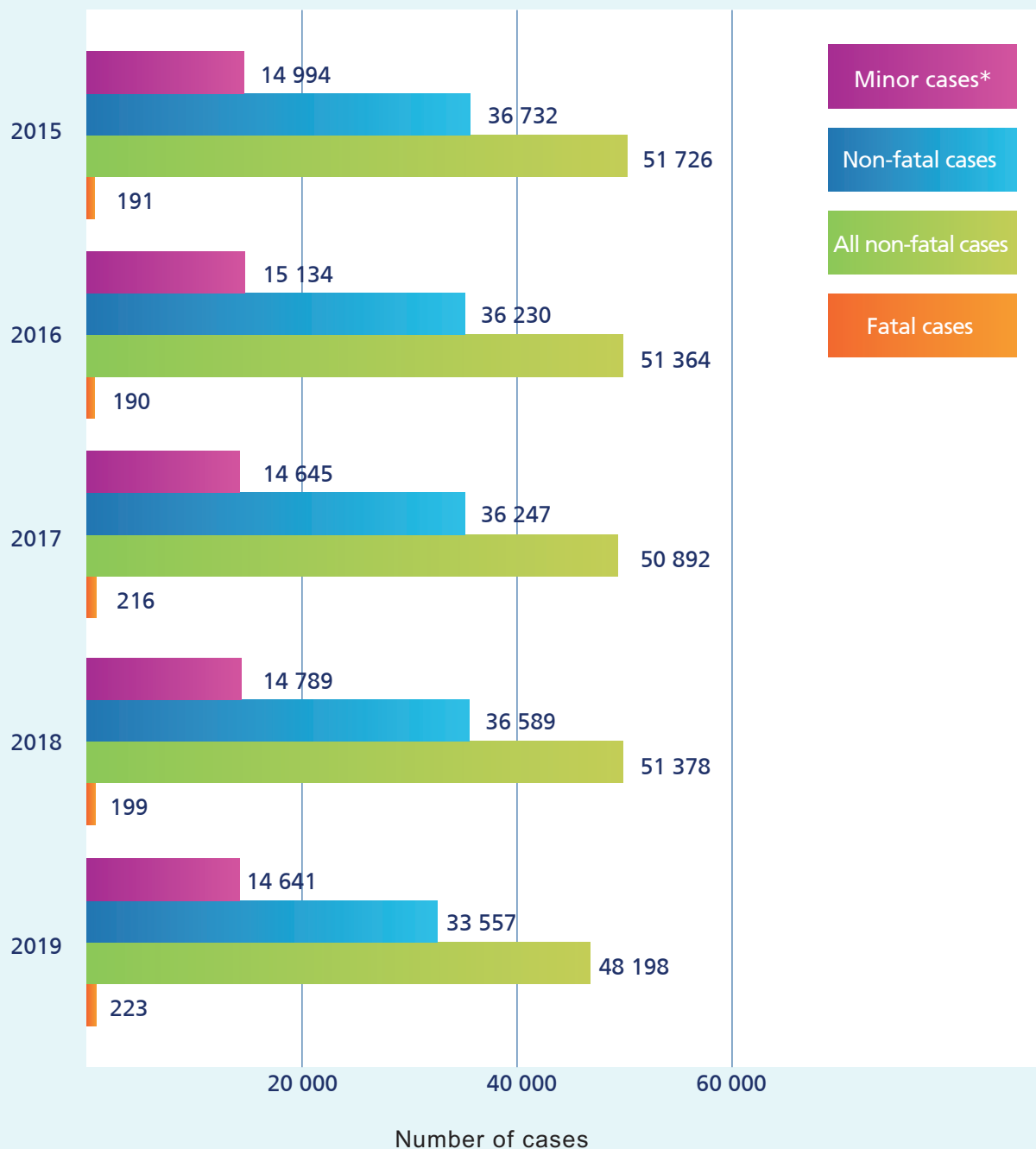


Age group	Males	Females
<18	53	24
18-39	6 375	4 115
40-55	6 501	6 832
>55	5 345	4 535

* The figures have not included 14 641 cases involving sick leave of not exceeding three days

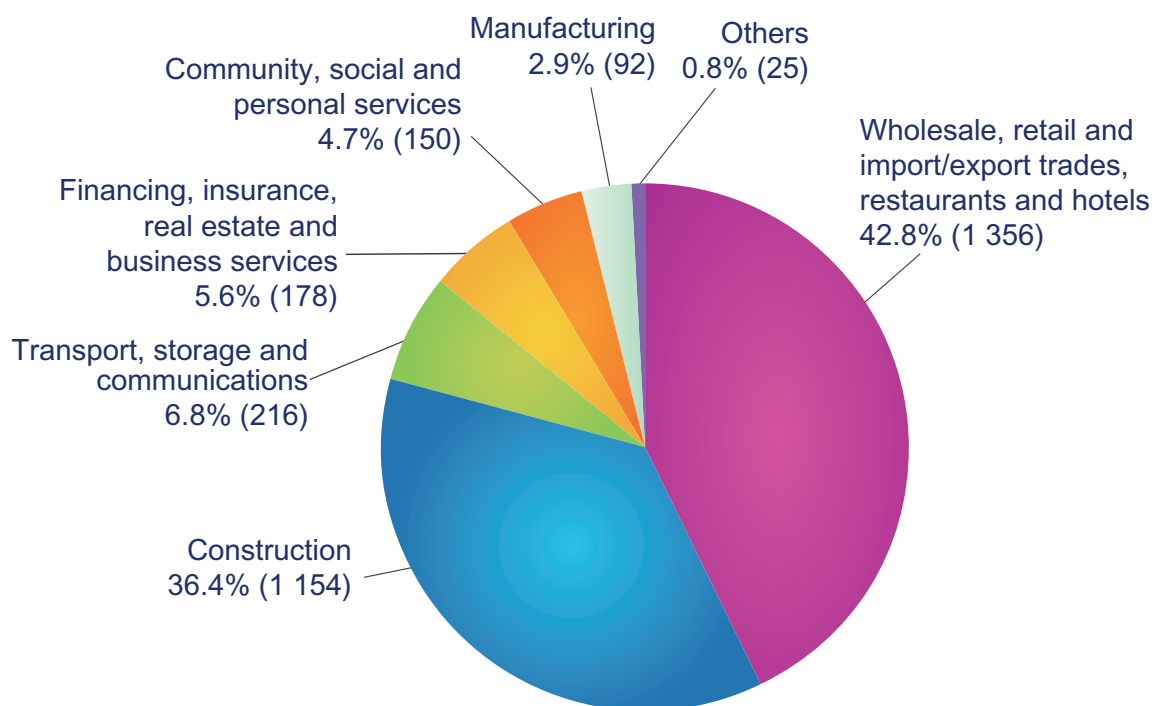
Figure 6.4

Number of Cases Reported under the Employees' Compensation Ordinance from 2015 to 2019



Year	Minor cases*	Non-fatal cases	All non-fatal cases	Fatal cases
2015	14 994	36 732	51 726	191
2016	15 134	36 230	51 364	190
2017	14 645	36 247	50 892	216
2018	14 789	36 589	51 378	199
2019	14 641	33 557	48 198	223

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

Figure 6.5**Number of Applications of the Protection of Wages on Insolvency Fund received in 2019 by Economic Sector**

Total number of applications: 3 171

* Figures in brackets indicate the number of related applications


Economic Sector	Number of applications	Percentage
Wholesale, retail and import/export trades, restaurants and hotels	1 356	42.8%
Construction	1 154	36.4%
Transport, storage and communications	216	6.8%
Financing, insurance, real estate and business services	178	5.6%
Community, social and personal services	150	4.7%
Manufacturing	92	2.9%
Others	25	0.8%
Total number of applications	3 171	

Figure 7.1**List of the 31 International Labour Conventions Applied to Hong Kong**

Convention No.	Title
2.	Unemployment Convention, 1919
3.	Maternity Protection Convention, 1919
11.	Right of Association (Agriculture) Convention, 1921
12.	Workmen's Compensation (Agriculture) Convention, 1921
14.	Weekly Rest (Industry) Convention, 1921
17.	Workmen's Compensation (Accidents) Convention, 1925
19.	Equality of Treatment (Accident Compensation) Convention, 1925
29.	Forced Labour Convention, 1930
32.	Protection against Accidents (Dockers) Convention (Revised), 1932
42.	Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934
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
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
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
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
MLC	Maritime Labour Convention, 2006

Figure 7.2**Participation in Major International Labour Organisation Activities and Contacts with Other Labour Administrations in 2019**

Month	Activities
Jun	The Secretary for Labour and Welfare led a tripartite team comprising the Government, employer and employee representatives to attend the 108th Session of the International Labour Conference, a centenary conference marking the ILO's 100th anniversary, in Geneva, Switzerland as part of the delegation of the People's Republic of China.
Oct	The Commissioner for Labour led a delegation under the Reciprocal Visit Programme to visit the Ministry of Human Resources and Social Security of the State Council and met with Vice Minister You Jun in Beijing. The delegation also met with senior representatives of the National Health Commission, the Ministry of Emergency Management, the All-China Federation of Trade Unions, the China Enterprise Confederation and the ILO Country Office for China and Mongolia to exchange views on labour issues and work safety.



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