



勞工處年報 2020

Labour Department Annual Report





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Chapter 1

Highlights of Year 2020

- 1.1** The labour market deteriorated sharply in 2020 as the economy experienced the most severe contraction on record due to the COVID-19 pandemic. The seasonally adjusted unemployment rate surged to 4.2% in the first quarter, and further to 6.2% in the second quarter and 6.6% in the fourth quarter, the highest in 16 years. The underemployment rate also soared to a post-SARS high of 3.8% in the third quarter and stayed elevated at 3.4% in the fourth quarter. For 2020 as a whole, the unemployment rate averaged 5.8%, 2.9 percentage points higher than in 2019, and the underemployment rate averaged 3.3%, also visibly higher by 2.2 percentage points. 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 three large-scale job fairs, two online job fairs and 586 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 688 939 vacancies from the private and public sectors; and 126 785 placements were secured.

Enhancing Employment Programmes

- 1.4** In light of the deteriorating employment situation, the LD enhanced the Employment Programme for the Elderly and Middle-aged, the Youth Employment and Training Programme and the Work Orientation and Placement Scheme in September 2020 by raising the ceiling of the on-the-job training allowance payable to employers, with a view to encouraging employers to hire the elderly and middle-aged, young people and persons with disabilities. At the same time, the LD introduced retention allowance to encourage eligible employees participating in the programmes to undergo and complete on-the-job training, thereby stabilising employment.

Supporting Ethnic Minority Job Seekers

- 1.5** To strengthen the employment support for ethnic minority job seekers, the LD has commissioned two non-governmental organisations to implement the Racial Diversity Employment Programme since November 2020.

Labour Relations

Promoting Harmonious Labour Relations

- 1.6** 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 2020, we handled a total of 85 labour disputes and 10 991 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.

Sustaining Vigorous Enforcement against Wage Offences

- 1.7** In 2020, 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.
- 1.8** We continued to take out 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

- 1.9** 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 2020, seminars were conducted for human resources managers and corporate executives, including the promotion of effective workplace communication. We also organised the Good Employer Charter 2020 in the year 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.



A wide range of promotional activities organised by the Labour Department, including exhibitions, to promote public understanding of labour laws and publicise employee-oriented and good human resource management measures

Employees' Rights and Benefits

Statutory Minimum Wage (SMW)

- 1.10** In 2020, the LD organised a wide range of publicity activities to enhance public awareness of the 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.
- 1.11** 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. In October 2020, the MWC submitted its report after completing a new round of review of the SMW rate. During the review, the Hong Kong economy was in a deep recession with an elevated unemployment rate and the economic outlook was faced with an unusually high degree of uncertainty. The MWC reached the majority consensus recommendation to maintain the prevailing SMW rate at \$37.5 per hour until the next biennial review.

Safeguarding the Rights of Employees of Government Service Contractors

- 1.12** The Government introduced 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

- 1.13** 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

- 1.14** The LD collaborated with the Police and the Immigration Department to combat illegal employment activities. A total of 34 joint operations were mounted in the year.

Working Hours Policy

- 1.15** The LD continued to engage its 11 industry-based tripartite committees (including nine existing committees and two 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)

- 1.16** In light of the commencement of major PWPs (including major infrastructure projects), the LD 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 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 continued to participate actively 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 method statements and implement safety measures 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

- 1.17** 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.
- 1.18** In light of serious accidents that happened from time to time in RMAA works in recent years, the LD has established a number of dedicated offices to monitor the OSH of RMAA works and stepped up inspection and enforcement efforts to deter contractors from adopting unsafe work practices, so as to enhance the occupational safety condition of RMAA works. Territory-wide special enforcement operations on RMAA works with emphasis on high risk processes, such as work-at-height, truss-out scaffolding works, lifting operations and electrical work were also launched. During the special operations, 561 suspension/improvement notices were issued and 330 prosecutions were taken out.
- 1.19** On the fronts of education and promotion, we organised a series of intensive promotion and publicity campaigns, targeting RMAA works, as well as the related work-at-height and electrical work to arouse the safety awareness of all parties involved. These included launching a two-year publicity campaign in 2020 in collaboration with the Occupational Safety and Health Council (OSHC) with a wide range of initiatives seeking to reach contractors and workers engaged in RMAA works more effectively and 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.
- 1.20** In 2020, the LD organised in collaboration with the OSHC a series of safety webinars concerning RMAA works and work-at-height to engage industry stakeholders in exploring means to further enhance construction safety. To encourage 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 intensified the Pilot Partnership Scheme on Promotion of Light-duty Working Platforms by Property Management Companies to encourage contractors and workers conducting RMAA works in relevant estates or residential buildings to use suitable step platforms and hop-up platforms (light-duty working platforms).

Safety Promotional Campaigns

- 1.21** In view of the COVID-19 pandemic, the LD suspended the safety award schemes for the catering and construction industries in 2020 to prevent the risk of spreading the virus as a result of group gatherings. However, with a view to continuing with the effort to maintain the momentum of the industries on OSH improvement, the LD launched the new “Catering Industry Safety Promotional Campaign” and “Construction Industry Safety Promotional Campaign” to enhance the work safety and health awareness of employers and employees.

Strengthening Publicity of OSH Complaints Channels

- 1.22** In order to facilitate employees and members of the public to lodge complaints against OSH malpractices more conveniently, the LD launched the online OSH complaint platform in 2019 to facilitate complainants to lodge complaints by using online forms accessible to mobile electronic devices such as smart phones, tablets and laptops on unsafe working conditions and environments at workplaces. Upon receiving the complaints, the LD will, having regard to their nature and content, conduct investigations and follow-up actions as soon as possible with a view to preventing occurrence of accidents. We will continue to make use of various channels to publicise the online complaint platform to employees of different industries, including broadcast of TV and Radio Announcements in the Public Interest, distribution of posters, and through the platforms of OSH training course providers and workers registration service centres.

Work Safety Alert Animation

- 1.23** 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 safety measures to be taken to prevent recurrence of such accidents. Five animation videos were produced, and uploaded to the LD’s website and disseminated through various channels in 2020.

Continuous Refinement of Mandatory Safety Training (MST) Courses

- 1.24** In 2020, the LD launched the revamped Safety Training Courses of Gas Welding and Safety Training Courses for Persons Working on Suspended Working Platforms to further strengthen workers’ knowledge of the associated risks and emergency preparedness. We also continued to conduct different modes of inspections to enhance the monitoring of course quality.

Establishment of Central Promotion Team

- 1.25** The Occupational Health Service of the LD set up a Central Promotion Team in August 2020. Targeting at the retail industry, catering industry and property management industry, the team conducted promotional visits to 36 large corporations and gave advice to the employers to follow the requirements of the LD's guideline to further reduce health risks associated with standing at work. The team also conducted promotional visits to five cleaning contractors of the Food and Environmental Hygiene Department on heat stroke prevention.

Prevention of Heat Stroke at work

- 1.26** In addition to inspection and enforcement, the LD continued to enhance employers' and workers' awareness of heat stroke through promotion and education, such as launching a large-scale promotion campaign, organising health talks, publicising through the media and organising outreach promotional activities in collaboration with different stakeholders.

Pilot Rehabilitation Programme for Employees Injured at Work

- 1.27** In 2020, the LD continued to prepare for the launch of a three-year Pilot Rehabilitation Programme for Employees Injured at Work targeting injured employees from the construction industry, including drawing up the service protocols and operational details of the pilot programme. Subject to the time required for the preparatory work, we aim to launch the pilot programme as soon as possible in 2022.

Contacts with Other Labour Administrations

- 1.28** Owing to the COVID-19 pandemic, the LD mainly maintained liaison and interflows with other labour administrations through electronic means in 2020.

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. The Registration and Staff Training Division organises and coordinates training and development activities for staff of the Occupational Safety and Health Branch.
- 2.12** The Information Technology Management Division offers support to the development and management of information technology services.
- 2.13** An organisation chart of the LD is set out in Figure 2.2.

Customer-oriented Services

- 2.14** Performance standards and targets are laid down for a wide range of services. A Customer Liaison Group has been formed to collect feedback from users of the 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

- 2.15** 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. An election of employee representatives for the 2021-2022 term of the LAB was held on 21 November 2020.



Labour Advisory Board meeting

Chapter 3

Labour Relations

The Programme of Labour Relations

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

3.1 In Hong Kong, employer and employee relations are largely premised on the stipulations of various pieces of labour laws, and the terms and conditions of employment agreed and entered into between the two parties. Employers and employees are free to form trade unions and participate in union activities. The objective of the Labour Relations Programme is to maintain and promote harmonious labour relations in establishments outside the government sector. We achieve this by:

- giving advice on matters relating to conditions of employment, requirements of relevant labour legislation, and good 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 2020

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** In early 2020, the Chief Executive put forward a series of initiatives to further improve people's livelihood, one of which was to increase progressively the number of statutory holidays from existing 12 days to 17 days so that it would be on a par with the number of general holidays other than Sundays. Taking into account the interests of employers and employees and the economic situation, the Government worked out a proposal to take forward the initiative and consulted the Labour Advisory Board twice in October and November 2020.
- 3.6** The Employment (Amendment) Ordinance 2020 to increase statutory maternity leave from 10 weeks to 14 weeks took effect on 11 December. Employers may apply to the Government for full reimbursement of the additional maternity leave pay granted under the EO, subject to a cap of \$80,000 per employee.
- 3.7** The Labour Department (LD) continued to press ahead with the preparatory work for abolishing the use of employers' mandatory contributions under the Mandatory Provident Fund System and comparable parts of similar retirement fund contributions to "offset" their employees' severance payment and long service payment, including drafting bills and mapping out details for implementing the support measures.

Conciliation and Consultation Services

- 3.8** Our conciliation and consultation services are conducive to maintaining harmonious industrial relations in Hong Kong. In 2020, we held 42 445 consultation meetings, and handled 10 991 claims and 85 labour disputes. Over 70% of cases with conciliation service rendered were settled in the year. (Figures 3.2, 3.3, 3.4, 3.5, 3.6 and 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 platforms 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. 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 organised 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 on different themes to enhance public understanding of the Employment Ordinance and promote good human resource management culture

勞工處
《好僱主約章》
2020 簽署機構

勞工處
Labour Department

勞資協商促進科
Workplace Consultation
Promotion Division

家庭友善的僱傭措施

關心僱員的僱傭措施

促進工作與家庭/個人生活平衡的措施

與僱員或其組織有良好溝通

優於法例的僱員福利

評審團簡介

盧永鴻教授
香港中文大學政務學院商業可持續發展中心主任，香港中文大學政治與行政學系系主任

張成雄先生, BBS
勞工顧問委員會委員

陳耀光先生
勞工顧問委員會委員

鄭惠貞女士
香港人力資源管理學會會長

梁樂文先生
勞工處助理處長

勞工及福利局局長盧敏光博士呼籲僱主與僱員本着《約章》精神，互助互諒，齊心迎难而上，積極面對疫情對香港經濟及勞動市場的衝擊。

評審團：
(左起) 張成雄、盧永鴻、鄭惠貞、梁樂文。

《好僱主約章》網頁：<https://www.gec.labour.gov.hk/>

支持機構 (排名以中文筆劃為序)

Over 950 organisations enrolling in the Good Employer Charter 2020 as signatories and pledging to adopt good human resource management and family-friendly employment practices

3.11 The LD 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 produced a new set of TV and Radio Announcements in the Public Interest to promote the use of written employment contract. Besides, the newly revised booklets "Guidelines on What to do if Wage Reductions and Retrenchments are Unavoidable" and "Do's and Don'ts – When Wage Reductions and Retrenchments are Unavoidable" were distributed through various channels with a view to enhancing the understanding of employers and employees on the issues to note and their rights and responsibilities when wage reductions or retrenchments were unavoidable.



Experience-sharing sessions and briefings for members of human resources managers' clubs established in various 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 2020, the MECAB recorded 395 claims amounting to \$1,761,491 and concluded 370 claims with a total award of \$879,754.

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 accounts 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 2020, the RTU completed 496 registrations of new trade unions (comprising 495 trade unions and one trade union federation), making up a cumulative total of 1 422 trade unions (comprising 1 355 employee unions, 12 employers' associations, 43 mixed organisations of employees and employers and 12 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 333 annual statements of accounts and conducted 115 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 management, the RTU organised a course on trade union bookkeeping.

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 2020

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 2020 stood at 27 127, whereas the number in 2011 was 40 578. The injury rate per thousand employees was 9.3 in 2020, and the rate in 2011 was 14.6. The number of industrial accidents for all sectors was 7 202, and the number in 2011 was 13 658. The accident rate per thousand workers for all sectors was 12.4, and the rate in 2011 was 23.6.
- 4.7** In 2020, there were 2 532 industrial accidents in the construction industry, and the number in 2011 was 3 112. The accident rate per thousand workers in 2020 was 26.1, and the rate in 2011 was 49.7.

Occupational Diseases

- 4.8** In 2020, there were 216 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 2020, 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 2020, we also conducted eight 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 as well as logistic, cargo and container-handling industries. In these eight operations, a total of 9 521 workplaces were inspected, with 991 improvement notices and 87 suspension notices issued to duty holders, and 574 prosecutions initiated. Besides, we launched 23 in-depth surprise inspections to work sites with higher risk processes or poor safety performance. A total of 457 suspension/improvement notices were issued and 209 prosecutions initiated. In order to enhance safety performance of public work projects, representatives of the Labour Department (LD) participated in 245 site safety management committee meetings of public work projects and provided safety advice, in particular that concerning work processes with relatively high risk, to the contractors and relevant duty holders.

- 4.14** We conduct investigations into complaints concerning unsafe conditions or malpractices in workplaces. In 2020, we handled 293 complaints lodged by workers and initiated 17 prosecutions arising from investigation of these cases. Through the intelligence reporting system on unsafe RMAA works developed with various strategic partners, a total of 9 124 complaint/referral cases were received. As a result of the follow-up inspections on these referral cases, we issued 197 suspension/improvement notices and took out 100 prosecutions.
- 4.15** The LD launched the online OSH complaint platform in 2019 to facilitate employees using mobile electronic devices such as smart phones, tablets or laptops to report unsafe working conditions so that the LD can conduct prompt follow-up actions. The LD also produced a set of TV and Radio Announcements in the Public Interest (API), and made use of various channels such as training courses organised by Mandatory Safety Training (MST) course providers and workers registration service centres, to promote the complaint platform widely. In 2020, the LD received a total of 1 154 OSH complaint cases through the platform. A total of 13 suspension notices and 91 improvement notices were issued and 44 prosecutions were/will be taken out by the LD upon discovery of breaches of OSH legislation from the above complaints.
- 4.16** To enhance the OSH of construction workers through more targeted safety inspections, the LD collaborates with the property management sector to strengthen the referral mechanism for RMAA works to be carried out in individual units of estates, particularly the relatively high risk works such as erection or dismantling of truss-out scaffolds, so that the LD can conduct targeted safety inspections in a timely manner. The refined referral mechanism was launched in January 2020.
- 4.17** In 2020, the LD continued to organise 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 the special enforcement campaign from April to September, we conducted a total of 21 961 surprise inspections, and issued two improvement notices and 11 warnings.
- 4.18** Targeting health risks of standing at work, the LD in 2020 conducted inspections at workplaces of various industries including catering, retail and property management. In the year, the LD conducted 69 surprise inspections and issued 18 warnings.

- 4.19** 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 conducts examinations, monitors courses for training of competent persons and issues certificates of competency to qualified candidates as competent persons for various types of boilers and steam receivers. In 2020, 351 applications for certificates of competency were processed, with 349 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.
- 4.20** As at the end of 2020, the LD recorded a total of 226 081 workplaces, including 28 870 construction sites. In the year, 105 286 inspections were conducted under the OSHO, the FIUO and their subsidiary regulations. As a result, 20 261 warnings and 3 104 suspension or improvement notices were issued. Besides, 3 795 inspections were made under the BPVO. 3 043 warnings were given and 6 prohibition orders on the use and operation of boilers and pressure vessels were issued. We also carried out 13 529 and 1 866 investigations on work accidents and suspected occupational diseases/occupational health problems respectively in the year. We also conducted 3 832 occupational hygiene surveys on workplace health hazards.

Education and Training

- 4.21** We provide training-related services to employers, employees and relevant parties to foster an OSH culture among the working population. They include provision of training courses, recognition of MST courses and registration of safety officers and safety auditors.
- 4.22** In 2020, we organised 194 safety and health training courses related to relevant legislation for 1 184 employees and 115 tailor-made talks to individual industries or organisations for another 20 817 employers. We also recognised three mandatory basic safety training courses (commonly known as “green card” courses) for construction and container-handling work, two MST courses for confined spaces operation, two MST courses for operators of loadshifting machine and one MST course for persons working on suspended working platforms. We also continued to refine the MST courses, and launched the revamped Safety Training Courses of Gas Welding and Safety Training Courses for Persons Working on Suspended Working Platforms to further strengthen workers’ knowledge of the associated risks and emergency preparedness to avoid accidents. 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.

- 4.23** In 2020, we registered 156 persons as safety officers and 49 as safety auditors. As at the end of the year, there were 3 977 safety officers with valid registration and 1 430 registered safety auditors. Furthermore, a total of 516 applications for renewal or revalidation of registration as safety officers were approved in 2020.
- 4.24** Occupational health education raises employers' and employees' awareness of the prevention of occupational health hazards and occupational diseases. In 2020, we organised a total of 365 health talks on various occupational health issues for over 25 100 participants. Apart from open health talks, we also conducted 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. Owing to the COVID-19 pandemic in 2020, some of the health talks were conducted online so that employers and employees could continue to participate in them.
- 4.25** The LD uploaded Work Safety Alerts and Systemic Safety Alerts on the LD's 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. Work Safety Alerts summarised recent fatal and serious work accidents, and highlighted general safety precautionary measures whereas Systemic Safety Alerts provided accident prevention measures arising from the major systemic problems. In 2020, we continued to produce Work Safety Alerts 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. Five animation videos on various topics, including work-at-height safety and electrical work safety, were uploaded to the LD's website and widely disseminated through different channels.

Publicity and Promotion

- 4.26** We held a series of promotional campaigns in 2020 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.
- 4.27** In view of the COVID-19 pandemic, we suspended the "Catering Industry Safety Award Scheme" and the "Construction Industry Safety Award Scheme" in the year. In order to continue to urge the industries to take practical safety measures and improve working environment to reduce accident risks, we launched the new "Catering Industry Safety Promotional Campaign" and "Construction Industry Safety Promotional Campaign" in 2020. The "Catering Industry Safety Promotional Campaign" included organising the "Catering Industry Safety Inspiration Programme" and producing catering safety animation videos. Employers and employees participating in the programme were required to make commitments on OSH enhancement. For the animation videos, they were uploaded to the LD's website and widely broadcast through various channels to promote catering safety. The "Construction Industry Safety Promotional Campaign" consisted of two major parts, namely a "Construction Industry Safety Short Film Competition" and a series of safety publicity activities such as the display of large billboards at the cross harbour tunnels and MTR buildings.



Construction Industry Safety Promotional Campaign - Construction Industry Safety Short Film Competition



Catering Industry Safety Promotional Campaign - Catering Industry Safety Inspiration Programme

4.28 Accidents in RMAA works have become a source of concern in recent years. In 2020, the LD, in collaboration with the OSHC, launched a two-year publicity campaign to remind contractors and workers to pay special attention to safety while carrying out RMAA works, and the related electrical work, and working at height. Two safety webinars on safety management for high risk operation safety and truss-out bamboo scaffolding work safety were held in August and September 2020 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.

4.29 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 organising occupational health award, holding health talks, distributing promotional materials. 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. Since 2018, we have been collaborating 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.

In July 2020, we further collaborated with the Department of Health and the OSHC to roll out the “Mental Health Workplace Charter” with a view to promoting a mental health-friendly workplace environment.

4.30 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. From May to September 2020, we continued to collaborate with the OSHC in launching a large-scale promotion campaign on heat stroke prevention. Through distributing protective equipment (e.g. cooling towels, arm covers, water bottles and newly added portable waist fans), broadcasting a publicity video and conducting extensive publicity, the campaign reminded employers and employees to prevent heat stroke at work. The main targets of the campaign included construction workers, outdoor cleansing workers, horticulture workers, security guards, container terminal workers, airport apron workers and recycling workers.



A LD staff member delivering a talk on the hazards and control of heat stress in a virtual seminar

- 4.31** With effect from April 2020 and as proposed by the LD, the Hong Kong Observatory has added an alert on heat stroke prevention when issuing push messages of Very Hot Weather Warning to the public through mobile apps, to provide timely alert to employees and the public.
- 4.32** To better assist large corporations in enhancing their occupational health performance, the Occupational Health Service of the LD set up a Central Promotion Team in August 2020. The team aimed to promote good work practice to the management of these corporations to ensure the occupational health of employees. The team set out the theme for promotion with regard to the work situation and occupational health risks of specific industries. The team visits targeted large corporations to explain to them the relevant requirements under the legislation and guidelines relating to the theme and urge them to implement relevant measures through a top-down, holistic and unified approach for strengthening the protection of workers' health at work. Up to the end of 2020 after its set-up, the Central Promotion Team conducted promotional visits to a total of 36 large corporations of the targeted industries including the retail industry, catering industry and property management industry. Advice was given to the employers to follow the requirements of the "Guidance Notes on Standing at Work and Service Counter Design" issued by the LD to further reduce health risks associated with standing at work. In addition, the team also conducted promotional visits to all the five street cleaning contractors of the Food and Environmental Hygiene Department and advised them to adopt precautionary measures to prevent heat stroke of cleaning workers during work.
- 4.33** In 2020, the LD published five new/revised OSH publications and one DVD, including "Five Steps to Risk Assessment" and "Occupational Safety and Health Management in Renovation and Maintenance Works for the Property Management Industry" for promoting work safety and health. Besides, we published 13 OSH publications in six languages of diverse race (Indonesian, Hindi, Nepali, Tagalog, Thai and Urdu), such as "A Pictorial Guide to Factories and Industrial Undertakings (Noise at Work) Regulation", "Safety Hints on Renovation Work", "Overview of Work at Height Safety" and "Observing Occupational Safety and Health Laws is a Shared Responsibility" poster, 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

4.34 In 2020, the Occupational Safety and Health Branch handled 10 903 enquiries, advising on various safety and health matters. Furthermore, the Occupational Safety and Health Centre provides information and advisory services to employers and workers.

- 4.35** The LD collaborated with the property management sector to promote RMAA work safety and 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 collaborated with the OSHC to consolidate the “Pilot Partnership Scheme on Promotion of Light-duty Working Platforms by Property Management Companies” by simplifying the lending procedures and expanding the coverage of the scheme to include contractors and workers conducting RMAA works in relevant estates or residential buildings.
- 4.36** Using straight ladders or A-ladders 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 collaborated with the OSHC to continue with the Enhanced Light-duty Working Platform Sponsorship Scheme for SMEs by subsidising small and medium enterprises (SMEs) to purchase enhanced step platforms and hop-up platforms for above-ground work. As at December 2020, 676 applications were received with 598 approved, benefiting over 10 200 workers.
- 4.37** 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.
- 4.38** To promote safety awareness of the industry in operating boilers and pressure vessels, we distributed around 1 800 publications and leaflets regarding registration and safe operation of pressure equipment.

Clinical Occupational Health Services

- 4.39** 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.
- 4.40** In 2020, 6 327 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 of these persons.

Our Work and Achievements in 2020

Employment Situation in Hong Kong

5.5 The labour market deteriorated sharply in 2020. The seasonally adjusted unemployment rate surged to 4.2% in the first quarter, and further to 6.2% in the second quarter and 6.6% in the fourth quarter, the highest in 16 years. The underemployment rate also soared to a post-SARS high of 3.8% in the third quarter and stayed elevated at 3.4% in the fourth quarter. 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 686 297 vacancies offered by employers of the private sector for free recruitment service in 2020. In the year, a total of 126 785 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 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 online employment services and comprehensive employment information. The iES website is the most popular government job board in Hong Kong, recording around 164 million page views in 2020. 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 136 million hit counts in 2020.
- 5.11** The Higher Education Employment Information e-Platform (www.jobs.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 2.34 million page views in 2020.

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. To enhance efficiency of the recruitment process and facilitate placements of job seekers in the vicinity of their residence, district-based job fairs, apart from large-scale job fairs, are 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.
- 5.14** To reduce the risk of viral infection posed by the congregation of people during the COVID-19 outbreak, the LD had to cancel many of its physical job fairs scheduled for 2020. To assist job seekers in job search, the LD introduced online job fairs and strived to resume the organisation of smaller-scale district-based recruitment activities in job centres and recruitment centres when each wave of the pandemic became stabilised. In the year, three large-scale job fairs and two online job fairs were held, attracting over 4 250 job seekers to attend the former events. At the same time, 568 district-based job fairs were organised, with over 22 000 on-the-spot interviews arranged.

Intensified Services for the Needy

Middle-aged and Elderly Job Seekers

- 5.15** 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.
- 5.16** In light of the deteriorating employment situation, the LD raised the ceiling of the on-the-job (OJT) allowance payable to employers under the Employment Programme for the Elderly and Middle-aged (EPEM) in September 2020, with a view to further encouraging employers to hire the elderly and middle-aged. The maximum amount of OJT allowance payable to employers engaging job seekers aged 60 or above who are unemployed or have left the workforce and providing them with OJT under the EPEM has been increased from \$4,000 to \$5,000 per month per employee for a period of six to 12 months. The maximum amount of OJT allowance for engaging unemployed job seekers aged 40 to 59 has also been increased from \$3,000 to \$4,000 per month per employee for a period of three to six months. The EPEM covers both full-time and part-time jobs. In 2020, 2 260 placements eligible for joining the programme were recorded.

5.17 The LD also launched a pilot scheme in September 2020 to encourage the elderly aged 60 or above to undergo and complete OJT under the EPEM through the provision of a retention allowance, thereby stabilising employment. These employees will be offered a retention allowance of \$3,000 if they stay in the OJT posts for three months. Thereafter, they will receive an additional allowance of \$1,000 for each ensuing month when they stay in their same jobs until their completion of the six to 12-month OJT. Subject to the length of the OJT period, the maximum amount of retention allowance that a full-time employee may receive is \$12,000.

New Arrival and Ethnic Minority Job Seekers

5.18 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.

5.19 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 to strengthen employment support for ethnic minority job seekers, especially those of South Asian origins. Furthermore, inclusive job fairs are organised to enhance the employment opportunities of the ethnic minorities.

5.20 To further strengthen the employment support for ethnic minority job seekers, the LD has commissioned two non-governmental organisations (NGOs) to implement the Racial Diversity Employment Programme since November 2020. The programme provides, on a pilot basis, one-stop employment services for ethnic minority job seekers in a case management approach through the NGOs so as to utilise the latter’s community network, expertise in case management and experiences in serving the ethnic minorities. The NGOs are responsible for canvassing vacancies suitable for ethnic minority job seekers, providing support in their job search, and offering post-placement follow-up services for the ethnic minorities and their employers.

Work Trial Scheme (WTS)

5.21 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. 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 2020, a total of 320 job seekers were placed into work trials.

Workers Affected by Large-scale Retrenchment

5.22 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 helps the affected employees find suitable jobs more effectively. In the year, we offered such special employment services to some 6 000 affected employees.

Job Seekers with Disabilities

5.23 The Selective Placement Division (SPD) offers employment assistance to job seekers with disabilities looking for open employment. Employment consultants provide personalised employment services, including employment counselling, job matching and referral as well as post-placement follow-up services. In 2020, the SPD registered 2 478 job seekers with disabilities and secured 1 741 placements. ([Figure 5.3](#))

Work Orientation and Placement Scheme (WOPS)

5.24 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. To further promote the employment of persons with disabilities having employment difficulties, the amount of allowance under the scheme has been increased from September 2020. The maximum allowance payable to an eligible employer for engaging each person with disabilities having employment difficulties rose from \$51,000 to \$60,000 in total within the allowance period of nine months. In 2020, 809 placements were secured through the scheme.



Bus body advertisements on the Work Orientation and Placement Scheme

- 5.25** Like the EPEM mentioned above, the LD has provided since September 2020 a retention allowance on a pilot basis to employees with disabilities who are employed through the SPD's referral services, so as to encourage them to receive and complete OJT, thereby stabilising employment.

Self Help Integrated Placement Service (SHIPS)

- 5.26** 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 2020, 144 job seekers with disabilities participated in the programme.

Interactive Selective Placement Service (iSPS) Website

- 5.27** 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

5.28 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 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, 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.

Services for Young People

Youth Employment and Training Programme (YETP)

5.29 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.

5.30 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, OJT of six to 12 months, reimbursement of off-the-job course and examination fees up to \$4,000 per trainee, as well as case management services rendered by registered social workers.

5.31 In view of the employment difficulties of youths, the LD assists young people in entering the labour market through enhancing the YETP. With effect from January 2020, the LD raised the workplace attachment allowance payable to trainees under the YETP from \$4,500 to \$5,800. Besides, the LD increased the maximum amount of OJT allowance payable to employers under the YETP from \$4,000 per month to \$5,000 per month (for a period of six to 12 months) with effect from September 2020 to further encourage employers to hire young people and provide them with OJT. At the same time, the LD launched a pilot scheme to encourage YETP trainees to undergo and complete OJT through the provision of a retention allowance, thereby stabilising employment. Subject to the length and mode of OJT, the maximum amount of retention allowance that a trainee may receive is \$12,000.

- 5.32** In the 2019-20 programme year running from September 2019 to August 2020, 1 449 young people attended pre-employment training and 1 435 OJT placements were secured under the YETP.
- 5.33** 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 OJT for young people. In the 2019-20 programme year, 17 special employment projects and 13 thematic job fairs were organised, involving employers in the aviation, construction and engineering, retail and property management industries, etc.
- 5.34** In December, the LD, in collaboration with Radio Television Hong Kong (RTHK), broadcast a special TV programme “A Boundless Future – YETP Most Improved Trainees” on RTHK TV 31 to showcase the creditable improvements of trainees after joining the YETP and commend 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 collaborated with RTHK to produce a radio drama “A Moment to Fly”, which was adapted from the real-life experiences of YETP trainees, to encourage young people to stay resilient and remain committed to achieving their goals in life.

Programme for Youths with Acute Employment Difficulties

- 5.35** To strengthen the employment support for vulnerable youths, the YETP continued to operate the “Career Kick Start” project in 2020. Participating NGOs receive subsidy from the LD in offering OJT of 12 months’ duration to young people with special needs with a view to enhancing their employability. The subsidy has been increased from \$8,300 to \$9,000 per month per trainee, so as to encourage the participation of NGOs in the project. In addition, 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

5.36 The LD operates two youth employment resource centres named Youth Employment Start. 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 2020, the number of services provided to young people by the two centres totalled 21 705.

Working Holiday Scheme (WHS)

5.37 Since 2001, Hong Kong has established bilateral WHS with 14 economies, namely New Zealand, Australia, Ireland, Germany, Japan, Canada, Korea, France, the United Kingdom, Austria, Hungary, Sweden, the Netherlands and Italy (commencement date to be confirmed). The scheme aims to provide an opportunity for Hong Kong youths aged between 18 and 30 to broaden their horizon, allowing them to experience foreign culture through living and working temporarily while holidaymaking overseas. At the same time, youths of our partner economies may also learn more about Hong Kong through the scheme.

5.38 A majority of partner economies allow Hong Kong youths to stay in their economies for up to 12 months and take up short-term employment to subsidise their expenses, and/or study short-term courses (except for Ireland) while holidaying.

5.39 The WHS has been well received among young people. As at the end of 2020, about 97 000 Hong Kong youths participated in the scheme. The LD will continue to enhance the publicity of this scheme, and explore with more economies to establish new WHS or expand existing bilateral arrangements in order to provide more choices and opportunities for Hong Kong youths to participate in the scheme.

Regulating Local Employment Agencies and Employment outside Hong Kong

5.40 The LD regulates employment agencies in Hong Kong through licensing, inspection, complaint investigation and prosecution. In 2020, we issued 3 239 employment agency licences and revoked or refused to issue seven licences. As at the end of 2020, there were 3 331 licensed employment agencies in Hong Kong. A total of 1 405 inspections were made by the LD officers to employment agencies in the year.

5.41 We promulgate 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 the services of employment agencies. The enhanced transparency also helps foster the adoption of good practices by the industry.

5.42 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)

5.43 The LD administers the SLS which operates on the principles of ensuring the employment priority for local workers while allowing employers with proven recruitment difficulties to apply for the importation of workers at technician level or below.

5.44 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.

5.45 As at the end of 2020, there were 5 158 imported workers working in Hong Kong under the SLS.

Policy on Foreign Domestic Helpers (FDHs)

5.46 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 the FDH free accommodation with reasonable privacy, free food (or food allowance in lieu), free passage to and from the FDH's place of origin, 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.

5.47 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 introduced the LD's services and support channels through producing newsletters, etc.

5.48 The LD set up in September 2020 a dedicated FDH Division to ensure effective coordination and implementation of measures to enhance protection of the FDHs, and to provide better support to the FDHs and their employers. The FDH Division's major responsibilities include enhancing publicity and education work to improve the FDHs' and their employers' understanding of their respective employment rights and obligations; providing support services for the FDHs and their employers; supporting the implementation of FDH policy measures; and exploring new FDH source countries.

- 5.49** During the COVID-19 pandemic, the LD provided several rounds of free testing service for the FDHs. Extensive publicity and educational activities on social distancing measures were launched, including conducting mobile broadcasts in Chinese, English and major languages of the FDHs in popular gathering places of the FDHs on Saturdays and Sundays to call upon them to comply with the regulations on mask-wearing and prohibition of group gatherings in public places. Also, the LD collaborated with relevant departments to conduct joint operations against behaviours in contravention of social distancing measures and take appropriate enforcement actions.
- 5.50** As at the end of 2020, there were 373 884 FDHs in Hong Kong, with 55.5% coming from the Philippines and 42.2% 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 2020

Key Indicators of Work

6.11 We sustained our efforts to safeguard the rights and benefits of employees through various activities in 2020. Some key indicators of work of this programme area are shown in Figure 6.1.

Proactive Efforts to Combat Wage Defaults

6.12 In 2020, the LD continued to adopt a proactive strategy to tackle the problem of non-payment of wages at source through enhancing publicity and promotion, taking enforcement and prosecution actions, 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.

6.13 We continued to take enforcement and prosecution actions 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.

6.14 During the year, the LD secured 565 convicted summonses for wage offences and 143 convicted summonses for defaults of awards made by the Labour Tribunal (LT) or the Minor Employment Claims Adjudication Board (MECAB). A total of two company directors were sentenced to imprisonment for these offences, and another four 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

6.15 The LD continued vigorous enforcement efforts to ensure that the statutory rights of employees under labour legislation were well protected.

- 6.16** In 2020, labour inspectors carried out 104 138 workplace inspections of establishments in various trades to enforce labour laws (Figure 6.2), of which 41 539 inspections were conducted to check compliance with the MWO.
- 6.17** 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 80 430 inspections were conducted to enforce the statutory requirement.
- 6.18** 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 657 inspections were conducted to the workplaces of such workers and 2 294 workers were interviewed to check contractors' compliance with labour laws.
- 6.19** To ensure compliance with the conditions under the Supplementary Labour Scheme, we investigated 87 complaints and cases on suspected irregularities involving imported workers. Items investigated included wages and working hours arrangement.

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

- 6.20** 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.
- 6.21** In 2020, 38 756 employees' compensation cases, including 10 269 minor cases which involved sick leave of not exceeding three days, were received. At year-end, among the 28 487 fatal cases or non-fatal cases involving sick leave exceeding three days, 13 692 cases were settled. The amount of employees' compensation involved was \$150 million. The remaining cases were pending expiry of employees' sick leave, assessment of permanent incapacity or court judgment. (Figures 6.3 and 6.4)
- 6.22** The LD enhanced the Claims Support Services through dedicated follow-up, early intervention, proactive contact and arrangement of face-to-face meetings when necessary, to facilitate timely resolution of differences between employers and employees in employees' compensation cases.

6.23 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, shortening the waiting time of injured employees for work injury assessments and strengthening training on occupational medicine. The Task Force will continue to discuss and implement other improvement measures.

Briefings and Promotional Campaigns

6.24 In 2020, the LD arranged a briefing for government departments and 30 briefings for imported workers to publicise the rights and obligations of the parties concerned.

6.25 Extensive publicity campaigns were launched to publicise our complaint telephone hotline (2815 2200) through public transportation network, bus interchanges, advertisements inside MTR stations and compartments, newspaper articles, etc. to encourage employees to report suspected breaches of employment rights.

6.26 We organised a wide range of publicity activities to enhance public awareness of the 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, publishing feature articles and comics in newspapers, launching online interactive games, and placing advertisements through various channels such as newspapers, mobile applications, Internet platforms and public transport.



Posters displayed at bus shelters to promote the Statutory Minimum Wage



Advertisements placed in mobile applications and on online platforms to promote the Statutory Minimum Wage online interactive game

6.27 We continued to promote employers' statutory obligations 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, and publicity at departmental homepage.



Publicity posters promoting employers' statutory obligation to report work accidents

Partnership with Statutory Bodies

6.28 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)

6.29 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.

6.30 The LD provides administrative support to the PWIFB, verifies applications and approves ex gratia payment from the PWIF. In 2020, we received 3 020 applications and processed 2 753 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 \$78.5 million made. A breakdown of applications received by economic sector is shown in [Figure 6.5](#).

6.31 By providing a safety net for employees affected by business closures, the PWIF plays an important role in maintaining good 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)

6.32 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 2020, 1 433 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 \$209 million.

Occupational Deafness Compensation Board (ODCB)

6.33 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 2020, the ODCB approved 91 applications for compensation with a total compensation payout at \$8.91 million and 653 applications for payment of expenses on hearing assistive devices with a total payout at \$3.81 million. The ODCB also provided 571 rehabilitation programmes for people with hearing impairment caused by their employment in specified noisy occupations.

Employees Compensation Assistance Fund Board (ECAFB)

6.34 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 2020, the ECAFB approved 37 applications, leading to payment of \$42.90 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 2020, 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 the 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** Owing to the COVID-19 pandemic, the 109th Session of the International Labour Conference, originally scheduled to be held in Geneva, Switzerland from 25 May to 5 June 2020, was deferred to 2021. In the year, the Labour Department (LD) continued to keep abreast of the latest development of international labour matters through the information promulgated by the ILO.

Contacts with Other Labour Administrations

- 7.5** In the year, the LD mainly exchanged views on labour issues with its counterparts such as the Ministry of Human Resources and Social Security of the State Council through electronic means owing to the COVID-19 pandemic.

Chapter 8

Figures and Charts

- Figure 2.1** Number of summonses convicted and total fines in 2020
- Figure 2.2** Organisation Chart of Labour Department (as at 31 December 2020)
- 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 2020
- Figure 3.2** Number of Labour Disputes Handled by the Labour Relations Division from 2016 to 2020
- Figure 3.3** Number of Claims Handled by the Labour Relations Division from 2016 to 2020
- Figure 3.4** Number of Labour Disputes Handled by the Labour Relations Division in 2020 by Cause
- Figure 3.5** Number of Claims Handled by the Labour Relations Division in 2020 by Cause
- Figure 3.6** Number of Strikes and Number of Employees Involved from 2016 to 2020
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- Figure 6.2** Number of Inspections Made in 2020 by Major Economic Sector
- Figure 6.3** Number of Cases Reported under the Employees' Compensation Ordinance in 2020 by Sex and Age
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- Figure 6.5** Number of Applications of the Protection of Wages on Insolvency Fund received in 2020 by Economic Sector
- Figure 7.1** List of the 31 International Labour Conventions Applied to Hong Kong

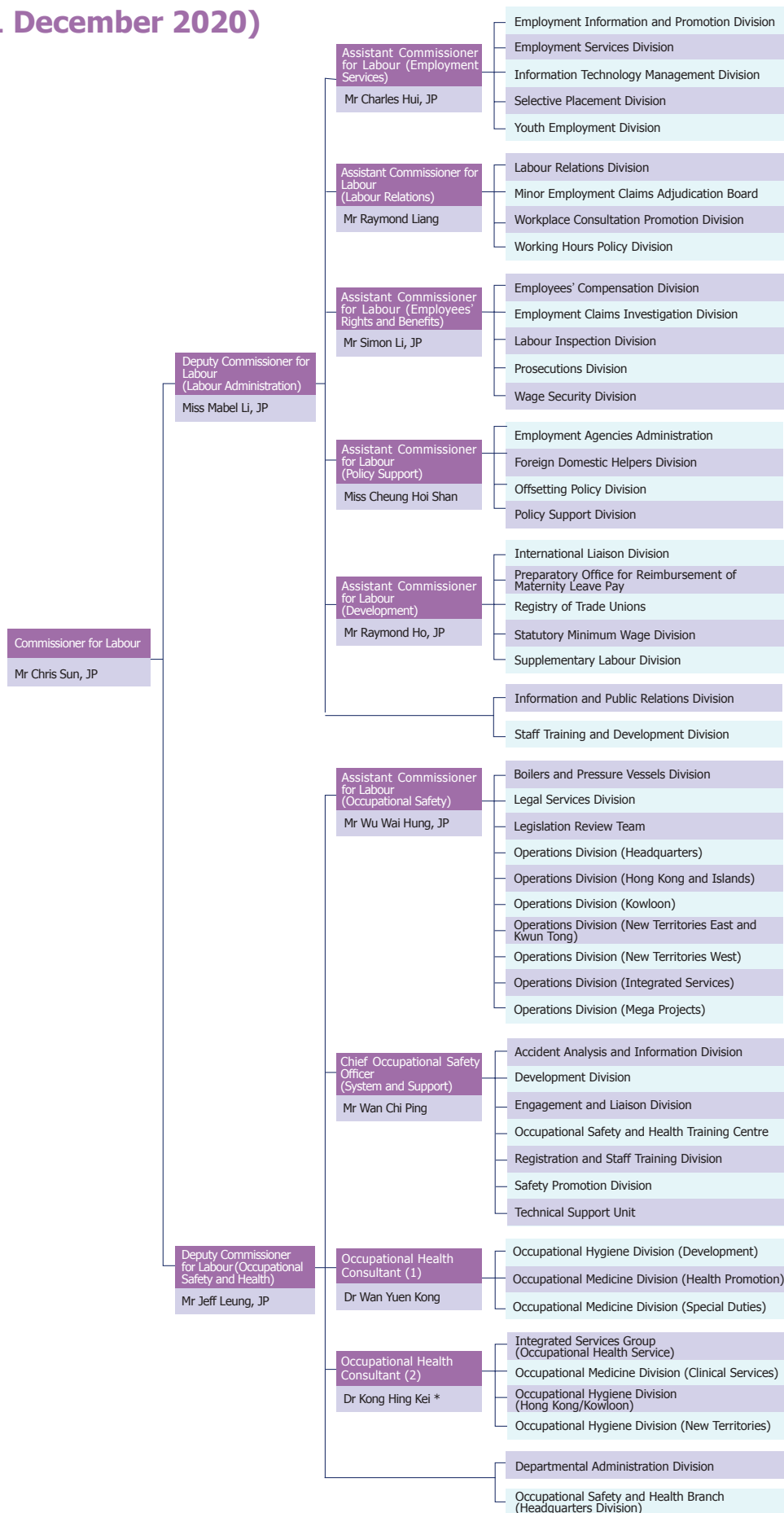
Figure 2.1
Number of summonses convicted and total fines in 2020

Ordinance	Summonses convicted	Fines (\$)
Boilers and Pressure Vessels Ordinance		
Sub-total	1	2,500
Employees' Compensation Ordinance		
Sub-total	1,071	2,451,900
Employment Ordinance and subsidiary regulations		
Statutory benefits cases	958	3,732,650
Young persons and children cases ¹	-	-
Employment agencies cases ²	11	118,600
Sub-total	969	3,851,250
Factories and Industrial Undertakings Ordinance and subsidiary regulations		
Building and engineering construction cases	1,421	11,452,400
Other cases	530	3,239,200
Sub-total	1,951	14,691,600
Occupational Safety and Health Ordinance and subsidiary regulations		
Sub-total	184	1,855,700
Immigration Ordinance		
Sub-total	24	41,000
Total	4,200	22,893,950

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 2020)



* Doubling up the post of Occupational Health Consultant (2) in addition to his own duties

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
(up to 13.12.2020)
Mr Chris Sun Yuk Han, JP
(from 21.12.2020 onwards)

Commissioner for Labour

Members**Employee Representatives**

Mr Chau Siu Chung
Mr Charles Chan Yiu Kwong
Mr Tang Ka Piu, BBS, 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, BBS, 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

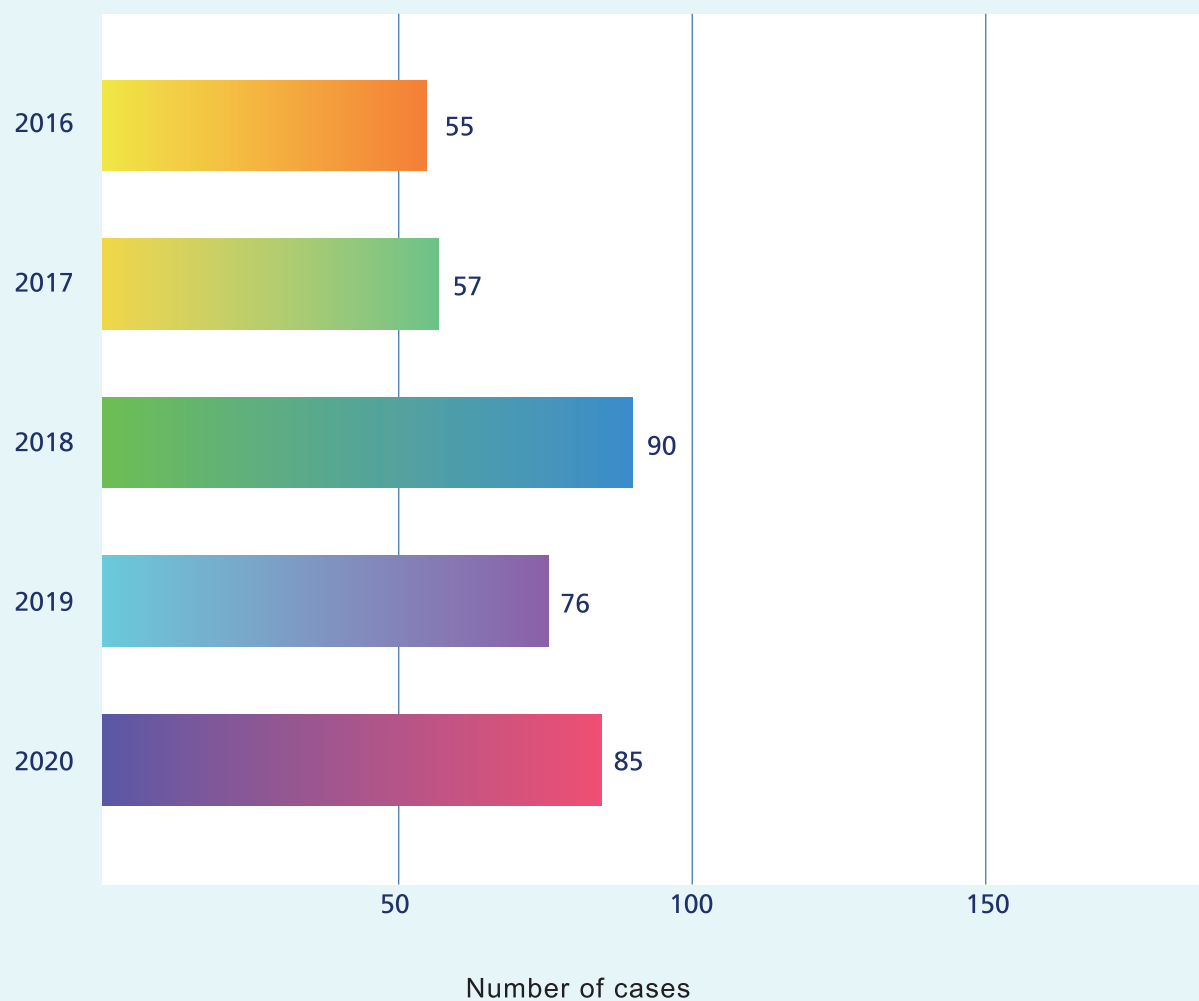
Senior Labour Officer

Figure 3.1**Key Indicators of Work of the Labour Relations Programme Area in 2020**

Key Indicators of Work		Number
I.	Conciliation and Consultation Services	
	Labour disputes and claims handled	11 076
	Consultation meetings held	42 445
	Percentage of labour disputes and claims resolved through conciliation	74.7%
II.	Adjudication of Minor Employment Claims	
	Claims adjudicated by Minor Employment Claims Adjudication Board	370
III.	Administration of Trade Unions	
	Registration of new trade unions and changes of union names/rules	573
	Visits to trade unions	115
	Account statements of trade unions examined	333
	Training courses organised for trade unions	1

Figure 3.2

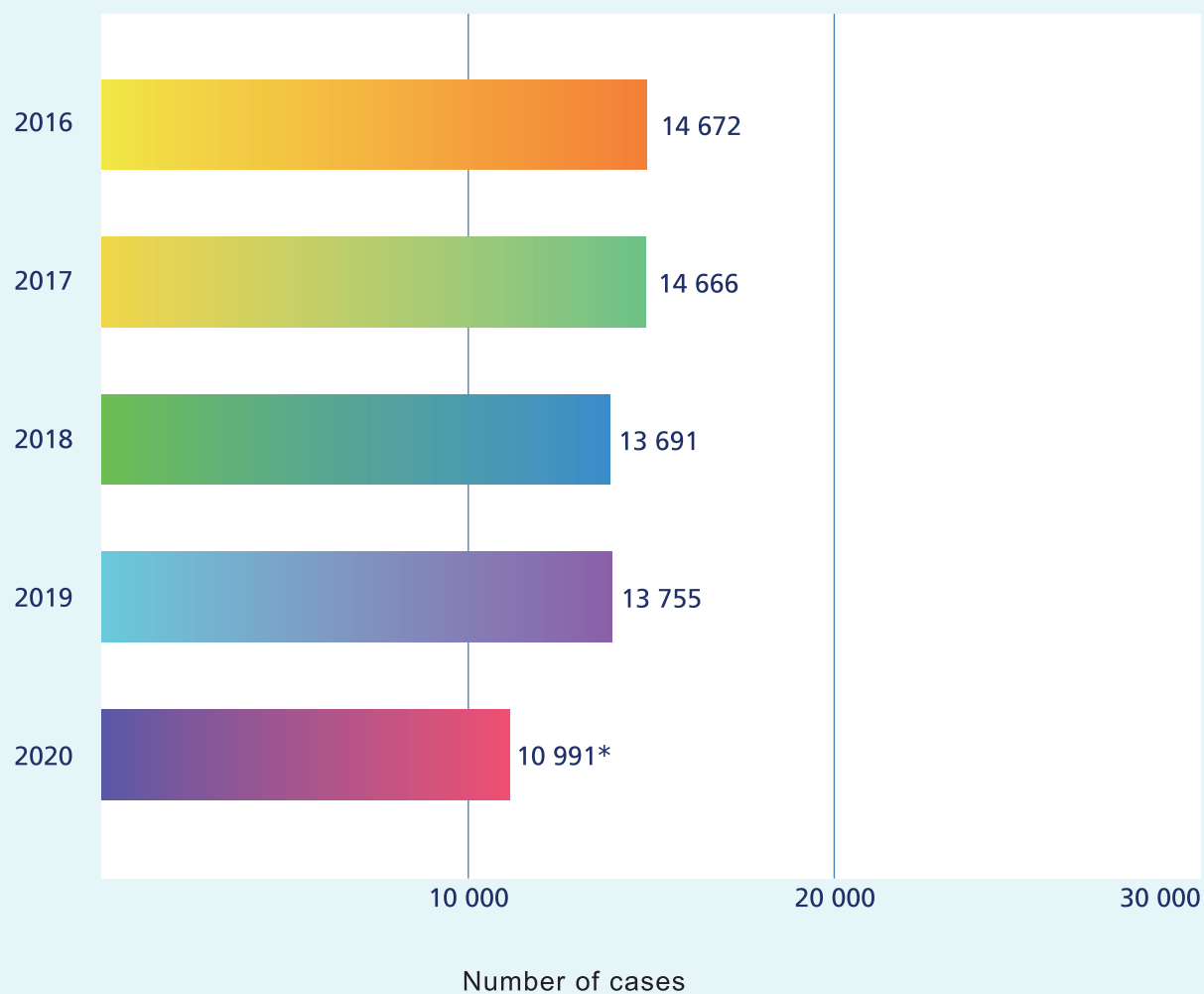
Number of Labour Disputes Handled by the Labour Relations Division from 2016 to 2020



Year	Number of cases
2016	55
2017	57
2018	90
2019	76
2020	85

Figure 3.3

**Number of Claims Handled by the Labour Relations Division
from 2016 to 2020**

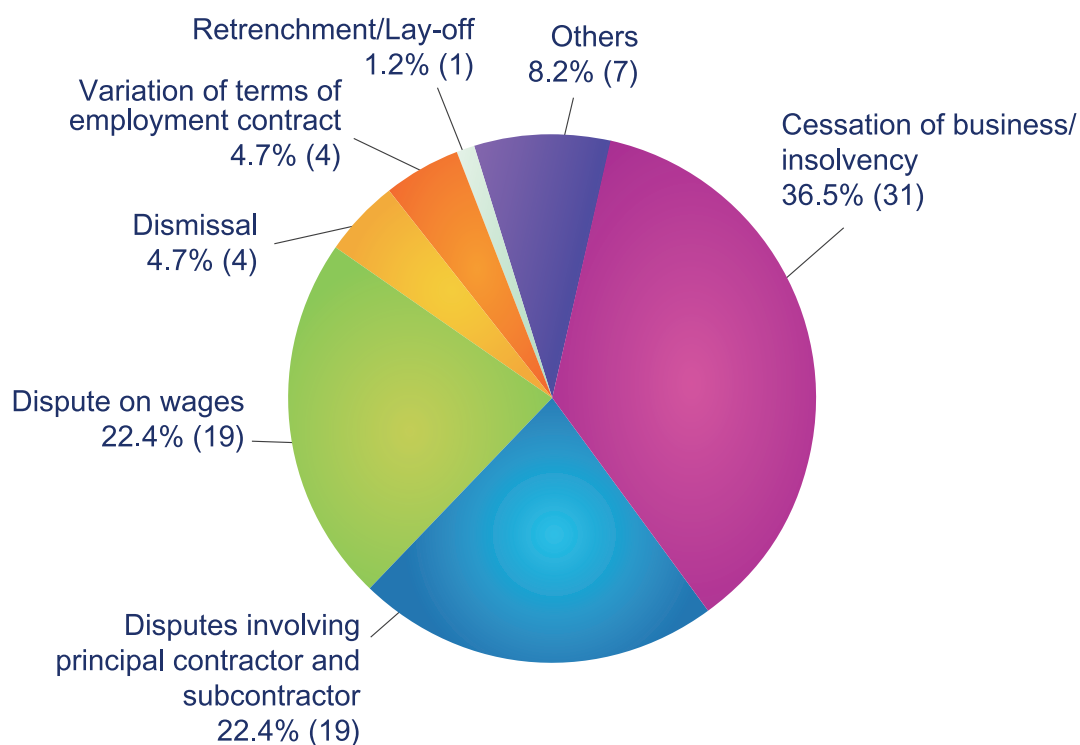


Year	Number of cases
2016	14 672
2017	14 666
2018	13 691
2019	13 755
2020	10 991*

* The figure was lower than that in 2019 owing to the special work arrangements for government employees in light of the COVID-19 pandemic.

Figure 3.4

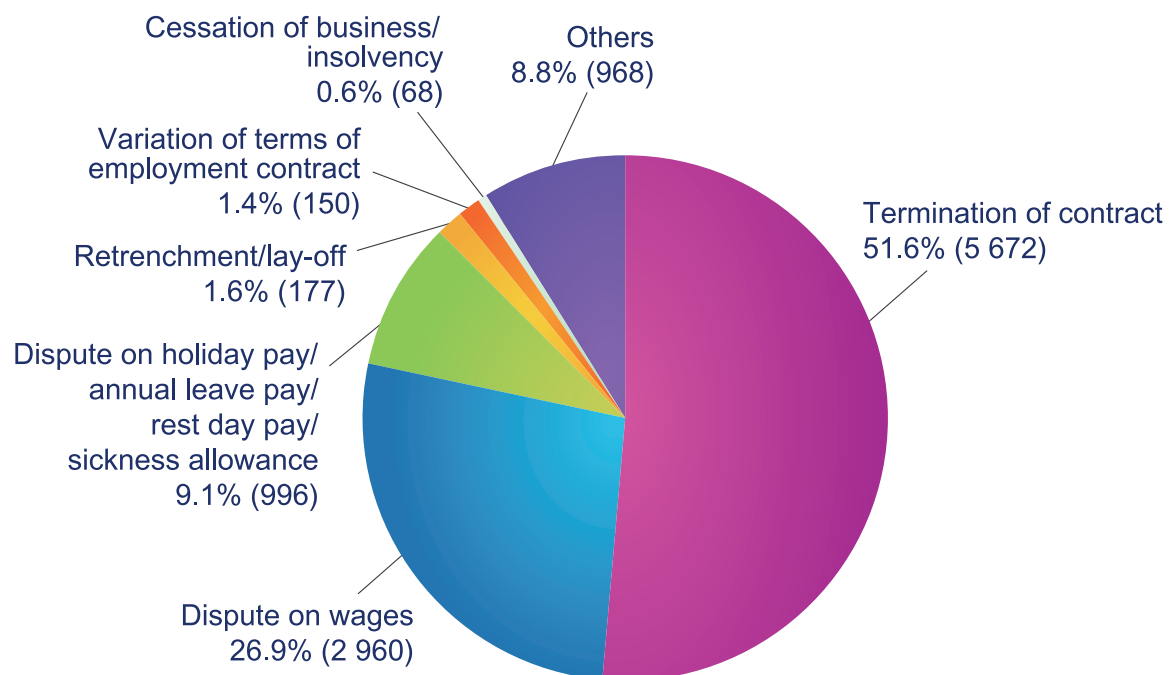
Number of Labour Disputes Handled by the Labour Relations Division in 2020 by Cause



Total number of cases : 85

Figures in brackets indicate the number of related cases

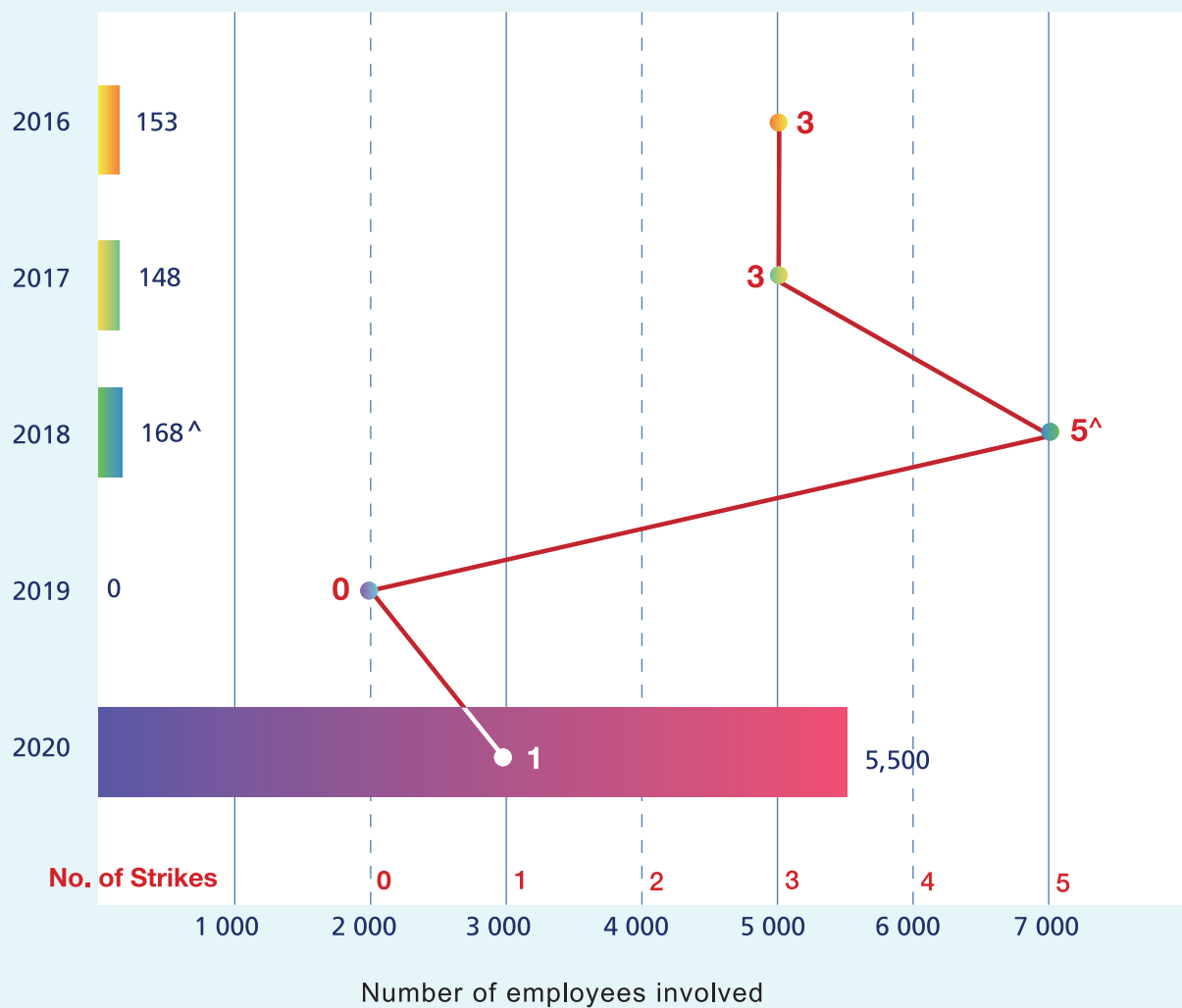
Cause	Number of cases	Percentage
Cessation of business/insolvency	31	36.5%
Disputes involving principal contractor and subcontractor	19	22.4%
Dispute on wages	19	22.4%
Dismissal	4	4.7%
Variation of terms of employment contract	4	4.7%
Retrenchment/Lay-off	1	1.2%
Others	7	8.2%
Total number of cases	85	

Figure 3.5**Number of Claims Handled by the Labour Relations Division in 2020 by Cause****Total number of cases : 10 991**

Figures in brackets indicate the number of related cases

Cause	Number of cases	Percentage
Termination of contract	5 672	51.6%
Dispute on wages	2 960	26.9%
Dispute on holiday pay/annual leave pay/rest day pay/sickness allowance	996	9.1%
Retrenchment/lay-off	177	1.6%
Variation of terms of employment contract	150	1.4%
Cessation of business/insolvency	68	0.6%
Others	968	8.8%
Total number of cases	10 991	

Figure 3.6
Number of Strikes and Number of Employees Involved
from 2016 to 2020

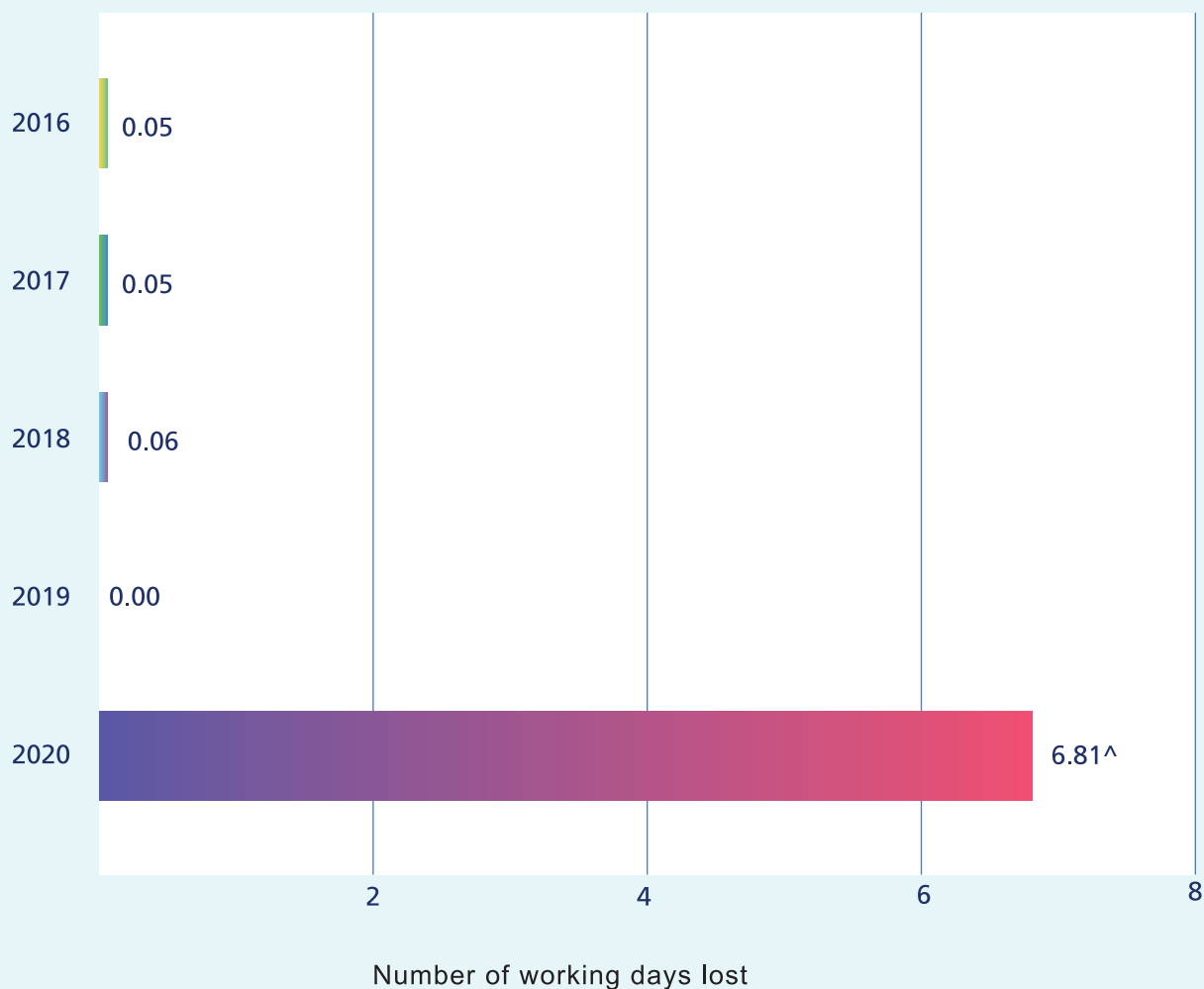


Year	Number of strikes	Number of employees involved
2016	3	153
2017	3	148
2018	5^	168^
2019	0	0
2020	1	5,500

^ 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 2016 to 2020



Year	Number of working days lost
2016	0.05
2017	0.05
2018	0.06
2019	0.00
2020	6.81^

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

^ The increase was attributed to an industrial action involving a large number of employees.

Figure 4.1**Key Indicators of Work of the Programme of Safety and Health at Work in 2020**

Key Indicators of Work		Number
I.	Inspections	
	Inspections under FIUO ¹ and OSHO ²	105 286
	Inspections under BPVO ³	3 795
II.	Investigations	
	Investigations of accidents at workplaces	13 529
	Investigations of suspected cases of occupational diseases/ occupational health problems	1 866
III.	Promotion and Education	
	Promotional visits to workplaces under FIUO ¹ and OSHO ²	3 921
	Talks, lectures and seminars organised	694
IV.	Pressure Equipment Registration	
	Pressure equipment registered	2 040
	Examinations conducted and exemptions granted, for the issue or endorsement of certificates of competency	349
V.	Clinical Services	
	Clinical consultations conducted	6 327

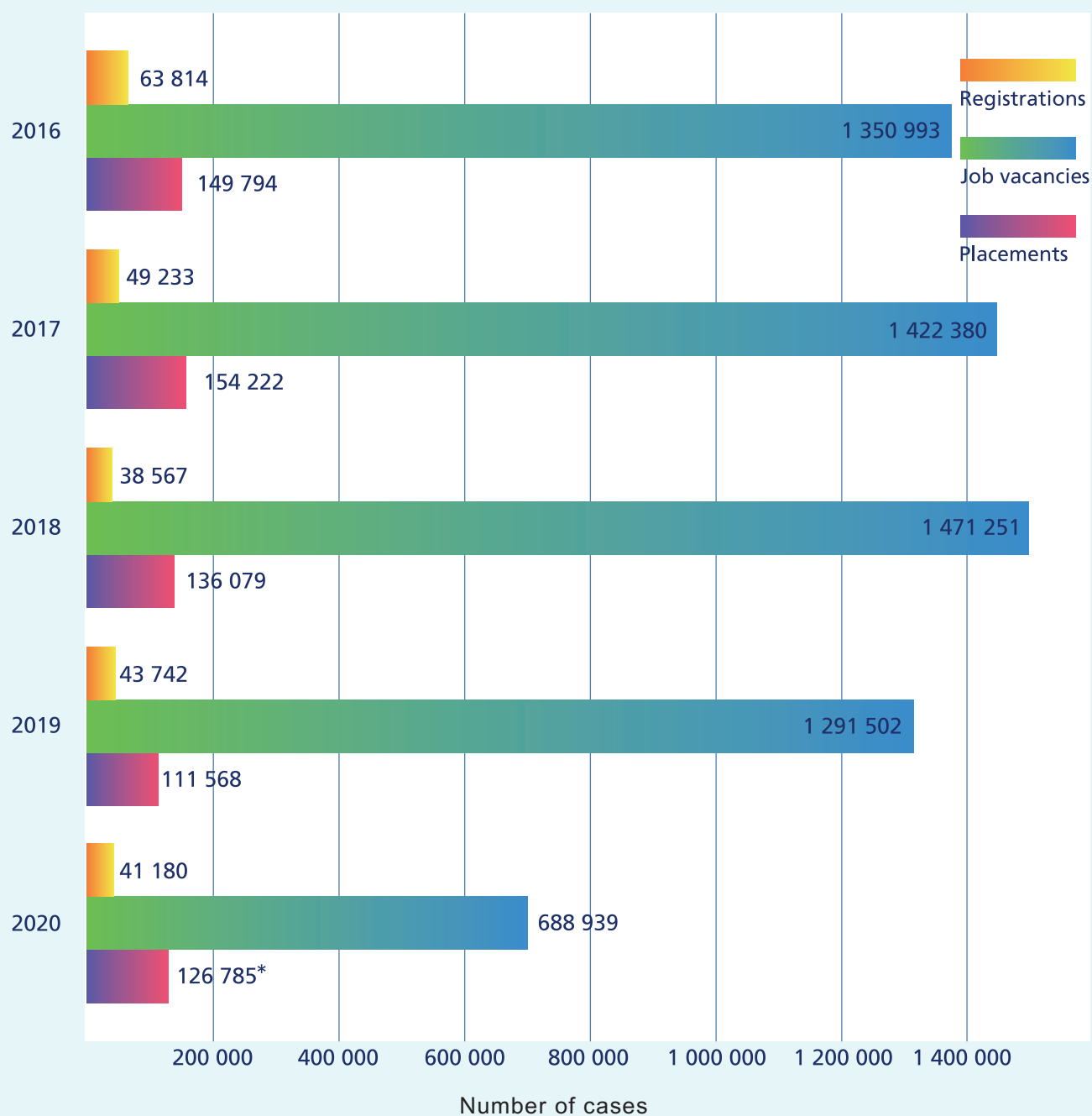
Notes: 1. Factories and Industrial Undertakings Ordinance
2. Occupational Safety and Health Ordinance
3. Boilers and Pressure Vessels Ordinance

Figure 5.1**Key Indicators of Work of the Employment Services Programme Area in 2020**

Key Indicators of Work		Number
I.	Able-bodied Job Seekers	
	Persons registered	41 180
	Placements	126 785
II.	Job Seekers with Disabilities	
	Persons registered	2 478
	Placements	1 741
III.	Regulating Employment Agencies	
	Licences issued	3 239
	Inspections	1 405
IV.	Applications under the Supplementary Labour Scheme processed	1 143

Figure 5.2

Key Indicators of Employment Services Rendered to Able-bodied Job Seekers from 2016 to 2020

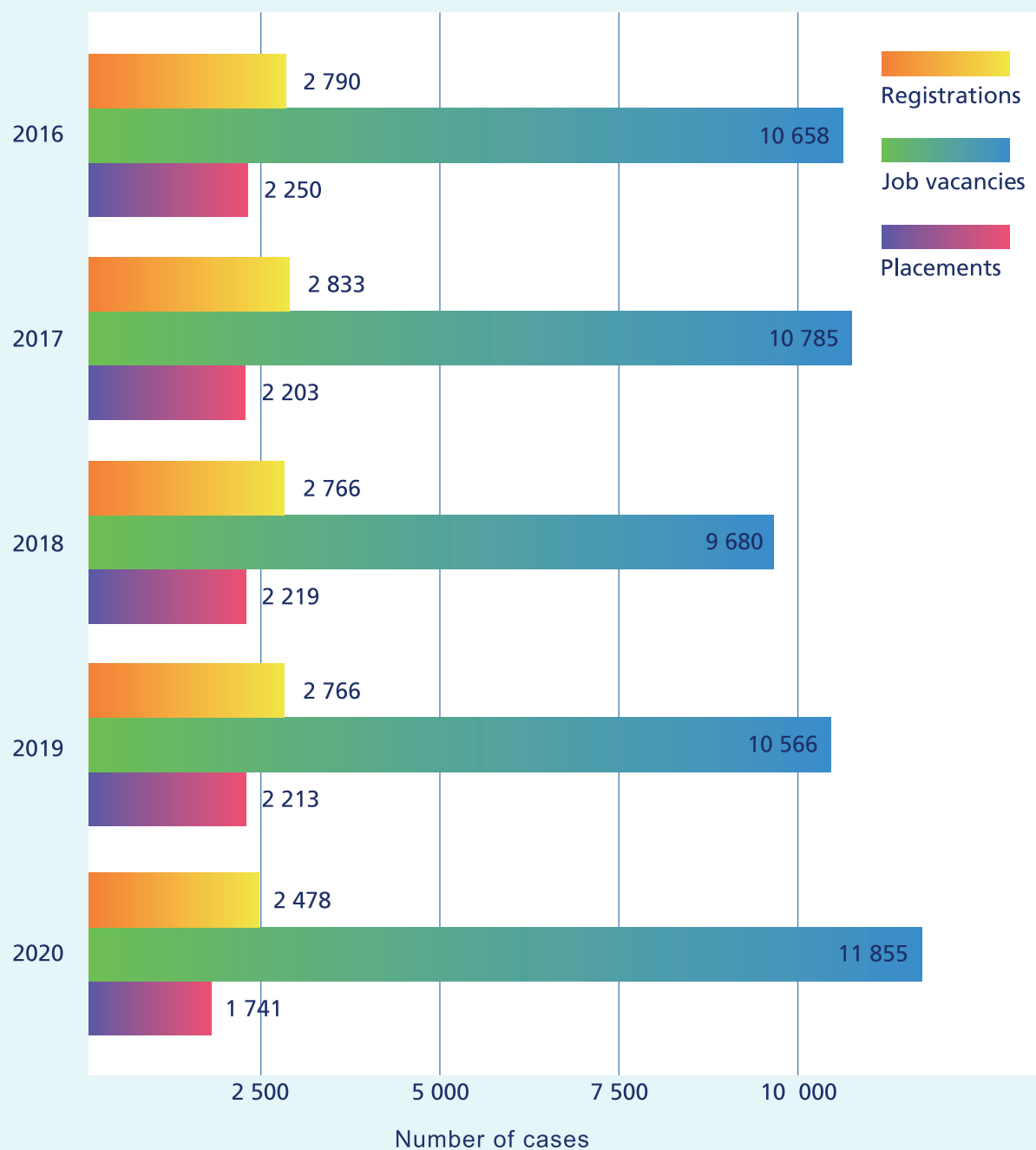


Year	Registrations	Job vacancies	Placements
2016	63 814	1 350 993	149 794
2017	49 233	1 422 380	154 222
2018	38 567	1 471 251	136 079
2019	43 742	1 291 502	111 568
2020	41 180	688 939	126 785*

* Care should be taken in comparing the 2020 placement figures with those in previous years owing to changes in parameters of the placement survey.

Figure 5.3

Key Indicators of Employment Services Rendered to Job Seekers with Disabilities from 2016 to 2020

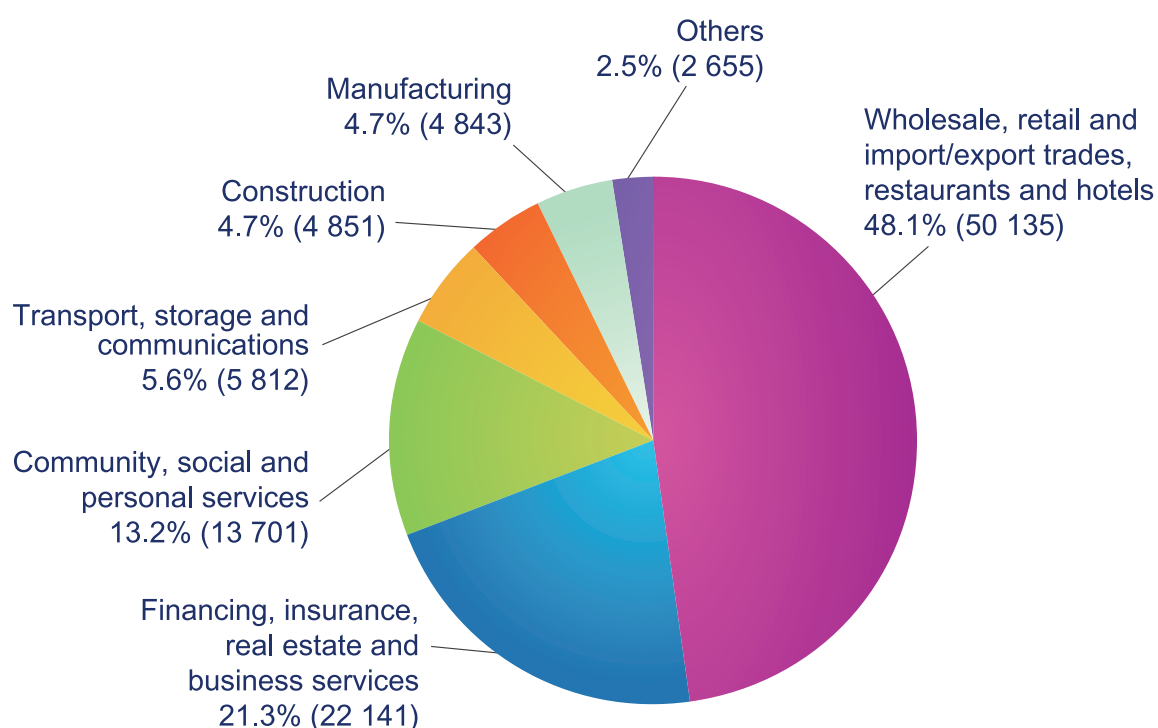


Year	Registrations	Job vacancies	Placements
2016	2 790	10 658	2 250
2017	2 833	10 785	2 203
2018	2 766	9 680	2 219
2019	2 766	10 566	2 213
2020	2 478	11 855	1 741

Figure 6.1**Key Indicators of Work of the Employees' Rights and Benefits Programme Area in 2020**

Key Indicators of Work		Number
I.	Inspections to workplaces	104 138
II.	Employees' compensation claims received	38 756
III.	Sick leave clearance interviews for injured employees conducted	31 768
IV.	Assessment of loss of earning capacity of injured employees	
	Ordinary assessment	12 567
	Special assessment	0
	Review assessment	2 173
V.	Applications for payment under the Protection of Wages on Insolvency Fund processed	2 753
VI.	Cases related to imported workers under the Supplementary Labour Scheme investigated	87
VII.	Convicted summonses on wage offences	565

Figure 6.2
Number of Inspections Made in 2020 by Major Economic Sector



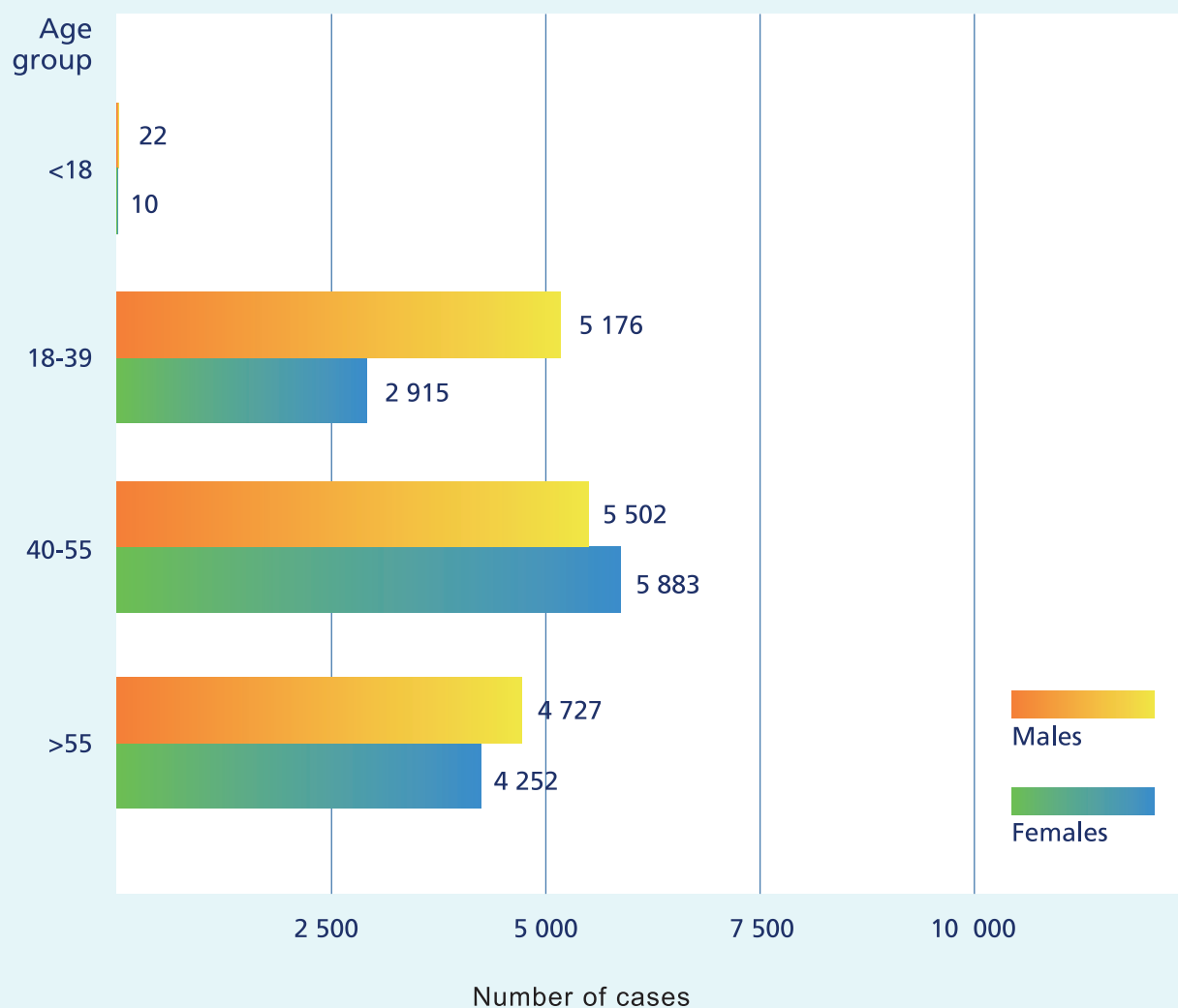
Total number of inspections : 104 138

Figures in brackets indicate the number of related inspections

Economic sector	Number of inspections	Percentage
Wholesale, retail and import/export trades, restaurants and hotels	50 135	48.1%
Financing, insurance, real estate and business services	22 141	21.3%
Community, social and personal services	13 701	13.2%
Transport, storage and communications	5 812	5.6%
Construction	4 851	4.7%
Manufacturing	4 843	4.7%
Others	2 655	2.5%
Total number of inspections	104 138	

Figure 6.3

Number of Cases Reported under the Employees' Compensation Ordinance in 2020 by Sex and Age*

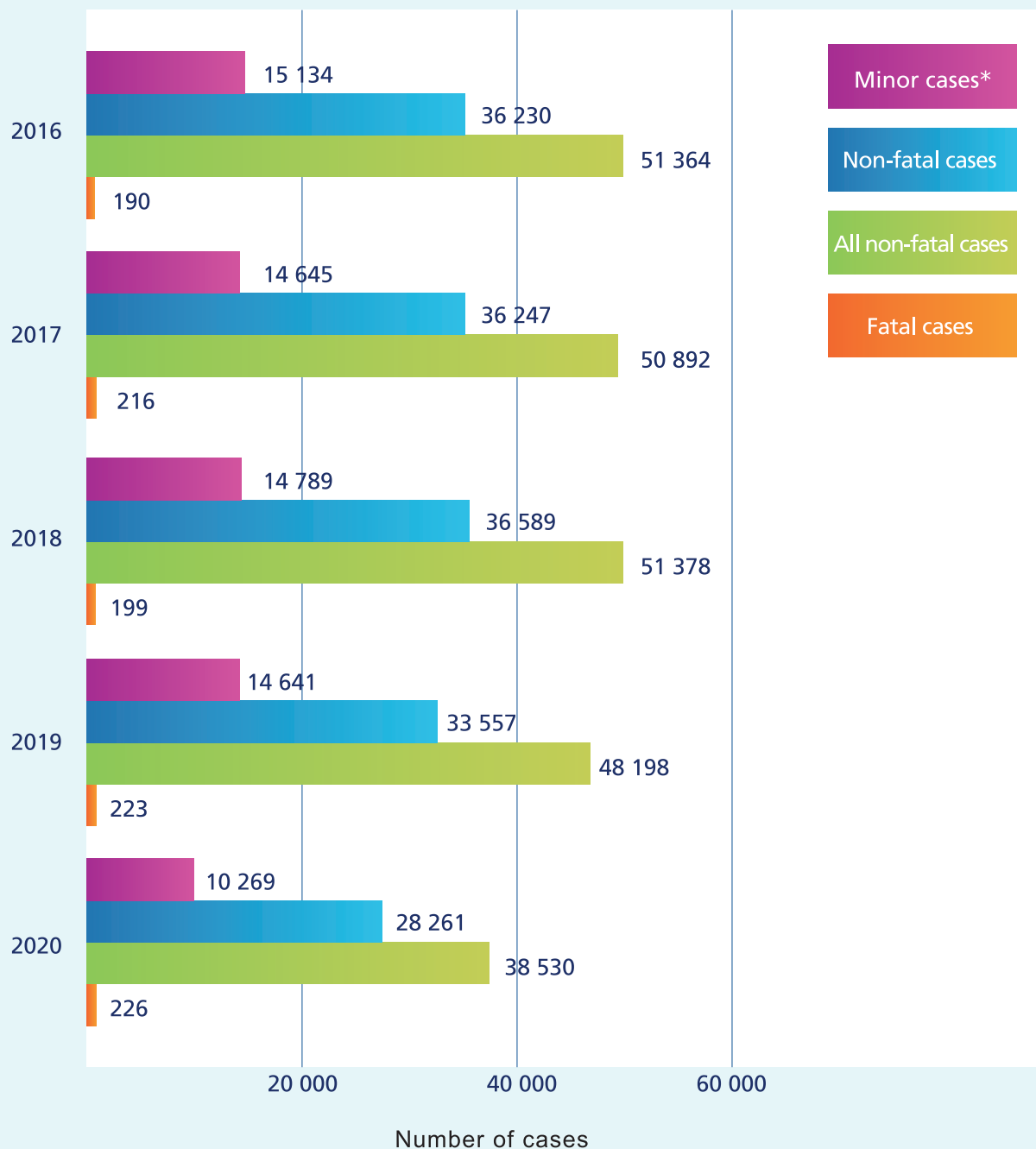


Age group	Males	Females
<18	22	10
18-39	5 176	2 915
40-55	5 502	5 883
>55	4 727	4 252

* The figures have not included 10 269 cases involving sick leave of not exceeding three days.

Figure 6.4

Number of Cases Reported under the Employees' Compensation Ordinance from 2016 to 2020

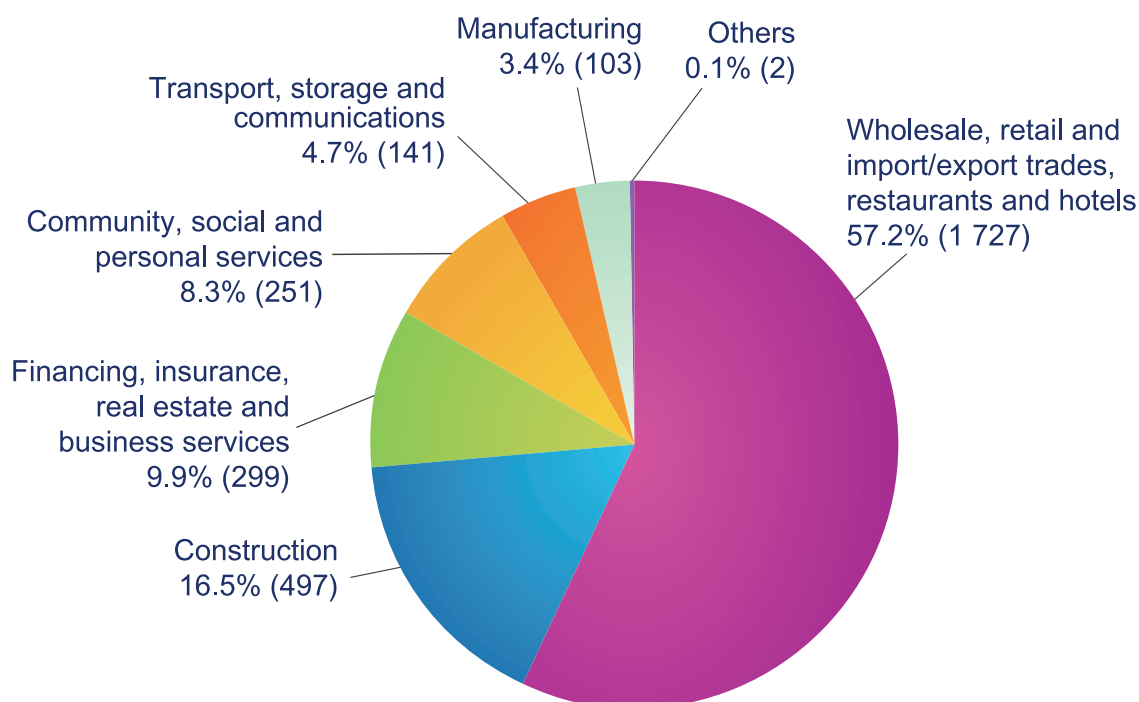


Year	Minor cases*	Non-fatal cases	All non-fatal cases	Fatal cases
2016	15 134	36 230	51 364	190
2017	14 645	36 247	50 892	216
2018	14 789	36 589	51 378	199
2019	14 641	33 557	48 198	223
2020	10 269	28 261	38 530	226

* 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 2020 by Economic Sector



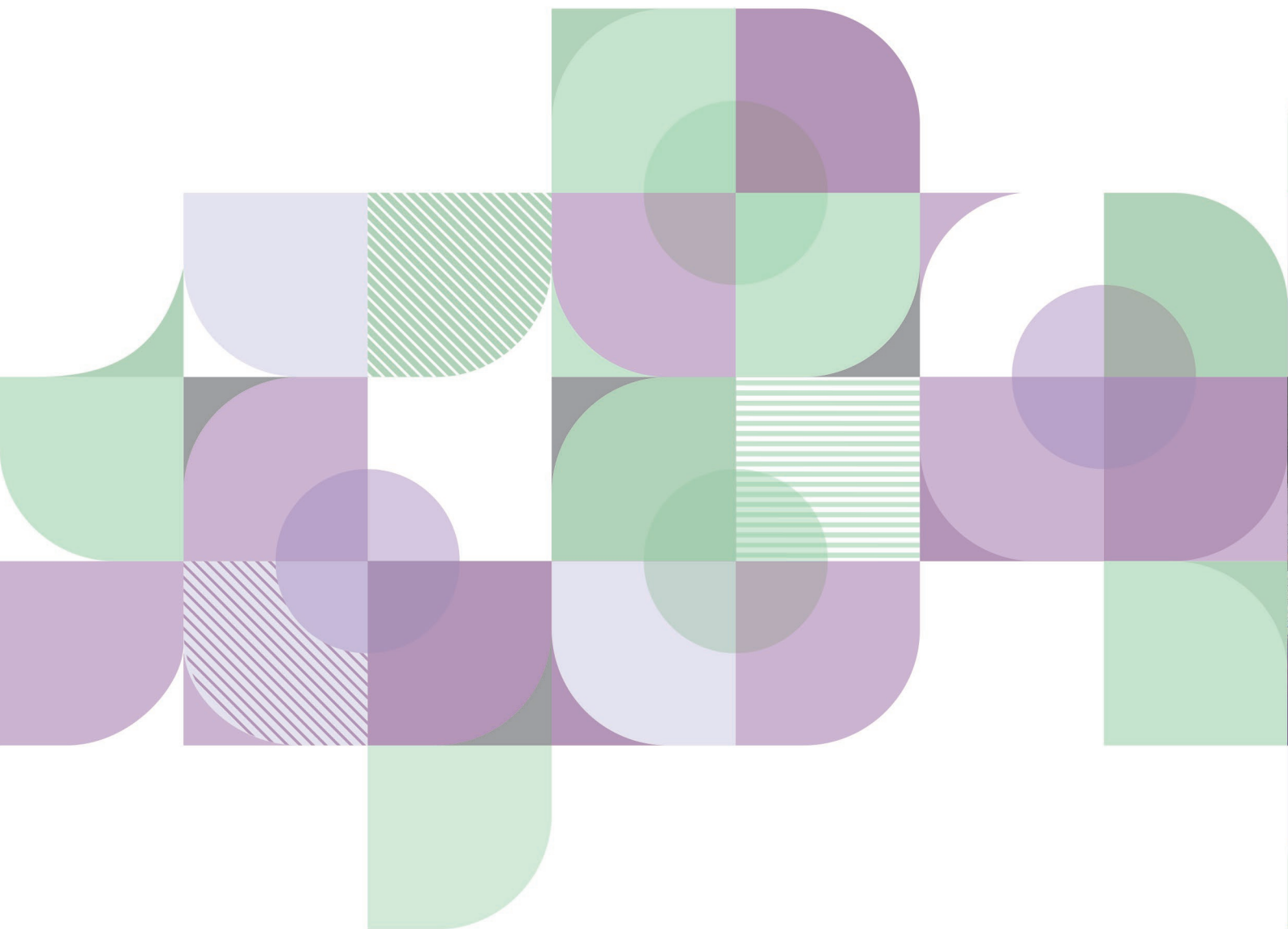
Total number of applications: 3 020

Figures in brackets indicate the number of related applications

Economic Sector	Number of applications	Percentage
Wholesale, retail and import/export trades, restaurants and hotels	1 727	57.2%
Construction	497	16.5%
Financing, insurance, real estate and business services	299	9.9%
Community, social and personal services	251	8.3%
Transport, storage and communications	141	4.7%
Manufacturing	103	3.4%
Others	2	0.1%
Total number of applications	3 020	

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



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