

Chapter 1 Highlights of the Year 2008

- 1.1 Local employment market held up well in the first half of 2008 when the economy still expanded at an above-trend pace. Yet the rapid deterioration in the business situation shortly following the abrupt escalation of the financial crisis led to a rise in the unemployment rate to 4.1% at the end of 2008 from the 10-year low of 3.2% at mid-2008. We will closely monitor the employment situation and continue to enhance our employment services on all fronts, especially in netting suitable vacancies from the market, to assist job-seekers. In the year, we had adopted new measures to better help the less competitive secure work. After reviewing the effectiveness of the Transport Support Scheme, we implemented a range of relaxation measures to encourage the unemployed and low-income employees living in four designated remote districts to look for jobs and stay in employment.



Secretary for Labour and Welfare Matthew CHEUNG Kin-chung officiates at a job fair co-organised by the Labour Department and the Hong Kong Federation of Restaurants and Related Trades in Tin Shui Wai.

Employment Services

Enhanced Employment Services

- 1.2 Upholding a proactive, innovative, flexible and cost-effective approach to further strengthening our employment services to help the unemployed re-enter the labour market and meet the recruitment needs of employers, we held 10 large-scale job fairs and 197 mini job fairs in the year to assist job-seekers in finding jobs and employers in recruiting staff. In major business closure or redundancy cases, we set up enquiry hotlines and special counters at our Job Centres to provide priority job referral and job matching services to the affected employees. 146 308 placements were secured through the Labour Department in 2008. The number of vacancies obtained from the private and public sectors was 677 650.



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Employment Services

Helping the Low-income Group

- 1.3 To enhance the support to those needy unemployed and low-income earners, the Government reviewed the effectiveness of the Transport Support Scheme and implemented a range of relaxation measures in July, including relaxing the income threshold to \$6,500 and extending the subsidy period to 12 months. Eligible persons living and working in the same designated remote district could also apply under the scheme. Under the relaxed scheme, eligible applicants are entitled to have time-limited transport allowances, viz. Job Search Allowance of up to \$600 and On-the-job Transport Allowance of \$600 per month for up to 12 months.

Strengthening Employment and Training Support for the Youth

- 1.4 The Labour Department is determined to promote youth employment. In the year, we had adopted various measures to promote the employability of the young people.
- 1.5 To strengthen employment support for youths receiving outreaching services, the Youth Pre-employment Training Programme launched in the 2008/09 Programme a special training project codenamed "Targeted Career Training Mission" in collaboration with non-governmental organisations operating youth outreaching services. The project provides participating youths with flexible and tailor-made training in terms of training duration, course timetable and class size.
- 1.6 In March, we set up the second Youth Employment Resource Centre named Youth Employment Start (YES) to provide one-stop career advisory, employment and self-employment support services to young people aged 15 to 29. The YES provides facilities to enhance young people's employability, facilitate them to access the latest labour market information and help them secure a firm footing in the labour market for sustainable development.



Secretary for Labour and Welfare Matthew CHEUNG Kin-chung (middle, front row), Permanent Secretary for Labour and Welfare Mr. Paul TANG Kwok-wai (second from left, front row), and Commissioner for Labour Mrs. Cherry TSE LING Kit-ching (second from right, front row) officiates at the opening ceremony of the new Youth Employment Start.



Labour Relations

Record High Settlement Rate

- 1.7 The number of working days lost as a result of labour disputes in Hong Kong remains among the lowest in the world. Of the 120 labour disputes and 20 623 claims handled in the year, 72.7 per cent were resolved by our conciliation efforts, a record high since 1994. The waiting time for conciliation meetings remained at a low level of 2.5 weeks in the year.

Labour Relations

Stepping Up Enforcement Against Wage Offences

- 1.8 In 2008, the Labour Department sustained its all-out efforts to combat wage offences. Territory-wide inspection campaigns targeted at offence-prone trades were launched. We collected intelligence on non-payment of wages in various industries through an early warning system in collaboration with trade unions to step up enforcement against wage offences. The department conducted in-depth investigation into suspected wage offences and employed veteran police officers to strengthen the investigative work and collection of intelligence to facilitate speedy prosecution.

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

With rigorous enforcement, a total of 958 convicted summonses on wage offences were secured in 2008, a figure comparable with the 960 convictions in 2007. Three company directors and responsible persons and one employer were given custodial sentences for wage defaults. In addition, one company director and two employers were imposed community service orders due to wage offences. An employer was fined \$110,000 for committing wage offences.

Enhancing Good People Management Practices and Harmonious Labour Relations

- 1.9 To encourage the adoption of good people management practices in the workplace, we organised a wide range of promotional activities such as seminars, talks and exhibitions. In order to assist employees in maintaining a balance between work and family responsibilities, the department has been actively promoting family-friendly employment practices. Between July and November, 20 newspaper supplements with real-life examples on the implementation of family-friendly employment practices and other good people management measures were published weekly to encourage wider adoption of family-friendly measures at the workplace.



Employee Rights and Benefits

Vigorous Enforcement against Illegal Employment

- 1.10 The Labour Department collaborated with the Police and the Immigration Department to clamp down on illegal employment activities. 186 joint operations were mounted in the year. We also widely publicised the complaint hotline (2815 2200) to encourage the public to report illegal employment activities.

Wage Protection Movement for Cleaning Workers and Security Guards (WPM) and Statutory Minimum Wage (SMW)

- 1.11 In October 2006, the Government joined hands with the business community and the labour sector to launch the WPM to protect the wage level of cleaning workers and security guards through voluntary and non-legislative means.

In October 2008, the Government conducted an overall review of the WPM. Despite increases in both the number and proportion of workers benefiting from the WPM, only slightly more than half (52%) of the relevant workers benefited from the WPM. Their wage increases were only slightly higher than that of other low-skilled workers. The situation, on the whole, was unsatisfactory. Hence, the Chief Executive announced in his Policy Address 2008-09 that the Government would introduce legislation for SMW.

Employee Rights and Benefits

Following thorough consideration of the views of the business community and the labour sector on the relative merits of a SMW regime confined to the cleaning workers and security guards, and an across-the-board regime, the Government decided in favour of the latter since cleaning workers and security guards were not the only low-paid jobs and there is considerable worker mobility among different types of low-paid jobs. We aim to introduce the Minimum Wage Bill into the LegCo in the 2008-09 legislative session.

Safeguarding the Rights of Employees of Government Service Contractors

1.12 We conducted vigorous inspections to workplaces of non-skilled workers employed by government service contractors in order to protect their statutory rights and benefits under labour laws. In the year, 688 inspections were conducted. We took out prosecution against contractors whenever there was sufficient evidence of breach of the labour laws. Four contractors were convicted in the year. Under the concerted effort of the Labour Department and procuring departments in stepping up monitoring and enforcement, the situation of contractors contravening the labour laws has greatly improved.

Protection of Wages on Insolvency Fund Continued to Record a Surplus

1.13 The Labour Department continued its all-out efforts in clamping down at source on employers evading their wage liabilities, thus preventing wage defaults from developing into claims on the Protection of Wages on Insolvency Fund. However, as a result of the economic downturn, the number of applications for the fund increased from 4 836 in 2007 to 6 448 in 2008. The fund registered a surplus of \$371 million for 2008, the fifth year that the fund recorded a surplus since the Asian financial crisis in 1997.



Safety and Health at Work

Safety of Tower Cranes, Site Vehicles and Mobile Plant

1.14 To tie in with the "Guidelines on Safety of Tower Cranes" and the "Guidelines on safety of Site Vehicles and Mobile Plant" issued by the Construction Industry Council in June, the Labour Department launched territory-wide safety campaigns in the year to urge duty-holders in the industry to comply with relevant safety legislation. In these special enforcement exercises, 43 prosecutions were initiated and 52 improvement notices were issued.

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

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

To enhance the safety performance of RMAA works, the Labour Department continued to intensify enforcement actions to deter unsafe acts by further stepping up point-to-point inspections on normal working days, at night and during holidays. Territory-wide blitz campaigns on RMAA works with emphasis on work-at-height and use of electricity were also launched. In these special exercises, 65 suspension/improvement notices were issued and 44 prosecutions were taken out.

Safety and Health at Work



Occupational Safety and Health Seminar on Work-at-height, Minor Repair, Maintenance, Alteration and Addition Works.

On the educational and promotional front, we organised in 2008 a series of intensive promotion and publicity campaigns, targeting work-at-height and RMAA works to arouse the safety awareness of all parties involved, including launching in November a two-year publicity campaign to appeal to workers' concern about safety at work and the well-being of their families.

We also jointly launched with the Occupational Safety and Health Council (OSHC) a sponsorship scheme for small and medium-sized enterprises (SMEs) to assist contractors and employers in need to purchase suitable fall protection equipment to improve the safety standard of work-at-height.

Safety Award Schemes

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



Strengthening Local and International Partnerships

Labour Day Reception

- 1.17 On April 25, 2008, Secretary for Labour and Welfare Mr. Matthew CHEUNG Kin-chung hosted a cocktail reception at the Hong Kong Convention and Exhibition Centre to celebrate Labour Day and to pay tribute to the workforce. The Acting Chief Executive Mr. Henry Tang officiated at the reception, with guests from trade unions, employer associations and other organisations.

Strengthening Local and International Partnerships



Toasting by Acting Chief Executive Henry TANG and senior government officials during Labour Day Reception.

Contacts with Other Labour Administrations

- 1.18 We maintain active liaison and interflows with other labour administrations through visits and participation in relevant activities.
- 1.19 In January, Commissioner for Labour Mrs. Cherry TSE LING Kit-ching led a delegation to visit the Macao Special Administrative Region. During the visit, members of the delegation exchanged views with officials of the Macao Labour Affairs Bureau on matters related to labour administration and work safety of the construction industry, laying the foundation for cooperation between the two regions.



Commissioner for Labour Mrs. Cherry TSE LING Kit-ching (third from right) and members of the delegation meet Secretary for Economy and Finance of Macao Special Administrative Region TAM Pak-yuen (third from left) and Director of Macao Labour Affairs Bureau SHUEN Ka-hung (second from left) in Macao SAR.

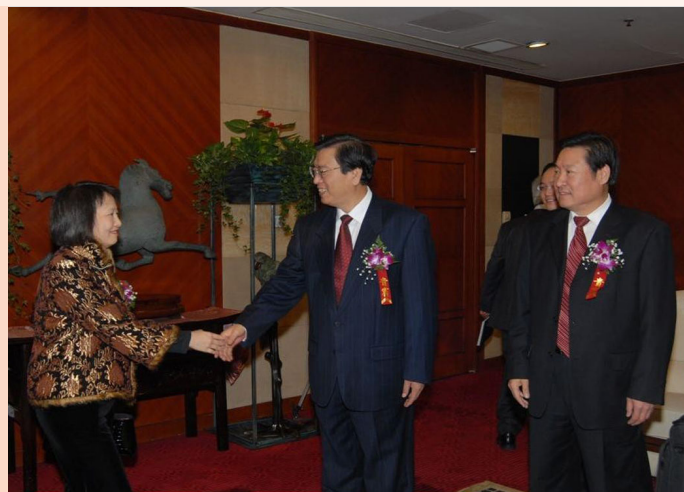
- 1.20 In June, Deputy Commissioner for Labour (Labour Administration) Mrs. Jenny CHAN MAK Kit-ling led a tripartite team comprising government, employer and employee representatives to attend the 97th Session of the International Labour Conference in Geneva as part of the Chinese delegation.

Strengthening Local and International Partnerships



Deputy Commissioner for Labour (Labour Administration) Mrs. Jenny CHAN MAK Kit-ling (fifth from left), and members of the tripartite team at the 97th Session of the International Labour Conference in Geneva, Switzerland.

- 1.21 In November, Commissioner for Labour Mrs. Cherry TSE LING Kit-ching led a delegation to participate and delivered a speech in the 4th China International Forum on Work Safety in Beijing. The event was co-organised by the State Administration of Work Safety and the International Labour Organisation. The delegation visited the Ministry of Human Resources and Social Security and met with Minister TIAN Chengping. The delegation also visited the Hong Kong and Macao Affairs Office of the State Council and the Beijing Administration of Work Safety.



Commissioner for Labour Mrs. Cherry TSE LING Kit-ching (left) greets Vice Premier ZHANG Dejiang of the State Council (middle) and Vice Minister ZHAO Teichui of the State Administration of Work Safety (right) in Beijing.

- 1.22 In the same month, Vice Mayor GOU Zhongwen of the People's Government of Beijing Municipality and Director-General ZHANG Jiaming of the Beijing Administration of Work Safety each led a delegation to visit the Hong Kong Special Administrative Region (HKSAR). The delegations met with the Commissioner for Labour and exchanged views with officers of the Labour Department on occupational safety issues in Hong Kong. The delegation of the Beijing Administration of Work Safety also visited various local organisations to keep abreast of the latest development of work safety in Hong Kong.

Chapter 1 Highlights of the Year 2008

Strengthening Local and International Partnerships



Permanent Secretary for Labour and Welfare Paul TANG Kwok-wai (third from right), Commissioner for Labour Mrs. Cherry TSE LING Kit-ching (fifth from left) with the delegation led by Vice Mayor GOU Zhongwen (fourth from right) of the People's Government of Beijing Municipality.



Commissioner for Labour Mrs. Cherry TSE LING Kit-ching meets the delegation of the Beijing Administration of Work Safety.

Ms. SONG Juan, Director-General, Department of Conciliation and Arbitration Management, Ministry of Human Resources and Social Security of the State Council, also led a delegation to visit the HKSAR under the Reciprocal Visit Programme in the month. The delegation met with the Commissioner for Labour and exchanged views with officers of the Labour Department on various labour issues.



Commissioner for Labour Mrs. Cherry TSE LING Kit-ching (right) welcomes Director General SONG Juan of the Ministry of Labour and Social Security (left).

Chapter 2 The Labour Department

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



Vision, Mission and Values

2.2 Our Vision

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

2.3 Our Mission

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

2.4 Our Values

We believe in:

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



Key Programme Areas

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

Labour Relations

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

Safety and Health at Work

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

Employment Services

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

Employee Rights and Benefits

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

Key Programme Areas

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

Central Support Services

- 2.7 The Administration Division assumes the primary responsibility for financial, personnel and general resources management.
- 2.8 The Information and Public Relations Division is responsible for the department's overall strategy on publicity and public relations. It mounts extensive publicity and explains the policy and work of the department to the public through the media, and co-ordinates the production of major departmental publications.
- 2.9 The Development Division mainly oversees matters relating to the application of international labour conventions, participation in International Labour Organisation activities, and liaison with labour administration counterparts in the Mainland or other countries. Besides, the division manages the departmental reference library, collects information pertaining to labour administration and co-ordinates training activities for staff of the Labour Administration Branch. In addition, the division provides secretariat support to the Labour Advisory Board.
- 2.10 The Prosecutions Division and the Legal Services Division help enforce relevant legislation by instituting prosecutions against suspected offenders. Major statistics on prosecution work are at Figure 2.1.
- 2.11 The Occupational Safety and Health Training Centre organises and co-ordinates training and development activities for staff of the Occupational Safety and Health Branch.
- 2.12 The Information Technology Management Unit offers support and advice to the development and management of information technology services.
- 2.13 An organisation chart of the department is set out at 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 department's pledged services. For details of our performance pledges, please visit the following webpage: www.labour.gov.hk/eng/perform/content.htm.

Chapter 2 The Labour Department

Key Programme Areas



Members of the Customer Liaison Group 2008-09 visit a youth employment resource centre.

Advisory Boards and Committees

2.15 The department consults various advisory boards and committees on labour matters. The most important one is the Labour Advisory Board (LAB). It is a high-level and representative tripartite advisory body with members from the employee and employer sectors as well as the Government. It advises the Commissioner for Labour on matters affecting labour, including legislation as well as Conventions and Recommendations of the International Labour Organization. The terms of reference and composition of the LAB and its membership for the year 2008 are in Figure 2.3.



Commissioner for Labour, also Chairman of the LAB, Mrs. Cherry TSE LING Kit-ching (third from left), and the newly-elected employee representatives of the LAB.

2.16 The term of the LAB expired at the end of 2008. An election to return the employee representatives for the new term of the LAB was held on October 25, 2008. 11 candidates vied for five seats. Altogether, 368 registered employee unions took part in the voting. The five newly-elected employee representatives will serve the LAB for the next two-year term.



Chapter 3 Labour Relations

The Programme of Labour Relations

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

- 3.1 In Hong Kong, employer and employee relations are largely premised on the freely negotiated terms and conditions of employment entered into between the two parties. Employers and employees in Hong Kong are free to form trade unions and participate in union activities. The objective of the Labour Relations Programme is to maintain and promote harmonious labour relations in the non-government sector. We achieve this by:
- giving advice on matters relating to conditions of employment, provisions of the Employment Ordinance and good people management practices;
 - providing voluntary conciliation service to help employers and employees resolve their employment claims and disputes;
 - promoting understanding of labour laws and encouraging good people management practices;
 - adjudicating minor employment claims speedily through the Minor Employment Claims Adjudication Board; and
 - registering and regulating trade unions to bring about sound and responsible trade union administration.
- 3.2 The principal legislation administered by this programme area includes the Employment Ordinance (EO), the Labour Relations Ordinance (LRO), the Minor Employment Claims Adjudication Board Ordinance (MECABO) and the Trade Unions Ordinance (TUO).
- 3.3 With the provision of a comprehensive set of employment standards, the EO is the main piece of legislation governing conditions of employment in the non-government sector. The procedures for settling labour disputes in the non-government sector are provided for in the LRO. The MECABO establishes a machinery known as the Minor Employment Claims Adjudication Board (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 2008

Key Indicators of Work

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

Conciliation and Consultation Services

- 3.5 Our consultation and conciliation services have contributed to the maintenance of industrial peace. In 2008, we handled 83 897 in-person consultations, 120 labour disputes and 20 623 claims. The number of labour disputes and claims handled in 2008 was down by 5 per cent compared with the figure of 21 822 cases in 2007. It was the lowest since 1998. Altogether 72.7 per cent of the cases handled in 2008 were resolved amicably through conciliation, the highest settlement rate since 1994. Four strikes were recorded in 2008. As a result, the number of working days lost per thousand salaried employees and wage earners was 0.46, among the lowest in the world. (Figure 3.2-3.7)

Chapter 3 Labour Relations

Our Work and Achievements in 2008

Proactive Efforts to Combat Wage Defaults

- 3.6 In 2008, the Labour Department maintained its proactive strategy to tackle the problem of non-payment of wages at source. In addition to enhancing publicity and promotion, and stepping up enforcement and prosecution, we made use of the early warning system set up in collaboration with trade unions to gather intelligence on non-payment of wages. The exercise codenamed Operation COMBAT continued to proactively forestall problematic restaurants from evading their liabilities to pay wages and achieved notable results.

Strengthening Tripartite Co-operation

- 3.7 To promote tripartite collaboration at the industry level with a view to fostering harmonious labour relations, nine industry-based tripartite committees have been set up in the catering, construction, theatre, logistics, property management, printing, hotel and tourism, cement and concrete as well as retail industries. These tripartite committees provide useful forums for representatives of employers, employees and the Government to discuss issues of common concern in the industries. In the year, posters, leaflets and souvenirs were produced in collaboration with the tripartite committees to promote good people management practices among practitioners in the industries.

Promotion of Good Employer-Employee Relations

- 3.8 To promote better public understanding of the EO and good people management practices, we organised various promotional activities such as seminars, talks and roving exhibitions for employers, employees, human resources professionals and members of the public. A wide range of publications were produced for free distribution to the public. Relevant information is also disseminated through the department's website and the media.



Exhibition on the Employment Ordinance and good people management practices.

Our Work and Achievements in 2008

- 3.9 We organised experience-sharing sessions and briefings for human resources practitioners through our network of 18 Human Resources Managers' Clubs

Adjudication of Minor Employment Claims

- 3.10 The Minor Employment Claims Adjudication Board provides a speedy, informal and inexpensive adjudication service to members of the public. It is empowered to determine employment claims involving not more than 10 claimants for a sum not exceeding \$8,000 per claimant.

- 3.11 In 2008, the board recorded 2 022 claims amounting to \$8,167,494 and concluded 2 044 claims with a total award of \$4,642,915.

Regulation of Trade Unions

- 3.12 The Registry of Trade Unions is responsible for the promotion of sound and responsible trade union administration, and is entrusted with the statutory duty to register trade unions, process and register their rules, and examine their annual audited statements of account to ensure that trade unions comply with the TUO.

- 3.13 In 2008, 28 new trade unions were registered, making up a cumulative total of four registered trade union federations and 796 registered trade unions (comprising 752 employee unions, 19 employer unions and 25 mixed organisations of employees and employers). Please refer to the following webpage for the key trade union statistics:
www.labour.gov.hk/eng/labour/content3.htm

- 3.14 In the year, the Registry of Trade Unions examined 668 statements of account and conducted 373 inspection visits to trade unions to ensure that their administration and financial management were in compliance with the TUO. To facilitate trade union officers in acquiring knowledge of union law and management, the Registry organised five courses on trade union bookkeeping, auditing and provisions of the TUO.



Chapter 4 Safety and Health at Work

The Programme of Safety and Health at Work

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

- 4.1 The Occupational Safety and Health Branch is responsible for the promotion and regulation of safety and health at work. The objective of the Programme of Safety and Health at Work is to ensure that risks to people's safety and health at work are properly managed and reduced to the minimum through the three-pronged strategy of legislation and enforcement, education and training, as well as publicity and promotion. More specifically, we achieve the objective by:
- providing a legislative framework to safeguard safety and health at work;
 - ensuring compliance with the Occupational Safety and Health Ordinance (OSHO), the Factories and Industrial Undertakings Ordinance (FIUO), the Boilers and Pressure Vessels Ordinance (BPVO) and their subsidiary regulations by conducting inspections and taking out regulatory actions;
 - investigating accidents and occupational health problems at workplaces;
 - providing to employers, employees and the general public appropriate information and advice to promote knowledge and understanding of occupational safety and health; and
 - organising promotional programmes and training courses to improve safety awareness of the workforce.
- 4.2 The Labour Department establishes the legislative framework to safeguard safety and health at work. The principal legislation for safety and health at work includes the OSHO, the FIUO, and the BPVO.
- 4.3 With few exceptions, the OSHO protects employees' safety and health at work in practically all branches of economic activities. It is basically a piece of enabling legislation that empowers the Commissioner for Labour to make regulations prescribing standards for general working environment as well as specific safety and health aspects at work.
- 4.4 The FIUO regulates safety and health at work in industrial undertakings, which include factories, construction sites, cargo and container handling areas, as well as catering establishments.
- 4.5 The BPVO aims at regulating the standards and operation of equipment such as boilers, pressure vessels, including thermal oil heaters, steam receivers, steam containers, air receivers and pressurised cement tanks mounted on trucks or trailers.

Our Work and Achievements in 2008

Work Safety Performance

- 4.6 Through the concerted efforts of all parties concerned, including employers, employees, contractors, safety practitioners and the Government, Hong Kong's work safety performance has been improving since 1998. The improvement in the construction industry was especially remarkable.



Chapter 4 Safety and Health at Work

Our Work and Achievements in 2008

- 4.7 The number of occupational injuries in all workplaces in 2008 stood at 41 900, representing a drop of 28.8 per cent from 58 841 in 1999, while the injury rate per thousand employees decreased to 15.8, down by 34.9 per cent when compared to 24.3 in 1999. The number of industrial accidents and the accident rate per thousand workers also went down to 14 932 and 27.2 respectively, representing 58.5 and 50.7 per cent drop when compared to 35 986 and 55.1 in 1999.
- 4.8 The number of industrial accidents in the construction industry decreased from 14 078 in 1999 to 3 033 in 2008, a hefty drop of 78.5 per cent, while the accident rate per thousand workers also decreased from 198.4 to 61.4, down by 69.1 per cent.

Occupational Diseases

- 4.9 In 2008, there were 204 cases of confirmed occupational disease. In the ten years between 1999 and 2008, the number of cases had dropped substantially from 734 to 204. Silicosis, occupational deafness, tenosynovitis of the hand or forearm and tuberculosis were the most common occupational diseases in the year.
- 4.10 For more statistics on occupational safety and health, please visit the following webpage:
www.labour.gov.hk/eng/osh/content10.htm

Key Indicators of Work

- 4.11 Some key indicators of work of this programme area are shown in Figure 4.1.

Enforcement

- 4.12 To ensure safety and health at work, we inspect workplaces, monitor health hazards, investigate work accidents and occupational diseases, register and inspect boilers and pressure equipment and advise on measures to control hazards or prevent accidents.
- 4.13 A key element in enforcement is to give advice on the prevention of accidents. We conducted promotional visits to encourage employers to adopt a proactive self-regulatory approach in managing risks at the workplace. We also conducted regular enforcement inspections to various workplaces to ensure that duty-holders had observed all related statutory requirements stipulated in safety legislation. In addition, we conducted 13 special blitz operations targeting at various high-risk work activities, including construction safety, safety of renovation and maintenance works, safety of tower cranes, safe operation of vehicles/mobile plant on construction sites, catering safety, cargo and container-handling safety as well as fire and chemical safety. Some of these blitz operations were conducted not only on normal working days but also at night and during holidays to detect and clamp down on offending contractors. In these 13 operations, a total of 32 117 workplaces were inspected, with 475 prosecutions initiated, 425 improvement notices and 59 suspension notices issued.

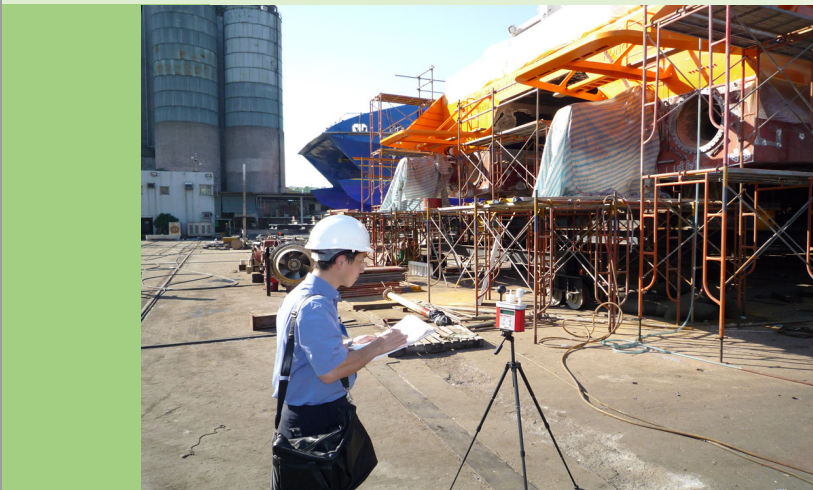


Chapter 4 Safety and Health at Work

Our Work and Achievements in 2008

4.14 We continued to place establishments with poor safety performance under close surveillance. Improvement notices or suspension notices were issued when necessary to secure a speedy rectification of irregularities, or to remove imminent risks to lives and limbs. Many of these companies, especially those in the construction industry, have shown significant improvements in their safety performance. To handle workers' complaints on work safety more effectively, we established in April a Central Inspection Team to conduct independent investigation into complaints lodged by workers and encourage workers to report unsafe conditions or malpractices in workplaces. In the year, the team handled 115 complaints and initiated 10 prosecutions arising from investigation of these cases. We have also enhanced the intelligence reporting system on unsafe RMAA works with the Hong Kong Association of Property Management Companies. In 2008, a total of 526 enquiry/complaint/referral cases were received through the system and other channels. As a result of the inspections to follow up on these cases, 44 suspension/improvement notices were issued and 26 prosecutions were taken out. We established a similar referral mechanism with the Housing Department in May. By the end of the year, we received through the mechanism a total of 2 671 notifications of high risk RMAA works in housing estates and followed up on these referrals.

4.15 In the year, we conducted targeted inspections to food and beverage factories, vehicle repair shops, printing factories and other industrial establishments where chemical and ergonomics hazards were common to ensure adequate protection of the safety and health of workers. In these inspections, altogether 181 warnings and 15 improvement notices were issued. We also conducted regular inspections, including targeted inspection at night, to drainage maintenance worksites to ensure adequate protection of workers from gas poisoning, and to office workplaces and catering establishments to ensure that appropriate preventive measures were taken to safeguard employees from work-related musculoskeletal disorders.



An Occupational Hygienist assesses the risk of heat stress at an outdoor workplace.

4.16 The Commissioner for Labour, as the Boilers and Pressure Vessels Authority, recognises competent inspection bodies to assess and inspect new pressure equipment during manufacturing. As at the end of 2008, there were 31 appointed examiners and seven recognised inspection bodies. In addition, we conduct examinations, monitor courses for training of competent persons and issue certificates of competency to qualified candidates as competent persons for various types of boilers and steam receivers. In 2008, 420 applications for certificates of competency were processed, with 386 certificates issued/endorsed. At the same time, we advise the Fire Services Department on approval and preliminary inspections of pressurised cylinders and storage installations for compressed gas.



Chapter 4 Safety and Health at Work

Our Work and Achievements in 2008

4.17 As at the end of 2008, a total of 176 171 workplaces, including 18 506 construction sites, were recorded. In the year, 111 866 inspections were conducted under the OSHO and the FIUO, while 4 706 inspections were made under the BPVO. As a result, 32 378 warnings were issued by Occupational Safety Officers while 2 988 warnings were given under the BPVO. Altogether, 1 416 suspension or improvement notices were issued. We also carried out 10 913 and 2 763 investigations on accidents and suspected occupational diseases respectively in the year.

Education and Training

4.18 To inculcate a culture of respect for occupational safety and health among the working population, we provide training-related services to employers, employees and stakeholders. Such services are divided into three categories - provision of training courses, recognition of mandatory safety training courses and registration of safety officers and safety auditors.

4.19 In 2008, we conducted 484 legislation-related safety and health training courses for 3 327 employees and 337 tailor-made talks for another 12 688. We also recognised eight mandatory basic safety training courses (commonly known as "green card" courses) for the construction and container-handling industries. As at year end, more than 994 000 persons have completed green card courses. In addition, we recognised three confined spaces safety training courses, two crane operator training courses, two gas welding safety training courses and two loadshifting machinery safety training courses. In December, the Commissioner for Labour withdrew the recognition given to a course provider for running two safety training courses for having violated the conditions granted for running the two courses concerned.



A talk on safety regulations for employers and employees in the catering industry.

4.20 In 2008, 83 applicants were registered as safety officers while 35 applicants were registered as safety auditors. As at the end of the year, there were 3 076 registered safety officers and 952 registered safety auditors. Furthermore, we started to process applications for renewal and revalidation of registration as safety officers in September 2005. A total of 1 868 such applicants had been approved as at the end of 2008.



Chapter 4 Safety and Health at Work

Our Work and Achievements in 2008

4.21 Occupational health education is one of the major strategies for the prevention of occupational health hazards and occupational diseases. Apart from organising health talks at our own offices, we also reach out to individual companies or organisations and deliver talks at their workplaces. In 2008, we organised a total of 1 404 health talks on various occupational health themes for over 42 800 participants.

Publicity and Promotion

4.22 We organised a series of promotional activities in 2008 to enhance the safety and health awareness of employers and employees, some in conjunction with other organisations such as the OSHC, trade associations, workers' unions and other government departments.

4.23



Catering Industry Safety Award Scheme 2007/08 – Award Presentation Ceremony.

The Catering Industry Safety Award Scheme and the Construction Industry Safety Award Scheme, which had been well received, were organised again in the year.



Construction Industry Safety Award Scheme 2007/2008 – Fun Day.

Our Work and Achievements in 2008

- 4.24 In anticipation of the growth of RMAA works, the Labour Department in collaboration with the OSHC, trade associations, workers' unions and other stakeholders, launched a two year territory-wide promotion campaign to publicise the safety of RMAA works and work-at-height. Major publicity activities included broadcasting "Announcements in the Public Interest" on television/radio, staging roving-exhibitions, publishing feature articles in newspapers and on the Labour Department website, publishing leaflets and disseminating safety messages to contractors, employees and employers through various means.



Two new posters to promote and publicise safety of renovation and maintenance works and work-at-height.

- 4.25 The Labour Department continued to operate jointly with the OSHC the Sponsorship Scheme for Fall Arresting Equipment for Renovation and Maintenance Work for SMEs and the Cut Resistant Gloves and Slip Resistance Shoes Sponsorship Scheme for SMEs. The former provides SMEs with financial assistance to acquire fall protection equipment and anchor device for use in work-at-height while the latter offers financial assistance to SMEs to purchase cut resistant gloves and slip resistant shoes for protecting frontline workers in catering establishments from cut and slip injuries.
- 4.26 In 2008, the Labour Department, OSHC and the Hong Kong Construction Association joined hands to launch a new sponsorship scheme, the Reversing Video Device Sponsorship Scheme for Heavy Vehicles on Construction Sites, to subsidise SMEs in the construction industry to install reversing video device on heavy vehicles, with a view to preventing accidents attributable to heavy vehicles reversing on construction sites.



Our Work and Achievements in 2008

**建築地盤重型車輛
倒車視像裝置
資助計劃**

勞工處 職業安全健康局 香港建造商會

Reversing Video Device Sponsorship Scheme for Heavy Vehicles on Construction Sites.

4.27 The Occupational Safety Charter, launched jointly with the OSHC since 1996 to promote the spirit of "shared responsibility" in workplace safety and health, sets out a safety management framework for employers and employees to work together to create a safe and healthy working environment. By the end of 2008, 1 069 organisations, including public utilities companies, industrial and non-industrial establishments, banks, construction companies, unions, associations and community organisations, have subscribed to the Occupational Safety Charter.



Kwai Tsing Safe Community and Healthy City Occupational Safety Charter Signing Ceremony.

Chapter 4 Safety and Health at Work

Our Work and Achievements in 2008

4.28 Apart from promoting occupational safety, the Labour Department also promotes the prevention of occupational and work-related diseases through a multitude of activities such as health talks and seminars, educational video shows, publications, and "Announcements in the Public Interest". To protect the occupational health of office workers, we strengthened our publicity efforts in 2008 to promote the proper use of display screen equipment and the prevention of work-related musculoskeletal orders. This was achieved through video shows on mobile advertising media, occupational health talks and a self-learning educational video disc.



Commissioner for Labour Mrs. Cherry TSE LING Kit-ching with representatives of winning organisations of the Occupational Health Award.



The Occupational Health Carnival.

4.29 Under the Customer Service Teams Project, volunteers visited 19 407 catering establishments and SMEs of the retail and wholesale trades to disseminate safety messages to employers and employees in the year.



Customer Service Teams Project 2008 – Certificate Presentation Ceremony.

Chapter 4 Safety and Health at Work

Our Work and Achievements in 2008

4.30 In 2008, we published 16 new occupational safety and health publications, including "Guidance Notes on Chemical Safety in Catering Industry", "An Analysis on Occupational Fatalities Casebook (Volume 4)", "Occupational Safety and Health Statistics Bulletin Issue No. 8 (May 2008)", "Guide on Shift Work", a series of booklets and leaflets on safety and health at work in relation to common diseases (e.g. Chronic Obstructive Respiratory Disease and Common Gastrointestinal Diseases) affecting the working population, and two guides on shift work and lighting assessment in workplaces respectively. Moreover, we also developed an educational kit for promoting the prevention of different occupational diseases.



New occupational safety and health publications in 2008.

- 4.31 To promote the safety awareness of the industry in operating boilers and pressure vessels, we reviewed, revised and edited a number of publications, including the "Code of Practice for Pressure Equipment Owners", "Code of Practice for Thermal Oil Heaters", and "Brief on Accident Cases of Boilers and Pressure Vessels in Hong Kong". We also distributed 3 884 publications and leaflets regarding the safe operation of boilers and pressure vessels.
- 4.32 In 2008, the Occupational Safety and Health Branch handled 14 105 enquiries, advising on various safety and health matters. Furthermore, the Occupational Safety and Health Centre provides information and advisory services to workers and employers.

Clinical Occupational Health Services

4.33 The Labour Department runs occupational health clinics in Kwun Tong and Fanling, providing clinical consultations, medical treatment as well as occupational health education and counselling services for workers suffering from work-related and occupational diseases. The workplaces of the patients are inspected if necessary to identify and evaluate occupational health hazards in the work environment. We also assess the medical fitness for work of radiation workers, aviation personnel and government employees exposed to specific occupational health hazards.



Chapter 4 Safety and Health at Work

Our Work and Achievements in 2008



An Occupational Health Officer conducting clinical consultation at the Kwun Tong Occupational Health Clinic.

In 2008, 12 999 clinical consultations were rendered, and 3 070 medical examinations and assessments conducted. Moreover, six patient support groups were organised to promote patients' compliance with treatment and sustainability in good work practices through health talks, experience sharing and peer support.



A nurse of the Fanling Occupational Health Clinic providing occupational health counseling to a client.

Chapter 5 Employment Services

The Programme of Employment Services

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

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

Our Work and Achievements in 2008

Employment Situation in Hong Kong

- 5.5 The department posted an all-time high of 671 770 vacancies from the private sector in 2008, an increase of nearly 20 per cent when compared with 559 815 in 2007. For updated statistics on the labour force, unemployment rate and underemployment rate, please visit the webpage: www.censtatd.gov.hk/hong_kong_statistics/statistical_tables/index.jsp?charsetID=1&subjectID=2&tableID=006

Key Indicators of Work

- 5.6 To better serve the public, the department vigorously stepped up its employment services for job-seekers. A record-high number of 146 308 placements was achieved in 2008, up 8 per cent over the level of 135 489 in 2007. (Figures 5.1 and 5.2)

A Wider Service Choice

Services offered at Job Centres

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



A Job Centre with various facilities.

- 5.8 Through the Job Matching Programme, placement officers help job-seekers evaluate their academic qualifications, job skills, work experience and job preferences, and encourage them to match for suitable jobs actively. Placement officers also introduce suitable retraining courses to job-seekers where appropriate.

Telephone Employment Service

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

On-line Employment Service

- 5.10 Our Interactive Employment Service (iES) website (www.jobs.gov.hk) provides round-the-clock on-line employment service and comprehensive employment information. The iES is one of the most popular government websites, recording over 940 million page views and accounting for 19 per cent of the page views for all government websites in Hong Kong in 2008. It hyperlinks with leading employment websites in Hong Kong and hosts a number of dedicated webpages for specific clientele. In December, the iES introduced a new dedicated web page to display vacancies offered by employers who were interested in recruiting employees who lost their jobs in closure or redundancy exercises.

Central Processing of Job Vacancies

- 5.11 Employers who need to recruit staff can send their vacancy information to our Job Vacancy Processing Centre by fax (2566 3331) or telephone (2503 3377) or through the Internet (www.jobs.gov.hk). Vacancy information will be posted at all job centres and uploaded onto the iES in one working day.

Chapter 5 Employment Services

A Wider Service Choice

Special Recruitment and Promotional Activities

5.12 We organise a variety of activities to promote our employment services and appeal for vacancies from employers. Job fairs are held to facilitate job-seekers and employers to meet and communicate directly. To assist job-seekers living in remote areas in securing employment, large-scale job fairs were held in Tin Shui Wai, Tuen Mun, Tsing Yi and Tseung Kwan O in 2008. Moreover, to respond more promptly to the recruitment needs of employers and provide a more user-friendly service to job-seekers of different districts, we held mini-job fairs at Job Centres to assist employers to recruit local staff and to enable job-seekers to participate in job interviews without having to travel long distance. In the year, 10 large scale job fairs and 197 mini-job fairs were held, attracting some 47 000 job-seekers.



A mini-job fair held at the Hong Kong East Job Centre.



Secretary for Labour and Welfare Matthew CHEUNG Kin-chung visits the Job Fair co-organised by the Labour Department and the Hong Kong Retail Management Association in Tin Shui Wai.



Intensified Services for the Needy

Middle-aged Job-seekers

- 5.13 The Employment Programme for the Middle-aged was launched in May 2003 to assist the unemployed aged 40 or above to secure employment. Employers who engage an eligible middle-aged job-seeker in a full-time permanent job and offer him/her on-the-job training will receive a training allowance of \$1,500 per month, for up to three months. As at the end of 2008, a total of 42 511 placements were secured through the programme.

Work Trial Scheme (WTS)

- 5.14 We launched the Work Trial Scheme in June 2005 to enhance the employability of job-seekers who have special difficulties in finding jobs. There is no age limit for applicants. During the one-month work-trial without employer-employee relationship, participants will be arranged to take up jobs offered by participating organisations. On satisfactory completion of the one-month work trial, the Labour Department will pay each participant an allowance of \$4,500, while the participating organisation will contribute an additional allowance of \$500. The allowance for participants was raised to \$5,000 with effect from September 1, 2008. As at year end, a total of 2 167 job-seekers were placed into work trials.

Transport Support Scheme

- 5.15 The objective of the Transport Support Scheme is to provide time-limited allowances as an incentive for residents in the four designated remote districts viz. Yuen Long, Tuen Mun, the North District and Islands District to seek jobs and stay in employment. Recognising the relative lack of job opportunities in these districts and the high transport costs incurred, the time-limited Transport Support Scheme enhanced support to these residents with a view to addressing these concerns. After reviewing the effectiveness of the scheme, the Labour Department implemented a range of relaxation measures in July. Under the relaxed scheme, time-limited transport allowances, viz. Job Search Allowance of up to \$600 and On-the-job Transport Allowance of \$600 per month for up to 12 months are made available to eligible applicants.

As at the end of 2008, the relaxed scheme had received 17 718 applications.

Local Domestic Helpers (LDHs)

- 5.16 To address the mismatch in supply and demand in the LDH market and to promote LDH service, the Special Incentive Allowance Scheme was launched in June 2003. The scheme provided incentive allowance to qualified LDHs who were willing to work across districts or during unsocial hours (i.e. outside 9 am to 5 pm on Monday to Friday). Successful applicants received an allowance of \$50 per day, with an overall cap of \$7,200.

The Scheme has accomplished its mission of promoting the LDH market, as evidenced by the much enhanced demand for LDHs and their increased wages. The beneficiaries of the scheme reached 12 600 which far exceeded the original target of 8 000. A total sum of \$55 million was paid out. The scheme was concluded in end-October 2008 as planned.



Chapter 5 Employment Services

Intensified Services for the Needy

New Arrivals

- 5.17 We provide through our job centres a comprehensive range of employment services to new arrivals. These include employment counselling, job referral, employment briefing and employment information.

Workers affected by Large-scale Retrenchment

- 5.18 In major business closure or redundancy cases, the Labour Department sets up hotlines for enquiry and special counters at Job Centres to provide priority job referral and job matching services to affected employees. We appeal to employers to provide suitable vacancies and inform the affected employees of such vacancies to facilitate their job search. In 2008, we offered priority placement services to 3 420 affected employees.

Job-seekers with Disabilities

- 5.19 The Selective Placement Division (SPD) offers employment assistance to job-seekers with disabilities looking for open employment. Placement officers will provide personalised employment counselling, job matching services and, where appropriate, make referrals to tailor-made retraining programmes. In 2008, the SPD registered 3 327 disabled job-seekers and helped place 2 490 of them into employment. (Figure 5.3)

Work Orientation and Placement Scheme

- 5.20 The Labour Department launched the Work Orientation and Placement Scheme in April 2005 to enhance the employability of people with disabilities. The scheme features pre-employment training to job-seekers with disabilities on job-search/interviewing techniques and communication/interpersonal skills, etc, as well as a monthly allowance to the participating employers equivalent to half-month's wages of each of such employees engaged (subject to a ceiling of \$3,000) for up to three months. As at the end of 2008, the scheme recorded 1 236 participants in this training programme and achieved 1 223 work placements.

Self Help Integrated Placement Service

- 5.21 The Self Help Integrated Placement Service (SHIPS) aims at improving the job-searching skills of job-seekers with disabilities and encouraging them to be more proactive in the search for jobs, thereby enhancing their employment opportunities. In 2008, 488 job-seekers with disabilities participated in the programme. The overall placement rate was about 74 per cent.

Interactive Selective Placement Service (iSPS) Website

- 5.22 The Interactive Selective Placement Service (iSPS) Website (www.jobs.gov.hk/isps) provides enhanced employment services for job-seekers with disabilities and employers through the Internet. The website enables persons with disabilities to register with the SPD, browse job vacancy information and perform preliminary job-matching. It also enables employers to place vacancy orders, identify suitable job-seekers with disabilities to fill their vacancies and request the SPD to refer candidates to them for selection interview.

Intensified Services for the Needy

Promotional Activities

- 5.23 During the year, the SPD produced a series of promotional video on success stories of employment of people with disabilities to enhance public understanding of the working abilities of people with disabilities. We also held seminars for employers and conducted special promotional campaigns on targeted trades to canvass job vacancies.



Services for Young People

Youth Work Experience and Training Scheme (YWETS)

- 5.24 The YWETS features: (1) 50 hours of career guidance and counselling services to trainees by case managers who are registered social workers; (2) 40 hours of induction training on communication and interpersonal skills for trainees; (3) a monthly training subsidy of \$2,000 per trainee payable to employers during the training period; and a training allowance of \$4,000 payable to trainees for undertaking off-the-job vocational training courses. As at the end of 2008, 40 450 trainees were successfully placed in training vacancies under the scheme. In addition, 18 870 trainees found other jobs with the assistance of their case managers.

- 5.25 In 2008, the YWETS continued to develop tailor-made projects for industries and individual establishments. Collaboration between the YWETS and the Youth Pre-employment Training Programme (YPTP) enabled the running of "through train" training programmes under which pre-employment job skills training custom-made for a particular establishment as provided under the YPTP was immediately followed by on-the-job training under the YWETS. This mode of training is well received by establishments and trainees. In 2008, 19 such tailor-made training-cum-employment projects were run for employers in the retail, catering, tourism, telemarketing, health care, real estate agency and property management industries. Besides, special employment projects were co-organised with establishments offering large number of on-the-job training vacancies.

Youth Pre-employment Training Programme (YPTP)

- 5.26 The YPTP provides a wide range of employment-related training and workplace attachment opportunities to young persons aged 15 to 19. Government departments, training bodies and voluntary agencies join hands to provide the following four modular training: (a) leadership, discipline and team building; (b) job-search and interpersonal skills; (c) elementary/ intermediate computer application; and (d) job-specific skills training. Organisations from the private and public sectors as well as social welfare agencies also offer workplace attachment places for trainees so that they can obtain practical work experience and better understand the real work environment. Professional youth workers are available to provide career counselling and support services throughout the programme. In 2008, about 5 100 young persons were provided with such training and workplace attachment opportunities. Apart from those pursuing further studies on completion of the programme, over 70 per cent of the trainees secured employment.

- 5.27 To maximise the benefits for trainees of the YPTP and the YWETS, a "Revolving Door" mechanism has been introduced by allowing them to move between the two programmes during a programme year. Together, the two programmes provide one-stop training and employment services to young people aged 15 to 24.

Chapter 5 Employment Services

Services for Young People

5.28 To encourage trainees to attend pre-employment training so as to enhance their employability, trainees are entitled to a transport allowance of \$30 per day, subject to attending at least 80 per cent of a YPTP modular/tailor-made training course or the YWETS induction training.

5.29 We organised the Award Ceremony for the Most Improved Trainees of YPTP and YWETS in July to showcase the benefits brought to the trainees through the two programmes and commend the caring efforts of training bodies and employers. The stories of the trainees in striving for improvement had provided the best encouragement to their peers and solidly exemplified the achievements of the trainees, training bodies, employers and the Government in nurturing the development of the young generation.



Award Ceremony for the Most Improved Trainees of YPTP and YWETS.

Youth Employment Support

5.30 The Labour Department operates two youth employment resource centres named Youth Employment Start (YES). The two centres provide one-stop service on employment and self-employment to young people aged between 15 and 29 to facilitate them to map out their career path, enhance their employability and support young people to conduct their businesses. Services provided include career assessment, career guidance, value-added training, support services on employment and self-employment as well as up-to-date labour market information. In 2008, the two centres provided services to 63 636 young people.

Regulating Local Employment Agencies and Employment Outside Hong Kong

5.31 We monitor the operation of employment agencies through licensing, inspection and investigation of complaints. In 2008, we issued 1 949 employment agency licences and rejected one licence application. As at year-end, there were 1 887 licensed employment agencies in Hong Kong. A total of 1 321 inspections were made to employment agencies in the year.

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



Regulating Labour Importation

Supplementary Labour Scheme

- 5.33 To cater for the genuine needs of employers, the department administers the Supplementary Labour Scheme that allows the entry of imported workers to take up jobs at technician level or below which cannot be filled locally. The scheme operates on the principles of ensuring the priority of local workers in employment while allowing employers with proven local recruitment difficulties to import labour to fill the necessary job vacancies.
- 5.34 We provide active job matching and referral services to local job-seekers to ensure their employment priority. Vacancies under the scheme are widely publicised locally. To facilitate local workers in filling the vacancies, they could attend tailor-made retraining courses, if appropriate. Applications from employers who have set restrictive or unreasonable requirements in terms of age, education, sex, skill or experience for the vacancies or who have no genuine intention to employ local workers will be rejected.
- 5.35 As at the end of 2008, there were 1 338 imported workers working in Hong Kong under the Supplementary Labour Scheme.

Policy on Foreign Domestic Helpers (FDHs)

- 5.36 FDHs have been admitted to work in Hong Kong since the 1970's. Apart from the statutory rights and benefits applicable to all employees in Hong Kong, FDHs are further protected by a standard written employment contract. The standard employment contract prescribes that, inter alia, the employer has to provide to the FDH free accommodation with reasonable privacy, free food (or food allowance in lieu), free passage to and from the FDH's place of origin and free medical treatment, etc. Furthermore, the Government has since the 1970s prescribed a Minimum Allowable Wage for FDHs as an additional safeguard against exploitation. The Government attaches great importance to safeguarding their statutory and contractual rights. Claims of breach of statutory rights will be promptly investigated and prosecution action will be taken if there is sufficient evidence. In the year, the department also widely publicised the rights and benefits of FDHs by, for instance, staging one information kiosk for FDHs at a place they frequently gather on their rest day in February. The event attracted over 6 000 visitors. The Labour Department also maintained close liaison with consulates of the FDH-exporting countries, non-government organisations serving FDHs and FDH employer groups to better address issues relating to importation of FDHs.
- 5.37 As at the end of 2008, there were 256 597 FDHs in Hong Kong, an increase of 4.5 per cent compared with 245 500 in 2007. About 49 per cent of the FDHs in Hong Kong were from the Philippines and 48 per cent from Indonesia.

The Programme of Employee Rights and Benefits

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

- 6.1 The objective of the Employee Rights and Benefits Programme is to improve and safeguard employee rights and benefits in an equitable manner. Our aim is to progressively enhance employment standards in a way which is commensurate with the pace of Hong Kong's economic and social developments and which strikes a reasonable balance between the interests of employers and employees. We achieve this by:
- setting and refining employment standards in consultation with the Labour Advisory Board;
 - ensuring compliance with statutory and contractual terms and conditions of employment through inspection to workplaces, investigation into suspected breaches of the statutory provisions and prosecution of offenders;
 - processing employees' compensation claims;
 - maintaining close partnership with statutory bodies set up for protecting the rights and benefits of employees; and
 - providing customer-oriented information to ensure that employees and employers know their rights and obligations.
- 6.2 The principal legislation administered by this programme area includes the Employees' Compensation Ordinance (ECO), the Pneumoconiosis and Mesothelioma (Compensation) Ordinance (PMCO), the Employment Ordinance (EO) and its subsidiary Employment of Children Regulations and Employment of Young Persons (Industry) Regulations, as well as Part IVB of the Immigration Ordinance.
- 6.3 The ECO establishes a no-fault, non-contributory employee compensation system under which individual employers are liable to pay compensation for work-related injuries or fatalities. The ordinance requires all employers to possess valid insurance policies to cover their liabilities under the ordinance and at common law.
- 6.4 The PMCO provides compensation to persons who suffer from pneumoconiosis and/or Mesothelioma. Compensation is paid from the Pneumoconiosis Compensation Fund, which is administered by the Pneumoconiosis Compensation Fund Board.
- 6.5 The EO is the main piece of legislation governing conditions of employment in the non-government sector. The Employment of Children Regulations made under the EO prohibit the employment of children below the age of 15 in industrial undertakings and regulate the employment of children who have attained the age of 13 but under 15 in non-industrial establishments. The Employment of Young Persons (Industry) Regulations set out requirements on the working time arrangements for young persons employed in the industrial sector and prohibit their employment in dangerous trades.
- 6.6 The Labour Department also administers Part IVB of the Immigration Ordinance to combat illegal employment in order to protect the employment opportunities of local workers.



Our Work and Achievements in 2008

Key Indicators of Work

6.7 We stepped up our efforts to safeguard the rights and benefits of employees through various activities in 2008. Some key indicators of work of this programme area are shown in Figure 6.1.

Amendments to the Pneumoconiosis (Compensation) Ordinance

6.8 In 2008, the Pneumoconiosis (Compensation) Ordinance was amended to make cancerous mesothelioma a compensable disease and was re-titled the Pneumoconiosis and Mesothelioma (Compensation) Ordinance (PMCO) accordingly. Eligible mesothelioma sufferers are entitled to the same compensation and benefits as those provided for pneumoconiotics.

Amendments to the Employees' Compensation Ordinance and the Pneumoconiosis and Mesothelioma (Compensation) Ordinance

6.9 In 2008, the ECO and the PMCO started to recognise the medical treatment, examination and certification given by registered Chinese medicine practitioners for the purpose of employees' entitlement to benefits under the two ordinances.

Stepping Up Enforcement against Wage Offences

6.10 The department takes a serious view on wage default and has put in place effective arrangements to enforce statutory provisions governing payment of wages. In 2008, the department continued to step up prosecution against employers and responsible persons of companies for wage offences. We conducted territory-wide blitz operations and inspections to workplaces to detect wage offences. Labour inspectors actively interviewed employees during territory-wide routine inspections to combat wage offences and conducted investigation speedily into the suspected offences. The Employment Claims Investigation Division also conducted in-depth investigation into suspected wage offences under the EO promptly. Prosecutions were taken out against the employers and the company responsible persons whenever sufficient evidence was available.

6.11 With the department continuing in stepping up enforcement action, 1 088 summonses were heard in respect of wage offences in 2008. As for summonses convicted, the number was 958, a figure comparable with the 960 convictions in 2007. Three company directors and responsible persons and one employer were given custodial sentences in 2008 for wage defaults. In addition, community service orders were imposed on one company director and two employers for committing wage offences. An employer was fined \$110,000 in one prosecution case. These sentences should have sent a strong message to employers on the seriousness of wage defaults.



Chapter 6 Employee Rights and Benefits

Our Work and Achievements in 2008

Vigorous Enforcement to Protect Employee Rights and Benefits

- 6.12 We continued our vigorous enforcement efforts to ensure that the statutory rights of employees under labour legislation are well protected.
- 6.13 In 2008, labour inspectors carried out 132 525 workplace inspections to establishments in different trades to enforce labour laws and in 131 835 of such inspections, they also checked the employees' proof of identity and the employee records kept by employers to deter illegal employment (Figure 6.2). We strengthened the collection and analysis of intelligence on illegal employment activities, and organised 186 operations with the Police and the Immigration Department.
- 6.14 We conducted routine inspections and trade-targeted operations to enforce the compulsory requirement of taking out employees' compensation insurance policy under the ECO. In the year, a total of 67 882 inspections were conducted to enforce the statutory requirement. Employers failing to comply with the requirement were prosecuted.
- 6.15 In the year, we continued to work closely with government departments in monitoring their service contractors to ensure that non-skilled employees of the contractors enjoyed their statutory rights and benefits. A total of 688 inspections were conducted to the workplaces of such workers and 2 218 workers were interviewed to check contractors' compliance with labour laws.
- 6.16 To ensure compliance with the required conditions under the Supplementary Labour Scheme, we investigated 66 complaints and cases on suspected irregularities involving imported workers such as allegations of deprivation of statutory holidays or rest days, long working hours and late payment of wages.

Processing Employees' Compensation Cases

- 6.17 Under the current no-fault employees' compensation system, compensation is payable to injured employees or family members of deceased employees for any work-related injuries or deaths. Claims for compensation involving fatality are determined by the courts or the Commissioner for Labour under the improved settlement mechanism introduced in August 2000.
- 6.18 In 2008, 59 867 employees' compensation cases, including 15 826 minor cases involving sick leave of not exceeding three days, were received. At year-end, among the 44 041 fatal cases or non-fatal cases involving sick leave exceeding three days, 29 535 cases were processed or settled. Compensation amounting to \$215 million was payable to the injured employees in these cases. The remaining cases are in the process of recovery and are being followed up. (Figures 6.3 and 6.4)

Our Work and Achievements in 2008

6.19 In 2007, 62 241 employees' compensation cases, including 16 239 minor cases which involved sick leave of not exceeding three days, were received. As at the end of 2008, among the 46 002 fatal cases or non-fatal cases with sick leave exceeding three days, 42 976 cases were settled. A sum of \$593 million was payable as compensation to the injured employees in these cases. The number of working days lost was 1 145 017. The remaining cases are in the process of recovery and are being followed up. (Figure 6.5)

6.20 The Loan Scheme for Employees Injured at Work and Dependants of Deceased Employees provides temporary relief to victims of work accidents. Under the scheme, an interest-free loan up to \$15,000 in each case will be made to eligible applicants. In 2008, a total loan of \$46,500 was approved in four applications.

Processing Claims Related to Severe Acute Respiratory Syndrome (SARS)

6.21 The Labour Department has settled all SARS cases which can be resolved by the issue of certificates of compensation assessment by the department, seven of which are fatal cases and 283 are non-fatal cases.

Briefings and Promotional Campaigns

6.22 In 2008, we arranged seven briefings for government departments and 48 briefings for imported workers, to publicise the rights and obligations of the parties concerned.

6.23 Extensive publicity campaigns were launched to warn against illegal employment. We widely publicised our complaint telephone hotline (2815 2200) through press releases, posters, advertisements on tram body and inside train stations and compartments, as well as distribution of souvenirs etc. to encourage members of the public to provide intelligence on illegal employment activities.

6.24 We strengthened promotion on timely reporting of work accidents by employers and publicity on employers' statutory obligation to take out insurance policies to cover their liabilities for injuries at work sustained by their employees through TV and radio announcements, leaflets, posters, newspapers, departmental homepage and seminars on the ECO.



Publications to promote understanding of the Employees' Compensation Ordinance.

Chapter 6 Employee Rights and Benefits

Our Work and Achievements in 2008

- 6.25 We actively educated employers and employees about their rights and obligations under the ECO. In the year, we held 11 talks on ECO, and published six articles on the handling of employees' compensation cases in the press.



Snapshot of a Seminar on the Employees' Compensation Ordinance.

Partnership with Statutory Bodies

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

Protection of Wages on Insolvency Fund Board

- 6.27 The Protection of Wages on Insolvency Ordinance (PWIO) provides for the establishment of the Protection of Wages on Insolvency Fund and its administration by a board. Under the PWIO, employees who are owed wages, wages in lieu of notice and severance payment by their insolvent employers may apply to the fund for ex gratia payment within six months after their last day of service.
- 6.28 We provide administrative support to the Protection of Wages on Insolvency Fund Board, verify applications and approve payment from the fund. Due to the impact of the global financial crisis, we received 6 448 applications in 2008, a substantial increase of 33 per cent as compared with 4 836 in 2007. A breakdown of applicants classified by economic sector is shown in Figure 6.6. During the year, we processed 5 728 applications, leading to payment of \$96 million. The financial position of the fund improved continuously and recorded a surplus of \$371 million for 2008.
- 6.29 By providing a safety net for employees affected by business closures, the fund plays an important role in maintaining harmonious labour relations and social stability. Both the department and the fund board attach great importance to protecting the fund from abuse. To this end, stringent vetting procedures are in place to process all applications. An inter-departmental task force has been formed by representatives of the Labour Department, Official Receiver's Office, Commercial Crime Bureau of the Police Force and Legal Aid Department to take concerted actions against suspected fraudulent cases.

Our Work and Achievements in 2008

Pneumoconiosis Compensation Fund Board

6.30 The Pneumoconiosis Compensation Fund Board (PCFB) is established under the PMCO to provide compensation to persons suffering from pneumoconiosis and/or mesothelioma. The board is financed by a levy collected from the construction and quarrying industries. Under the PMCO, the Labour Department is responsible for determining whether an applicant is entitled to compensation. As at the end of 2008, 1 877 eligible persons were receiving compensation in the form of monthly payments from the PCFB. In the year, the board made a total compensation payment of \$140 million.

Employees Compensation Assistance Fund Board

6.31 The Employees Compensation Assistance Fund Board (ECAFB) is set up under the Employees Compensation Assistance Ordinance (ECAO). The ECAFB is responsible for running the Employees Compensation Assistance Scheme which provides payment to injured employees who are unable to receive their entitlements for employment-related injuries from their employers or insurers. In 2008, the board approved 63 applications, leading to payment of \$33.5 million. With effect from April 1, 2004, the Employees Compensation Insurer Insolvency Bureau established by the insurance industry has taken over from the ECAFB the responsibility of meeting the liabilities arising from employees' compensation insurance policies in the event of the insolvency of the relevant insurers.

Occupational Deafness Compensation Board

6.32 The Occupational Deafness Compensation Board is established under the Occupational Deafness (Compensation) Ordinance to provide compensation and reimbursement of expenses incurred in purchasing, repairing and replacing hearing assistive devices to those persons who suffered from noise-induced deafness due to employment in specified noisy occupations. The board also has an important role in providing educational and publicity programmes for the prevention of occupational deafness, and providing rehabilitation programmes for those suffering from noise induced-deafness by reason of employment. During the year, the board approved 58 applications for compensation with a total compensation payout at \$7.5 million and 305 applications for payment of expenses on hearing assistive devices with a total payout at \$680,000. The board also provided 565 rehabilitation programmes for people having occupational deafness.



Chapter 7 International Labour Affairs

International Instruments Setting Out Labour Standards

- 7.1 International Labour Conventions set by the International Labour Organisation (ILO) prescribe relevant labour standards for member states. As at year-end, 41 international labour Conventions were applied to the HKSAR, with or without modification (Figure 7.1), notwithstanding that Hong Kong is not a sovereign entity and not an ILO member. Other international instruments, including the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, also touch on labour standards, albeit to a much smaller extent.
- 7.2 A comprehensive set of labour legislation and administrative measures are in place in the HKSAR to enable the Government to implement internationally accepted labour standards. Through continuous improvements to labour legislation and administrative measures, the HKSAR maintains a level of labour standards broadly equivalent to those of neighbouring countries with similar economic development as well as social and cultural background.

Participation in the Activities of the ILO

- 7.3 The HKSAR may participate in the activities of the ILO, either as part of the delegation of the People's Republic of China or, for activities which are not limited to states, on its own using the name "Hong Kong, China".
- 7.4 In 2008, the Labour Department continued to participate actively in activities organised by the ILO to keep abreast of the latest development of international labour matters. In the year, representatives from the HKSAR participated in the 97th Session of the International Labour Conference held in Geneva, and an ILO seminar on work, income and gender equality in Beijing. (Figure 7.2)

Contacts with Other Labour Administrations

- 7.5 Delegations of labour administrators from the Mainland and overseas countries visited the Labour Department in the year. The department also sent study missions to different provinces in the Mainland and overseas countries such as, the Republic of France, Germany, the United States of America, Canada, the United Kingdom and New Zealand. Apart from strengthening mutual cooperation, these visits provided opportunities for representatives of the department to exchange views and experience with its counterparts on various labour issues.



Chapter 8 Figures and Charts

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- Figure 2.3 Terms of Reference and Composition of the Labour Advisory Board and Membership for the year 2008
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- Figure 3.2 Number of Labour Disputes Handled by the Labour Relations Division from 2004 to 2008
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- Figure 3.4 Number of Labour Disputes Handled by the Labour Relations Division in 2008 by Cause
- Figure 3.5 Number of Claims Handled by the Labour Relations Division in 2008 by Cause
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- Figure 6.1 Key Indicators of Work of the Employee Rights and Benefits Programme Area in 2008
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Figure 2.1 Number of summonses convicted and total fines in 2008

Ordinance	Summonses convicted	Fines (\$)
Boilers and Pressure Vessels Ordinance		
Sub-total	25	78,500
Employees' Compensation Ordinance		
Sub-total	1,141	2,512,700
Employment Ordinance and subsidiary regulations		
Statutory benefits cases	1,400	3,134,300
Young persons cases	3	4,500
Others	41	117,500
Sub-total	1,444	3,256,300
Factories and Industrial Undertakings Ordinance and subsidiary regulations		
Factory cases	347	2,074,100
Building and engineering construction cases	1,069	8,567,950
Sub-total	1,416	10,642,050
Occupational Safety and Health Ordinance and subsidiary regulations		
Sub-total	254	1,605,100
Others		
Sub-total	96	99,600
Total	4,376	18,194,250

Figure 2.2

Organisation Structure of the Labour Department
(as at 31 December 2008)



Figure 2.3 Terms of Reference and Composition of the Labour Advisory Board and Membership for the year 2008

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

Mrs Cherry TSE LING Kit-ching, JP Commissioner for Labour

Members

Employee Representatives

Mr LEUNG Chau-ting	} elected by registered employee unions
Hon IP Wai-ming, MH	
Ms NG Wai-yee	
Mr CHUNG Kwok-sing	
Mr LEE Tak-ming	
Mr CHENG Kai-ming	appointed ad personam

Employer Representatives

Mr HO Sai-chu, GBS, JP	representing the Chinese General Chamber of Commerce
Dr Kim MAK Kin-wah, BBS, JP	representing the Employers' Federation of Hong Kong
Mr Paul YIN Tek-shing, BBS, JP	representing the Chinese Manufacturers' Association of Hong Kong
Mr Stanley LAU Chin-ho, MH, JP	representing the Federation of Hong Kong Industries
Mr Stanley HUI Hon-chung, JP	representing the Hong Kong General Chamber of Commerce
Mr CHEUNG Sing-hung, BBS	appointed ad personam

Secretary

Mr Charles HUI Pak-kwan Senior Labour Officer (Development)

Figure 3.1 Key Indicators of Work of the Labour Relations Programme Area in 2008

Key Indicators of Work		Number
I.	Conciliation and Consultation Services	
	Labour disputes and claims handled	20,743
	In-person consultations handled	83,897
	Percentage of labour disputes and claims resolved through conciliation	72.70%
II.	Adjudication of Minor Employment Claim	
	Claims adjudicated by Minor Employment Claims Adjudication Board	2,044
III.	Regulation of Trade Unions	
	Registration of new trade unions and changes of union names/rules	174
	Inspection visits to trade unions	373
	Account statements of trade unions examined	668
	Training courses and seminars organised for trade unions	5

Figure 3.2 Number of Labour Disputes Handled by the Labour Relations Division from 2004 to 2008



Figure 3.3

Number of Claims Handled by the Labour Relations Division from 2004 to 2008

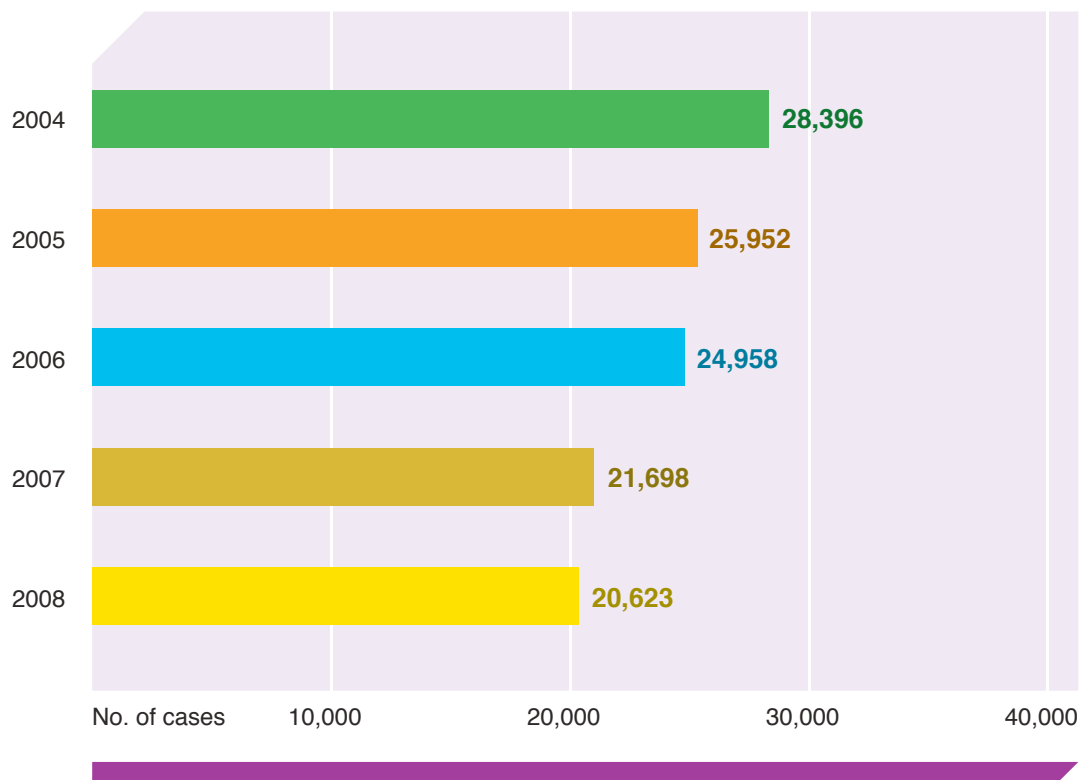
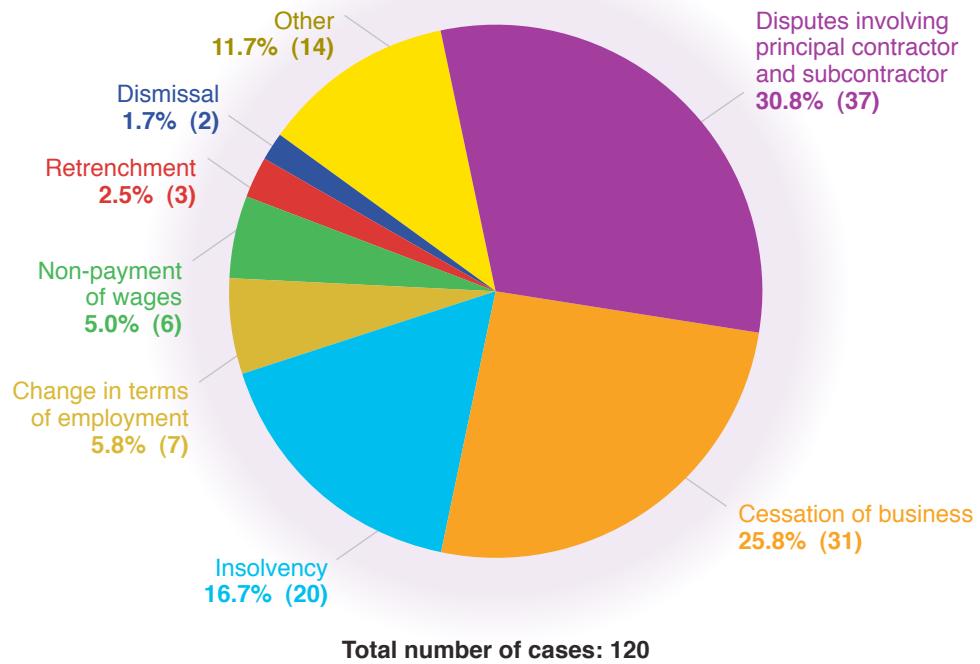


Figure 3.4

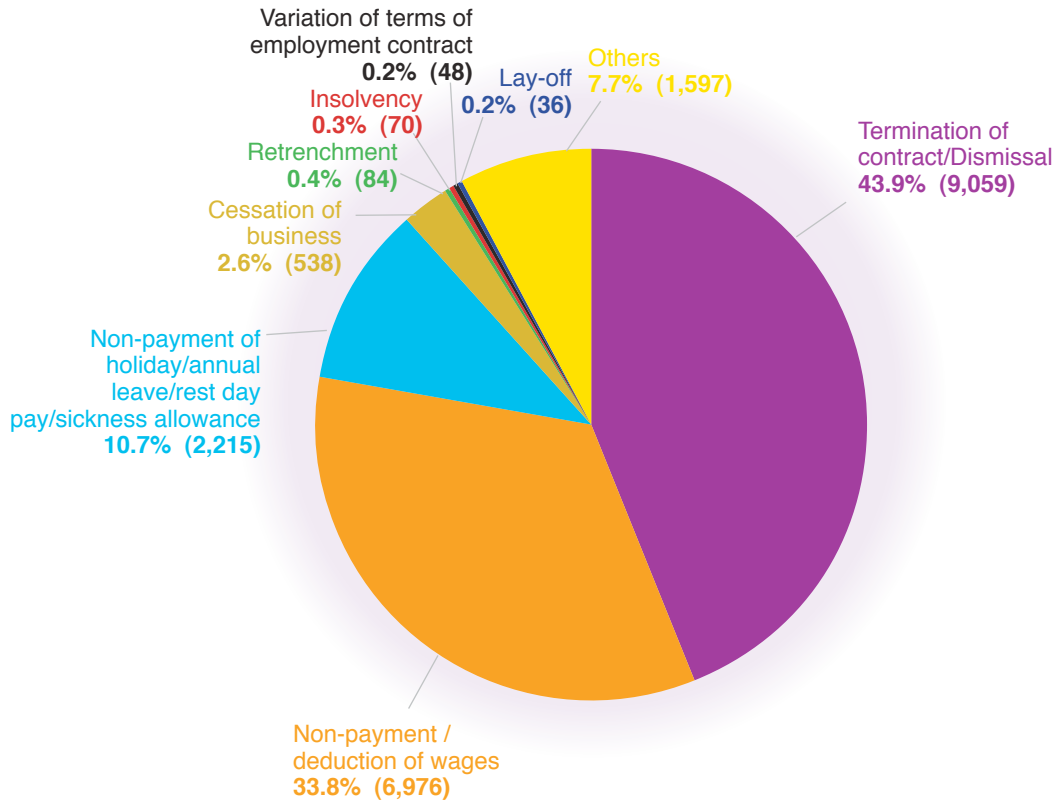
Number of Labour Disputes Handled by the Labour Relations Division in 2008 by Cause*



* Figures in bracket indicate the number of related cases

Figure 3.5

Number of Claims Handled by the Labour Relations Division in 2008 by Cause*



Total number of cases: 20,623

* Figures in bracket indicate the number of related cases

Figure 3.6 Number of Strikes and Number of Employees Involved from 2004 to 2008

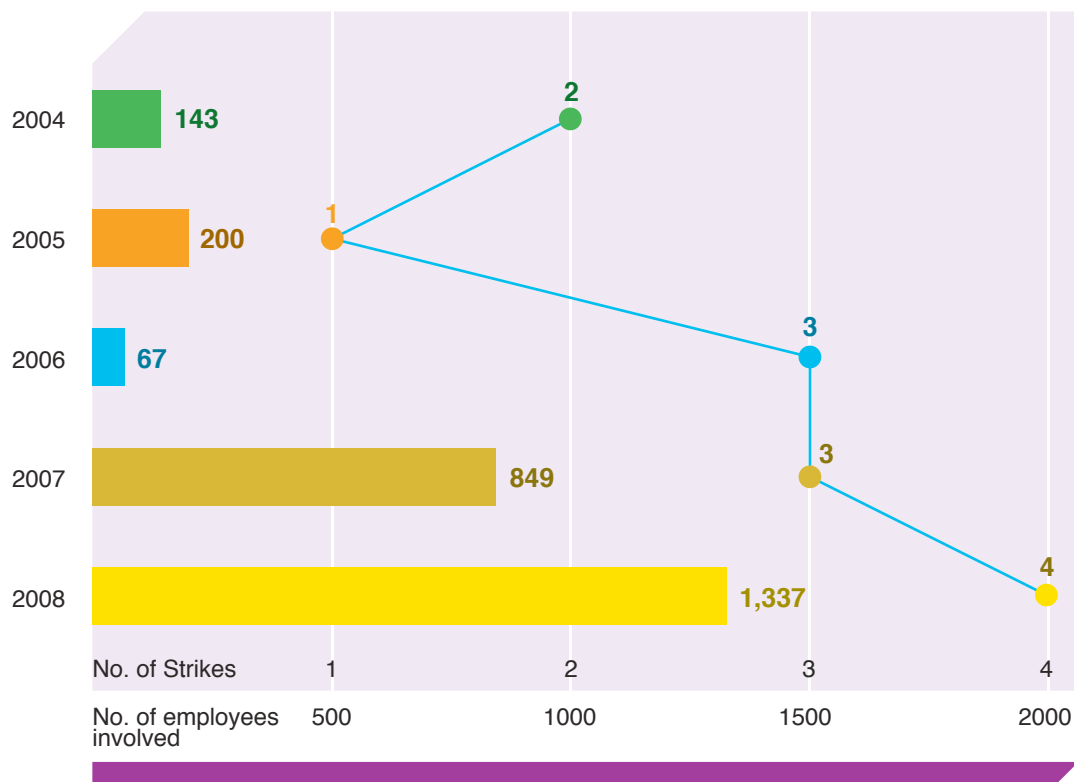
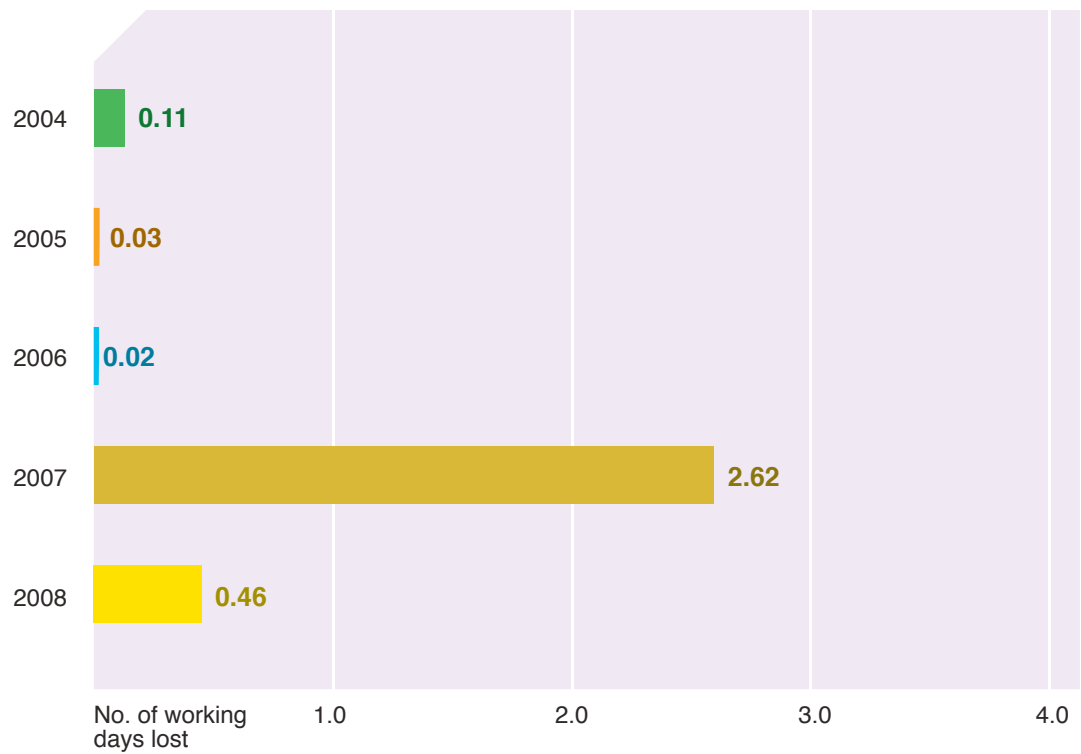


Figure 3.7 Number of Working Days Lost per 1,000 Salaried Employees and Wage Earners* from 2004 to 2008



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

Figure 4.1

Key Indicators of Work of the Programme of Safety and Health at Work in 2008

Indicator		Number
I.	Inspections	
	Inspections under the FIUO ¹ and the OSHO ²	111,866
	Inspections under the BPVO ³	4,706
II.	Investigations	
	Investigations of accidents and workplaces	10,913
	Investigations of suspected cases of occupational diseases	2,763
III.	Promotion and Education	
	Promotional visits to workplaces under the FIUO ¹ and the OSHO ²	5,803
	Talks, lectures and seminars organised	2,263
IV.	Pressure Equipment Registration	
	Pressure equipment registered	1,243
	Examinations conducted and exemptions granted, for the issue or endorsement of certificates of competency	420
V.	Clinical Services	
	Clinical consultations conducted	12,999
	Medical examinations and assessments conducted	3,070

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 2008

Key Indicators of Work		Number
I.	Able-bodied Job-seekers :	
	Persons registered	168,740
	Placements	146,308
II.	Disabled Job-seekers:	
	Persons registered	3,327
	Placements	2,490
III.	Regulating Employment Agency	
	Licences issued	1,949
	Inspections	1,321
IV.	Applications under Supplementary Labour Scheme Processed	662

Figure 5.2

Key Indicators of Work on Employment Assistance Rendered to Able-bodied Job-seekers from 2004 to 2008

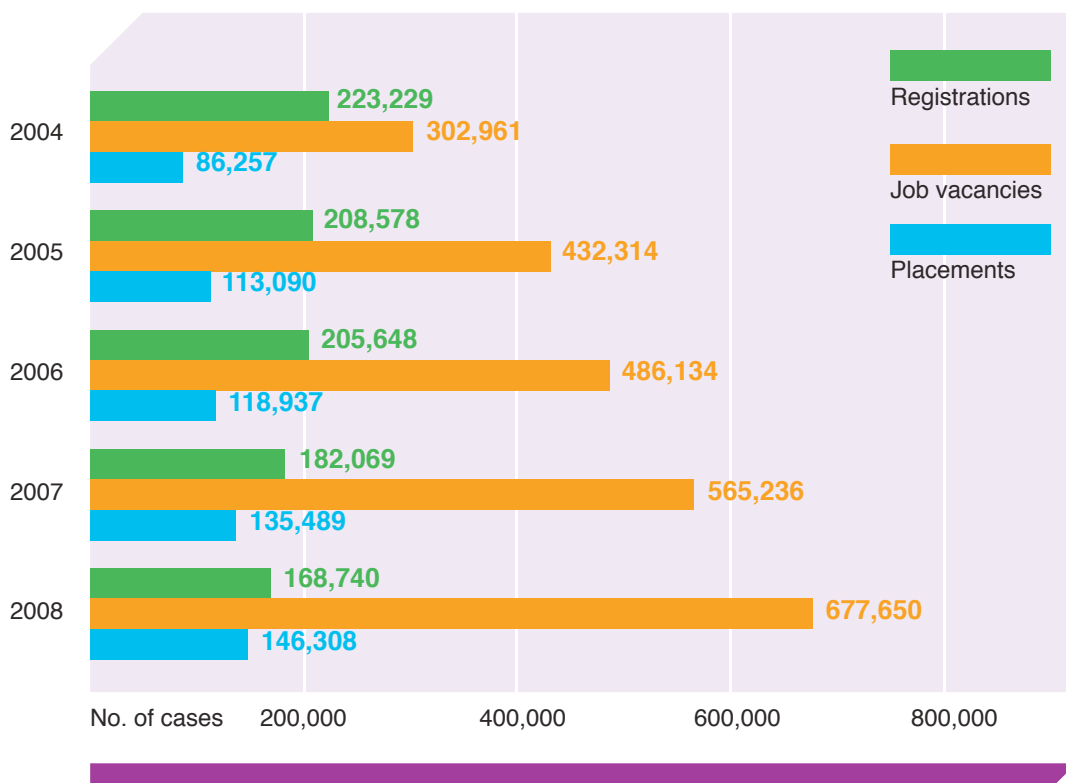


Figure 5.3

Key Indicators of Work on Employment Assistance Rendered to Job-seekers with a Disability from 2004 to 2008

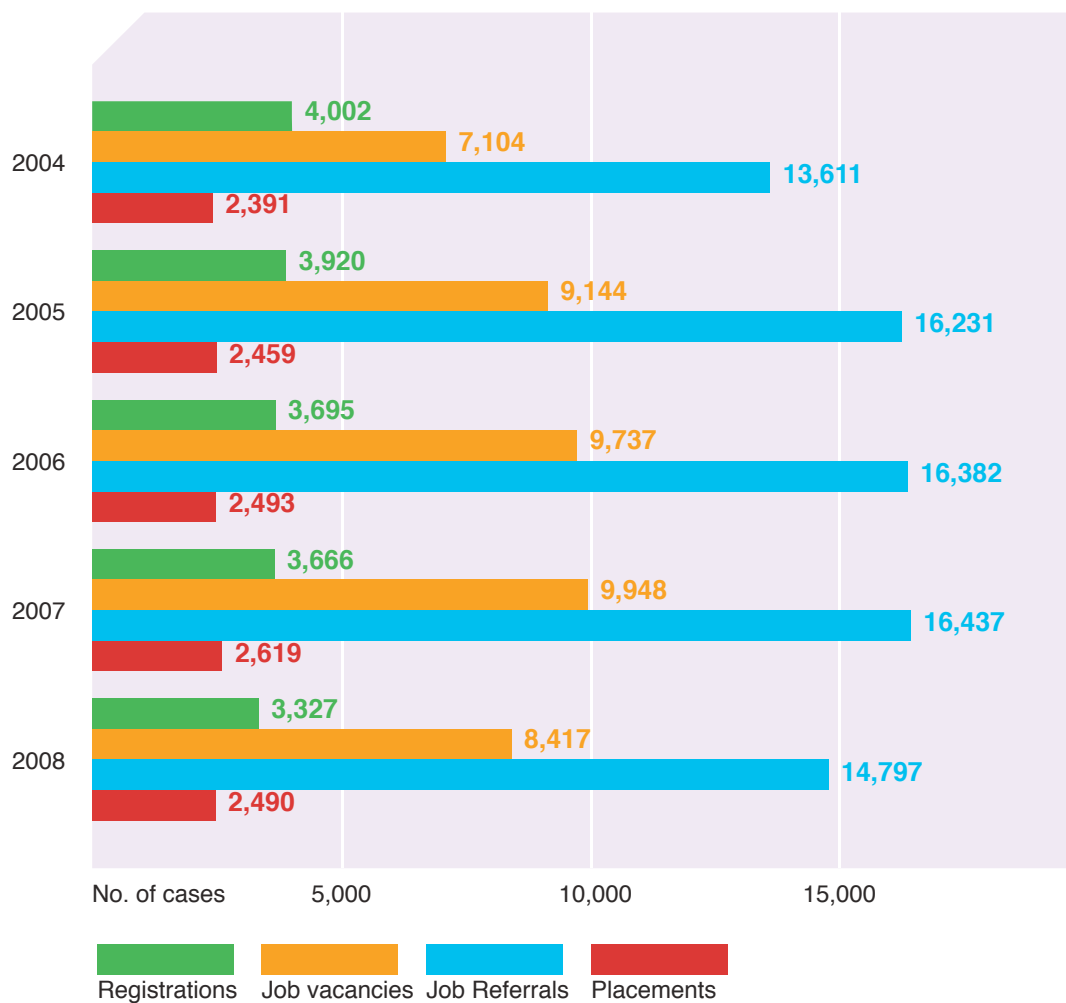
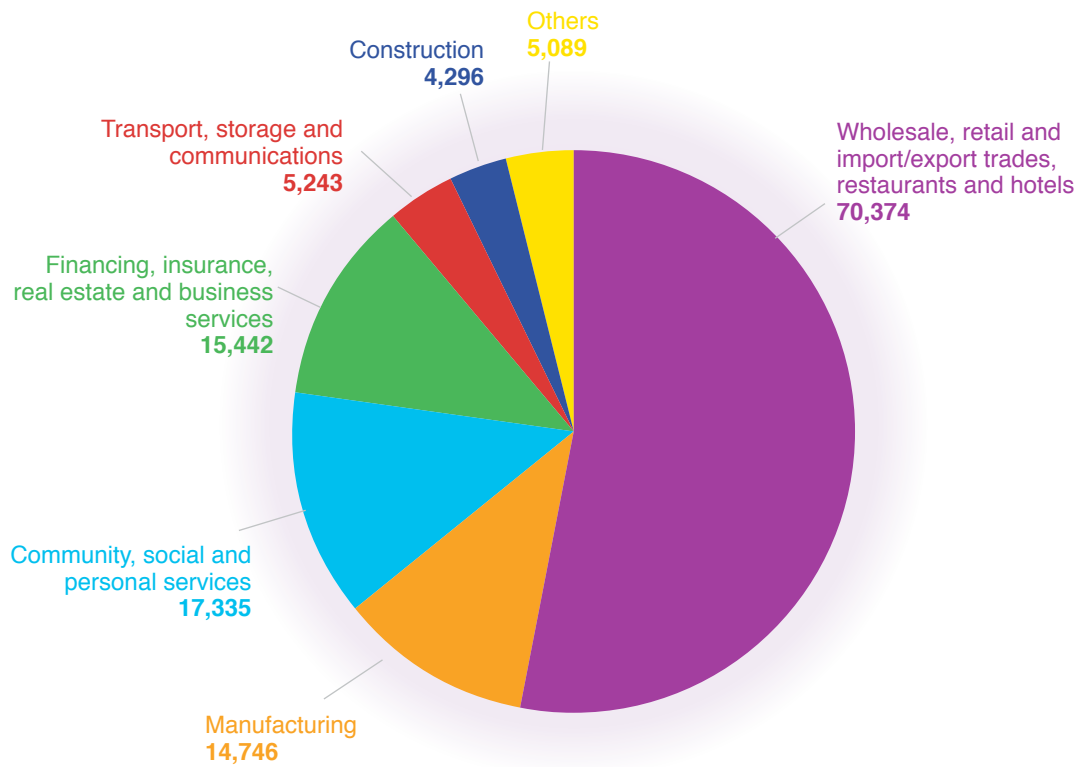


Figure 6.1 Key Indicators of Work of the Employee Rights and Benefits Programme Area in 2008

Key Indicators of Work		Number
I.	Inspections to workplaces	132,525
II.	Employees' compensation claims received	59,867
III.	Sick leave clearance interviews for injured employees conducted	45,795
IV.	Assessment of loss of earning capacity of injured employees	
	Ordinary assessment	16,825
	Special assessment	5
	Review assessment	2,960
V.	Applications for payment under the Protection of Wages on Insolvency Fund processed	5,728
VI.	Cases related to imported workers investigated	66
VII.	Convicted summonses on wage offences	958

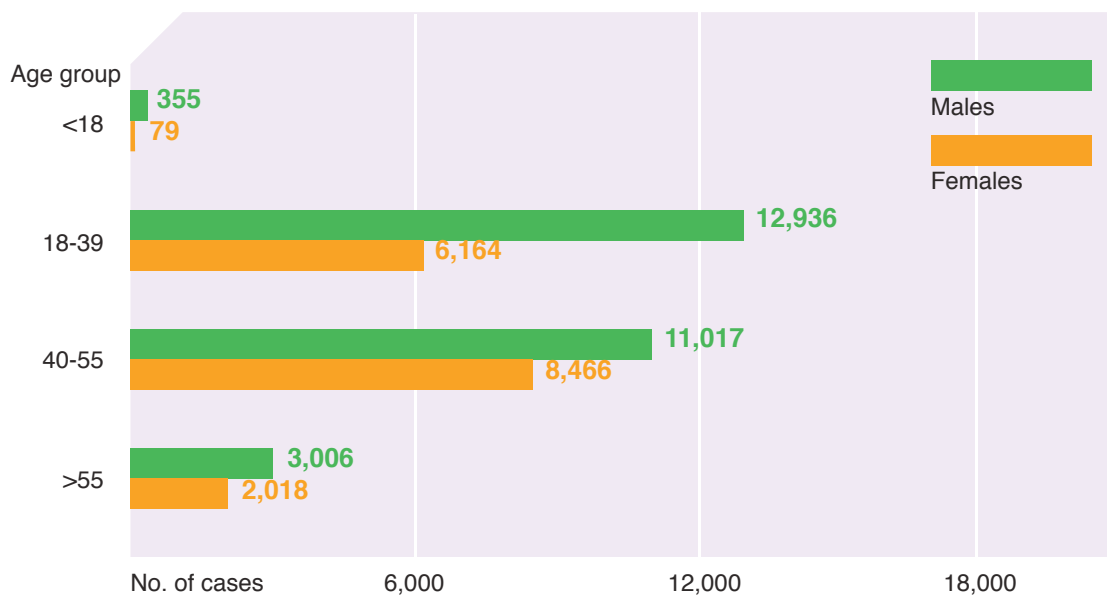
Figure 6.2 Number of Inspections Made in 2008 by Major Economic Sector



Total number of cases: 132,525

Figure 6.3

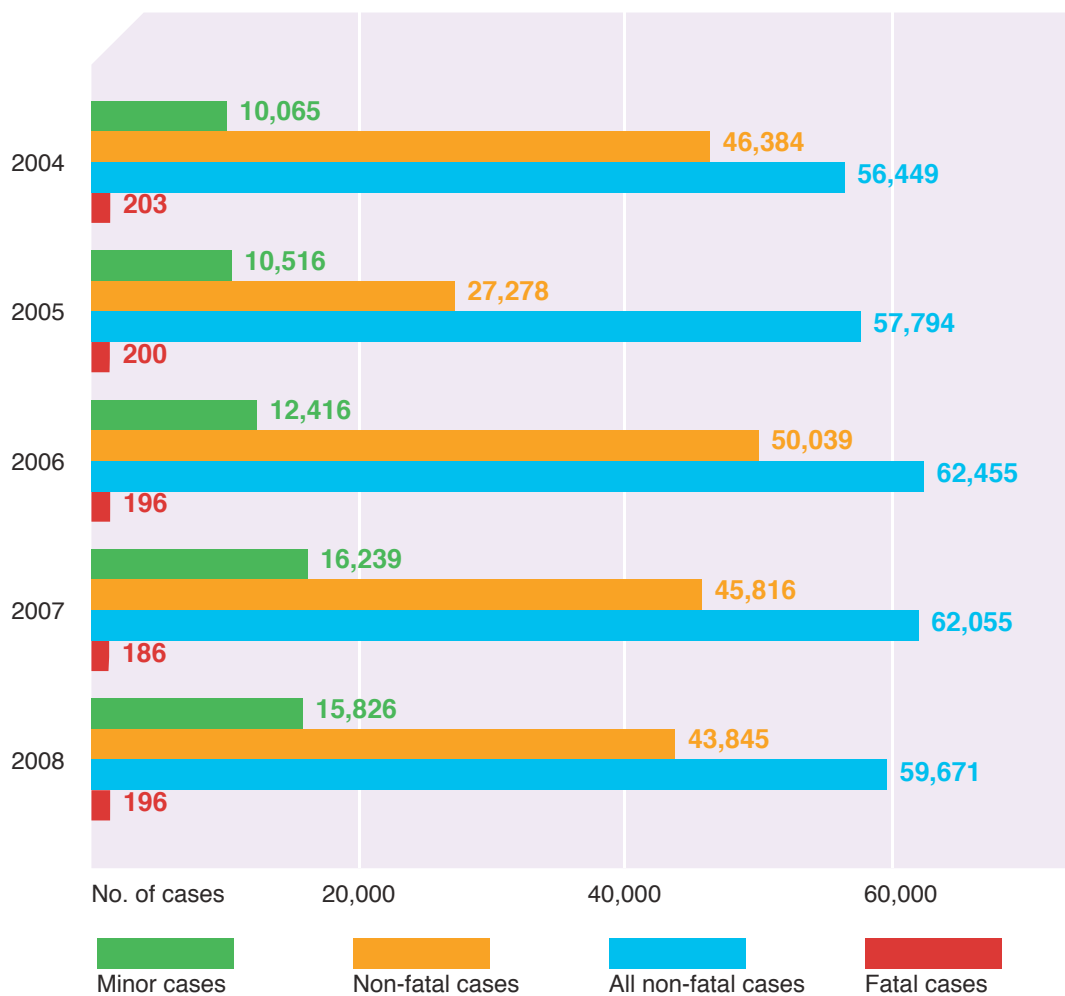
Number of Cases Reported under the Employees' Compensation Ordinance in 2008 by Sex and Age*



* The figures have not included 15 826 minor cases (i.e. cases involving sick leave of not exceeding three days).

Figure 6.4

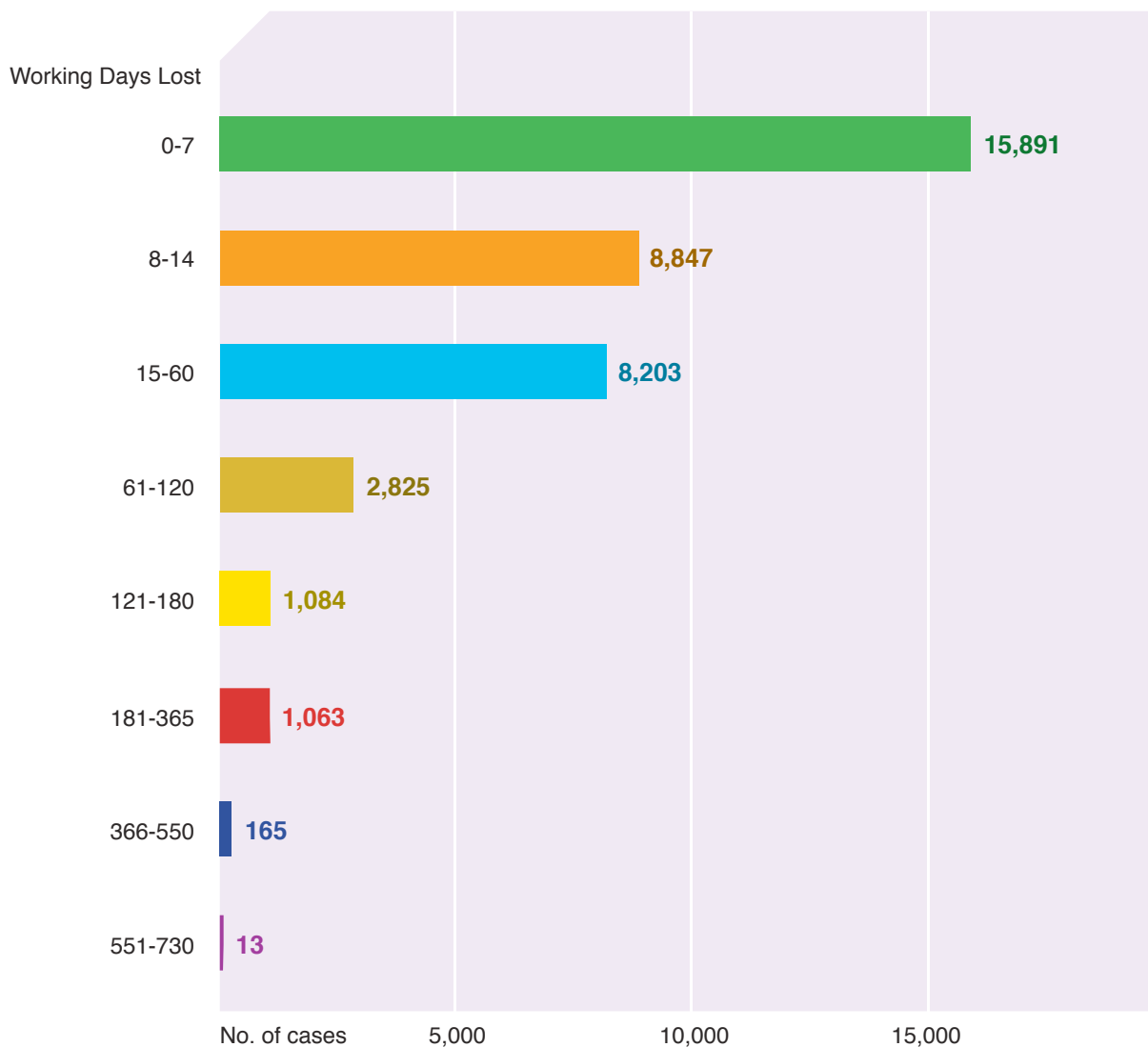
Number of Cases Reported under the Employees' Compensation Ordinance from 2004 to 2008*



* (1) The figures for 2004, 2005, 2006, 2007 and 2008 include 15, 18, 22, 17 and 25 cases respectively in which the death of the employee was found to be due to natural cause.
 (2) Minor cases refer to cases involving sick leave of not exceeding three days.

Figure 6.5

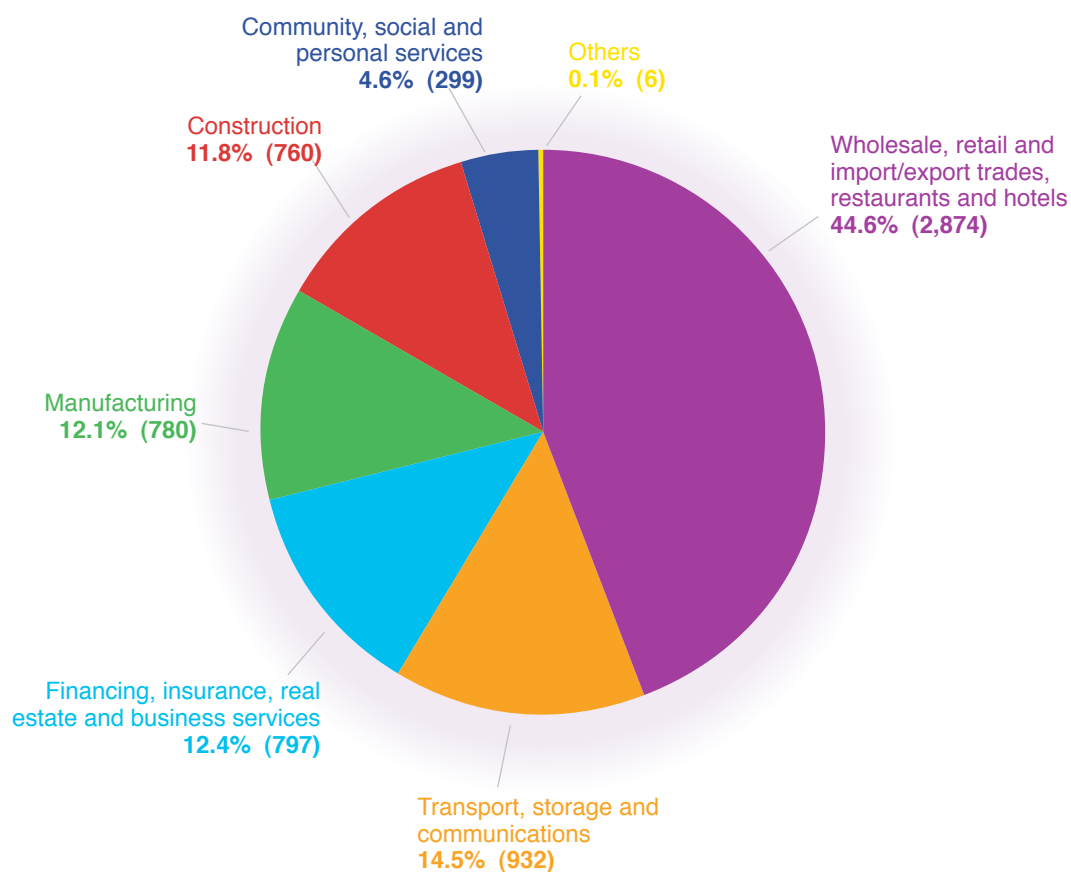
Number of Employees' Compensation Cases by Working Days Lost for Cases Reported in 2007 and Result Known as at 31 December 2008*



* Excludes minor cases (i.e. cases involving sick leave of not exceeding three days).

Figure 6.6

Number of Applicants of the Protection of Wages on Insolvency Fund in 2008 by Economic Sector*



Total number of applicants: 6,448

* Figures in bracket indicate the number of related cases

Figure 7.1

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

Convention No.	Title
2	Unemployment Convention, 1919
3	Maternity Protection Convention, 1919
8	Unemployment Indemnity (Shipwreck) Convention, 1920
11	Right of Association (Agriculture) Convention, 1921
12	Workmen's Compensation (Agriculture) Convention, 1921
14	Weekly Rest (Industry) Convention, 1921
16	Medical Examination of Young Persons (Sea) Convention, 1921
17	Workmen's Compensation (Accidents) Convention, 1925
19	Equality of Treatment (Accident Compensation) Convention, 1925
22	Seamen's Articles of Agreement Convention, 1926
23	Repatriation of Seamen Convention, 1926
29	Forced Labour Convention, 1930
32	Protection against Accidents (Dockers) Convention (Revised), 1932
42	Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934

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

50	Recruiting of Indigenous Workers Convention, 1936
64	Contracts of Employment (Indigenous Workers) Convention, 1939
65	Penal Sanctions (Indigenous Workers) Convention, 1939
74	Certification of Able Seamen Convention, 1946
81	Labour Inspection Convention, 1947
87	Freedom of Association and Protection of the Right to Organise Convention, 1948
90	Night Work of Young Persons (Industry) Convention (Revised), 1948
92	Accommodation of Crews Convention (Revised), 1949
97	Migration for Employment Convention (Revised), 1949
98	Right to Organise and Collective Bargaining Convention, 1949
101	Holidays with Pay (Agriculture) Convention, 1952
105	Abolition of Forced Labour Convention, 1957
108	Seafarers' Identity Documents Convention, 1958
115	Radiation Protection Convention, 1960
122	Employment Policy Convention, 1964
124	Medical Examination of Young Persons (Underground Work) Convention, 1965
133	Accommodation of Crews (Supplementary Provisions) Convention, 1970

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

138	Minimum Age Convention, 1973
141	Rural Workers' Organisations Convention, 1975
142	Human Resources Development Convention, 1975
144	Tripartite Consultation (International Labour Standards) Convention, 1976
147	Merchant Shipping (Minimum Standards) Convention, 1976
148	Working Environment (Air Pollution, Noise and Vibration) Convention, 1977
150	Labour Administration Convention, 1978
151	Labour Relations (Public Service) Convention, 1978
160	Labour Statistics Convention, 1985
182	Worst Forms of Child Labour Convention, 1999



Figure 7.2 Participation in Major ILO Activities and Contacts with Other Labour Administrations in 2008

1. Commissioner for Labour led a delegation to visit the Macao Special Administrative Region. Members of the delegation exchanged views with officials of the Macao Labour Affairs Bureau on matters related to labour administration and work safety.
2. A delegation, comprising the Labour Department, the Census and Statistics Department and the Financial Secretary's Office, was sent to visit France and Germany to learn the two countries' experiences in implementing the minimum wage legislation.
3. The Labour Department sent an officer to visit the Guangdong Provincial Work Injury Rehabilitation Centre to study the promotion of work injury rehabilitation in the province.
4. Officers of the Labour Department and the Labour and Welfare Bureau served as resource persons in the ILO Policy Seminar on Work, Income and Gender Equality in China in Beijing to share with the participants the labour market situation and trends in the HKSAR. The seminar was organised by the ILO, the China Labour Association of the Ministry of Human Resources and Social Security and Women Research Institute of All China Women's Federation.
5. The Labour Department sent a delegation to the United States of America to study their employment services and wage protection policy for the disabled persons.

Figure 7.2 Participation in Major ILO Activities and Contacts with Other Labour Administrations in 2008

6. Deputy Commissioner for Labour (Labour Administration) led a tripartite team comprising government, employer and employee representatives to attend the 97th Session of the International Labour Conference in Geneva, Switzerland as part of the Chinese delegation.
7. Assistant Commissioner for Labour (Occupational Safety) led a delegation to attend the 4th China Hong Kong Safe & Healthy Community Network Annual Conference cum Shenzhen-Hong Kong International Safe Community Conference in Shenzhen.
8. Deputy Commissioner for Labour (Labour Administration) led a study mission comprising members of the Labour Advisory Board and government officers to the United Kingdom to study its experience in implementing the statutory National Minimum Wage.
9. The Labour Department sent an officer as a resource person to attend the Global Youth Employment Summit in Azerbaijan to share the experiences of setting up youth employment resource centres with the participants.
10. The Labour Department sent a delegation to visit the United Kingdom and Denmark to study the policy on chiropractors in the employees' compensation system.
11. The Labour Department sent a delegation to the United Kingdom to attend the Forum and Conference organised by Prince of Wales Youth Business International Limited.

Figure 7.2 Participation in Major ILO Activities and Contacts with Other Labour Administrations in 2008

12. Commissioner for Labour led a delegation to attend the 4th China International Forum on Work Safety in Beijing. The event was co-organized by the State Administration of Work Safety and the ILO. The delegation also visited the Ministry of Human Resources and Social Security, Hong Kong and Macao Affairs Office of the State Council and Beijing Administration of Work Safety.
13. Vice Mayor of the People's Government of Beijing Municipality and Director-general of the Beijing Administration of Work Safety each led a delegation to visit the HKSAR. Members of the delegations exchanged views with officers of the Labour Department on occupational safety issues in Hong Kong.
14. The Labour Department sent a delegation to visit the New Zealand to study the labour relations of the country.
15. The Labour Department sent a delegation to visit the WorksafeBC (Workers' Compensation Board of British Columbia) in Canada to study the employees' compensation system of the country.
16. Ms SONG Juan, Director-General, Department of Conciliation and Arbitration Management, Ministry of Human Resources and Social Security of the State Council, led a delegation to visit the HKSAR under the Reciprocal Visit Programme. The delegation exchanged views with officers of the Labour Department on various labour issues.