

立法會
Legislative Council

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LC Paper No. CB(2)1490/02-03
(These minutes have been seen
by the Administration)

Panel on Manpower

Minutes of meeting
held on Thursday, 20 February 2003 at 2:30 pm
in the Chamber of the Legislative Council Building

Members present : Hon LAU Chin-shek, JP (Chairman)
Hon CHAN Kwok-keung (Deputy Chairman)
Hon Cyd HO Sau-lan
Hon LEE Cheuk-yan
Hon CHEUNG Man-kwong
Hon LEUNG Yiu-chung
Hon Ambrose LAU Hon-chuen, GBS, JP
Hon Andrew CHENG Kar-foo
Hon SZETO Wah
Hon LI Fung-ying, JP
Hon Tommy CHEUNG Yu-yan, JP
Hon Michael MAK Kwok-fung
Hon Frederick FUNG Kin-kee

Members absent : Hon Kenneth TING Woo-shou, JP
Dr Hon LUI Ming-wah, JP
Hon CHAN Yuen-han, JP
Hon YEUNG Yiu-chung, BBS
Hon LEUNG Fu-wah, MH, JP

Public Officers attending : Item III

Mr Matthew CHEUNG Kin-chung, JP
Permanent Secretary for Economic Development and Labour (Labour)

Mrs Jenny CHAN, JP
Assistant Commissioner for Labour (Employees' Rights and Benefits)

Item IV

Mr Matthew CHEUNG Kin-chung, JP
Permanent Secretary for Economic Development and Labour (Labour)

Mr TSANG Kin-woo, JP
Assistant Commissioner for Labour (Employment Services)

Mr Stanley NG Ka-kwong
Senior Labour Officer
Labour Department

Item V

Mr Matthew CHEUNG Kin-chung, JP
Permanent Secretary for Economic Development and Labour (Labour)

Mr Fred TING, JP
Deputy Commissioner for Labour (Occupational Safety and Health)

Mr CHOW Tung-shan, JP
Assistant Commissioner for Labour (Occupational Safety) 1

Clerk in attendance : Mrs Sharon TONG
Chief Assistant Secretary (2) 1

Staff in attendance : Ms Dora WAI
Senior Assistant Secretary (2) 4

Action

I. Matters arising
(LC Paper No. CB(2)1188/02-03(01))

Members noted the information paper provided by the Administration concerning improvement to the content of the Labour Department's webpage for employment in the Mainland.

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II. Date of next meeting and items for discussion
(LC Paper Nos. CB(2)1188/02-03(02) and (03))

2. Members agreed that the following items be discussed at the next meeting to be held on 20 March 2003 at 2:30 pm -

- (a) Proposed new importation of labour scheme;
- (b) Strengthening assistance to the middle-aged unemployed to seek employment;
- (c) Briefing on the commencement of the Occupational Safety and Health (Display Screen Equipment) Regulation; and
- (d) Review of Project Yi Jin.

(Post-meeting note : At the request of the Administration and with the concurrence of the Chairman, the discussion on the item referred to in paragraph 2(a) above has been deferred to a future meeting.)

3. Members expressed the view that as soon as the Executive Council (ExCo) had taken a decision on the population policy, the Chief Secretary for Administration should make a statement in the Council on ExCo's decision, prior to briefing the media. The Panel would then hold follow-up discussions on those issues relating to labour and manpower. Members agreed that the Chairman should convey to the House Committee the views of the Panel.

4. Referring to item 6 on the list of follow-up actions, Mr LEUNG Yiu-chung enquired whether the Administration had provided a paper setting out its position on issues and concerns raised by members at the meeting on 21 November 2002 concerning the proposals relating to the setting up of a qualifications framework and a quality assurance mechanism. The Chairman informed members that the paper had not yet been received, and directed that the Administration be further reminded to provide the paper for members' information.

Clerk

III. Medical expenses under the Employees' Compensation Ordinance and the Pneumoconiosis (Compensation) Ordinance
(LC Paper No. CB(2)1188/02-03(04))

5. Permanent Secretary for Economic Development and Labour (Labour) (PS for EDL (Labour)) and Assistant Commissioner for Labour (Employees' Rights and Benefits) (AC for L (R&B)) briefed members on the proposal to revise the levels of medical expenses under the Employees' Compensation Ordinance (ECO) and the Pneumoconiosis (Compensation) Ordinance (PCO) on 1 April 2003 when the new fee structure for public health care services was implemented as set out in the Administration's paper.

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6. Mr LEE Cheuk-yan expressed support for the proposal. He enquired whether the insurance industry had revealed that the proposed revision of the levels of medical expenses under the ECO and the PCO would bring about pressure for higher premium.

7. AC for L (R&B) responded that the insurance industry was still in the process of assessing the implications of the proposal on the premium level of employees' compensation (EC) insurance. Therefore, she was unable to provide an answer to Mr LEE Cheuk-yan's question at this meeting. However, it was envisaged that the amount of medical expenses incurred by insurers underwriting EC insurance would increase upon the revision of the levels of medical expenses under the ECO and the PCO.

8. Ms LI Fung-ying enquired whether the Administration had consulted the Hospital Authority before determining the proposed daily maximum levels so as to ensure that the proposed levels would provide adequate cover for medical expenses incurred by injured employees and pneumoconiotic persons. Given that the levels of medical expenses under the ECO and the PCO would not be subject to annual review, she asked whether the Administration had taken into account possible increase in medical fees for public health care services in, say, the coming two years when determining the daily maximum levels as presently proposed.

9. PS for EDL (Labour) said that the proposed daily maximum levels had been worked out based on the new fee structure for public health care services approved by ExCo for implementation on 1 April 2003. He assured members that should there be any revision of the fees for public health care services in future, the levels of medical expenses under the ECO and the PCO would be reviewed accordingly.

10. Mr LEUNG Yiu-chung was supportive of the proposal. He noted that the proposed daily maximum level of medical expenses for specialist out-patient treatment was \$110, which included the payment for a maximum of five drug items at \$10 each. He asked about the reason for setting a limit of five drug items at each attendance. He also asked about the possibility of making full reimbursement of medical expenses actually incurred by injured employees and pneumoconiotic persons, irrespective of whether the expenses incurred had exceeded the prescribed maximum levels.

11. AC for L (R&B) said that it was necessary to set daily maximum levels for different types of medical treatment for the purpose of administering reimbursement of medical expenses under the ECO and the PCO. To tie in with the new fee structure for public health care services, it was considered necessary to estimate the number of drug items per treatment to facilitate the setting of a daily maximum level of expenses for specialist out-patient treatment. In estimating the level, the Administration had taken into account the fact that the average number of drug items prescribed for a patient receiving specialist out-patient treatment, e.g. a pneumoconiotic person, was usually five.

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12. AC for L (R&B) added that the proposed daily maximum of \$200 for out-patient treatment covered expenses for consultation, drugs, therapeutic treatment, injection and dressing. In practice, it was rare that a patient would receive all these types of treatment on the same day. In view of this, the Administration considered that the proposed daily maximum in question should be adequate to cover expenses incurred by an injured employee or a pneumoconiotic person in seeking out-patient treatment under the public health care system.

13. Ms Cyd HO pointed out that in view of the expensive fees charged by private hospitals, some people opted to seek medical treatment provided by the public health care system even if they had taken out medical insurance policy which offered better coverage. Under the circumstances, the insurers concerned might only need to pay a very low level of medical expenses incurred by the insureds as the Government had subsidised as much as 98% of most of the public health care services. As a result, the profit margin of these insurers might be unreasonably high.

14. Ms Cyd HO noted that the amount of medical expenses incurred by insurers underwriting EC insurance ranged from 0.2% to 5% of their total compensation payouts. She expressed concern whether these insurers were only paying the actual amount of medical expenses charged by public clinics/hospitals, or whether they were paying the medical costs without enjoying any subsidy from the Government. Given that the level of premium would hinge on compensation payouts, she suggested that the Administration should liaise with the insurance industry to ascertain how the compensation payouts and the premium level were derived with a view to preventing a situation where insurers would enjoy an irrationally high profit in underwriting EC insurance.

15. AC for L (R&B) pointed out that both the ECO and the PCO imposed no requirement on an injured employee or a pneumoconiotic person as to whether he should seek medical treatment from private or public clinics/hospitals. On the question concerning insurers' profit margin, she considered that it was not likely that insurers undertaking EC insurance would enjoy an unreasonably high profit. She pointed out that in determining the premium level, insurers would have due regard to the compensation requirements under the relevant ordinances, the estimated compensation payouts and the risk assessment of the insured, etc. Under normal circumstances, the lower the risk of the insured, the more competitive the premium level would be.

16. AC for L (R&B) assured members that the Administration would continue to work closely with the insurance industry. In assessing the implications of the proposal on the premium level of EC insurance, the insurance industry would be reminded that the level of premium should be worked out according to the actual compensation payouts.

17. In response to Mr Michael MAK's enquiry, AC for L (R&B) said that there were at present 2 090 pneumoconiotic persons receiving assistance under the PCO. A majority of them attended specialist out-patient treatment regularly, currently at \$44 per attendance including medicines. She pointed out that it was not common that a

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pneumoconiotic person needed hospital care, currently at \$68 per day, unless his condition had become very poor. The chance of a pneumoconiotic person requiring out-patient treatment as well as hospital care on the same day was also low.

18. Replying to Mr Michael MAK's further enquiry, AC for L (R&B) said that there was no record suggesting that the current daily maximum of \$175 was insufficient to meet the expenses for medical treatment sought under the public health care system by pneumoconiotic persons. Therefore, she believed that the proposed daily maximum of \$200 for out-patient treatment should also be able to meet the needs of pneumoconiotic persons.

19. The Chairman drew members' attention that the Labour Advisory Board had agreed to the proposal, and the levels of medical expenses under the ECO and the PCO might be revised by resolutions to be passed by the Council.

IV. Special project for vulnerable trainees of the Youth Work Experience and Training Scheme

(LC Paper No. CB(2)1188/02-03(05))

20. PS for EDL (Labour) and Assistant Commissioner for Labour (Employment Services) (AC for L (ES)) briefed members on the special project entitled "Action S4" which provided intensive training and counselling services to the more vulnerable trainees of the Youth Work Experience and Training Scheme (YWET Scheme) as set out in the Administration's paper.

21. Mr Michael MAK noted that the "Action S4" project would be a highly focused programme for academic under-achievers who had emotional disturbance or behavioural problems. He expressed worry that such distinct features might create an adverse "labelling effect" on trainees of the project. He opined that the Administration should avoid projecting an image to outside parties, including the participating non-governmental organisations (NGOs), that trainees of "Action S4" were inferior and problematic. He also asked about the specific criteria for selecting trainees for the project.

22. AC for L (ES) pointed out that nomination by NGO would be a pre-requisite for applications under the "Action S4" project. The main reason for drawing up the eligibility criteria as set out in paragraph 7 of the Administration's paper was to provide reference for participating NGOs to nominate trainees to join the project.

23. AC for L (ES) added that trainees who had more serious emotional or behavioural problems should have priority in joining the "Action S4" project over those who were less vulnerable. Intensive support and special assistance from caring mentors and registered social workers acting as case managers would be provided to trainees throughout the training period. On completion of the project, trainees would be certified as having completed a period of six months' on-the-job training in the same way as other trainees of the Scheme. He stressed that the name of the "Action S4"

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project would not appear in the certificate. As such, there would be no question of creating an adverse "labelling effect" on trainees of "Action S4".

24. PS for EDL (Labour) pointed out that all participating NGOs were social service organisations which aimed at providing assistance to the disadvantaged groups. These organisations possessed abundant experience in handling young people with emotional disturbance or behavioural problems. In view of this, he did not envisage that there would be such a problem as cited by Mr Michael MAK.

25. Ms Cyd HO considered that there would inevitably be a "labelling effect" on trainees of the "Action S4" project. However, what was more important was that the project should be able to meet the needs of trainees. She held the view that former practical schools had indeed effectively served the purpose of providing education and training to young people with behavioural problems. She expressed doubt whether the "Action S4" project would be able to achieve better results than that of practical schools. She suggested that the Hong Kong Polytechnic University (PolyU) should be commissioned to also conduct a study to compare the outcome of practical schools against the proposed "Action S4" project.

26. Ms Cyd HO enquired whether trainees of "Action S4" who had secured employment and developed positive attitudes towards life after completing the project would continue to be assisted by the Government, e.g. whether the Government would encourage and provide these trainees with further assistance on training and education matters. She asked whether the Economic Development and Labour Bureau would join hands with the Education and Manpower Bureau in working out appropriate schemes to help upgrade the educational level and skills of the young, thereby enhancing their employment prospects.

27. PS for EDL (Labour) said that the objective of the "Action S4" project was to help the more vulnerable trainees by providing them with an opportunity to better equip themselves and restore their confidence. He hoped members would take a positive view towards the project as the "labelling effect" in question might not necessarily be prejudicial to trainees. He pointed out that the issue of "labelling effect" had already been carefully deliberated when designing the project. He believed that the provision of counselling and training by caring mentors and case managers should be able to help trainees resolve their problems and foster positive changes.

28. PS for EDL (Labour) further said that target trainees of "Action S4" might not necessarily be students from former practical schools. In fact, the functions of practical schools had already been taken over by senior secondary schools which offered a wide variety of curricula including skills training. In his view, pursuing higher academic qualifications might not be the only way for "Action S4" trainees to achieve success. They might develop their career through enhancement in job skills. Nevertheless, he undertook to examine the appropriateness of including a study on practical schools in the survey to be conducted by PolyU to evaluate the effectiveness of the "Action S4" project.

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29. Noting that the "Action S4" project would be organised by the Labour Department (LD) in collaboration with the Hong Kong Council of Social Service, Ms LI Fung-ying enquired about the distribution of duties between the Government and the participating NGOs in implementing the project. She also asked about the role of LD in monitoring the work of NGOs over their provision of on-the-job training to trainees.

30. AC for L (ES) responded that LD would assume a coordinating role in implementing the "Action S4" project. The Department would be responsible for recruiting trainees to fill the 250 on-the-job training vacancies offered by some 40 NGOs and providing follow-up services to these trainees. LD would also arrange, in conjunction with participating NGOs, training for mentors and case managers serving the project, and would carry out a review of the project at appropriate time. Participating NGOs would mainly be responsible for providing on-the-job training to trainees.

31. On the question of monitoring, AC for L (ES) said that NGOs providing on-the-job training to trainees of "Action S4" would be requested to submit progress reports to LD on a regular basis to facilitate the latter's monitoring of the project. He assured members that LD would continue to maintain close contact with participating NGOs in this regard.

32. Given the relatively low educational level of "Action S4" trainees, Ms LI Fung-ying considered that they should be allowed to attend relevant vocational training courses during working hours to help them acquire the necessary vocational skills. She enquired whether the Government would encourage participating NGOs to release trainees to attend training courses within working hours.

33. PS for EDL (Labour) said that the operation of the "Action S4" project would broadly follow the well-designed arrangements under the YWET Scheme. He cited the I.T. Seeds Project under the YWET Scheme as an example, under which trainees had been granted leave to attend full-day computer training courses once a week, and the relevant course and examination fees incurred were reimbursable up to a maximum of \$4,000. Since the NGOs participating in the "Action S4" project were all social service organisations which strove for the interests of trainees, he saw no reason why they would refuse releasing trainees to attend relevant training courses during working hours.

34. Mr LEUNG Yiu-chung expressed concern whether the 250 on-the-job training vacancies would be adequate to meet the needs of all vulnerable trainees. He asked about the basis for providing only 250 training places under the "Action S4" project.

35. The Chairman shared similar concern of Mr LEUNG Yiu-chung. He considered that with a pre-set quota, the most vulnerable trainees with serious behavioural problems might not be able to secure nominations from NGOs and might thus be unable to join the project. He asked whether the Administration would consider allocating more resources to the project if the actual demand, upon implementation of the project,

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was greater than the supply of training places.

36. AC for L (ES) said that the 250 training places had been worked out based on the advice of participating NGOs. If the actual demand for training places was greater than the supply, flexibility would be exercised in handling applications with a view to helping as many needy trainees as possible. The Administration might also consider providing more training places if situation warranted.

37. PS for EDL (Labour) considered it wise and appropriate to keep the scale of a pilot project, such as "Action S4", small at the initial stage so that the Administration could have regard to the effectiveness of the project before deciding whether additional funds should be allocated to it. Notwithstanding this, he agreed to further discuss with NGOs to see whether they would be able to provide more on-the-job training places if the need arose.

38. Mr LEUNG Yiu-chung enquired whether trainees with an educational level of Form 4 or below had been consulted whether they were interested to join the "Action S4" project. PS for EDL (Labour) pointed out that the basic objective of people joining the YWET Scheme was to secure a job, most of them had no specific preference to join a particular project such as "Action S4". He added that LD would continue to assist trainees without behavioural problems to seek employment.

39. Mr LEE Cheuk-yan considered that the "Action S4" project would not be able to address the root of the problem as the trainees concerned would not acquire any certification for their skills after the "employment" in NGOs. In his view, the increasing difficulties encountered by young people in getting their first job was attributed to their lack of the required vocational skills. He considered that the launching of different training schemes on a piecemeal basis would not be able to upgrade the overall quality of the youth working population. To address the problem at source, he suggested that the Administration should review the provision of training to young people on a comprehensive basis in consultation with the Panel.

40. PS for EDL (Labour) said that training would be a major component under the "Action S4" project, which aimed at enabling trainees to gain work experience and equip themselves with vocational skills, thereby enhancing their employability. The traditional type of classroom training might not be suitable for these trainees in view of their behavioural problems. The proposed arrangements for them to work in NGOs and involve in tasks with social value might help improve their attitudes towards life and work, which, he believed, would be conducive to developing their career. In fact, trainees of the project could learn a wide variety of job skills through their work in NGOs, which included project maintenance, event organisation, promotion and publicity, and general administration. He reiterated that the effectiveness of the project would be reviewed in due course and improvements would be made in the light of operational experience.

41. Mr LEE Cheuk-yan remained of the view that the more effective way to enhance the employability of young people was to provide them with suitable training leading to

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recognised qualifications. He suggested that the Administration should explore alternative mode of training for young people with behavioural problems in a bid to enable them to acquire the vocational skills needed by the market.

42. PS for EDL (Labour) said that the provision of training to young people was a major issue which required in-depth discussion. The Administration was willing to discuss the subject with the Panel after the YWET Scheme had operated for a period of time.

V. Guide on rest break

(LC Paper No. CB(2)1188/02-03(06))

43. PS for EDL (Labour) and Deputy Commissioner for Labour (Occupational Safety and Health) (DC for L (OSH)) briefed members on the progress and result of the consultation exercise on the preparation of a Guide on Rest Breaks (the Guide) in accordance with the recommendations of the Labour Advisory Board (LAB) as set out in the Administration's paper. PS for EDL (Labour) supplemented that the findings of the survey on rest breaks conducted by the Census and Statistics Department in 2001 revealed that around 95% of employees had specified rest breaks while only 5% did not.

44. Mr LEE Cheuk-yan gathered that some workers engaging in work to be performed on cranes did not have specified rest breaks and had to have their meals at height on cranes. Some car park watchmen also did not have specified rest breaks and had to have their meals inside the security control booth where they worked. He considered that the Guide, which had no binding effect, would not be able to protect the rights of workers to have rest breaks. Given that the number of employees without specified rest breaks was not large, he suggested that legislation should be enacted to ensure adequate protection to workers in this regard.

45. DC for L (OSH) said that according to the survey mentioned by PS for EDL (Labour) in paragraph 43 above, out of those employees who worked over five hours a day, 2 219 800 employees (94.7%) had specified rest breaks while 124 800 employees (5.3%) did not. He pointed out that rest break was defined as a continuous period within working hours specified verbally or in written form by an employer during which an employee could have a meal or take a rest and was not required to work for the employer. According to the findings of the survey, employees who did not have specified rest breaks were mostly engaged in the following industries -

- (a) retail;
- (b) transport, storage and communications; and
- (c) repair, laundry, domestic services and miscellaneous personal services, etc.

46. DC for L (OSH) pointed out that the non-provision of specified rest breaks to employees by some industries was due to operational needs. For example, tour guides

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usually did not have specified rest breaks as they had to take care of their clients even when they were having meals or taking rest breaks. Despite this, these employees were not deprived of rests during the work period. What they did not have were specified periods of rest breaks. He added that in view of the current economic climate, the Administration considered it more appropriate to adopt a flexible approach in handling matters relating to rest breaks so as not to create negative impacts on the development of industries.

47. Given that rest breaks were important to the safety and health of employees, the Chairman asked whether the Administration had explored any measures to address the problem of employees of certain industries not having proper rest breaks, such as those workers mentioned by Mr LEE Cheuk-yan in paragraph 44 above.

48. DC for L (OSH) said that the situation where workers had to take their meals on cranes should be rare. As regards watchmen of car parks, he believed that their employers would make arrangements for them to take meal breaks during non-peak hours. He suggested that employees who had not been provided with reasonable rest breaks should approach LD for assistance. LD would conduct detailed investigation into each case as early as practicable with a view to identifying the cause of the problem and rectifying the situation. The Chairman considered that employees might not be willing to report these cases to LD for fear of losing their jobs.

49. Mr LEUNG Yiu-chung suggested that the Administration should take a proactive approach to liaise with security services companies to see whether they had provided sufficient and proper rest breaks to their security staff, instead of relying on employees lodging complaints with LD. He also asked about the intended effect of the Guide.

50. DC for L (OSH) said that the Guide clearly spelt out the importance of rest breaks to employees, employers and the self-employed. Working long hours continuously without break would cause fatigue as well as safety and health problems. Fatigue would not only affect an employee's ability to perform, it might also lead to serious occupational accidents resulting in injuries, loss of properties and disruptions to the business operation. The Administration would join hands with employer organisations, employee unions and trade associations to promote the merits of having appropriate rest breaks through more education and publicity.

51. Mr LEUNG Yiu-chung enquired about the reason envisaged by the Administration for certain employers not providing appropriate rest breaks to their employees. DC for L (OSH) said that the Administration appreciated the difficulties encountered by some employers in providing specified rest breaks to their employees by reason of operational needs. On the other hand, it was well aware of the importance of rest breaks to employees. To strike a balance, the Administration would continue to work closely with the relevant parties with a view to enabling employers and employees of different industries to voluntarily work out mutually agreeable rest break arrangements. The Administration would encourage employers to follow the arrangements recommended in the Guide when it was finalised. Pursuant to LAB's

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recommendation, regular reviews on provision of rest breaks would be conducted.

52. In response to Mr LEUNG Yiu-chung's enquiry about the reasons why the suggestions set out in paragraph 12(d) and 12(e) of the Administration's paper conflicted with each other, DC for L (OSH) pointed out that these suggestions were not put forward by the Administration. These were opinions gathered from respondents through the public consultation exercise conducted in January 2003. He said that feedback from the public consultation would be submitted to the Committee on Occupational Safety and Health of LAB (COSH) for consideration. The Guide would be further revised in the light of the advice of COSH before it was forwarded to LAB for consideration and approval.

53. In response to Mr Michael MAK's query why three employee unions were not supportive of the issue of the Guide, DC for L (OSH) said that these employee unions held the view that there should be legislation on rest breaks rather than the issue of the Guide.

54. Mr Michael MAK expressed concern how employers and employees would apprehend the importance of rest breaks. He asked whether there were empirical figures revealing the relationship between rest breaks and occupational injuries.

55. DC for L (OSH) said that many people understood that fatigue would affect one's work ability, which would in turn lead to higher chance of occupational injuries. However, overseas empirical studies on occupational injuries did not address the relationship between rest breaks and occupational injuries.

56. DC for L (OSH) added that more and more employers were aware of the fact that fatigue would impair an employee's work efficiency and might also lead to occupational injuries. As no employer wished to see these happening, he believed that employers would provide appropriate rest breaks to their employees. On the other hand, employees would also avoid performing prolonged work without any break in order not to affect their health and work efficiency.

57. Mr Michael MAK suggested that the Administration should consider commissioning universities to conduct a scientific research on the importance of rest breaks to the health of employees and the relationship between rest breaks and occupational injuries. DC for L (OSH) undertook to convey Mr MAK's suggestion to LAB for its consideration.

58. Mr Tommy CHEUNG said that he did not support the enactment of legislation on rest breaks having regard to the small number of employees who did not have specified rest breaks on operational reasons. As regards the relationship between rest breaks and occupational injuries, he said that, from his observation, fatigue of employees might be caused by their activities after work rather than by their jobs. He suggested that in carrying out the research suggested by Mr Michael MAK, if conducted, the Administration should also study the implications of non-job related fatigue on occupational injuries.

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59. DC for L (OSH) pointed out that the Administration might not be able to intervene in the personal life of employees on ground of personal privacy. Nevertheless, he agreed to reflect the views of Mr Tommy CHEUNG to LAB.

60. In reply to Mr Ambrose LAU's enquiry whether LD had received any complaint against insufficient rest breaks in the past three years, DC for L (OSH) said that only one such complaint had been received in January 2003 during the period. In this case, the employee concerned complained about his employer, who was operating compact disc business, for disallowing his employees to go out for lunch despite the fact that the employees of the company were provided with one-hour specified lunch break. LD was carrying out an investigation into the case and would try every effort to assist in resolving the problem.

61. Mr Ambrose LAU further enquired whether there were figures suggesting that certain occupational injuries in the past had been caused by fatigue of employees on ground of insufficient rest break. DC for L (OSH) replied that these figures were neither available in Hong Kong nor other places. As agreed earlier at the meeting, the Administration would convey the views of members to LAB to consider whether related research should be conducted.

VI. Any other business

62. There being no other business, the meeting ended at 4:20 pm.

Council Business Division 2
Legislative Council Secretariat
19 March 2003