

**LegCo Panel on Manpower
(Meeting on 6 May 2003)**

**Proposed Merger of the Labour Branch of
the Economic Development and Labour Bureau
and the Labour Department**

The attached submission, in the form of a draft Establishment Sub-committee paper, briefs Members on a proposal to merge the Labour Branch of the Economic Development and Labour Bureau and the Labour Department.

2. Members are invited to note the proposal.

Economic Development and Labour Bureau (Labour Branch)
May 2003

For discussion
on 28 May 2003

EC(2002-03)

ITEM FOR ESTABLISHMENT SUBCOMMITTEE OF FINANCE COMMITTEE

HEAD 90 – LABOUR DEPARTMENT

**HEAD 145 – GOVERNMENT SECRETARIAT :
ECONOMIC DEVELOPMENT AND LABOUR BUREAU
(ECONOMIC DEVELOPMENT BRANCH)**

**HEAD 157 – GOVERNMENT SECRETARIAT :
ECONOMIC DEVELOPMENT AND LABOUR BUREAU
(LABOUR BRANCH)**

Subhead 001 Salaries

Members are invited to recommend to the Finance Committee the following proposal to facilitate the merging of the Labour Branch of the Economic Development and Labour Bureau and the Labour Department; and to create a permanent post of Administrative Assistant to the Secretary for Economic Development and Labour, with effect from 1 July 2003 –

- (a) the creation of the following permanent posts -
 - (i) under Head 90 -

1 Administrative Officer Staff Grade A1
(D8) (\$181,700)

1 Administrative Officer Staff Grade C
(D2) (\$117,040 - \$ 124,305)

(ii) Under Head 145

1 Administrative Officer Staff Grade C/
non-civil service position at D2-equivalent
(D2) (\$117,040 - \$ 124,305)

(b) the deletion of the following permanent posts –

(i) under Head 90 -

1 Administrative Officer Staff Grade A
(D6) (\$163,205)

1 Assistant Commissioner for Labour
(D2) (\$117,040 - \$ 124,305)

(ii) under Head 157 -

1 Administrative Officer Staff Grade C
(D2) (\$117,040 - \$ 124,305)

(c) minor revision and re-distribution of duties and responsibilities among some of the remaining directorate posts on the establishment of the existing Labour Department; and

- (d) an increase in the ceiling placed on the total notional annual mid-point salary value of non-directorate posts in the permanent establishment of Head 90 Labour Department in 2003-04 from \$644,461,680 by \$2,565,300 to \$647,026,980 to reflect the merged establishment of non-directorate posts in the Labour Branch and Labour Department.

PROBLEM

At present, the Labour Branch (LB) of the Economic Development and Labour Bureau is responsible for the formulation of labour policies while the Labour Department (LD) is responsible for the implementation of such policies. There is scope for streamlining the organisational structure by merging LB and LD to facilitate integration of formulation and implementation of labour policies and for better efficiency and economy. The Secretary for Economic Development and Labour (SEDL) also needs an Administrative Assistant (AA) to provide him with administrative support under the accountability system.

PROPOSAL

2. We propose to merge LB with LD with effect from 1 July 2003. The new organisation will retain the corporate title of Labour Department. We also propose to create one permanent post of Administrative Officer Staff Grade C (AOSGC) (D2)/non-civil service position at D2-equivalent with effect from 1

July 2003 as AA/SEDL. The package of proposals will entail the following changes to the number and deployment of directorate posts –

- (a) creation of two directorate posts under Head 90, namely one Administrative Officer Staff Grade A1 (AOSGA1) (D8), designated as Permanent Secretary for Economic Development and Labour (Labour) (PSL)/Commissioner for Labour (CL), and one Administrative Officer Staff Grade C (AOSGC) (D2), designated as Assistant Commissioner for Labour (AC);
- (b) creation of one AOSGC (D2)/non-civil service position at D2-equivalent, designated as AA/SEDL under Head 145;
- (c) deletion of three directorate posts, namely one Administrative Officer Staff Grade A (AOSGA) (D6) designated as Commissioner for Labour (CL) and one Assistant Commissioner for Labour (D2) under Head 90, and one Administrative Officer Staff Grade C (AOSGC) (D2) under Head 157; and
- (d) minor revision and re-distribution of duties and responsibilities among some of the remaining directorate staff on the establishment of LD.

JUSTIFICATION

3. The SEDL, after reviewing the scope of responsibilities and the staffing establishment of both LB and LD, considers that there are merits to merge these two organisations with a view to streamlining the organisational structure, so that the new LD will be better able to discharge the responsibilities in policy formulation and policy implementation, by delayering policy making functions at senior directorate level. During the process, we have also identified scope for staff redeployment to regularise the existing supernumerary AA/SEDL post.

The existing structures of LB and LD

4. At present, there are 16 civil service directorate posts in LB and LD including –

(a) two in LB, viz. –

- (i) one supernumerary AOSGA1 (D8) post designated as PSL, to head LB. This supernumerary post was created by the Financial Secretary under delegated authority from the Finance Committee for a period of 12 months from 1 July 2002 to 30 June 2003 by holding against an AOSGA1 (D8) post formerly designated as Secretary for Transport prior to 1 July 2002¹), in connection with the implementation of the accountability system; and

¹ The post formerly designated as Secretary for Transport was placed under the former Head 153 during 1 July 2002 to 31 March 2003 and is currently placed under Head 158.

(ii) one AOSGC (D2) designated as Principal Assistant Secretary (Labour) (PAS(L)), to provide support to PSL in formulating labour policies. The post was redeployed from the Education and Manpower Bureau (EMB) on 1 July 2002 when the portfolio on employment and labour was transferred from EMB to LB; and

(b) 14 in LD, comprising one AOSGA (D6) designated as CL, two Deputy Commissioners (one Deputy Commissioner for Labour (DC) (D3) and one Administrative Officer Staff Grade B (AOSGB) (D3)), five Assistant Commissioners for Labour (AC) (D2), two Occupational Health Consultants (OHC) (Consultant (D2 – D4)), two Chief Labour Officers (CLO) (D1) and two Chief Occupational Safety Officers (CSO) (D1).

**Encl. 1
& 2**

The organisation charts of the existing LB and LD are at **Enclosures 1 and 2**.

Proposed structure of the new LD

5. At present, PSL is responsible for the formulation of labour policies while CL, as the Head of LD, is responsible to PSL for the management of LD's day-to-day operation. The proposed merger of LB and LD is aimed to achieve a better integration of policy formulation and implementation, with PSL assisting SEDL in the overall formulation and implementation of labour policies as well as the day-to-day operation of the new LD. It is, therefore, necessary to make permanent the existing supernumerary post of PSL with effect from 1 July 2003 for the purpose of implementing the proposed merger. In consequence, the

AOSGA1 post formerly designated as Secretary for Transport and the post of CL are to be deleted on the same date. The Secretary for Environment, Transport and Works will propose deletion of the AOSGA1 post in a separate paper for the consideration of this Sub-committee.

6. Apart from combining the offices of PSL and CL, we consider that there is further scope to streamline the directorate structure of LD by deleting one of the two ACs in the Occupational Safety and Health Branch (OSHB) and redistributing the duties among the remaining directorate staff in OSHB. This is possible because the bulk of the work relating to occupational safety and health legislation, for which the existing Assistant Commissioner (Occupational Safety)1 (AC(OS)1) is responsible, has largely been completed and his other duties and responsibilities could be shared out by the remaining directorate officers of OSHB. The post will be deleted on 1 July 2003. As a result of this proposed deletion, the remaining AC in OSHB will be retitled Assistant Commissioner (Occupational Safety) (AC(OS)).

7. The new LD will be headed by PSL, who is underpinned by two Deputy Commissioners, viz. one AOSGB (D3) and one DC (D3), as shown in the proposed organisation chart at **Enclosure 3**. The new directorate structure will achieve the following major objectives –

- (a) delayering of the senior directorate structure – the new structure will be both flat and lean. Within the Department, the number of layers of directorate officers will be kept to the absolute minimum;
- (b) full integration of policy formulation and implementation – under the new organisation, there will be a single line of responsibility from policy formulation to detailed implementation; and

- (c) seamless transition - the new structure will continue to be operated through the four existing programme areas of LD (i.e. employment services, labour relations, employee rights and benefits, and occupational safety and health).

Permanent Secretary for Economic Development and Labour (Labour) (PSL), AOSGA1 (D8)

8. PSL will continue to underpin SEDL in formulating labour policies and ensuring the smooth, timely and effective implementation of approved policies and programmes. As the post of CL is proposed for deletion on 1 July 2003, he will on the same date assume the role of CL, directly overseeing the day-to-day management of the new LD in its delivery of quality service. As PSL will be discharging some statutory functions in the name of CL, he will be designated as PSL/CL. The job description of PSL/CL is at **Enclosure 4**.

Encl. 4

Schedule under Deputy Commissioner (Labour Administration) (DC(LA)), AOSGB (D3)

9. DC(LA) will be responsible for four functional areas, namely employment services, employee rights and benefits, labour relations and policy support and strategic planning. He will also oversee the formulation and implementation of labour administration policies as well as the department's information and public relations work. The job description of DC(LA) is at **Enclosure 5**.

Encl. 5

10. DC(LA) will be assisted in each of the four functional areas by an AC. The respective duties of the ACs and the supporting CLOs are set out briefly below –

(a) *Employment Services*

Assistant Commissioner (Employment Services) (AC(ES)) will continue to oversee the provision of free employment services to job-seekers and employers, including special integrated employment services for the long-term unemployed, young people and the disabled, regulating the operation of employment agencies, and adjudication of minor employment claims. His job description is at **Enclosure 6**.

Encl. 6

(b) *Employee Rights and Benefits*

Assistant Commissioner (Employee Rights and Benefits) (AC(RB)) will continue to oversee the regular review of labour standards, enforcement of legislation governing the terms and conditions of employment through inspections and prosecutions, and the provision of assistance to employees seeking compensation for work injuries. The job description of AC(RB) is at **Enclosure 7**.

Encl. 7

(c) *Labour Relations*

Assistant Commissioner (Labour Relations) (AC(LR)) will continue to oversee the promotion of voluntary negotiation, consultation and effective communication between employers and employees, the settlement of wage disputes, protection of wages in insolvency, investigation of wage offences, registration of trade unions and organisation of educational courses for unionists. He will continue to be assisted by two CLOs. The job descriptions of AC(LR) and the two CLOs are at **Enclosures 8 to 10** respectively.

Encl. 8 to 10

(d) *Policy Support and Strategic Planning*

The post of Administrative Officer Staff Grade C (AOSGC) proposed for creation under Head 90, offset by the deletion of the AOSGC post under Head 157, will be designated as Assistant Commissioner (Policy Support and Strategic Planning) (AC(PS&SP)). AC(PS&SP) will head a new unit set up to strengthen the overall policy support of the department to SEDL as well as to oversee policies relating to foreign domestic helpers, employment related discrimination and international obligations. Basically, the duties of the AC(PS&SP) post, apart from the additional responsibility for the operation of the Supplementary Labour Scheme which currently comes under AC(RB), will remain the same as those currently undertaken by the AOSGC post to be deleted under Head 157. The job description of AC(PS&SP) is at

Encl. 11

Enclosure 11.

Schedule under Deputy Commissioner (Occupational Safety and Health) (DC(OSH)), DC - D3

11. DC(OSH) is responsible for managing the Occupational Safety and Health Branch. He will oversee the formulation and implementation of occupational safety and health policies and standard as well as the enforcement of relevant legislation. He will also be responsible for departmental administration and resources management functions. He will have to devise and implement cost saving measures and human resources management plans to meet changing circumstances. The job description of DC(OSH) is at **Enclosure 12.**

Encl. 12

12. After deletion of the existing AC(OS)1 post (paragraph 6 above), DC(OSH) will be supported by one AC, two OHCs and two CSOs. The respective duties of his directorate officers are set out briefly below –

(a) *Operations*

Assistant Commissioner (Occupational Safety) (AC(OS)) will be responsible for overseeing the enforcement of legislation governing safety and health at work through inspections, accident investigations and prosecutions, and ensuring the safe use and operation of all boilers and pressure equipment. He will also develop enforcement strategies and compliance standards with a view to enhancing safety performance of duty-holders. He will be assisted by Chief Occupational Safety Officer (Operations) (CSO(O)). The job descriptions of AC(OS) and CSO(O) are at **Enclosures 13 and 14** respectively.

Encl. 13 & 14

(b) *Support Services and Information Technology*

As a result of the deletion of the AC(OS)1 post, Chief Occupational Safety Officer (Support Services) (CSO(S)) will take up the duties of reviewing and enacting legislation to enhance occupational safety and health. He will also oversee the organisation of promotional campaigns and the provision of advisory services to enhance safety and health awareness. He will supervise training-related services including the registration of safety officers and safety auditors, and the newly developed Occupational Safety and Health Management Information System

that can provide online and up-to-date information to the management and facilitate sharing of data among all offices of the Occupational Safety and Health Branch. The proposed job description of CSO(S) is at **Enclosure 15**.

Encl. 15

(c) *Occupational Medicine and Hygiene*

One of the two Occupational Health Consultants, designated as OHC(1), will assist in directing the development of occupational health guidelines and standards in line with new policies and community expectations. He will develop occupational health promotional themes and ensure the delivery of publicity programmes. He will assist in formulating policies and strategies relating to compensation programmes for occupational injuries and diseases. He will also supervise and direct activities of the Recompression Treatment Center. The other, designated as OHC(2), will assist in formulating policies and strategies relating to the development and planning of occupational health and hygiene services. He will be responsible for reviewing and enacting legislation to enhance occupational health and hygiene. He will supervise the occupational health stream of the Integrated Services Group for the inspection of chain, complex and large establishments and major hazard installations. The proposed job descriptions of OHC(1) and OHC(2) are at **Enclosures 16 and 17** respectively.

Encl. 16 & 17

Creation of one permanent AA to SEDL post

13. Under the accountability system introduced on 1 July 2002, each Director of Bureau is to have his/her own private office, comprising an AA (equivalent to AOSGC (D2) rank) and other non-directorate support staff. The financial provisions for these posts in the Director of Bureau's private office are to be made available through redeployment of existing resources by the bureau concerned. To provide administrative support to SEDL, we created a supernumerary AOSGC (D2) post by holding against an AOSGC post in the Economic Development Branch (EDB) of the EDLB under delegated authority from the Finance Committee to serve as AA/SEDL for a period of 12 months from 1 July 2002 to 30 June 2003. The AOSGC post, designated as the Principal Assistant Secretary (Economic Development)C (PAS(ED)C), is responsible for policy matters relating to gas and major fuels supply, gas safety, competition policy and consumer protection. With the creation of the supernumerary AOSGC(D2) post held against the PAS(ED)C post as AA/SEDL since 1 July 2002, the duties of PAS(ED)C have been temporarily taken up by other directorate officers in the EDB as well as the departments concerned as an interim arrangement. However, this is no longer sustainable without seriously affecting the work in these areas.

14. The SEDL needs an AA to continue to provide him with administrative support on a permanent basis when the existing supernumerary AOSGC post lapses. When Members considered the creation of non-civil service positions of principal officials under the accountability system in June 2002 (EC(2002-03)2), Members noted that the principal official's AA would be pitched at a level equivalent to AOSGC (D2). These positions could be filled by civil servants on postings or by way of direct appointment to non-civil service positions at the rank of D2-equivalent. Hence, we propose to rank the permanent AA post at AOSGC (D2)/non-civil service position at D2-equivalent to provide SEDL with flexibility in staffing this position. The proposed creation will be offset by the deletion of the existing AC(OS)1 post in LD with effect from 1 July 2003 via paragraph 6 above. The proposed organisation chart of the office of the

**Encl. 18
& 19**

SEDL and job description of AA/SEDL are at **Enclosure 18** and **Enclosure 19** respectively.

Consequential Changes in the Non-directorate Establishment

Encl. 20

15. As part of the merger, all the existing eight non-directorate posts in LB will be transferred to the new LD while three existing posts of one Senior Personal Secretary, one Motor Driver and one Personal Secretary I in LD will be deleted. The former two are serving CL whereas the latter one is serving AC(OS)1. To facilitate this establishment change, we propose to increase the establishment ceiling of Head 90 in 2003-04 \$644,461,680 by \$2,565,300 to \$647,026,980 . Details of these changes are set out in **Enclosure 20**.

16. We will deal with the creation and deletion of non-directorate posts through the Departmental Establishment Committee procedure.

Overall establishment changes

17. The proposals in this paper will not lead to an increase in the number of directorate posts. At the non-directorate level, three posts in the general grades will be deleted (paragraph 15 above). We will redeploy incumbents of the directorate and non-directorate posts to be deleted so that no staff will be made redundant. A summary of the overall establishment changes is as follows –

| | Directorate Permanent (a) | Non-Directorate Permanent (b) | Total (a)+(b) |
|-------------------|--|--|-------------------------------|
| Creation of Posts | | | |
| Labour Department | 2 | 8 | 10 |

| | | | |
|-----------------------------|----------|----------|-----------|
| Economic Development Branch | 1 | - | 1 |
| Sub-total | 3 | 8 | 11 |

Less : Deletion of Posts

| | | | |
|-------------------|-----------|------------|------------|
| Labour Branch | -1 | -8 | -9 |
| Labour Department | -2 | -3 | -5 |
| Sub-total | -3 | -11 | -14 |

| | | | |
|--------------------|----------|-----------|-----------|
| Net Changes | 0 | -3 | -3 |
| | 0 | -3 | -3 |

Staff Consultation

18. We have sounded out staff unions of departmental grades in LD, staff representatives of the Departmental and General Grades Consultative Committees, as well as members of the Senior Staff Meeting on this proposal in February and March 2003. They are generally receptive to the proposed merger.

FINANCIAL IMPLICATIONS

19. The proposed changes in directorate posts will bring about additional notional annual salary cost at mid-point of \$221,940 as follows-

| | |
|-------------------------------|---------------|
| Notional Annual Salary | No. of |
| Cost at Mid-point | Posts |
| (\$) | |

New permanent posts

| | | |
|---------------------------------------|-----------|---|
| Administrative Officer Staff Grade A1 | 2,180,400 | 1 |
| Administrative Officer Staff Grade C | 1,448,040 | 1 |

| | | |
|--|-----------|---|
| Administrative Officer Staff Grade C/ non-civil service position at D2-equivalent | 1,448,040 | 1 |
|--|-----------|---|

| | | |
|------------------------|------------------|----------|
| <i>Sub total (a) :</i> | <u>5,076,480</u> | <u>3</u> |
|------------------------|------------------|----------|

Less : Posts to be deleted

| | | |
|---|-----------|---|
| Administrative Officer Staff Grade A (Commissioner for Labour) | 1,958,460 | 1 |
|---|-----------|---|

| | | |
|-----------------------------------|-----------|---|
| Assistant Commissioner for Labour | 1,448,040 | 1 |
|-----------------------------------|-----------|---|

| | | |
|--------------------------------------|-----------|---|
| Administrative Officer Staff Grade C | 1,448,040 | 1 |
|--------------------------------------|-----------|---|

| | | |
|-----------------------|------------------|----------|
| <i>Sub total(b) :</i> | <u>4,854,540</u> | <u>3</u> |
|-----------------------|------------------|----------|

| | | |
|------------------------------------|-----------------------|-----------------|
| Additional cost (a) – (b) : | <u>221,940</u> | <u>0</u> |
|------------------------------------|-----------------------|-----------------|

The additional cost expressed in terms of full annual average staff cost, including salaries and staff on-costs, amounts to \$93,072.

20. Together with the savings from the deletion of three non-directorate posts, the proposals will bring about an overall net savings in notional annual mid-point salary cost of \$613,320 and savings in full annual average staff cost of \$1,214,196.

21. We shall submit a paper to the Finance Committee separately to seek approval for the necessary changes to the 2003-04 Estimates, including the merging of expenditure heads and the designation of PSL as the Controlling Officer for Head 90.

BACKGROUND INFORMATION

22. With the implementation of the accountability system for principal officials from 1 July 2002, the Administration has pledged that the principal officials will on assuming office review the working relationship between the bureaux and executive departments within their respective purview. The overall direction is to streamline the structure and working relationship between the two, merging and integrating similar functions being performed by both, making better use of resources and enhancing the efficient and effective implementation of policies and delivery of services to the public.

ESTABLISHMENT CHANGES

23. The establishment changes in EDB, Office of SEDL, LB and LD for the last two years are as follows –

| Establishment (Note) | Number of posts | | |
|-------------------------|--------------------|--------------------|--------------------|
| | as at 1 April 2003 | as at 1 April 2002 | as at 1 April 2001 |
| EDB | | | |
| A | 18 | 18 | 17 |
| B | 33 | 33 | 22 |
| C | 77 | 75 | 70 |
| Total | 128 | 126 | 109 |
| | | | |
| Office of SEDL | | | |
| A | #(1) | - | - |
| B | - | - | - |
| C | 4 | - | - |
| Total | 4 + #(1) | - | - |
| | | | |

| Establishment (Note) | Number of posts | | |
|---|--------------------|--------------------|--------------------|
| | as at 1 April 2003 | as at 1 April 2002 | as at 1 April 2001 |
| LB | | | |
| A | 1+@(1) | - | - |
| B | 2 | - | - |
| C | 6 | - | - |
| Total | 9 + @(1) | - | - |
| | | | |
| LD | | | |
| A | 14 | 14 | 14 |
| B | 607 | 605 | 611 |
| C | 1160 | 1186 | 1227 |
| Total | 1781 | 1805 | 1852 |
| | | | |
| EDB + Office of SEDL + LB+LD | | | |
| A | 33 + (2) | 32 | 31 |
| B | 642 | 638 | 633 |
| C | 1247 | 1261 | 1297 |
| Total | 1922 + (2) | 1931 | 1961 |

Note:

A - ranks in the Directorate pay scale or equivalent

B - non-directorate ranks the maximum pay point of which is above MPS point 33 or equivalent

C - non-directorate ranks the maximum pay point of which is at or below MPS point 33 or equivalent

() - number of supernumerary directorate posts

- one supernumerary post held against a AOSGC post up to 30 June 2003

@ - one supernumerary post held against a AOSGA1 post up to 30 June 2003

CONSULTATION WITH LEGISLATIVE COUNCIL PANEL AND LABOUR ADVISORY BOARD

24. [To be completed in due course.]

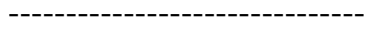
CIVIL SERVICE BUREAU COMMENTS

25. The Civil Service Bureau considers the proposed set-up of the new LD (which stems from the merging of LB and LD) appropriate. The proposed merger will enhance efficiency in the delivery of services, facilitate feedback of frontline experience into policy formulation, and ensure more cost-effective use of staff resources.

26. We are satisfied that the staffing proposals contained in this paper are functionally justified. The grading and ranking of the proposed posts are appropriate, having regard to the level and scope of responsibilities and the professional input required.

ADVICE OF THE STANDING COMMITTEE ON DIRECTORATE SALARIES AND CONDITIONS OF SERVICE

27. [To be completed in due course.]



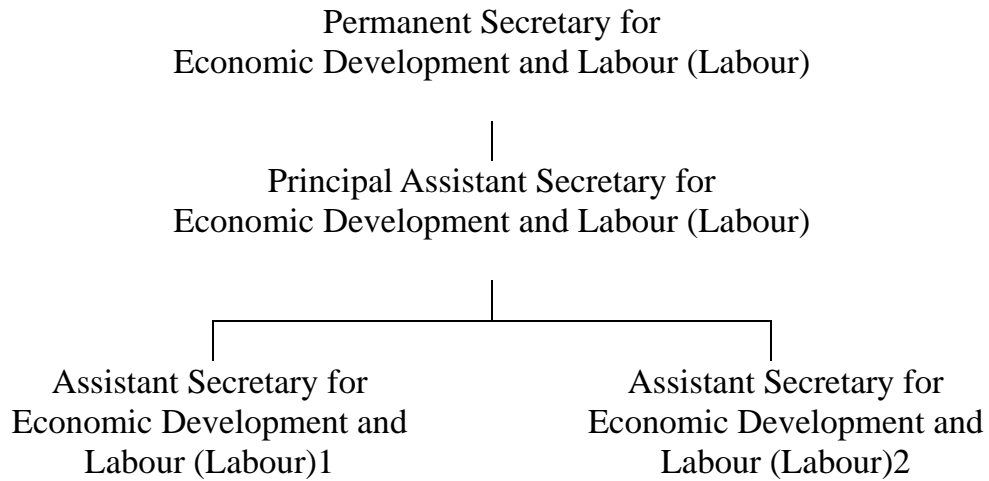
Economic Development and Labour Bureau

May 2003

Draft

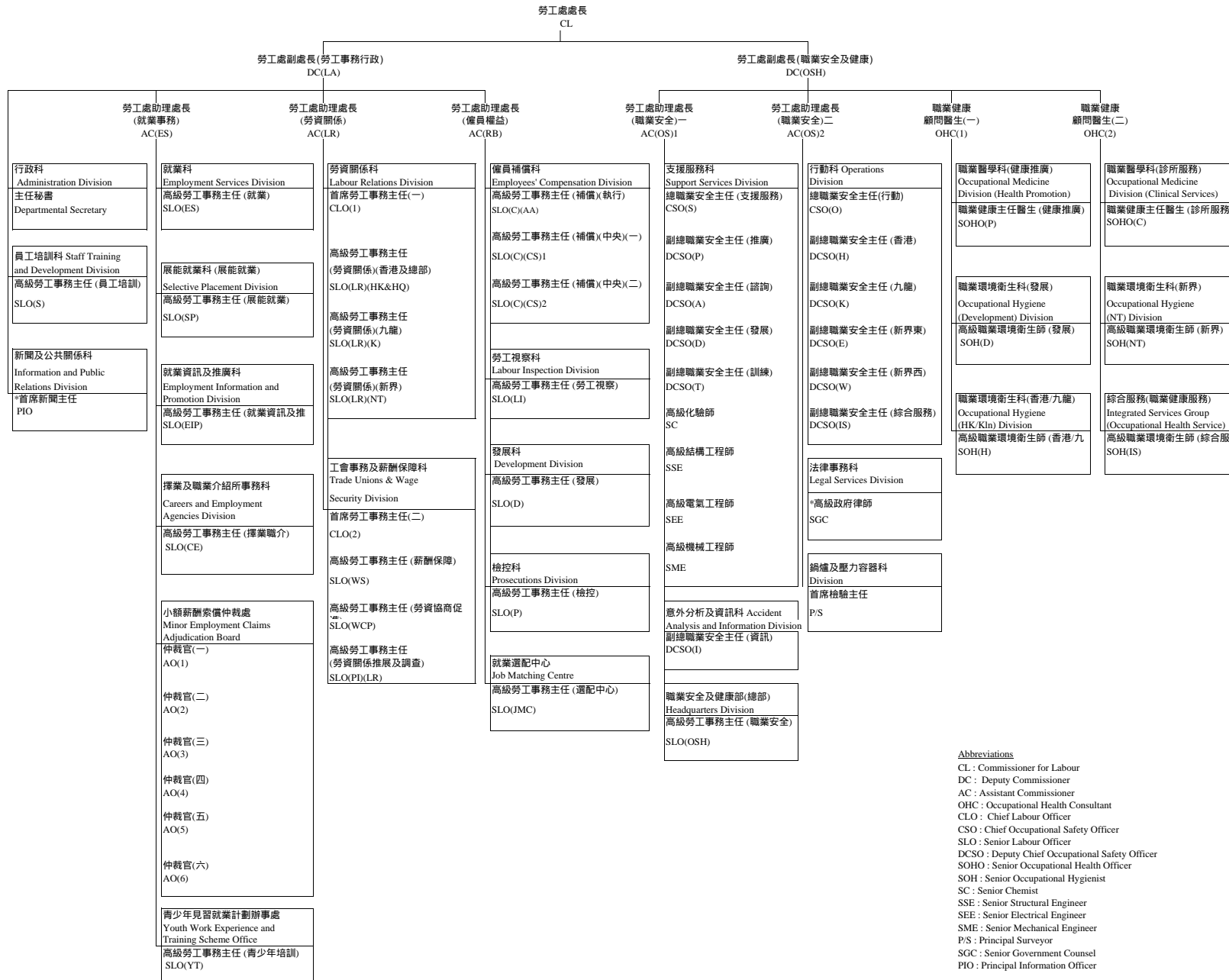
Enclosure 1 to EC(2002-03)

**Existing Organisation Chart of
Economic Development and Labour Bureau – Labour Branch**



Existing Organisation Chart of Labour Department

Enclosure 2 to EC(2002-03)

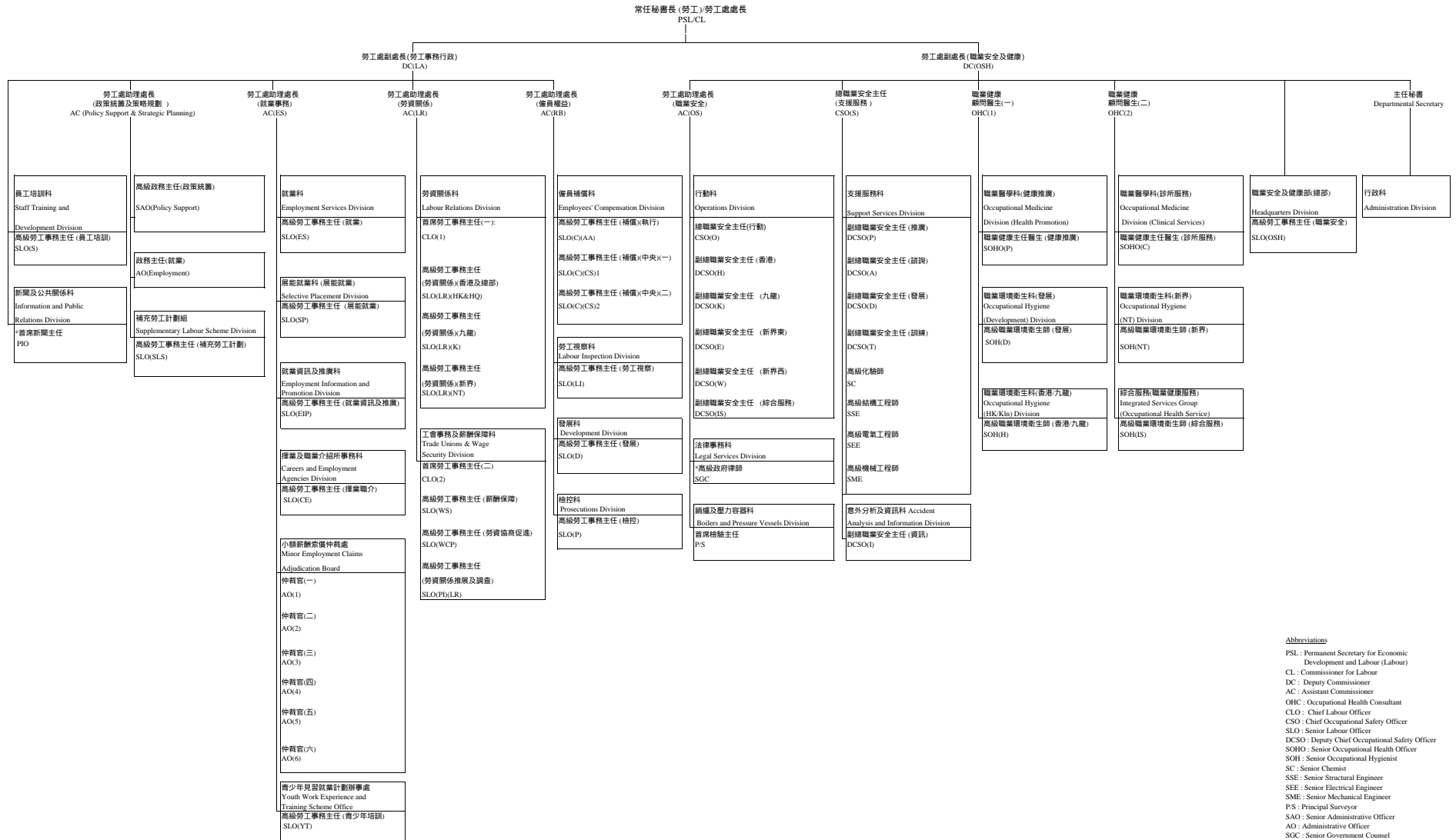


Abbreviations
 CL : Commissioner for Labour
 DC : Deputy Commissioner
 AC : Assistant Commissioner
 OHC : Occupational Health Consultant
 CLO : Chief Labour Officer
 CSO : Chief Occupational Safety Officer
 SLO : Senior Labour Officer
 DCSO : Deputy Chief Occupational Safety Officer
 SOHO : Senior Occupational Health Officer
 SOH : Senior Occupational Hygienist
 SC : Senior Chemist
 SSE : Senior Structural Engineer
 SEE : Senior Electrical Engineer
 SME : Senior Mechanical Engineer
 P/S : Principal Surveyor
 SGC : Senior Government Counsel
 PIO : Principal Information Officer

* Not on Labour Department's establishment

**Organisation Chart of the new Labour Department
after the Proposed Merger**

Enclosure 3 to EC(2002-03)



Abbreviations

PSL : Permanent Secretary for Economic Development and Labour (Labour)
 CL : Commissioner for Labour
 DC : Deputy Commissioner
 AC : Assistant Commissioner
 OHC : Occupational Health Consultant
 CLO : Chief Labour Officer
 CSO : Chief Occupational Safety Officer
 SLO : Senior Labour Officer
 DCSO : Deputy Chief Occupational Safety Officer
 SOHO : Senior Occupational Health Officer
 SOH : Senior Occupational Hygienist
 SC : Senior Chemist
 SSE : Senior Structural Engineer
 SEE : Senior Electrical Engineer
 SME : Senior Mechanical Engineer
 P/S : Principal Surveyor
 SAO : Senior Administrative Officer
 AO : Administrative Officer
 SGC : Senior Government Counsel
 PIO : Principal Information Officer

* Not on Labour Department's establishment

Draft

Enclosure 4 to EC(2002-03)

Job Description

**Permanent Secretary for Economic Development and Labour (Labour) /
Commissioner for Labour**

Rank : Administrative Officer Staff Grade A1 (D8)

Responsible to : Secretary for Economic Development and Labour
(SEDL)

Main Duties and Responsibilities:

1. To assist SEDL in strategic planning and in formulating, implementing, coordinating and monitoring HKSARG's labour policies and measures.
2. To support SEDL in explaining and defending policies in LegCo Panels and Committees; in securing support of the public and LegCo; and in dealing with LegCo business.
3. To assist SEDL in acquiring and deploying resources to support the implementation of policies and delivery of services.
4. To assist SEDL in co-ordinating, facilitating and monitoring the Government's overall efforts in job creation to tackle high unemployment, including devising employment initiatives.
5. To serve as Commissioner for Labour and Chairman of the Labour Advisory Board.
6. To lead and steer the Labour Department in the efficient and effective implementation of all policies governing employment, labour relations, employees' rights and benefits as well as occupational safety and health; to ensure that all labour legislation is properly enforced; and to manage the human and financial resources available to the Labour Department.
7. To liaise with other concerned bureaux to achieve smooth, timely and effective implementation of policies and programmes.

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Enclosure 5 to EC(2002-03)

Job Description Deputy Commissioner (Labour Administration)

Rank : Administrative Officer Staff Grade B (D3)

Responsible to : Permanent Secretary for Economic Development and Labour (Labour) / Commissioner for Labour

Main Duties and Responsibilities:

1. To advise and assist the Permanent Secretary for Economic Development and Labour (Labour) / Commissioner for Labour in formulating policy and strategies in respect of labour relations, employment services, rights and benefits and the strategic planning of employment-related issues.
2. To supervise and co-ordinate the work of the following key officers:-
 - Assistant Commissioner (Employment Services)
 - Assistant Commissioner (Rights and Benefits)
 - Assistant Commissioner (Labour Relations)
 - Assistant Commissioner (Policy Support and Strategic Planning)
 - Principal Information Officer
3. To liaise and co-ordinate with the Economic Development and Labour Bureau and other policy bureaux and departments on all employment-related issues and labour administration matters.
4. To formulate and direct departmental policies and strategies in respect of organisational development of the Labour Administration Branch.
5. To represent the Permanent Secretary for Economic Development and Labour (Labour) / Commissioner for Labour on various statutory bodies and inter-departmental committees and working groups and chair three Committees under the Labour Advisory Board.

DRAFT

Enclosure 6 to EC(2002-03)

Job Description
Assistant Commissioner (Employment Services)

Rank : Assistant Commissioner for Labour (D2)

Responsible to : Deputy Commissioner (Labour Administration)

Main Duties and Responsibilities:

1. To assist in formulating policies and strategies in respect of employment services for able bodied and disabled persons, careers advice for young people, regulating the operation of employment agencies, adjudication of minor employment claims, the Youth Pre-employment Training Programme and the Youth Work Experience Training Scheme.
2. To supervise and direct the activities of the following divisions/services:-
 - Employment Services Division
 - Employment Information & Promotion Division
 - Selective Placement Division
 - Careers and Employment Agencies Division
 - Minor Employment Claims Adjudication Board
 - Youth Pre-employment Training Programme
 - Youth Work Experience Training Scheme
3. To review and amend existing legislation on adjudication of minor employment claims, control of employment agencies, and contracts for employment outside Hong Kong.
4. To manage staff and other resources affecting the employment services programme.
5. To prepare answers to LegCo questions, speeches in LegCo motion debates, Budget response, contributions to the Chief Executive's Policy Address, and papers for Legislative Council Panels on the subjects listed above.
6. To provide departmental input in:-
 - employees retraining
 - manpower projection

DRAFT

Enclosure 7 to EC(2002-03)

Job Description Assistant Commissioner (Rights and Benefits)

Rank : Assistant Commissioner for Labour (D2)

Responsible to : Deputy Commissioner (Labour Administration)

Main Duties and Responsibilities:

1. To assist in formulating policies and strategies in respect of employees compensation, departmental development, labour inspection, prosecution, staff training and development of Labour Officer and Labour Inspector grades.
2. To review and handle legislation on employees compensation, compensation-related schemes, and employment of children and young persons and preparing consultation papers on these areas.
3. To supervise and direct the activities of the following divisions:-
 - Employees' Compensation Division
 - Development Division
 - Labour Inspection Division
 - Prosecutions Division
4. To provide departmental input in:-
 - Pneumoconiosis compensation schemes
 - Occupational deafness compensation scheme
 - Employees compensation assistance scheme
5. To prepare answers to LegCo questions, speeches in LegCo motion debates, Budget response, contributions to the Chief Executive's Policy Address, and papers for Legislative Council Panels on the subjects listed above.
6. To manage staff and other resources affecting the Rights and Benefits Programme.

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Enclosure 8 to EC(2002-03)

Job Description Assistant Commissioner (Labour Relations)

Rank : Assistant Commissioner for Labour (D2)

Responsible to : Deputy Commissioner (Labour Administration)

Main Duties and Responsibilities:

1. To assist in formulating policies and strategies in respect of labour relations, promotion of tripartite collaboration and good labour-management practices, protection of wages in insolvency, investigation of wage offences and trade union administration.
2. To supervise and direct the activities of the following divisions/units:-
 - (a) Labour Relations Division
 - (b) Trade Unions and Wage Security Division
 - (i) Workplace Consultation Promotion Unit
 - (ii) Labour Relations Promotion Unit
 - (iii) Wage Security Unit
 - (iv) Employment Claims Investigation Unit
 - (v) Registry of Trade Unions
3. To review and amend existing legislation on labour relations, trade unions and workers' rights and benefits.
4. To prepare answers to LegCo questions, speeches in LegCo motion debates, Budget response, contributions to the Chief Executive's Policy Address, and papers for Legislative Council Panels on the subjects listed above.
5. To manage staff and other resources affecting the Labour Relations programme.

DRAFT

Enclosure 9 to EC(2002-03)

**Job Description
Chief Labour Officer (1)**

Rank : Chief Labour Officer (D1)

Responsible to : Assistant Commissioner (Labour Relations)

Main Duties and Responsibilities:

1. To provide support to the Assistant Commissioner (Labour Relations) in formulating policy and strategies in respect of labour relations, in putting forward proposals in legislative reviews and in conducting legislative amendment exercises.
2. To assist in steering the operation of the Labour Relations Division to ensure delivery of speedy and effective conciliation and consultation services to employers and employees in Hong Kong.
3. To assist in maintaining industrial peace in Hong Kong by actively monitoring developments on the industrial relations front, providing expert advice to strategic establishments and conciliating in serious labour disputes.
4. To assist in establishing and fostering partnership with various stakeholders of industrial relations by actively networking with major employers, trade unions and pressure groups and maintaining close coordination with concerned government bureaux and departments.
5. To provide technical advice and support in the formulation / implementation of government policies and legislation having an impact on labour.

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Enclosure 10 to EC(2002-03)

**Job Description
Chief Labour Officer (2)**

Rank : Chief Labour Officer (D1)

Responsible to : Assistant Commissioner (Labour Relations)

Main Duties and Responsibilities:

1. To provide support to the Assistant Commissioner (Labour Relations) in formulating policy and strategies in respect of the Protection of Wages on Insolvency Fund and trade union matters.
2. To assist AC(LR) to supervise and direct the activities of the following units / services:-
 - (a) Workplace Consultation Promotion Unit
 - (b) Labour Relations Promotion Unit
 - (c) Wage Security Unit
 - (d) Employment Claims Investigation Unit
 - (e) Registry of Trade Unions
3. To perform the statutory functions of the Registrar of Trade Unions and to administer the Trade Unions Ordinance.
4. To co-ordinate the overall strategy of industry-based tripartite committees.
5. To co-ordinate the organisation of large-scale promotional programmes and special projects.

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Enclosure 11 to EC(2002-03)

Job Description
Assistant Commissioner (Policy Support and Strategic Planning)

Rank : Administrative Officer Staff Grade C (D2)

Responsible to : Deputy Commissioner (Labour Administration)

Main Duties and Responsibilities:

1. To serve as the Secretary to the Task Force on Employment chaired by the Financial Secretary as well as to coordinate and monitor the progress on the implementation of employment-related initiatives.
2. To review and formulate policies on foreign domestic helpers and importation of labour schemes; to take overall responsibility for the Supplementary Labour Scheme and to provide advice to other bureaux on policies in relation to the admission of persons from overseas for employment in Hong Kong .
3. To handle and coordinate response to requests from LegCo, other bureaux, and international organisations, etc which affect more than one programme area of the Labour Department.
4. To oversee policy matters on age discrimination in particular and employment-related discrimination in general as well as employment-related benefits and protection not covered by existing labour legislation and handle issues on Working Holiday Scheme, General Holiday Ordinance, Privileges and Immunities, etc.
5. To oversee policy matters and co-ordinate contributions on HKSAR's implementation of international covenants, compliance of standards in human rights and employment-related standards of international organisations, other than those of the International Labour Organisation, and on labour issues raised by international bodies and other jurisdictions.

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Enclosure 12 to EC(2002-03)

Job Description
Deputy Commissioner (Occupational Safety and Health)

Rank : Deputy Commissioner for Labour (D3)

Responsible to : Permanent Secretary for Economic Development and Labour (Labour) / Commissioner for Labour

Main Duties and Responsibilities:

1. To make recommendations to the Permanent Secretary for Economic Development and Labour (Labour) / Commissioner for Labour on new initiatives on occupational safety and health, and prior to making such recommendations, to consult interested parties including professional bodies, trade associations, workers' unions and the Labour Advisory Board and to assess all the implications.
 2. To manage the Occupational Safety and Health Branch, including the periodic review of the enforcement strategy in response to community concerns and the continued promotion of the "self-regulation" concept.
 3. To promulgate the occupational safety charter at the senior management level and to review its effectiveness, and to assist all establishments in Hong Kong to comply with all relevant legislation through promotional and publicity activities.
 4. To strengthen and expand partnership with outside bodies, including the Occupational Safety and Health Council, the Construction Industry Training Authority, the Environment, Transport and Works Bureau, the Housing Authority, major enterprises and professional bodies.
 5. To reinforce the staff culture change for the Occupational Safety Officers, the Occupational Hygienists and the medical staff through seminars and training programmes.
- To be responsible for all matters relating to departmental finance and human resources management for the Labour Department.

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Enclosure 13 to EC(2002-03)

Job Description Assistant Commissioner (Occupational Safety)

Rank : Assistant Commissioner for Labour (D2)

Responsible to : Deputy Commissioner (Occupational Safety and Health)

Main Duties and Responsibilities:

1. To assist in formulating strategies, policies and activities in enhancing the safety performance of duty holders and ensuring a high standard of safety and health in workplaces.
2. To formulate, direct and supervise the implementation of operational policies, strategies and activities of the Operations Division, the Boilers and Pressure Vessels Division and the Legal Services Division.
3. To manage staff and other resources in the three divisions under his charge.
4. To assist and influence other partners in improving safety performance in various sectors.
5. To liaise with the Legislative Council, policy bureaux, other government departments, professional bodies, trade associations and workers' unions on safety and health issues.
6. To prepare answers to LegCo questions, speeches in LegCo motion debates, Budget response, contributions to the Chief Executive's Policy Address, and papers for Legislative Council Panels on the subjects listed above.
7. To assist in the administration of grade management and career development programmes.

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Enclosure 14 to EC(2002-03)

Job Description Chief Occupational Safety Officer (Operations)

Rank : Chief Occupational Safety Officer (D1)

Responsible to : Assistant Commissioner (Occupational Safety)

Main Duties and Responsibilities:

1. To formulate operational strategies and policies of the Operations Division of the Occupational Safety and Health Branch; to develop practicable and reasonable enforcement guidelines and compliance standards and to oversee plans for promoting and enforcing safety and health legislation.
2. To determine work priorities, to set appropriate performance targets and to direct efforts to meet the goal.
3. To supervise the work of the five regions of the Operations Division with a view to ensuring that the control systems over quantity, quality and consistency are devised and properly implemented.
4. To liaise and co-ordinate with other departments and relevant parties on matters of common interests.
5. To establish and maintain close working partnership with public bodies as well as professional and academic bodies in the pursuit of departmental objectives and goals.
6. To closely monitor the occurrence of occupational injuries and industrial accidents and to take prompt action as required.

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Enclosure 15 to EC(2002-03)

Job Description
Chief Occupational Safety Officer (Support)

Rank : Chief Occupational Safety Officer (D1)

Responsible to : Deputy Commissioner for Labour
(Occupational Safety and Health)

Main Duties and Responsibilities:

1. To supervise the Support Services Division, Headquarters Division and the Accident Analysis and Information Division of the Occupational Safety and Health Branch.
2. To assist in overseeing the work of the Occupational Safety and Health Council and the Construction Industry Training Authority.
3. To support the Occupational Safety and Health Branch in providing guidance and advice to employers and employees on all aspects of occupational safety and health through promotional and advisory activities.
4. To upgrade the quality of technical support services provided to other divisions of the Occupational Safety and Health Branch.
5. To oversee the Registered Safety Officers and the Registered Safety Auditors Schemes.
6. To plan, review and develop legislative controls and strategies for improving occupational safety and health.
7. To liaise and co-ordinate with other departments, organizationorganisations, and training institutes on matters of common interest relating to the promotion of occupational safety and health.

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Enclosure 16 to EC(2002-03)

Job Description Occupational Health Consultant (1)

Rank : Occupational Health Consultant (D2 - D4)

Responsible to : Deputy Commissioner
(Occupational Safety and Health)

Main Duties and Responsibilities:

1. To direct the development of occupational health guidelines and standards in line with new policies and community expectations.
2. To develop occupational health promotional themes and ensure the delivery of publicity programmes; and to liaise with the Occupational Deafness Compensation Board, Pneumoconiosis Compensation Fund Board and the Occupational Safety and Health Council in implementing occupational health publicity programmes.
3. To assist in formulating policies and strategies relating to compensation programmes for occupational injuries and diseases.
4. To supervise the work of the Occupational Medicine (Health Promotion), the Occupational Hygiene (Development) and (Hong Kong and Kowloon) Divisions and the Kwun Tong Occupational Health Clinic.
5. To supervise and direct activities of the Recompression Treatment Centre.
6. To supervise and direct medical examination programmes for civil servants engaged in hazardous occupations.
7. To develop and direct in-service training programmes for doctors, nurses and hygienists.

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Enclosure 17 to EC(2002-03)

Job Description Occupational Health Consultant (2)

Rank : Occupational Health Consultant (D2 - D4)

Responsible to : Deputy Commissioner
(Occupational Safety and Health)

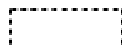
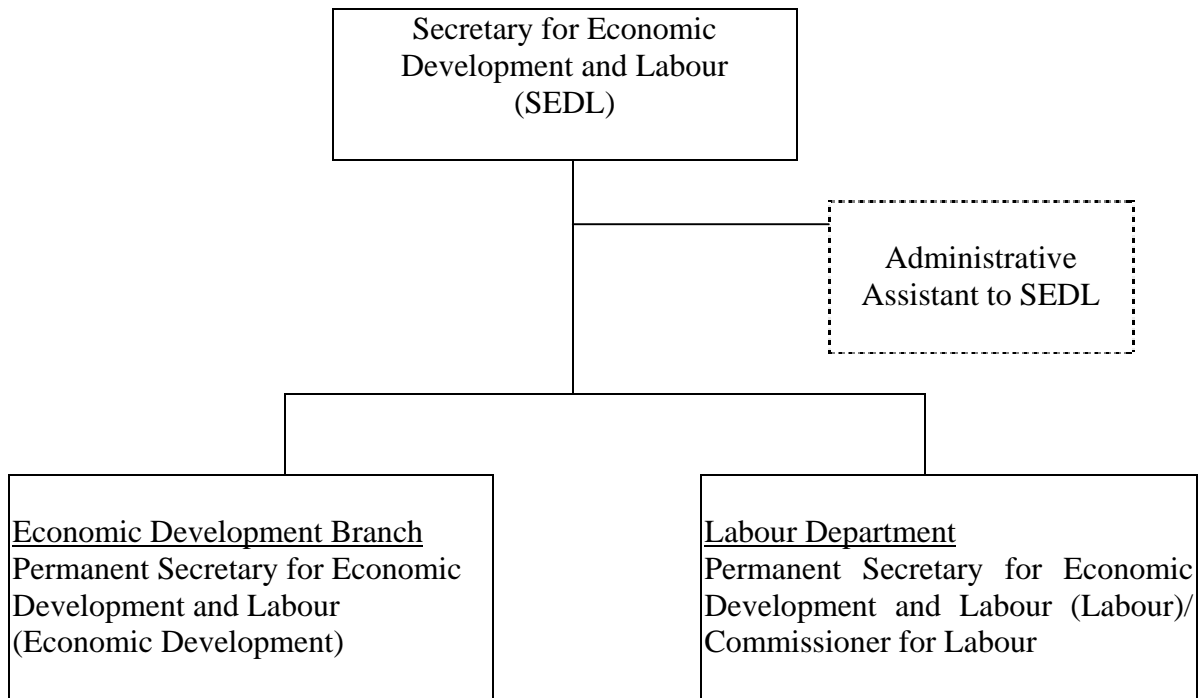
Main Duties and Responsibilities:

1. To assist in formulating policies and strategies relating to the development and planning of occupational health and hygiene services.
2. To review and enact legislation to enhance occupational health and hygiene.
3. To supervise the occupational health stream of the Integrated Services Group for the inspection of chain, complex and large establishments and major hazard installations.
4. To supervise educational and promotional activities in occupational health and hygiene.
5. To supervise and direct the activities of the Occupational Medicine Division (Clinical Services), the Occupational Hygiene Division (New Territories), the Sham Shui Po Occupational Health Clinic and the Occupational Safety and Health Centre in occupational health promotion, medical surveillance and the enforcement of occupational safety and health legislation.
6. To advise the Radiation Board on matters relating to the licensing of radiating apparatus and radioactive substances, the medical examination of radiation workers, and the exemption from the requirements of the Radiation Ordinance and subsidiary regulations.
7. To oversee the internal posting of medical and nursing staff and occupational hygienists, and their training and development in their respective specialties including aviation medicine.

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Enclosure 18 to EC(2002-03)

**Proposed Organisation Chart of the Office of
the Secretary for Economic Development and Labour**



Post to be created

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Enclosure 19 to EC(2002-03)

**Job Description
Administrative Assistant to
Secretary for Economic Development and Labour**

Rank : Administrative Officer Staff Grade C (D2)/
non-civil service position at D2-equivalent

Responsible to : Secretary for Economic Development and Labour (SEDL)

Main Duties and Responsibilities :

1. To provide general administrative support to SEDL.
2. To co-ordinate submissions to SEDL.
3. To co-ordinate and handle replies to correspondence, including complaints, addressed to SEDL.
4. To co-ordinate with the Press Secretary to SEDL in preparing speeches and statements to be delivered by SEDL.
5. To plan SEDL's programme of official visits, and duty trips, both locally and overseas, co-ordinating the preparation of briefs for such visits and follow-up action as required.
6. To plan meetings on various subjects, preparing briefs, and servicing meetings chaired by SEDL.
7. To perform such other administrative duties as SEDL may from time to time direct.

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Enclosure 20 to EC(2002-03)

Transfer and Deletion of Non-directorate Posts

(A) Non-directorate posts to be transferred from the Labour Branch (LB) of the Economic Development Bureau to the Labour Department

| Rank | No. | Notional Annual Salary Cost at Mid-point (NAMS) (\$) |
|-------------------------------|------------|---|
| Senior Administrative Officer | 1 | 988,680 |
| Administrative Officer | 1 | 604,440 |
| Executive Officer I | 1 | 512,460 |
| Personal Assistant | 1 | 512,460 |
| Personal Secretary I | 1 | 293,940 |
| Personal Secretary II | 1 | 183,240 |
| Clerical Assistant | 1 | 142,980 |
| Chauffeur | 1 | 162,360 |
| Total | 8 | 3,400,560 |

(B) Non-directorate posts to be deleted from the permanent establishment of the Labour Department (LD)

| Rank | No. | Notional Annual Salary Cost at Mid-point (NAMS) (\$) |
|---------------------------|------------|---|
| Senior Personal Secretary | 1 | 388,980 |
| Personal Secretary I | 1 | 293,940 |
| Motor Driver | 1 | 152,340 |
| Total | 3 | 835,260 |

(C) To accommodate the 8 non-directorate posts transferred from LB, partly offset by the deletion of three non-directorate posts in LD, the NAMS ceiling of Head 90 – Labour Department will have to be increased from \$644,461,680 by \$2,565,300 (i.e. (A) less (B)) to \$647,026,980.