

**The Administration's response to the issues raised by
Legislative Council Panel on Public Service on
Five-day week in the Government
at the meeting held on 15 May 2006**

(a)(i) Labour Department (LD) has noted Members' concerns. In deciding which services should move to a five-day week, the Department has taken into account a number of factors, including -

- nature of services and how time-critical they are;
- availability of complementary means of service delivery, e.g. extended working hours during weekdays, availability of e-services and round-the clock services of the "Citizen's Easy Link", etc, and
- the likely impact on the general public and clients.

The Selective Placement Offices, the Job Matching Centre (which processes applications for imported labour under the Supplementary Labour Scheme), the Labour Relations Offices and the Employees' Compensation Offices will operate on five-day week basis with effect from 1 July 2006. Apart from extending their operating hours by 45 minutes every working weekday, these Offices will provide a drop-in box at the entrance of their premises to facilitate members of the public who call on Saturdays to leave messages and/or their contact telephone numbers. LD will respond to these messages as soon as practicable on the next working day. In addition, the 24-hour hotline 2717 1771 (the hotline is operated by "1823 Citizen's Easy Link") will be available to handle enquiries relating to LD's services and labour laws outside office hours.

LD will, as always, continue to provide the necessary conciliation service and conduct accident investigation outside normal office hours for those labour disputes and occupational accidents requiring immediate attention.

LD will review the implementation of five-day week in August and consider suitable fine-tuning in the light of actual experience.

LD considers the proposal to extend the opening hours of a particular weekday by three hours (i.e. from 5:30 p.m. to 8:30 p.m.) would unlikely bring about benefits in terms of service delivery to the public. The proposal is also operationally undesirable. Detailed considerations in respect of specific services are set out below –

- (i) placement service: Experience shows disabled clients rarely seek this service after 5 p.m.;
- (ii) information on reports of work accidents for compensation purpose: Employees who wish to check whether their employers have reported work accidents for compensation purposes to LD can do so by phoning the Employees' Compensation Offices any time during office hours;
- (iii) job matching service: Experience shows applications for imported workers are generally submitted during normal office hours;
- (iv) labour relations service: LD needs to contact employers and experience shows that it is difficult to get in touch with the employers concerned after 6 p.m. This operational consideration also applies for the Selective Placement Offices, the Employees' Compensation Offices and the Job Matching Centre where further case processing requires information from employers.

(a)(ii) Offices with counter services which will be closed on Saturdays with effect from 1 July 2006 are -

- Job Matching Centre;
- Branch offices of the Selective Placement Division;
- Branch offices of the Labour Relations Division; and
- Branch offices of the Employees' Compensation Division.

Offices that will continue to provide counter services on Saturdays following implementation of the five-day week are -

- Job Centres;
- Occupational Health Clinic; and

- Offices of the Occupational Medicine Unit which conduct sick leave clearance interviews.
- (b) CSB has invited all bureaux and departments (B/Ds) to consider the suggestion that upon the implementation of five-day week, the deadline for the payment of government fees and voter registration, etc. should preferably not fall on Fridays. We wish to note that where the time lines are laid down in law (e.g. those relating to voter registration), the relevant B/D will have to act in accordance with the law.
- (c)(i) The *conditioned* hours of the Foreman (FM) grade in the civil service is 45 hours net a week (excluding meal break). This was promulgated through the Civil Service Bureau circular no. 5/88 in February 1988 to all staff concerned.

Following a review, the former Urban Services Department (USD) and Regional Services Department (RSD) in the early 1990's decided to vary the *actual* working hours for FM on pest control duties to 44 hours gross a week (including meal break). The decision was made on the premise that the change would not affect operational efficiency. In announcing this decision, the USD and FSD made it clear in writing that –

- (a) the variation in the actual working hours was a concessionary arrangement;
- (b) the conditioned hours of 45 hours net a week remained unchanged for the FM grade;
- (c) the concessionary arrangement would be subject to review with reference to operational needs; and
- (d) the staff concerned would be required to work the normal conditioned hours (i.e. 45 hours net per week) on transfer out of the Pest Control Section.

The Food, Environmental Hygiene Department (FEHD) reviewed the concessionary arrangement last summer. It concluded that it was no longer justifiable to maintain this arrangement in view of the drastic increase in complaints and demand for pest control service in recent years. For example, the demand for pest control service increased by some 140%, from 67 729 cases in 2001 to 164 224 cases in 2004. To meet the increased public demand for pest control service and operational requirement, FEHD considered it necessary to reinstate the working hours for FM in the Pest Control Section to the conditioned hours of 45 hours net a week. It consulted the staff in November 2005.

- (c)(ii) Taking account of the points summarised in sub-paragraph (i) above, & (iii) including the fact that the Administration has reserved and made known its right to review its policy and that the proposed reinstatement of the working hours to the conditioned hours is supported by operational need, legal advice is that the reinstatement is not in breach of the employment contract between the Government and those FM grade staff working in the Pest Control Section. FEHD will reinstate the working hours of the FM grade staff on pest control duties to the conditioned hours of 45 hours net a week with effect from 1 July 2006. Upon reinstatement, the working hours of the 193 FM grade staff in the Pest Control Section will be the same as the other 831 FM grade staff in other areas of work in FEHD.