

Panel on Manpower

List of follow-up actions

(position as at 21 May 2008)

| Subject | Date of meeting | Follow-up action required | Administration's response |
|--|--|---|--|
| 1. Progress of the implementation of the Mandatory Provident Fund (MPF) System | 18.1.01 | The Administration was requested to provide monthly progress reports on the implementation of the MPF System. | The progress report as at the end of March 2008 was circulated vide LC Paper No. CB(2)1656/07-08 on 17 April 2008. |
| 2. Admission Scheme for Mainland Talents and Professionals | 4.4.03 (Joint meeting with the Panel on Security) | The Administration agreed to provide members with progress reports on the Scheme on a regular basis. | Progress report on the Scheme for the period from 1 October 2007 to 31 March 2008 circulated vide LC Paper No. CB(2)1660/07-08 on 18 April 2008. |

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| 3. Prevention of abuse of the Protection of Wages on Insolvency Fund (PWIF) | 15.12.05 | <p>The Administration was requested -</p> <p>(a) to consider providing a paper setting out its legal view on the issue of requiring all restaurant proprietors to provide bank guarantees for the statutory entitlements of employees; and</p> <p>(b) to provide information on the outcome of suspected fraudulent cases involving PWIF where prosecution had been instituted.</p> | <p>Response awaited.</p> <p>- Ditto -</p> |
| 4. Training for ethnic minorities | <p>24.10.06</p> <p>17.5.07</p> | <p>(a) The Administration was requested to provide information on the details of training courses offered to ethnic minorities, provision of assistance to help them secure employment and the number of persons who had secured employment; and</p> <p>(b) The Administration was requested to provide information on the number of the Continuing Education Fund-approved training courses designed to meet the specific needs of ethnic minorities. The Administration also agreed to provide information on career-oriented training programmes and retraining courses offered by the Vocational Training Council and the Employees Retraining Board for these people.</p> | <p>Response awaited.</p> <p>- Ditto -</p> |

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| 5. Effectiveness of training programmes under the Task Force on Continuing Development and Employment-related Training for Youth (Task Force) | 24.10.06 | The Administration was requested to report to the Panel on the effectiveness of the training programmes when the findings of the study on the overall effectiveness of the programmes under the Task Force were available. | Response awaited. |
| 6. Wage Protection Movement for employees in the cleansing and guarding services sectors (WPM) | 19.4.07 | <p>(a) The Administration was requested -</p> <ul style="list-style-type: none"> (i) to provide the Panel with a written response to issues raised by deputations attending the meeting; (ii) to consult the Equal Opportunities Commission whether the intent to make special arrangements for the more vulnerable groups if a statutory minimum wage was introduced would constitute discrimination under the Disability Discrimination Ordinance; (iii) to provide the Panel as soon as possible with details of the mechanism and criteria for assessing the overall effectiveness of WPM; and | <p>Response awaited.</p> <p style="text-align: center;">- Ditto -</p> <p>The issue will be discussed at the meeting on 27 May 2008.</p> |
| | 21.2.08 | (b) The Administration was requested to provide a detailed paper on the issues related to the introduction of a statutory minimum wage for the two specified occupations. | Response awaited. |

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| 7. Occupational injuries and accidents | 21.12.06 | The Administration was requested to provide a breakdown of the occupational injuries or accidents of employees in the Hospital Authority, including the rehabilitation personnel. | Response awaited. |
| 8. Protection against unreasonable and unlawful dismissal by reason of the fact that an employee has given evidence, or agreed to give evidence, in any proceedings in relation to the enforcement of the Employment Ordinance (EO) | 18.1.07 | The Administration agreed to provide members with statistics on cases in which the employers were ordered to pay remedies under EO in respect of unreasonable and unlawful dismissal in the past few years. | Response awaited. |
| 9. Implementation of Qualifications Framework (QF) | Meeting of the Bills Committee on Accreditation of Academic and Vocational Qualifications Bill | <p>The Administration undertook to report to the Panel -</p> <ul style="list-style-type: none"> (a) the progress of implementation of QF in individual industries on a half-yearly basis; and (b) the results of the review of the pilot scheme on Recognition of Prior Learning for the Printing and Publishing, Watch and Clock, and Hairdressing industries. | <p>Response awaited.</p> <p style="text-align: center;">- Ditto -</p> |

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| 10. Arrears of wages in the construction industry | 5.7.07 | <p>(a) The Administration was requested to provide the Panel with the number of labour disputes/claims involving arrears of wages which were reported by Labour Relations Officers (LROs), and information on whether LROs had been unfairly treated by the principal contractors for having reported the cases to the Labour Department; and</p> <p>(b) The Administration was requested to map out a policy to require principal contractors to make wage payments direct to their subcontractors' workers, and revert to the Panel in the new legislative session.</p> | <p>Response awaited.</p> <p style="text-align: center;">- Ditto -</p> |
| 11. "One-stop" employment service | 18.10.07 | The Administration was requested to provide information on the employment situation of trainees and the number of those who failed to secure a job after attending the training programmes on a three-month basis. | Response awaited. |
| 12. Operation of Labour Tribunal | 18.10.07 | The Administration was requested to follow up with the Judiciary on the latest development on the operation of the Labour Tribunal and revert to the Panel. | Response awaited. |

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| 13. Employees' claims for periodical payment for temporary incapacity and other compensation as a result of work-related injury | 15.11.07 | The Administration was requested to provide information on the alternative measures to assist injured employees to claim for outstanding periodical payment for temporary incapacity and/or other compensation as a result of work-related injury. | Response awaited. |
| 14. Proposal to revise the rate of Business Registration Certificate levy for the Protection of Wages on Insolvency Fund (the Fund) | 15.11.07 | The Administration was requested to follow up on members' suggestion to broaden the scope of ex gratia payment from the Fund and revert to the Panel before the end of this legislative session. | Response awaited. |
| 15. Findings on a review of Section 64B of the Employment Ordinance on the criminal liability of the responsible persons of a body corporate with regard to wage offences | 20.12.07 | <p>The Administration agreed to provide -</p> <ul style="list-style-type: none"> (a) information on the sentencing imposed on the eight company directors who were given jail/suspended jail sentence /community service order in 2006 and January to November 2007; (b) information on the number of summonses convicted and its proportion to - <ul style="list-style-type: none"> (i) the actual number of wage offence cases in January to November 2007; and (ii) the total number of summons issued in 2006 and January to November 2007. | <p>Response awaited.</p> <p style="text-align: center;">- Ditto -</p> |

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| 16. Report on the result of the Census and Statistics Department's survey on "Benefits of employees under the Employment Ordinance" | 17.1.08 | The Administration was requested to provide further breakdown by industry of the 42 900 non-"4-18" employees working at least 18 hours per week but expected not to work continuously for four weeks or more in the present job at the time of enumeration. | Response awaited. |
| 17. A review of occupational diseases in Hong Kong in 2007 | 20.3.08 | <p>The Administration was requested -</p> <ul style="list-style-type: none"> (a) to consider setting up an appeal mechanism with reference to international practice and in consultation with the industries; (b) to look into the latest position of the International Labour Organization in respect of occupational musculoskeletal disorders; (c) to study the need to include other musculoskeletal disorders of the hand or forearm in the list of occupational diseases prescribed in the Employees' Compensation Ordinance (Cap. 282); and (d) to report the progress of the Administration's follow-up on the issue of overnight work to the Panel. | <p>Response awaited.</p> <p style="text-align: center;">- Ditto -</p> <p style="text-align: center;">- Ditto -</p> <p style="text-align: center;">- Ditto -</p> |

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| 18. Retention of a supernumerary post for secondment to the Employees Retraining Board as Executive Director | 24.4.08 | The Administration was requested to report to the Panel on the future recruitment for the Executive Director post. | Response awaited. |
| 19. Enforcement of Labour Tribunal awards | 24.4.08 | The Administration was requested to provide legal advice on members' suggestion for the Board of the Protection of Wages on Insolvency Fund to file winding-up petition and exercise its subrogation right on behalf of employees against defaulting employers. | Response awaited. |