

For information on
27 May 2008

Legislative Council Panel on Manpower

Deletion of One Permanent Post of Chief Labour Officer in the Labour Department

PURPOSE

This paper informs Members of the proposed deletion of one permanent post of Chief Labour Officer (CLO) (D1) in the Labour Department (LD).

PROPOSAL

2. We have reviewed the organisational structure of the Labour Relations Programme (LRP) of the Labour Administration Branch (LAB) of LD and consider that there is scope to streamline the existing directorate structure of the LRP, by deleting one permanent post of CLO, in order to delayer the directorate structure and achieve greater efficiency and economy.

JUSTIFICATION

3. The LRP is mainly responsible for the maintenance of harmonious labour relations in the non-government sector, provision of voluntary conciliation service to assist employers and employees in the non-government sector to settle their disputes and claims, promotion of understanding of labour laws and encouraging good people management practices, ensuring that all components of wages as defined under the Employment Ordinance are included in the calculation of the relevant statutory entitlements and adjudication of minor employment claims and administration of trade unions. The LRP is currently headed by an Assistant Commissioner for Labour (AC) (D2), designated as AC(Labour Relations) (AC(LR)). Prior to May 1994, AC(LR) was underpinned by one CLO designated as CLO(Labour Relations)(CLO(LR)) who was responsible for supervising the Labour Relations Division (LRD), the Labour Relations Promotion Unit (LRPU), the Imported Workers Unit (IWU) and the Wage Security Unit (WSU). Each of these units was then under the charge of a Senior Labour Officer (MPS Point 45-49).

4. The post of CLO(2) was created in May 1994 with the approval of the Finance Committee (FC) vide EC(94-95)2 after the merger of the Registry of Trade Unions (RTU) with LD on 1 April 1994 to supervise the operation of RTU and take on a number of additional duties from CLO(LR), including the supervision of LRP and WSU. Consequential to the above changes, CLO(LR) was retitled as CLO(1) and was responsible for supervising LRD and IWU. As the administration of trade unions matters stabilised and the demand for labour relations service continued to increase, CLO(2) later took up the additional responsibility for overseeing the operation of the Employment Claims Investigation Unit (ECIU). The job description of the CLO(2) post is at Enclosure 1.

5. Since the merger of RTU with LD, AC(LR) has made continuous efforts to streamline the work process of the four units and RTU in LAB. As the units and RTU have been running smoothly over the years, demand for input at the D1 level had steadily diminished. In view of this, we reviewed the workload and activities of LRP in 2004 and concluded that by restructuring LRP, one of the CLO posts could be deleted to achieve greater efficiency and economy.

6. The restructuring was implemented on a trial basis in July 2004 and the duties previously under the purview of CLO(2) were redistributed between AC(LR) and CLO(1). The latter was then retitled as CLO(LR) and took up the responsibility for overseeing the operation of RTU, which was previously under the charge of CLO(2). The three Units which were previously headed by CLO(2) (viz the Workplace Consultation Promotion Unit (the then LRP), WSU and ECIU) were put under the direct supervision of AC(LR) and renamed as divisions. Since then, the CLO(2) post has been left frozen. We have not formally deleted the CLO(2) post as we consider it prudent to first assess in the light of operational experience whether the restructuring would adversely affect the overall efficiency of LRP. Having reviewed the new arrangement, we conclude that the streamlined structure of LRP has been functioning smoothly and propose to formally delete the CLO(2) post from the establishment.

7. The organisation charts of LD before and after the restructuring of LRP are respectively at Enclosures 2 and 3. The job descriptions of AC(LR) and CLO(LR) are at Enclosures 4 and 5 respectively.

FINANCIAL IMPLICATIONS

8. The proposed deletion of the CLO(2) post will bring about savings of \$1,201,200 in terms of notional annual salary cost at mid-point and \$1,643,000 in terms of full annual average staff cost, including salaries and staff on-cost.

WAY FORWARD

9. We plan to submit the proposal to the Establishment Subcommittee in June 2008 for recommendation to FC for approval in July 2008.

Labour and Welfare Bureau
Labour Department
May 2008

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

Rank : Chief Labour Officer (D1)

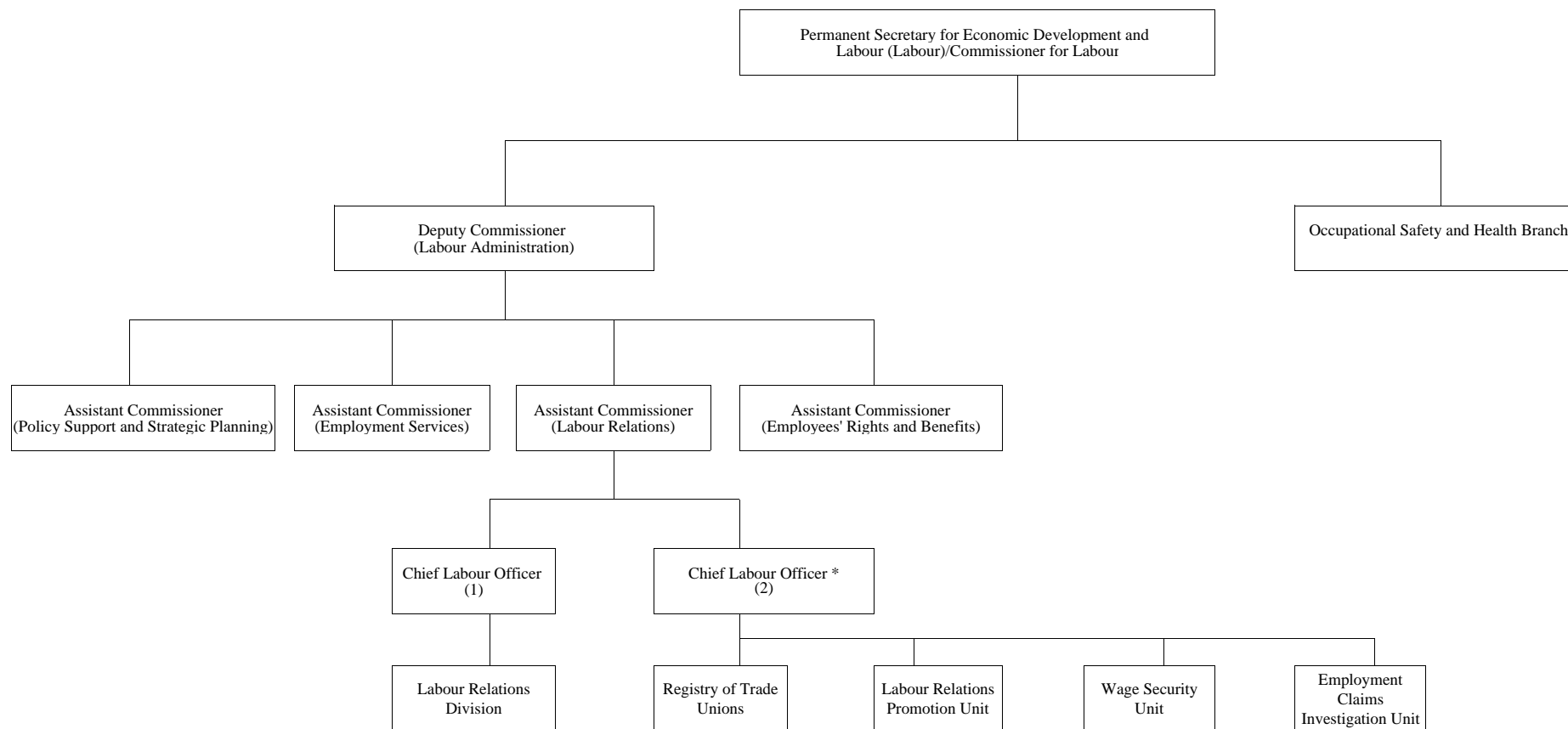
**Responsible to : Assistant Commissioner for Labour
(Labour Relations)**

Main Duties and Responsibilities –

1. To provide support to the Assistant Commissioner for Labour (Labour Relations) in formulating policy and strategies in respect of the Protection of Wages on Insolvency Fund, investigation of wage offences and trade union matters.
2. To assist in supervising and directing the activities of the Labour Relations Promotion Unit, the Wage Security Unit, the Employment Claims Investigation Unit and the 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 coordinate the overall strategy of industry-based tripartite committees.
5. To coordinate the organisation of large-scale promotional programmes and special projects.

Organisation Chart of Labour Department

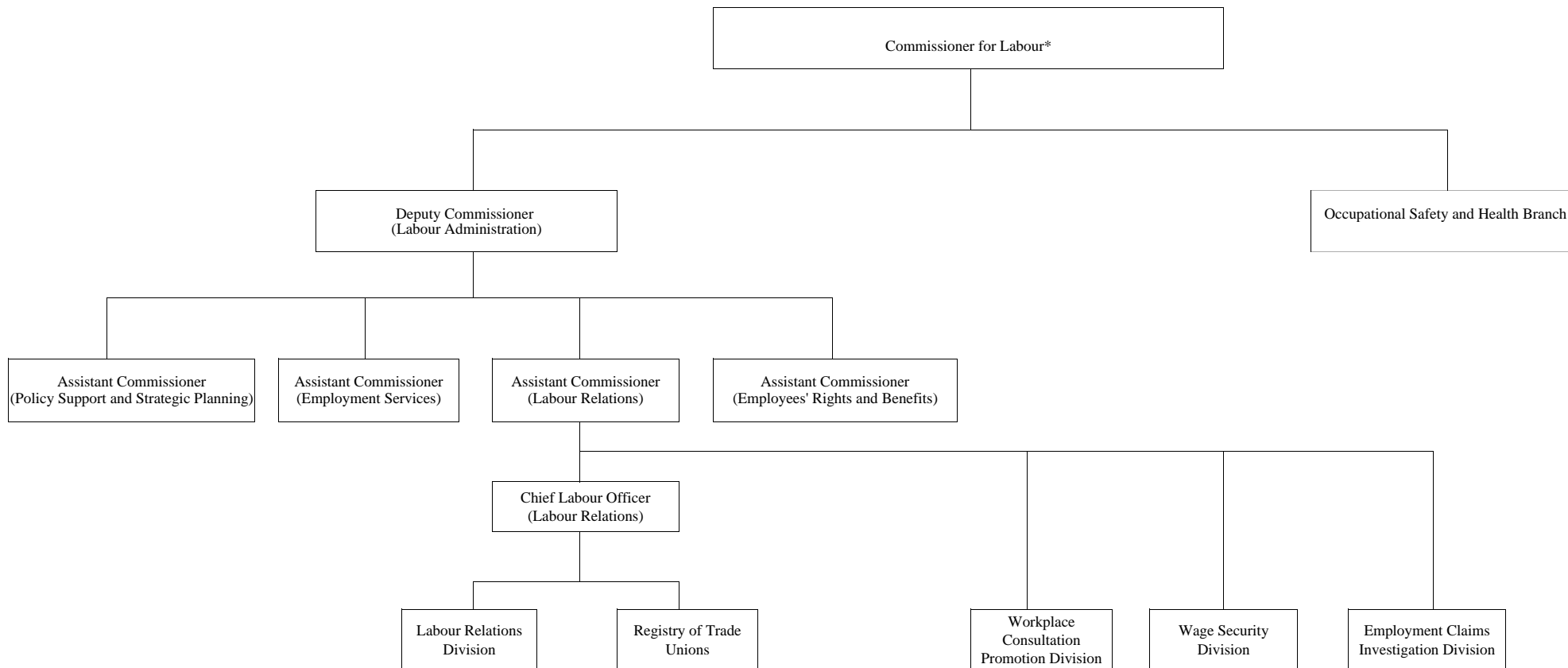
(Before restructuring of the Labour Relations Programme in July 2004)



* Post proposed for deletion.

Organisation Chart of Labour Department

(After restructuring of the Labour Relations Programme in July 2004)



Note: * The Commissioner for Labour post was reinstated on 1 July 2007 upon reorganisation of the Government Secretariat on the same day.

Job Description
Assistant Commissioner for Labour (Labour Relations)

Rank : **Assistant Commissioner for Labour (D2)**

Responsible to : **Deputy Commissioner for Labour**
(Labour Administration)

Main Duties and Responsibilities –

1. To assist in the formulation of policies and strategies in respect of labour relations, promotion of tripartite collaboration and good labour-management practices, protection of wages on insolvency, investigation of wage offences and trade union administration.
2. To oversee the activities of the Registry of Trade Unions.
3. To review and amend the existing legislation on labour relations, trade unions and employees' rights and benefits.
4. To oversee the activities of the Labour Relations Division, the Wage Security Division[#], the Workplace Consultation Promotion Division[#] and the Employment Claims Investigation Division[#].

[#]Duties taken over from the CLO(2) post proposed for deletion.

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

Rank : Chief Labour Officer (D1)

**Responsible to : Assistant Commissioner for Labour
(Labour Relations)**

Main Duties and Responsibilities –

1. To provide support to the Assistant Commissioner for Labour (Labour Relations) in formulating policies 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 and maintaining the industrial peace of Hong Kong.
3. To assist in establishing and fostering partnership with various stakeholders of industrial relations.
4. To perform the statutory functions of the Registrar of Trade Unions and administering the Trade Unions Ordinance. #

Duties taken over from the CLO(2) post proposed for deletion.