立法會 Legislative Council

LC Paper No. CB(2)1273/08-09 (These minutes have been seen by the Administration)

Ref: CB2/PL/MP

Panel on Manpower

Minutes of meeting held on Thursday, 19 February 2009, at 2:30 pm in Conference Room A of the Legislative Council Building

Members : Hon WONG Kwok-kin, BBS (Deputy Chairman)

present Hon LEE Cheuk-yan

Hon LEUNG Yiu-chung

Hon WONG Kwok-hing, MH Hon Alan LEONG Kah-kit, SC

Hon LEUNG Kwok-hung Dr Hon LAM Tai-fai, BBS, JP

Hon CHAN Kin-por, JP Hon IP Wai-ming, MH Hon IP Kwok-him, GBS, JP Dr Hon PAN Pey-chyou

Members : Hon LI Fung-ying, BBS, JP (Chairman)

Hon Andrew CHENG Kar-foo

Hon Frederick FUNG Kin-kee, SBS, JP

Dr Hon LEUNG Ka-lau Hon WONG Sing-chi

Public Officers: <u>Item III</u> attending

absent

Mr Matthew CHEUNG Kin-chung, GBS, JP

Secretary for Labour and Welfare

Mrs Cherry TSE LING Kit-ching, JP

Commissioner for Labour

Mr Alan WONG Kwok-lun, JP

Deputy Commissioner for Labour (Labour Administration)

Mr Byron NG Kwok-keung, JP

Assistant Commissioner for Labour (Labour Relations)

Item IV

Mr Matthew CHEUNG Kin-chung, GBS, JP Secretary for Labour and Welfare

Mr Paul TANG Kwok-wai, JP Permanent Secretary for Labour and Welfare

Mrs Cherry TSE LING Kit-ching, JP Commissioner for Labour

Mr FONG Ngai Assistant Commissioner for Labour (Policy Support and Strategic Planning)

Mr Ernest IP Yee-cheung Chief Labour Officer (Statutory Minimum Wage) Labour Department

Clerk in : Mrs Eleanor CHOW senior Council Secretary (2) 4

Staff in : Ms Clara TAM attendance Assistant Legal Adviser 9

Miss Josephine SO

Senior Council Secretary (2) 1

Ms Camy YOONG Clerical Assistant (2) 1

Action

I. Confirmation of minutes of previous meeting

(LC Paper No. CB(2)865/08-09)

The minutes of the meeting held on 18 December 2008 were confirmed.

II. Date of next meeting and items for discussion

(LC Paper Nos. CB(2)864/08-09(01) & (02))

2. <u>Members</u> agreed that the following items proposed by the Administration would be discussed at the next regular meeting to be held on 19 March 2009 at 2:30 pm -

- (a) Measures to enhance the employment services of the Labour Department (LD); and
- (b) LD's response to the recent labour relations scene amidst the financial tsunami.
- 3. <u>Mr LEE Cheuk-yan</u> said that the item in paragraph 2(b) above should be discussed in conjunction with collective bargaining. He said that there was no mechanism to monitor pay cuts and layoffs by employers. The Administration should clarify whether it had implemented International Labour Organization Convention No. 87 and No. 98 in Hong Kong.
- 4. <u>Mr LEE</u> also suggested that the issue of employee compensation for injury or death caused by accidents en route to work should be discussed at a future meeting. <u>Members</u> agreed.

III. Overview of Labour Department's efforts in labour administration in 2008

(LC Paper Nos. CB(2)864/08-09(03) & (04))

Briefing by the Administration

- 5. <u>Secretary for Labour and Welfare (SLW)</u> briefed members on the various programme areas in labour administration in 2008 as detailed in the Administration's paper. He also provided members with updated information as follows -
 - (a) LD seized every opportunity to help placement of job vacancies. A new job centre dedicated to the recruitment of employees for the catering industry was opened in Wan Chai after the Chinese New Year;
 - (b) Youth unemployment had always been a problem, especially during economic downturn. The latest unemployment rate for young people aged 15 to 19 was 19.5%, which was lower than the peak after the outbreak of the Severe Acute Respiratory Syndrome which stood at 37.6%; and
 - (c) An employer was sentenced to nine months' imprisonment on 22 January 2009 for paying her Indonesian domestic helper below the minimum allowable wage for foreign domestic helpers. The Administration would continue to step up enforcement actions against wage offences.

Employment services

- 6. Mr CHAN Kin-por commended the efforts of LD in 2008. He enquired about the number of jobs successfully secured through LD's placement services. He asked whether and how the achievement of LD in job placement would be publicized, and whether LD would consider extending its placement service to cover more senior positions. Mr CHAN also enquired about LD's measures to facilitate more job placements.
- 7. <u>SLW</u> advised that LD had achieved 146 308 placements in 2008, representing an increase of 8% over 2007. Apart from publicizing the results of job placements in LD's annual reports and website, LD would also examine the possibility of releasing the number of successful placements at the time when the unemployment rate was announced. Bearing in mind that the free placement services provided by LD were targeted at job seekers who did not have very high qualifications, LD was cautious about its positioning in the job market to ensure that it would not compete with employment agencies in the private sector in respect of senior position placement.
- 8. <u>SLW</u> further said that job centres provided a lot of job market information to help job seekers, among which was the posting of charts listing the types of vacancies available and the types of jobs most wanted by job seekers. There were often mismatches. For instance, many job seekers were looking for clerical jobs but there were abundant vacancies for security guards. Job seekers who were willing to take on jobs in other fields would have more job opportunities. In this regard, placement officers would help job seekers evaluate their academic qualifications, job skills, work experience and job preferences with a view to facilitating them to look for suitable jobs actively and recommending suitable training if they were willing to change their field of work.
- 9. Mr Alan LEONG expressed concern about employment opportunities for young people who found it increasingly difficult to secure jobs in the face of the financial turmoil. He asked whether LD would consider assisting young people to set up their businesses in the form of social enterprises with tax concession provided, and recruiting fresh graduates to fill job vacancies created by the East Asian Games. He also enquired about the services provided by the Youth Employment Start (YES) and how it would help young people start up businesses, if credit loan was not provided.

10. <u>SLW</u> responded that -

(a) while the development of social enterprise was under the purview of the Home Affairs Bureau, the Community Investment and Inclusion Fund (CIIF) under the Labour and Welfare Bureau aimed at promoting the development of social capital through

encouraging mutual support in the neighbourhood, community participation and cross-sectoral partnership. A number of CIIF-funded projects run by non-governmental organizations (NGOs) had helped the participants enhance their social and economic participation and secure employment, achieving outcomes similar to those of some social enterprise projects. Examples included a project that mobilised non-engaged young people to form a dance troupe to perform and teach hip hop dance, another one which helped young people learn how to operate a café in Shek Pai Wan, and one that enhanced the capacity and business skills of photographers so that they could set up their own studio in Aberdeen to take bridal photos;

- YES provided one-stop advisory and support service on (b) employment and self-employment to young people aged 15 to 29. It assisted young people to explore their career interest through career assessment and provided them with guidance to facilitate their job search in the open market. The two YESs, located at Langham Place in Mongkok and Metroplaza in Kwai Fong, provided a full range of office facilities and services at no charge. These included well-equipped business workstations, meeting room design corner with professional software/hardware. Locating YES at popular gathering places of young people was an initiative of LD to attract youths who might be reluctant to visit government offices where employment services were provided. By the end of 2008, the two YESs had together provided services to 63 636 young people; and
- (c) helping young people start up their own business was very risky because they lacked working experience. On the other hand, YES operated in tandem with the Youth Pre-employment Training Programme and the Youth Work Experience and Training Scheme to provide a full range of pre-employment and on-the-job training to young people, including training to become self-employed. Some young people had become self-employed magicians, specialists on pet care, etc. after training.
- 11. Noting that NGOs would organize many activities during the Easter Holidays and the summer, Mr LEUNG Yiu-chung urged the Administration to appeal to NGOs to hire young people so as to enable them to gain hands-on experience in jobs of different nature and let them have an idea of which direction they should go in pursuing their career. Mr LEUNG also expressed concern about job offers which trapped young people to engage in illegal activities. He asked about the measures taken by LD to prevent abuse of its placement services.

- 12. <u>SLW</u> responded that NGOs had all along hired young people to assist in various activities. In 2008-2009, the Administration had created 3 000 jobs for young people to become assistants to social workers in schools to provide counselling to students. <u>Commissioner for Labour (C for L)</u> supplemented that LD received about 2 000 vacancies from the private sector every day. Before posting a vacancy in LD, officers would check whether the company really existed, whether the wage was offered at the market rate and, if not, whether the employer concerned was willing to adjust the wage level. She recalled that there was only one vacancy posted in LD which was later found to require the job holder to sell counterfeit compact discs. Since it was difficult to ensure that pre-posting scrutiny to be absolutely foolproof, it would be helpful if Members and the public would report such cases to LD for investigation.
- 13. Mr LEUNG Kwok-hung said that while the Administration was advocating preservation of employment, it had started dismissing staff back in the times when Mr Antony LEUNG was the Financial Secretary. The Government had then begun to outsource civil service jobs, create more positions at the senior level, and put the jobs of contract staff at risk. He also criticized big enterprises for laying off staff while making profit. He suggested that the Government should increase the profit tax rate of big enterprises.
- 14. Mr WONG Kwok-hing commended the work of LD. He expressed concern that although the overall unemployment rate had reached 4.6%, the Government's economic policy had not been employment-oriented. He cited an example that while the Government would expedite recruitment to fill some 7 700 civil service vacancies from December 2008 to March 2010, over 10 000 non-civil service contract (NCSC) staff working in the Government would be losing their jobs when their contracts expired in the next two years. Another example was the issuing of new Itinerant (Frozen Confectionery) Hawker Licences which was capped at 30. Given that the issuing of such licences did not have any financial implication and would create more jobs, he urged the Administration to relax the policy.
- 15. <u>SLW</u> noted Mr WONG's views and said that he would look into the matters with the Civil Service Bureau (CSB) and the Food and Environmental Hygiene Department respectively.

(*Post-meeting note*: In respect of the NCSC staff issue, according to CSB, as at 31 December 2008, the contract duration of some 12 400 NCSC staff was less than two years. The Administration advised that it did not mean that all of these NCSC staff would be losing their jobs when their contracts expired. Bureaux/departments (B/Ds) would renew the contracts of their NCSC staff if there was a continued operational need for the NCSC positions concerned, subject to their satisfactory performance. While some of the NCSC positions would be deleted because there was no longer an operational need for the service, B/Ds

would also create new NCSC positions from time to time to cope with new service needs which did not require the keeping of permanent staff. For the relevant hawker licence issue, the Food and Health Bureau would follow up separately.)

Labour relations

- 16. Mr LEE Cheuk-yan disagreed with the Administration's view that labour relations in Hong Kong were good. In his view, that was only an illusion. The number of labour disputes and claims appeared to have dropped because with little bargaining power, employees had often reluctantly accepted the employers' offers. Given the deficiency in the current system, there was little LD could do when disputes arose between consortia and their employees. Taking PCCW Limited and the Hong Kong and Shanghai Banking Corporation as examples, early intervention by the Administration could not prevent them from cutting staff salary and laying off staff. Mr LEE held the view that unless legislation was enacted to strengthen employee's right to collective bargaining, employees would remain in a disadvantaged position when labour disputes arose.
- 17. <u>SLW</u> responded that LD had been advocating voluntary conciliation to resolve labour disputes under which LD would intervene only with the consent of employers and employees. In his view, the most effective way to get out of an impasse was through communication among the parties concerned. If employers and employees were willing to establish dialogues, there were usually ways to narrow differences and to come up with a solution. In the face of the financial tsunami, the Administration noted that some companies had to lay off staff to maintain their businesses. The Administration had appealed to all employers that they should reduce operating costs by redeployment of resources and increasing revenue by opening up new markets. Redundancy and dismissal should only be the last resort.
- 18. <u>Dr PAN Pey-chyou</u> said that labour relations were tense in Hong Kong, as reflected in a number of labour disputes in recent years. This included the strikes taken by steel bar benders, delivery workers of a distilled water company, and outsourced workers of PCCW Limited. He considered that employees were in a disadvantaged position when negotiating with employers because they were not protected under the law. The Hong Kong Federation of Trade Unions had advocated a three-tier collective bargaining mechanism to safeguard employees' right so that employers and employees could negotiate on equal footing.
- 19. Echoing the views of Mr LEE Cheuk-yan and Dr PAN Pey-chyou, Mr IP Wai-ming said that labour relations in Hong Kong were like a time bomb; it would explode if not handled properly. If employers thought that employees had a weak bargaining power during the economic downturn and hence forced

them to accept wage reduction, layoffs and taking unpaid leave while the companies were making money, labour relations were bound to deteriorate. He pointed out that in some cases where a labour dispute was settled after conciliation, labour relations remained tense. In his view, it was not easy to build up harmonious labour relations.

- 20. SLW responded that the Administration had made clear its position on collective bargaining when the motion on "Assisting grassroots workers in counteracting economic adversities" moved by Mr IP Wai-ming was debated at the Council meeting on 4 February 2009. The Administration supported voluntary collective bargaining and had reservations about making collective bargaining statutory. Given that 98% of the companies in Hong Kong were small and medium enterprises (SMEs), a mandatory collective bargaining system would pose difficulties to many SMEs. In addition, collective bargaining would not be meaningful if employers were reluctant to participate. The Administration had been adopting a multi-pronged approach in promoting harmonious labour relations. The measures taken included providing voluntary conciliation service, promoting good people management practices, promoting public understanding of labour laws and strengthening tripartite collaboration at the industry level. The Administration also appreciated the contributions of the Labour Advisory Board (LAB) and the Industry-based Tripartite Committees in promoting labour relations. Employers were encouraged to have dialogues with employees and resolve conflicts with mutual understanding. They were aware that they had to pay a hefty price if they did not address employees' concerns promptly.
- 21. <u>SLW</u> further said that based on past experience, while stalemates might occur in the course of conciliation, there was always a breakthrough at the end whereby the parties concerned would reach an agreement. This was why the Administration considered the labour relations in Hong Kong harmonious. In fact, the number of labour disputes handled by LD in 2008 had dropped to the lowest level since 1998. However, with the onset of the financial tsunami in September 2008 there had been an upsurge in business closures, insolvencies and redundancies. The number of labour disputes between October 2008 and January 2009 rose by 64% over the corresponding period in the preceding year. LD had closely monitored the labour relations scene and rendered timely assistance to employers and employees. In many cases, LD's early intervention had helped defuse potential labour disputes.
- 22. <u>Mr LEE Cheuk-yan</u> queried the effectiveness of LD's early intervention into labour disputes and enquired about the number of cases where interventions had resulted in employers withdrawing their plans to cut staff pay and lay off staff.
- 23. <u>SLW</u> responded that LD had intervened and defused many potential labour disputes behind the scenes which were not reported by the media.

Where there was news coverage, the labour dispute had erupted into the open. Once LD detected any potential labour dispute, it would alert the employer concerned so that the problem could be dealt with as soon as possible.

24. C for L added that -

- (a) LD's early intervention had helped defuse many potential disputes but it was not appropriate to disclose information about individual cases because of the confidential nature of conciliation;
- (b) LD's intervention in labour disputes had been effective because on many occasions, this had changed the labour relations scene from a deadlock to a breakthrough with a mutually acceptable solution; and
- (c) the Administration considered that labour relations in Hong Kong were good when compared with other countries. While labour relations in certain industries and companies might be strained, the disputes were mainly concerned with the rights and interests of employees rather than breaches of labour laws. In this connection, <u>C for L</u> said that labour unions had done a lot in fighting for the rights and interests of employees.
- 25. Mr LEUNG Yiu-chung said that although the Administration encouraged voluntary collective bargaining, the fact remained that employers and employees were not on an equal footing in a negotiation. When disputes could not be resolved, employees would be in a very difficult position. He urged the Administration to reconsider introducing legislation to strengthen employees' right to collective bargaining. SLW responded that there were successful cases of voluntary collective bargaining whereby big enterprises in the airline, printing, transportation and construction industries had resolved disputes with their respective labour unions. He reiterated that the existing practices in resolving labour disputes were appropriate.

IV. Statutory minimum wage - views of stakeholders on special arrangement for persons with disabilities

(LC Paper Nos. CB(2)864/08-09(05) & (06) and 928/08-09(01))

26. <u>Members</u> noted the submission from Rehabilitation Alliance Hong Kong, which was tabled at the meeting.

(*Post-meeting note*: The paper tabled at the meeting was circulated to members vide LC Paper No. CB(2)928/08-09 on 20 February 2009).

- 27. <u>SLW</u> briefed members on the views of the rehabilitation sector and other relevant stakeholders on the treatment of persons with disabilities (PWDs) under the statutory minimum wage (SMW) regime as set out in the Administration's paper. In gist, LD had, after consultation with the rehabilitation sector, other stakeholders and LAB, come to the view that while PWDs taking up employment should be protected by SMW, some PWDs' productivity impaired by their disabilities could be exempted from SMW so as to minimize any adverse impact of SMW on their employment opportunities. A special arrangement including a mechanism assessing a PWD's productivity which would form the basis of determining his wage level under the SMW regime (the special arrangement) was being contemplated. To avoid abuse by unscrupulous employers, the assessment should be initiated by the PWD.
- 28. <u>Mr LEE Cheuk-yan</u> said that he supported the direction proposed in the Administration's paper that some PWDs should be exempted from SMW. He raised the following issues of concern about the assessment mechanism -
 - (a) how the productivity of PWDs would be assessed and who would perform the assessment;
 - (b) how to determine whether a PWD should be remunerated at at least the SMW rate, and if not, the extent of the discount from SMW;
 - (c) whether PWDs would be paid at the SMW rate during the trial period before an assessment was made;
 - (d) whether the exemption of PWDs from the SMW rate would constitute a violation of the Disability Discrimination Ordinance (Cap. 487) (DDO); and
 - (e) whether the act of an employer requesting a PWD to conduct a productivity assessment would constitute discrimination.
- 29. <u>SLW</u> said that the issues raised by Mr LEE were of concern to the rehabilitation sector and other relevant stakeholders on the treatment for PWDs and LAB. <u>C for L</u> added that while different stakeholders had different views, the proposed special arrangement was supported extensively by the rehabilitation sector. In fact, the proposal was not the idea of LD but the joint effort of the rehabilitation sector and other relevant stakeholders. As regards the wage level for a PWD during trial period, some rehabilitation groups had suggested that the employer and the PWD could negotiate an agreed wage rate between themselves. Some other rehabilitation groups had suggested paying the PWD at 50% or 70% of the SMW rate. LD had yet to explore the detailed arrangement with the relevant stakeholders. As to whether the special arrangement would contravene DDO, a representative of the Equal

Opportunities Commission had participated in the discussions and was well aware of the implications brought about by the exemptions of PWDs under the SMW regime. For the avoidance of doubt, LD would work in collaboration with the rehabilitation sector and other relevant stakeholders to consider the possible need for consequential amendments to other relevant legislation.

- 30. Mr WONG Kwok-hing enquired about the party responsible for paying the assessment fee. He said that in order to ensure independence and fairness of the assessment mechanism, and to ensure the active participation of employers in the special arrangement, the assessment cost should be borne by a third party, preferably the Government. He asked whether an appeal mechanism would be put in place for PWDs to lodge complaints against the assessment result. Mr WONG also expressed concern whether the adoption of possession of the Registration Card for PWDs as the eligibility criterion for the special arrangement would be subject to legal challenge.
- 31. C for L said that LD had deliberately set aside the discussion on the assessment fee in order not to deter stakeholders from participating in the discussion of the special arrangement. She assured members that the Administration would provide the necessary support to ensure that the special arrangement would operate smoothly. She informed members that although there were different views in the community on the establishment of an appeal mechanism, the majority of rehabilitation groups was not supportive of such an idea. As regards the criteria for seeking special arrangement, the definition of "disability" under DDO was found neither practical nor appropriate as a criterion to determine eligibility for the special arrangement. consultation with the rehabilitation sector and other stakeholders, would further develop details of the special arrangement and how they could be incorporated into the SMW Bill. In further response to Mr WONG, C for L said that not all of the 54 rehabilitation organizations listed in Annex A to the Administration's paper had provided written submissions. The Administration would provide the Panel with the written submissions, if received.

Adm

- 32. Mr IP Wai-ming said that he supported the direction proposed in the Administration's paper. He urged the Administration to expedite the study on the special arrangement and present a more specific and detailed proposal for members' consideration. He pointed out that apart from PWDs, employers could also lodge an appeal against an assessment result. In his view, the assessment cost should be borne by the Government.
- 33. <u>SLW</u> responded that if members supported the direction of the proposed special arrangement, the Administration would proceed to develop the details of the practical arrangement. <u>C for L</u> supplemented that apart from discussing the broad issues relating to the special arrangement, LD had also discussed the following areas with rehabilitation groups and other relevant stakeholders -

- (a) the wage level for PWDs during the trial period;
- (b) qualifications and relevant experience of an assessor; and
- (c) exemption of the special arrangement from the coverage of DDO.
- 34. <u>C for L</u> said that given that the assessment was to be conducted on a voluntary basis and to be initiated by PWDs who would select the assessor, the majority of rehabilitation groups did not consider an appeal mechanism necessary. The preliminary view of the rehabilitation groups and other stakeholders was that the assessor should be a third party who was an occupational therapist, physiotherapist, or social worker with relevant experience in dealing with vocational rehabilitation of PWDs. <u>C for L</u> added that since rehabilitation groups and other relevant stakeholders had general consensus on the above issues, she envisaged that the implementation details would be finalized in due course.
- 35. Mr LEUNG Yiu-chung said that one of the major concerns regarding SMW was whether PWDs' employment opportunities would be adversely affected. Referring to paragraph 6 of the Administration's paper, he questioned why there was a chance of a PWD being displaced, given that displacing PWDs was in breach of DDO. He also enquired how rehabilitation groups viewed the job opportunities of PWDs under SMW and whether a reduced SMW rate was to be proposed by a PWD during a job interview.
- 36. C for L responded that rehabilitation groups were pragmatic about securing jobs for PWDs. For instance, some had co-operated with a hotel chain which offered jobs to PWDs who worked in pairs to make up rooms and each received half of the normal salary. The arrangement was acceptable to both PWDs and their able-bodied counterparts. Deliberate displacement and possible wage-exploitation of PWDs was an unavoidable dilemma. The special arrangement sought to resolve that dilemma by putting in place an objective mechanism that could avoid dampening employers' willingness to employ PWDs while ensuring that PWD employees were treated fairly under an SMW regime. In brief, the mechanism envisaged allowing employers to offer PWDs wages below the SMW rate during a specified trial period. The trial period would allow time for a PWD to acclimatize with the workplace and his duties before the assessment was conducted in the actual performance of his job duties. An assessment conducted this way would be objective, fair, reflecting the actual circumstances and thus credible. If a wage rate commensurate with the reduced productivity of a PWD was allowed, the chances of PWDs being displaced under the SMW regime could be reduced.
- 37. <u>Dr PAN Pey-chyou</u> said that he supported the direction proposed in the Administration's paper. Given that the assessment must be fair and credible, the assessment centre, if to be set up, should comprise members from all

relevant stakeholders. In his view, occupational therapists were most suitable for carrying out assessments on PWDs and the assessment cost should preferably be borne by the Government. He said that PWDs whose productivity was comparable to that of their able-bodied counterparts should be covered by the SMW regime.

- 38. <u>SLW</u> assured members that the assessment mechanism would be fair, practical and not too cumbersome in order to attract employers' participation. <u>C for L</u> clarified that there was no intention to set up an assessment centre. On the assessment mechanism, discussions had been held on whether the assessment should be conducted on an occupational basis in a centre set up/selected for this purpose or be specific to the particular job of the concerned PWD. Given the diverse nature and demands of different job duties even within the same occupation, there was a general consensus that a pragmatic job-specific assessment, in which the assessment should be conducted in the actual workplace concerned, should be adopted.
- 39. Mr Alan LEONG expressed concern that a job-specific assessment could be very cumbersome and envisaged that there would be practical difficulties in implementation. C for L reiterated that the assessment mechanism would be user-friendly and fair to avoid dampening employers' willingness to employ PWDs. As the assessment would be conducted by professional assessors based primarily on observation and dialogue with the employers and employees in the PWDs' workplaces, it should be non-intrusive.
- 40. <u>Dr LAM Tai-fai</u> considered the special arrangement set out in the Administration's paper acceptable. He pointed out that in the face of the financial tsunami when SMEs were struggling to survive, they had little alternative but to hire able-bodied workers to ensure operational efficiency. It would be unfair to label them as unscrupulous employers just because they did not hire PWDs. <u>Dr LAM</u> urged the Administration to offer more incentives such as tax concession to SMEs so as to encourage their participation in the special arrangement during this difficult time.
- 41. <u>SLW</u> responded that the Administration did offer incentives to employers hiring PWDs. Under the Work Orientation and Placement Scheme for PWDs, employers providing job trials to PWDs were given a financial incentive at a rate equal to half of the monthly salary paid to PWDs or \$3,000, whichever was the lower, for a maximum of three months. In his view, maintaining self-esteem and dignity of PWDs was more important and that could be achieved by offering them more employment opportunities.
- 42. Mr LEUNG Kwok-hung said that he did not accept the special arrangement because for PWDs to live with dignity, they should receive wages at the SMW rate. Any shortfall below the SMW rate received by PWDs should be paid by the Government in the form of subsidy. SLW responded that at

present, many PWDs were receiving subsidies from the Government in the form of disability allowance or allowance for low-income workers under the Comprehensive Social Security Assistance Scheme.

43. The meeting ended at 4:30 pm.

Council Business Division 2
<u>Legislative Council Secretariat</u>
14 April 2009