

Legislative Council Panel on Manpower

Note on the Adjustment of Timing in Introducing the Employment (Amendment) Bill into the Legislative Council

The Employment (Amendment) Bill (“the Bill”) seeks to remove the requirement for an employer’s agreement to the making of an order for reinstatement or re-engagement of an employee who has been dismissed unreasonably and unlawfully, and to require the employer to pay a further sum to the employee for failing to comply with such an order.

2. The Administration originally planned to introduce the Bill into the Legislative Council in the 2008-09 session. However, owing to the following reasons, this item has to be deferred to the next legislative session:

- (i) the unforeseen drastic increase in labour disputes and redundancy/ winding up cases arising from the global financial tsunami, which calls for prompt and effective response from the Labour Department (LD), has exerted immense pressure on the manpower resources and top management of LD, resulting in the need for LD to re-prioritise its existing commitments; and
- (ii) deferring the bill would enable the Administration to focus on, and accord priority to, introducing within this legislative session the complex and major draft bills on putting in place a statutory minimum wage and enhancing the enforcement of Labour Tribunal awards.

3. Upon completion of the relevant preparatory work, the Administration will endeavour to introduce the Bill as soon as possible in the 2009-10 session.

Labour and Welfare Bureau
Labour Department
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