

警察評議會職方協會

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**POLICE FORCE COUNCIL
STAFF ASSOCIATIONS**39/F, ARSENAL HOUSE
POLICE HEADQUARTERS
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協會編號 OUR REF: (17) in SS/C 1/12 Pt.13

來件編號 YOUR REF:

17th June 2009

Miss C.Y. Yue Denise, GBS JP
Secretary for the Civil Service,
10/F, West Wing, Central Government Offices,
11 Ice House Street, Central
Hong Kong.

Dear Miss Yuc,

2009 Civil Service Pay Adjustment

We refer to your letter of 16th June, advising us of the CE-in-Council's decision to offer lower and middle salary bands a pay freeze and those in the upper band a salary cut of 5.38%. A wave of extreme anger and disappointment swept across the Hong Kong Police on the afternoon of Tuesday 16th June 2009, as officers learned of the these proposals. Much of the anger centres around the fact that you refer to an "established mechanism" when in fact you and the CE have deviated from that mechanism in accepting the findings of a tainted PTS upon which to base the offer.

Our patience is being tested and we exercise restraint and caution. We would like to work the issues through in a rational and business like manner but frankly this can only be achieved if there is a change in attitude on your part, to provide some genuine sensitivity and time to explore our views.

We ask for a proper and careful review the 2009 Pay Trend Survey, the exclusion of companies L080 and L057 and for us to be provided with a clearer outline of the Administration's views and timeframe for the Grade Structure Review (GSR). We need to know how the GSR integrates with the prospective date of the Pay Trend Survey to avoid further damaging relations.

It appears that the decision of CE in Council and the 2009 Pay Offer has become part of the politicization of the process, with a focus on senior officials pay, to assure support in the community for the CE's political base in the lead up to July 1st and meet the demands of the business interests that guide Hong Kong. We realize we are being asked to 'stand together with the public at difficult time', to support the CE and Hong Kong and make difficult sacrifices in our remuneration. This is a hard choice when we have stood by Hong Kong patiently, apparently disrespected whilst waiting for what has been promised but remained unrealized for so long. We have been asked to accept an open-ended and vague statement on the further deferment of the Grade Structure Review, a review that has been outstanding for too many years.

**SUPERINTENDENTS'
ASSOCIATION**
警司協會

**HONG KONG
POLICE INSPECTORS'
ASSOCIATION**
香港警務督察協會

**OVERSEAS INSPECTORS'
ASSOCIATION**
海外督察協會

**JUNIOR POLICE OFFICERS'
ASSOCIATION**
警察員佐級協會

Whilst many in our community have enjoyed relative prosperity and a general improvement in the quality of their life from 2004 to 2008, the situation for Police has been eroded year on year since 1997 and we have endured three pay cuts (possibly 4 now) and two pay freezes. Colleagues are openly stating that '**Enough is enough**' and a pay cut by legislation is not something that should be entered into or accepted by the Police at this time.

As police officers we seek fairness and openness in our dealings, a level playing field and strict implementation of established mechanisms. We have raised issues with this year's PTS because of a failure of the mechanism, not because the figures have shown a negative result. There must be a way to arbitrate our dispute rationally rather than being ignored. Our members feel the process is being stage-managed by the Administration and by the Secretary for the Civil Service and that we as individuals can either resign ourselves to this fact or stand by our principles and justify the unique responsibilities and difficulties of the Police Force in the full glare of the public. Without integrity everything else is flawed.

Our members feel this Pay "Offer" has been reached without proper regard and emphasis on the seriousness and a real understanding of the poor situation of morale in the Police, the uncertainty over the Grade Structure Review since the report published on **27th November 2008** and our genuine concerns on the manipulation and abuse of process that took place within the Pay Trend Survey and Pay Trend Survey Committee in 2009. There is no sensitivity to openly discuss or even explore our concerns on the inclusion of two companies L080 and I.057 in 2009 Pay Trend Survey. Failing to respect the opinions of the Police on these issues signals a difficult and uncertain period for our organisation within the Civil Service. There is no sign of sincerity by this Administration in working in a proper consultative framework with the Police Staff Side. We continue to live in hope of a turnaround.

In addition, the fact is that submissions on the Grade Structure Review from both the Commissioner of Police and Staff Side and the personal intervention and letter from Commissioner of Police, dated 5th June 2009 to you as Secretary for the Civil Service on the Grade Structure Review have not been respected or acted upon with any sincerity to engage us and provide your views is most worrying.

We have expressed views on the 2009 Pay Adjustment for Police officers in the Pay Claim Letter (10) in SS/C 1/12 Pt.13, dated 11th June 2009 and this submission is included in a briefing paper to LegCo CSBCR/PG/4-085-001/62 dated 16th June 2009. However, we have grave concerns in the way the process for the PTS is being represented, or "misrepresented", to the CE in Council and LegCo. We are in the process of writing to Executive Councillors and Legislators to ask them to critically examine the information they are provided by the Administration.

Again today, we are asked to submit to an unreasonable request to provide our response to the pay offer from CE in Council, less than 24 hours after a controversial and clearly politically motivated announcement on the pay of political appointees. There needs to be clear differentiation on the decision and process for payments of salaries for political assistants and others appointees earning above HK\$134,000 dollars and the upper band employees in the civil service, many of whom are actually working at only the 'median level to private sector pay'.

Although we refer to Upper band I and Upper band II in the civil service we should all recognize the distinction where Upper band I have a more modest pay range from HK\$48,401 to HK\$77,675, falling well short of any such appointees. These are mainly staff in the Inspectorate frontline command.

We are not in agreement with some other staff associations and unions and as a matter of principle do not accept any return to ad-hoc decision making on salaries. There is unfairness to employees and the public when 'behind the scenes' deals are struck for pay freezes. We see this as a serious departure and about face from the improved mechanism of Civil Service Pay adjustment, a mechanism that was only introduced in 2007.

This approach and the way you treat the Staff Side damages the relations we should have with you as Secretary for the Civil Service. We have been called to meet with you tomorrow to be informed of the contents of a bill to implement the pay cut through legislation. Quite frankly this meeting, planned ahead of our submission of these comments on the pay offer, further demonstrates a complete lack of empathy and interest in listening or honestly handling any of our views.

We have a duty to represent our members the 27,000 men and women of the Hong Kong Police to place our comments on record and we request that these be reproduced in full in any submissions on Police Pay to the CE in Council, Legislators, business and various community groups. We can only continue to serve with dedication in the hope there is mutual respect for transparency, disclosure and full exploration of issues. For the sake of clarity we now have the following points to make on the pay offer made by CE in Council on 16th June 2009 that need to be resolved.

(a) We would view this pay offer as a serious departure from the improved mechanism on pay endorsed by the CE-in-Council in 2007 and as a politicization of the pay adjustment mechanism, which we cannot accept. Assurances that there would be no impact or 'carry forward' of any pay offer against future adjustments are noted and supported as a clear matter of principle;

(b) It would be improper for CE in Council to make a pay offer based upon the tainted 2009 PTS results. There are 119 surveyed companies with both positive and negative results that can be reliably found to fit the methodology of the PTS, which needs to exclude two companies L080 and L057. **We in the Police can only accept the validity of Gross PTI results with an increase of +0.75% for the lower band, +0.83% for the middle band and - 1.59% for the upper band;**

(c) We seek application of Gross Pay Trend Indicators without the practice of the Administration for deduction of increment cost for the Police, given that 75% of the Hong Kong Police Force is not receiving any annual increment whilst the Grade Structure Review is outstanding. We would also note that the percentage of each increment for our frontline junior officers consistently lags behind the general grades by several percent;

- (d) The Police role in Hong Kong is unique and the Police are facing a series of challenges in 2009, so the Staff Side would therefore object to any mechanism for a pay cut by legislation. In the event of a pay cut being implemented on the civil service, this **should not** be applied to the Police. CSB should carefully enter into **proper negotiation** with the staff side and first consider the impact on the efficiency and morale of frontline Police commanders and particularly the mid career Inspectorate who direct the day-to-day operations and prosecutions in each Police District of Hong Kong;
- (e) The Administration should implement the recommendations of the GSR in full, save those identified as problematic in the revised PFC SS GSR Paper 2 / PPS submitted to the Secretary for Civil Service on 26th February 2009;
- (f) The proposals in PFC SS GSR Paper 2 / PPS should be implemented in full **prior to** application of the PTS results (119 endorsed companies);
- (g) The recommendations on the GSR as above should be implemented as soon as possible and back-dated to the date of the GSR report, 27th November 2008, in accordance with the established practice; and
- (h) Low Morale is a now serious issue in the police force and most officers are despondent with the Administration's procrastination over implementation of the Grade Structure Review recommendations. The bond of trust between police officers and the Administration is now broken and PFC SS representatives are facing increasing calls for more radical and high profile action in respect of pay.

Your actions make us believe that the improved pay mechanism that was only approved by CE in Council in 2007 is now at risk of being irreparably damaged and we worry that it is in effect already 'dead in the water'. This year's approach in the Pay Adjustment and your failure to meet a pledge to put forward recommendations on the GSR by mid-year is unacceptable. This action with the deferment of the Grade Structure Review has caused so much concern and the lowest morale situation within all ranks of the Hong Kong Police this decade. We urge you to refrain from enacting legislation that will damage irreparably the relationship between the Police staff side and the Administration.

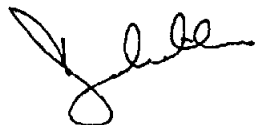
Yours sincerely,



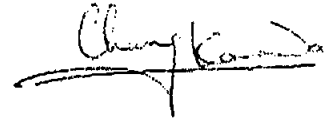
SHAM Wai-kin
Chairman
SPA



LIU Kit-ming
Chairman
HKPIA



David WILLIAMS
Chairman
OIA



CHUNG Kam-wa
Chairman
JPOA

c.c.
Office of the Chief Executive
Chief Secretary for the Administration.
ExCo Members
LegCo Members
Commissioner of Police
Chairman LegCo panel on Public Service
SF(1) in SS/C 1/12, SF(8) in SS/C 1/12