

For discussion
on 28 June 2010

**Legislative Council Panel on Transport
Working Hour and Rest Time Arrangements
of Franchised Bus Captains**

Purpose

This paper updates Members on the progress in the pursuit of measures to further enhance the working hour and rest time arrangements for the bus captains of franchised bus companies.

Background

2. The Legislative Council Panel on Transport (the “Panel”) was briefed on 27 November 2009 (LC Paper No. CB (1) 430/09-10(06)) on measures to enhance the safety of franchised bus operation. To ensure that bus captains have sufficient rest time, guidelines have been issued by the Transport Department (“TD”) to the franchised bus companies for application in arranging the duties of their bus captains. The current guidelines, viz. “Guidelines on Bus Captain Working Hours” (the “Guidelines”) at Annex was last reviewed and revised in 2007. The Panel requested the Administration to further review the Guidelines to ensure that bus captains have adequate rest time.

Review on Guidelines on Working Hours of Bus Captains

3. Following the meeting of the Panel on 27 November 2009, TD reviewed the existing working hour and rest time arrangements of the bus captains in conjunction with the franchised bus companies. In the process of the review, TD has also arranged meetings with the bus captain unions to listen to their views on the current arrangements and their areas of concerns. The requests of the unions are mainly related to improvements to rest times during a duty, meal break times, breaks between two successive working days, and amenity facilities at some bus termini. While all the unions request for the provision of amenity and other facilities at bus termini to enhance their convenience and consider that time spent at termini in monitoring the boarding activities of passengers should not be taken as rest time, there are different views expressed with regard to the meal break

arrangement and breaks between successive working days. Their main concern appears to be on the resultant re-scheduling arrangement which would have impact on the bus captains' working pattern.

4. Taking into account the views of the bus companies and the bus captain unions, TD is pursuing the following improvements to the working hour and rest time arrangements:

- (a) during a 6-hour duty, a total service break of at least 20 minutes should be provided, of which no less than 12 minutes should be within the first 4 hours of the duty. The time a bus captain spends at a terminal point preparing a bus for the next departure and monitoring passenger boarding will not be regarded as rest time;
- (b) the duration of the break between two successive working days will be revised from the current 9.5 hours minimum to 10 hours minimum; and
- (c) the meal break time for bus captains will be no less than 45 minutes initially, with further improvement to no less than one hour.

5. The bus companies are prepared to implement (a) and (b) above. However, they would need time to work out practicable arrangements, including mobilisation and re-scheduling some driving duties. In doing so, they would also need to engage their bus captain unions to work out the detailed arrangements, in particular for those bus captains whose working patterns would be affected. TD is working with the bus companies to have (a) and (b) implemented by December 2010.

6. The implementation of the improvements at (c) above will have more substantial impact on the working hours and working patterns of some bus captains. The bus companies will need to recruit and train additional bus captains to cover the service gaps arising from the increase in rest time and meal break time. In view of the changes in the driving pattern, the bus companies will also need to train up some of the existing bus captains to enable re-scheduling arrangement. The bus companies are consulting their staff unions on the proposals and detailed arrangements. Subject to further discussion between the bus companies and the unions, and on the basis that sufficient bus captains are recruited and trained, TD intends to request the bus companies to complete the improvement of meal breaks to no less than 45 minutes by around the third quarter of 2011 and the further improvement to no less than one hour in about one year thereafter.

Monitoring of Compliance of the Guidelines

7. TD has requested the franchised bus companies to set up internal monitoring systems to ensure that the Guidelines, including the proposed improvements in paragraph 4 above when implemented, are complied with in actual operation and to submit regular monitoring reports to TD. TD will continue to monitor the actual implementation of the Guidelines and will conduct monitoring surveys from time to time to ensure compliance with the Guidelines. TD will also continue to maintain liaison with the bus captain unions to gauge their feedback on the working hour and rest time arrangements.

Enhancement of Amenity Facilities at Bus Termini

8. The franchised bus companies are making on-going efforts to provide amenity facilities, such as rest rooms, toilets, drinking water dispensers, microwave ovens, or refrigerators at many bus termini for use by the bus captains and other frontline staff. Since 2009, the bus companies have improved amenity facilities at 71 bus termini. As at early June 2010, more than 70% of the bus termini have rest rooms/rest areas and toilets, about 80% have supply of free drinking water, and about 50% have microwave ovens and refrigerators. TD noted that some bus captain unions have requested for the provision of amenity facilities at more bus termini, or enhancement of existing facilities at some termini. The bus companies, after consulting their staff representatives, have drawn up plans to improve the amenity facilities of 25 bus termini within the next 12 months. TD will monitor progress and will facilitate implementation through liaison with and coordination among other parties where appropriate.

Advice Sought

9. Members are invited to note the content of this paper.

Guidelines on Bus Captain Working Hours

(Revised in July 2007)

- Guideline A - Bus captains should have a break of at least 30 minutes after 6 hours of duty and within that 6-hour duty, the bus captains should have total service breaks of at least 20 minutes of which no less than 12 minutes should be within the first 4 hours of the duty.
- Guideline B - Maximum duty (including all breaks) should not exceed 14 hours in a day.
- Guideline C - Driving duty (i.e. maximum duty minus all breaks of 30 minutes or more) should not exceed 11 hours in a day.
- Guideline D - Break between successive working days should not be less than 9.5 hours.