

立法會
Legislative Council

LC Paper No. CB(2)2794/11-12
(These minutes have been seen
by the Administration)

Ref : CB2/PL/MP

Panel on Manpower

Minutes of meeting
held on Wednesday, 11 July 2012, at 8:30 am
in Conference Room 2B of the Legislative Council Complex

Members present : Hon LEE Cheuk-yan (Chairman)
Hon LI Fung-ying, SBS, JP (Deputy Chairman)
Hon LEUNG Yiu-chung
Hon Tommy CHEUNG Yu-yan, SBS, JP
Hon Andrew LEUNG Kwan-yuen, GBS, JP
Hon CHAN Kin-por, BBS, JP
Hon CHEUNG Kwok-che
Hon WONG Sing-chi
Hon WONG Kwok-kin, BBS
Hon IP Wai-ming, MH
Hon IP Kwok-him, GBS, JP
Dr Hon PAN Pey-chyou
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung

Members absent : Hon CHEUNG Man-kwong
Hon Andrew CHENG Kar-foo
Hon Frederick FUNG Kin-kee, SBS, JP
Hon WONG Kwok-hing, MH

Public Officers attending : Item III

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

Miss Annie TAM Kam-lan, JP
Permanent Secretary for Labour and Welfare

Mr CHEUK Wing-hing, JP
Commissioner for Labour

Mr Byron NG Kwok-keung, JP
Deputy Commissioner (Labour Administration)

Mr David LEUNG, JP
Deputy Commissioner for Labour
(Occupational Safety and Health)

Item IV

Mr David LEUNG, JP
Deputy Commissioner for Labour
(Occupational Safety and Health)

Mr TSO Sing-hin, JP
Assistant Commissioner for Labour
(Occupational Safety)

Mr LEUNG Chun-ho
Chief Occupational Safety Officer
(Support Services)
Labour Department

Clerk in attendance : Ms Alice LEUNG
Chief Council Secretary (2) 1

Staff in attendance : Miss Josephine SO
Senior Council Secretary (2) 7

Ms Kiwi NG
Legislative Assistant (2) 1

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I. Confirmation of minutes of previous meeting
(LC Paper No. CB(2)2536/11-12)

The minutes of the special meeting held on 29 May 2012 were confirmed.

II. Information paper(s) issued since the last meeting

2. Members noted that no information paper had been issued since the last meeting.

III. Key priorities in the area of labour and manpower policy for the new term Government

Briefing by the Administration

3. At the invitation of the Chairman, Secretary for Labour and Welfare ("SLW") briefed members on the key priorities in the area of labour and manpower policy for the new-term Government. The salient points made by SLW were as follows -

- (a) to complement the policy objectives of improving people's livelihood and seeking changes while preserving stability pledged by the Chief Executive ("CE") in his manifesto for election, the new-term Government would strive to provide more employment opportunities for people in Hong Kong and would continue to strengthen the protection of employees' rights and benefits and improve occupational safety and health ("OSH");
- (b) as on-going initiatives to enhance employment support, the Labour and Welfare Bureau ("LWB") would step up its co-operation on various fronts with the Vocational Training Council ("VTC"), the Employees Retraining Board ("ERB"), the Occupational Safety and Health Council ("OSHC") and relevant organizations of the industry. To enhance employment services to help job seekers, the Labour Department ("LD") had set up a pioneer one-stop employment and training centre (named as "Employment in One-stop") in Tin Shui Wai in end-December 2011. Its operational experience and effectiveness would be of

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reference value for future planning of employment services. The Administration would review its effectiveness two years after the commencement of the centre;

- (c) to cater for the two cohorts of students sitting the Hong Kong Diploma of Secondary Education Examination and the Hong Kong Advanced Level Examination respectively in 2012, over 75 000 locally accredited post-secondary places would be provided in the 2012-2013 academic year. At the same time, around 35 000 continuing education or vocational education and training places would be made available to secondary school leavers. These included about 15 000 places from the new programme based on the Project Yi Jin model, 9 000 places from VTC's vocational education and training centres, 700 places from the Construction Industry Council Training Academy and Clothing Industry Training Authority, and over 10 000 places from the Youth Pre-employment Training Programme and Youth Work Experience and Training Scheme, ERB and other institutions. Students could choose the pathways that best suited their abilities and aspirations;
- (d) it was anticipated that there would be higher growths in the projected manpower requirements of some industries, including construction, medical services and the six pillar industries. With an ageing population, the demand for elderly care services would also increase. In the light of this, the Education Bureau ("EDB") had assisted the elderly care service industry in joining the Qualifications Framework ("QF") to help enhance practitioners' professional knowledge and quality;
- (e) the third term Government had completed its policy study on standard working hours and a report was submitted to the then Executive Council ("ExCo") in mid-June 2012. Since legislating for standard working hours was a highly complex and controversial issue and would have far-reaching implications on Hong Kong's society and economy, Members of the then ExCo recommended that the report should be passed to the new Administration for consideration. A special committee comprising government officials, representatives of labour unions and employers'

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associations, academics and community leaders would be set up in due course to follow up on the completed study;

- (f) the implementation of statutory minimum wage ("SMW") had brought substantial improvement to the employment earnings of low-income workers. The latest figures showed that the average monthly employment earnings of the lowest decile of full-time employees registered a year-on-year hike of 13.8% in nominal terms (or 9.3% in real terms), which was much higher than the overall nominal average increase of 5.5%. The state of compliance with the SMW legislation had also been satisfactory. Of the 40 000-odd workplace inspections conducted by labour inspectors after the implementation of SMW, only some 100 cases involving suspected breaches of SMW were detected. The Minimum Wage Commission ("MWC") was reviewing the SMW rate and would submit to the CE in Council its recommendation report on the SMW rate by the end of October 2012 at the latest;
- (g) the new-term Government would continue to strive to maintain and foster harmonious labour relations, which underpinned Hong Kong's social harmony and economic prosperity. In 2011, LD handled a total of 18 172 labour disputes and claims, and the successful rate of conciliation was over 70%. LD would continue to closely monitor the labour relations scene and provide appropriate assistance to employers and employees in need. To enhance the protection of employees, the Employment (Amendment) Ordinance 2010 was enacted to create a new criminal offence against employers who wilfully and without reasonable excuse failed to pay wages and certain other entitlements awarded by the Labour Tribunal or Minor Employment Claims Adjudication Board. To foster harmonious labour relations, the Administration would continue to encourage employers to adopt enlightened practices through LD's network of 18 Human Resources Managers Clubs in different trades and industries;
- (h) the Administration considered that the matter of statutory paternity leave merited further pursuit and would actively follow up on it. As reported to the Panel at its meeting on 20 June 2012, the Administration consulted the Labour

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Advisory Board ("LAB") on the issue of paternity leave on 3 May 2012. As some members of LAB had requested the Administration to gather more information on the implementation of paternity leave in other jurisdictions to facilitate LAB members' consideration of the need for statutory paternity leave in Hong Kong, the Administration would revert to LAB in the fourth quarter of 2012, and continue to pursue the subject with a view to reaching a consensus within LAB;

- (i) the Administration was in the process of drafting an amendment bill to empower the Labour Tribunal to make a compulsory order for reinstatement or re-engagement of an employee who had 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. It would introduce the Bill into the Legislative Council ("LegCo") as early as possible within the 2012-2013 legislative session; and
- (j) in respect of the protection of OSH, the Administration proposed to set up a special taskforce comprising employees, employers and government representatives to undertake a study on improving protection for workers in high-risk occupations in relation to insurance, compensation for work injuries, therapy and rehabilitation.

Discussions

Legislating for standard working hours and paternity leave, and alignment of statutory and general holidays

4. Mr IP Wai-ming expressed disappointment that the findings of the Administration's policy study on standard working hours were not ready for discussion at this meeting, notwithstanding that the study had been completed in mid-2012. He was deeply concerned whether the Administration was determined to implement standard working hours in Hong Kong and about the implementation timetable for taking forward the proposal.

5. Sharing a similar concern, Mr LEUNG Yiu-chung and Mr LEUNG Kwok-hung urged the Administration to provide a concrete timetable for taking forward the proposal to legislate for standard working hours.

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6. Dr PAN Pey-chyou noted that many employees in different industries were facing the same problem of excessively long working hours. In his view, there was an urgency to legislate for standard working hours.

7. SLW responded that the proposal to legislate for standard working hours was an extremely complex and controversial issue. It involved subjects far more complicated than those of minimum wage and would impact on a wider spectrum of employees. As the previous ExCo had recommended that the findings of the study be passed to the new Administration for consideration, LWB would report to LAB and the Panel once ExCo had studied the report. It was expected that the study report would be ready for the Panel's discussion at the start of the new LegCo term.

8. The Deputy Chairman said that she hoped that the new-term Government could make a breakthrough in the coming five years to make changes and adopt a new governance philosophy in the formulation and implementation of policies relating to labour, with a view to building a truly stable, harmonious and just society. Urging the Administration to introduce new initiatives for improving the livelihood of the general public, she enquired about the feasibility of legislating for paternity leave and standard working hours and increasing the numbers of statutory holidays as well as days of annual leave with pay for employees. Her views were echoed by the Chairman.

9. SLW responded that it was the Government's established policy to progressively improve employees' rights and benefits in a way which was in line with Hong Kong's overall socio-economic development and needs. Enhancing the existing holiday benefits under the Employment Ordinance ("EO") would inevitably impact on employers. In contemplating the suggestion of aligning the number of general holidays and statutory holidays for the benefit of employees, the Administration had to consider the matter as a whole including the overall package of holiday benefits provided by law and the need to balance employees' interests and employers' affordability. In view of the public concern over the number of statutory holidays enjoyed by employees, the Administration had embarked on a study on the subject. LWB had commissioned the Census and Statistics Department to collect statistics on the numbers and distribution, as well as the trades and occupations, of employees taking statutory holidays and general holidays respectively, for the study. The

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full set of statistics was expected to be available for analysis by LD by the end of 2012.

10. Mr CHAN Kin-por said that while he was supportive of the proposal to legislate for standard working hours, he concurred that the issue warranted detailed study in view of its complexity and wide implications on business operations. He considered that in addition to basic conceptual issues such as the objective of regulating working hours and whether working hour limits should be set, the working hour system involving specific implementation details, such as its scope of coverage, appropriate exemptions and flexibility arrangements, should be studied.

Manpower planning and creation of employment opportunities

11. Mr CHEUNG Kwok-che pointed out that the lack of local employment opportunities in remote districts, such as Tin Shui Wai, Tuen Mun, Yuen Long and Tung Chung, had necessitated residents to work across districts. The high transportation costs had, however, been a hurdle for residents in these districts to seek employment and work across districts. To address the issue, he called on the Administration to take measures to stimulate the community economy, so as to create more employment opportunities in various remote districts. Mr CHEUNG also stressed the importance of improving the employment situation of the vulnerable, for instance, persons with disabilities and ex-mentally ill persons. He hoped that LD's employment and job referral services could cater for the specific needs of these people.

12. Mr CHEUNG Kwok-che further said that good prospects for advancement and full recognition of training by the authorities concerned were necessary for facilitating the development of professionalism in the health care industry, particularly that for the elderly people. In his view, the elderly care training should be linked up with the requirements of the job market. The Government and the relevant training bodies should develop a hierarchy of qualifications for different aspects of the industry so that people who had started their career as a personal care worker could be induced to progress on the training advancement ladder.

13. SLW responded as follows -

- (a) some projects funded by the Community Investment and Inclusion Fund contained an employment-related component. These projects helped create job opportunities for the

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disadvantaged and enhance participants' social and economic participation;

- (b) if the pilot project in Tin Shui Wai proved successful in the provision of employment and training services, the model of "Employment in One-stop" could be considered for extension to other districts;
- (c) the Selective Placement Division ("SPD") of LD had all along been providing personalized employment service to persons with disabilities who were fit for open employment. The placement officers of SPD would provide job-seekers with disabilities with employment counselling, job matching and referral, preparation for job interviews beforehand and, where necessary, accompany them to attend such interviews. After job seekers had successfully secured employment, the placement officers would also provide post-placement follow-up services to employees with disabilities and their employers to ensure a harmonious working relationship;
- (d) under the "Enhancing Employment of People with Disabilities through Small Enterprise" Project of the Social Welfare Department, non-governmental organizations were provided with a maximum funding support of \$2 million per business to meet the set-up capital cost on equipment, fitting-out works, etc. and operating expenses incurred in the initial three years of business operation. To achieve the ultimate goal of promoting employment for persons with disabilities, a funded business needed to fulfill the requirement that the number of employees with disabilities should not be less than 50% of the total number of persons on the payroll of the business. Through the funding support for setting up these businesses, persons with disabilities could take up employment in a sympathetic working environment; and
- (e) EDB has assisted the elderly care service industry in joining QF, so as to help the employees in the trade to set clear goals and directions for learning, so that they might enhance themselves through continuous learning.

14. Responding to Mr CHEUNG Kwok-che's and Mr LEUNG Yiu-chung's concern about age discrimination in employment, SLW advised

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that the Administration attached great importance to safeguarding equal opportunities in employment. However, as the local community had yet to reach a consensus on whether anti-discrimination legislation on age should be introduced and given its far-reaching implications, the Administration considered it more appropriate to focus on public education and publicity at this juncture in order to tackle age discrimination in employment. SLW further said that the Administration would follow up the recommendations made in the Report of the Task Force on Population Policy published recently, and would also continue with its efforts to promote and facilitate the employment of elderly through various measures.

15. Mr CHAN Kin-por considered that to effectively address the problem of manpower mismatch, the long term manpower planning for various industries would require inter-departmental input and collaboration. He said that some work types (e.g. construction work and elderly care service) were very unpopular among job-seekers because of their job nature, undesirable working condition, long working hours and unattractive remuneration. In his view, the Administration should focus on encouraging the unemployed and people capable of working to keep on searching for jobs, strengthening the employability of local workforce through training and retraining programmes, and promoting economic development so as to create more job opportunities. These were more effective measures to reduce job mismatch.

16. SLW responded that -

- (a) the Chief Secretary for Administration was the Chairman of the Steering Committee of Population Policy, and the scope of the population policy covered, among others, manpower planning and ageing population. As these issues involved long-term planning and co-ordination of policies that cut across Bureaux, relevant Directors of Bureau were members of the Steering Committee. They would be responsible for shaping specific policies under their purview and steer the departments concerned to implement such policies; and
- (b) the Administration had been addressing the problems of manpower shortage, aging workers and skill mismatch in the construction industry through various measures. For example, the Finance Committee approved in May 2010 \$100 million to the Construction Industry Council ("CIC") for strengthening the training programmes and further

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promoting the image of the construction industry. Through various means, including enhanced training, improvement in the working environment at construction sites, enhancement in industrial safety and provision of uniform for workers, more young people had been attracted to join the construction industry. To reinforce its effort to this end, the Administration secured the Finance Committee's approval in April 2012 of an additional funding of \$220 million to further enhance CIC's training for new entrants and in-service construction personnel.

17. Dr PAN Pey-chyou anticipated that the demand for elderly care services generated by the ageing population would continue to grow. Expressing concern about the inadequacy of subsidized residential care places for the elderly, he asked whether any new initiatives would be introduced.

18. SLW responded that the Administration had continuously allocated resources to increase the provision of subsidized residential care places for the elderly, in particular nursing home places which catered for the needs of frail elders at severe impairment level. Apart from reserving space for welfare service units in new development and redevelopment projects, the Administration would actively identify designated sites for the construction of new subsidized contract residential care homes for the elderly.

Protecting employees' rights and benefits

19. Mr LEUNG Yiu-chung expressed concern about the protection for employees engaged under employment contracts with short duration or working hours ("SDWH employees"). He enquired whether the Administration had any plan to relax the continuous contract requirement (the so-called "4-18" requirement) under EO for the purpose of extending the rights and benefits of continuous contract employees to SDWH employees. Mr LEUNG was also concerned that the Government's policy of outsourcing service contracts had worked to the disadvantage of outsourced workers, as they were not provided with job security and promotion prospects. He hoped that the new term Government would address these problems in the coming five years.

20. SLW responded that LD was undertaking a review of the continuous contract requirement under EO with reference to the latest statistical data on SDWH employees. As for the outsourcing issue, SLW

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said that although the overall outsourcing of service contracts fell within the purview of the Financial Services and the Treasury Bureau, LD had all along been working closely with the major procuring departments to ensure the rights and benefits of outsourced employees were well protected.

Labour relations

21. In response to Mr LEUNG Kwok-hung, SLW said that the stance of the Administration had always been clear and consistent: it would promote voluntary negotiation between employers and employees. The Administration noted that through voluntary collective bargaining, agreements had been reached between employers and trade unions in the air transport, printing, construction and public bus industries. SLW added that the Administration had never stopped its work in promoting voluntary negotiation and harmonious labour relations. Given the predominance of small and medium enterprises which accounted for 98% of companies in Hong Kong, introducing legislation on collective bargaining would pose problems to local businesses. The Administration had no intention at this juncture of legislating for collective bargaining.

Work Incentive Transport Subsidy ("WITS") Scheme

22. Responding to Dr PAN Pey-chyou's and Mr LEUNG Kwok-hung's enquiries on whether the new-term Government would give consideration to adopting a "dual-track" approach for the purpose of conducting means test for the WITS Scheme and allowing applicants the choice of undergoing a means test on an individual or household basis, SLW said that to keep pace with the changes in Hong Kong's economic situation and the income levels of the target beneficiaries, the Administration had from March 2012 onwards adjusted the household income and asset limits of the WITS Scheme. So far, some 50 000 applications for WITS had been received. The Administration would carry out a mid-term review of the Scheme to take into account the operational experience since October 2011 and conduct a comprehensive review after three years of operation.

Statutory Minimum Wage

23. The Chairman was gravely concerned about the impact of inflation on the low-income groups. Although the implementation of SMW had brought substantial improvement to the employment earnings of low-income workers, the adoption of a two-year review cycle of the SMW

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rate was far from satisfactory. He enquired about the feasibility of shortening the review cycle to one year.

24. SLW responded that the Minimum Wage Ordinance specified the frequency of at least once in every two years, without precluding more frequent rate review if this was considered appropriate and necessary. MWC would review the SMW rate by conducting comprehensive studies and analyses based on the wage distribution data and results of other surveys, taking fully into account the views of various stakeholders. It should be noted that MWC had already commenced the review of the SMW rate, and would submit the recommendation report on the SMW rate to the CE in Council by the end of October 2012.

IV. Occupational safety performance in Hong Kong in 2011

(LC Paper Nos. CB(2)2538/11-12(01) and (02))

25. Deputy Commissioner for Labour (Occupational Safety and Health) ("DC for L (OSH)") briefed members on Hong Kong's occupational safety performance in 2011, as detailed in the Administration's paper.

Safety performance of the construction industry

26. The Deputy Chairman noted with grave concern about the substantial increase in the numbers of industrial accidents and fatalities in the construction industry in 2011. She queried the effectiveness of preventive and enforcement measures adopted by the Administration in ensuring OSH of construction workers. In her view, the Administration should identify and analyze the causes for various industrial accidents occurred in the sector, as such information could help the Administration to understand the root causes of the accidents before resorting to the most appropriate preventive measures to protect OSH of employees in the industry.

27. In response, DC for L (OSH) made the following points -

- (a) since 2011, LD regularly wrote to construction contractors to keep them posted of the major types of accidents which occurred in the last few months at construction work sites and their causes. LD would take the opportunity to notify contractors in advance of its forthcoming special enforcement campaigns. When officers of LD conducted special enforcement campaigns, they would, upon discovery

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of unsafe activities or conditions that might cause imminent risks of death or serious bodily injury, issue suspension notices ("SNs")/improvement notices ("INs") or take prosecution actions without warning in advance. This was one of the reasons why the numbers of SNs/INs issued and prosecutions instituted were higher than the figures in the past; and

- (b) of the 23 cases of construction fatalities in 2011, 10 cases were due to "fall of person from height", with over half of them involving workers falling from bamboo scaffolds and related to repair, maintenance, alteration and addition ("RMAA") works. To forestall the rise of accidents in these work activities, LD held a Construction Safety Forum ("Forum") in March 2012 to consider, in conjunction with industry stakeholders, measures to enhance the occupational safety of the construction industry. Participants of the Forum arrived at a consensus on a number of systematic preventive and enforcement measures. One of the measures was the launch of the "OSH Star Enterprise - Pilot Scheme on RMAA Safety Accreditation" on 1 June 2012 jointly by LD and OSHC to encourage the industry to take practicable safety measures and improve working environment through subsidizing the cost of safety assessment, safety training and safety equipment. Enterprises accredited under the pilot scheme could enjoy up to 50% premium discount when procuring employees' compensation insurance under the Employees' Compensation Insurance Residual Scheme.

28. Mr IP Wai-ming expressed concern that in speeding up the infrastructure development process, both contractors and workers might pay less attention to work safety. He suggested that LD should conduct more workplace inspections on construction sites to induce compliance with the OSH legislation and deter unsafe work practices.

29. DC for L (OSH) responded that in the light of the commencement of major infrastructure projects, LD had established a special team to step up inspection and enforcement action, urging contractors to implement safety management systems on construction sites and integrate OSH elements into their method statements through participating in their project preparatory meetings and site safety management committee meetings.

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30. Mr LEUNG Yiu-chung asked about the feasibility of making it a mandatory requirement for new entrants to the construction industry be provided with training on occupational safety before they started working on construction sites. In his view, this was an effective measure for eliminating industrial and occupational accidents.

31. DC for L (OSH) and Assistant Commissioner for Labour (Occupational Safety) ("AC for L (OS)") responded with the following points -

- (a) to promote safety awareness among construction workers, LD had and would continue to conduct publicity and promotional activities targetting the construction industry in collaboration with the industry. As a new initiative, LD in collaboration with a workers' union organized work safety and health talks for construction workers recently at construction sites during the lunch time. To impress on workers the importance of observing safety precautions at work, family members of victims of fatal accidents were invited to these talks to share their experience with the workers;
- (b) construction workers were required to receive safety training and complete the Mandatory Basic Safety Training (Construction Work) course (commonly known as the "Green Card" course) before commencing work. In the light of the suggestions made by participants of the Forum, the Administration was revising the content of the "Green Card" course. It would introduce case studies and analyses of serious accidents commonly found at construction sites in the "Green Card" half-day revalidation course first. Course trainers would be required to use clear and easy to understand pictures and adopt interactive teaching method in order to raise the trainees' vigilance against high-risk work processes. The revised course would be introduced in the fourth quarter of 2012; and
- (c) the Hong Kong Construction Association and the Hong Kong General Building Contractors Association were mobilizing their members to participate in a programme named "Caring of new construction workers" for taking greater care of and providing basic induction training to new workers. Under the programme, two types of workers were

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identified with the label of "P" (i.e. Probationer) for those who newly joined the industry or "N" (i.e. Newcomer) for those who were new to a construction site. Contractors would assign mentors to take care of workers who newly joined the industry. Each mentor would take care of no more than four workers for a period of not less than three months. Contractors would also provide basic induction safety training to these workers and make arrangement to get them familiarized with the working environment of the site. If the workers new to a site had already possessed experience in construction work, they would only be required to carry the "N" labels for two weeks. Contractors would also make arrangement for these workers to get familiarized with the working environment of the site.

32. The Chairman said that the substantial increase in the numbers of SNs/INs issued and prosecutions instituted had indicated that the Administration's strategy of improving safety through the self-regulation of contractors and employers in safety management failed to work effectively. He was concerned whether workers' representatives in safety committees could effectively discharge their duties of identifying, recommending and keeping under review measures to improve the safety and health of construction workers at sites. In his view, the Administration should conduct a comprehensive review on the safety committee system.

33. In response, AC for L (OS) advised that the Factories and Industrial Undertakings (Safety Management) Regulation (Cap. 59 sub. leg. AF) required specified factories and industrial undertakings, employing 100 or more workers, to develop and implement a safety management system, including the establishment of a safety committee. The safety committee system had all along been functioning well, with the active participation of workers' representatives.

Heat stroke at work

34. The Deputy Chairman recalled that the Administration had agreed to provide members with the numbers of injuries and fatalities arising from heat stroke at work, when the Panel discussed the issue of "Construction Safety - regulatory framework in Hong Kong and performance in the first half of 2011" in November 2011. She asked whether such information was available.

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35. In response, DC for L (OSH) advised that during the summer of 2011, LD received a total of 25 notifications from employers on work injury cases that were suspected to be related to heat stroke. While employers in all these 25 cases had admitted liability, the employees concerned in 22 cases had received relevant compensation. As for the remaining three cases, LD was following up on the settlement of compensation claims. The breakdown of these 25 cases by occupation was: seven cases involved cleansing workers, four professional drivers and one construction site worker. Employees of the remaining 13 cases were engaged in jobs of different nature such as gardening, maintenance and goods handling. DC for L (OSH) added that the Administration had provided the Panel with the above information vide its letter to the Secretariat dated 23 May 2012 (LC Paper No. CB(2)2139/11-12(01)).

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36. The Deputy Chairman requested the Administration to include detailed information on suspected cases of workers suffering heat stroke at work in its future papers to the Panel when the subject was discussed, so as to facilitate members' discussions. DC for L (OSH) agreed to do so.

37. The Chairman asked about the distinction between industrial and occupational accidents, and how cases of heat stroke at work were classified. He was of the view that it was high time for the Administration to review and consider whether its practice of reporting on industrial accidents only should continue to be adopted in its future discussion papers on relevant topics, given members' growing concern over other types of occupational accidents such as heat stroke at work.

38. DC for L (OSH) responded that the classification depended on the circumstances of each case. Generally speaking, the definition of the term "industrial accidents" referred to injuries arising from industrial activities in industrial undertakings, while the term "occupational injuries" was wider in scope, including injuries arising from any work accidents which resulted in incapacity for work of over three days.

Occupational safety of cleansing workers in the airport

39. Mr IP Wai-ming said that he had received complaints from many aircraft cleaning workers about tight work schedule and undesirable working condition. It was his understanding that due to the busy flight schedule, aircraft cleaning workers were often required to complete the cleaning process within a very pressing timeframe and were prone to the risk of heat stroke since they had to work in an enclosed environment without any ventilation with temperature inside the cabin as high as 40°C

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in the summer. He called on the Administration to conduct more workplace inspections in the airport to ensure that contractors/employers took improvement measures to ensure the OSH of aircraft cleaning workers.

40. DC for L (OSH) responded that -

- (a) LD was following up on the complaints from aircraft cleaning workers about the tight work schedule referred to by Mr IP Wai-ming; and
- (b) LD had all along been liaising with airline operators, cleansing service contractors and the Airport Authority Hong Kong to explore measures to improve the working environment of cleaning workers in the cabins. Regarding the ventilation problem in aircraft cabins while cleansing work was being carried out, remedial measures, such as the provision of air conditioning, or opening the cabin doors and using blowers to enhance the ventilation inside the cabins, had subsequently been taken to improve the working environment.

(Members agreed to extend the meeting by 10 minutes.)

Other issues

41. Mr LEUNG Yiu-chung suggested that the Administration should consider designating a "Work Injury Memorial Day" to commemorate the contribution of victims of occupational injuries to the prosperity of Hong Kong, with a view to enhancing employers' and employees' awareness of occupational safety, thereby minimizing the occurrence of industrial and occupational accidents. DC for L (OSH) responded that the Administration took note of the suggestion.

42. There being no other business, the meeting ended at 10:39 am.