

立法會
Legislative Council

LC Paper No. CB(2)135/15-16

(These minutes have been
seen by the Administration)

Ref : CB2/HS/1/12

Subcommittee on Poverty

**Minutes of the thirtieth meeting
held on Tuesday, 19 May 2015, at 10:45 am
in Conference Room 3 of the Legislative Council Complex**

Members present : Dr Hon Fernando CHEUNG Chiu-hung (Chairman)
Hon Frederick FUNG Kin-kee, SBS, JP (Deputy Chairman)
Hon Albert HO Chun-yan
Hon LEE Cheuk-yan
Hon LEUNG Yiu-chung
Hon TAM Yiu-chung, GBS, JP
Hon Ronny TONG Ka-wah, SC
Hon CHAN Kin-por, BBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon CHEUNG Kwok-che
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Hon WONG Yuk-man
Hon Frankie YICK Chi-ming
Hon Charles Peter MOK, JP
Hon CHAN Chi-chuen
Hon CHAN Yuen-han, SBS, JP
Hon LEUNG Che-cheung, BBS, MH, JP
Dr Hon KWOK Ka-ki
Hon KWOK Wai-keung
Hon TANG Ka-piu, JP

Member absent : Hon Abraham SHEK Lai-him, GBS, JP

**Public Officers : Item II
attending**

Mr David LEUNG, JP
Commissioner for Rehabilitation
Labour and Welfare Bureau

Miss Natalie LI
Principal Assistant Secretary (Appointments)
Civil Service Bureau

Mr Charles HUI, JP
Assistant Commissioner (Employment Services)
Labour Department

Mr Daniel LEUNG
Senior Labour Officer (Selective Placement)
Labour Department

Mr FONG Kai-leung
Assistant Director of Social Welfare (Rehabilitation &
Medical Social Services)
Social Welfare Department

**Attendance by : Item II
invitation**

Mr NGAN Man-yu, Member of Kwun Tong District
Council

殘疾人士及長期病患者就業關注組

Mr CHIU Ho-lam
Chairman

Silence

Miss Celina YANG
Employment Development Officer

Labour Party

Mr YIP Wing
Representative

Democratic Alliance for the Betterment and Progress of
Hong Kong

Ms CHEUNG Fan-lan
Deputy Spokesperson of Welfare Affair

Ms KWONG Ka-yan

Ms YIM Wai-sum

Liberal Party Youth Committee

Mr Victor NG
Executive Committee Member

The Hong Kong Society for Rehabilitation Centre on
Research and Advocacy

Mr NG Siu-lun
Project Officer

Hong Kong Blind Union

Mr Alex CHAN
Member

爭取殘疾人士就業配額制聯席

Ms Jeanette HO

Mr POON Chi-wang

Mr SI Wai-san

Mr NG Wai-ki

Hong Kong Red Cross John F. Kennedy Centre Alumni
Association

Mr TAM Chi-ho
Chairperson

Injured Workers and Families Support Group

Mr KWOK Ching-kuen
Organizer

Mr Alexander YEUNG

Miss LEUNG Chui-shan

Deaf Rights

Miss Angel LAM Kwok-fook

Hong Kong Federation of the Blind

Mr SHING Li-lim
Executive Director

Catholic Diocese of Hong Kong Diocesan Pastoral Centre
for Workers (New Territories)

Ms YAU Tze-wei
Program Officer

Clerk in attendance : Mr Colin CHUI
Chief Council Secretary (2) 4

Staff in attendance : Ms Catherina YU
Senior Council Secretary (2) 4

Ms Kay CHU
Council Secretary (2) 4

Miss Maggie CHIU
Legislative Assistant (2) 4

Ms Ada TANG
Clerical Assistant (2) 4

Action

I. Item(s) for discussion at the next meeting

The Chairman said that the meeting of the Subcommittee originally scheduled for 16 June 2015 would be rescheduled. The Secretariat would inform members of the meeting arrangement once confirmed.

(Post-meeting note: The next meeting of the Subcommittee would be held on Monday, 29 June 2015, at 10:45am.)

2. Members noted that the Subcommittee would discuss the subjects of "Ways to help the poor get rid of poverty by developing community economy and bazaars" and "Community Care Fund" at the next meeting.

(Post-meeting note: The subjects of "Ways to help the poor get rid of poverty by developing community economy and bazaars" and "Community Care Fund" would be discussed at the regular meetings of the Subcommittee in June and July 2015 respectively.)

3. The Chairman said that members were invited to attend and officiate at the Hong Kong Bazaars Festival – Kick-off Ceremony which would be held on Sunday, 31 May 2015 at Chater Garden, Central. As agreed by the Subcommittee, the Secretariat would ask members to indicate their availability after the meeting.

(Post-meeting note: The circular in relation to the invitation to the Hong Kong Bazaars Festival – Kick-off Ceremony was issued to members vide LC Paper No. CB(2)1540/14-15 on 21 May 2015.)

II. Policies and measures regarding provision of employment support for persons with disabilities

[LC Paper Nos. CB(2)1470/14-15(01) to (05), CB(2)1504/14-15(01) to (05) and CB(2)1505/14-15(01) to (05)]

4. The Subcommittee deliberated (index of proceedings attached at **Annex**).

5. The Subcommittee requested the Administration to provide information on –

(a) the number of civil servants with disabilities, excluding those

Action

who became disabled after suffering from work injuries during their service in the Government; and

- (b) the number of persons with disabilities who had to wait for a long time for a posting following acceptance of appointment offers of government jobs.

III. Any other business

- 6. There being no other business, the meeting ended at 1:03 pm.

Council Business Division 2
Legislative Council Secretariat
27 October 2015

**Proceedings of the thirtieth meeting of the
Subcommittee on Poverty
on Tuesday, 19 May 2015 at 10:45 am
in Conference Room 3 of the Legislative Council Complex**

Time marker	Speaker(s)	Subject(s)	Action required
<i>Agenda item I – Item(s) for discussion at the next meeting</i>			
000748 - 001010	Chairman	Members noted the rescheduling of and the subjects to be discussed at the next meeting, and the invitation to the Hong Kong Bazaars Festival – Kick-off Ceremony scheduled for 31 May 2015.	
<i>Agenda item II – Policies and measures regarding provision of employment support for persons with disabilities</i>			
001011 - 001743	Chairman Admin	Opening remarks The Administration briefed members on its policies and measures to promote employment of persons with disabilities. The Chairman was of the view that the Administration should provide relevant information, such as the number and natures as well as turnover rates of posts created for persons with disabilities under the aforesaid measures, to better reflect the effectiveness of the government's work in promoting employment of persons with disabilities.	
001744 - 001955	Mr NGAN Man-yu, Member of Kwun Tong District Council	Presentation of views	
001956 - 002311	殘疾人士及長期病患者 就業關注組	Presentation of views [LC Paper Nos. CB(2)1470/14-15(03) to (05) and CB(2)1504/14-15(01) to (03)]	
002312 - 002703	Silence	Presentation of views [LC Paper No. CB(2)1505/14-15(01)]	
002704 - 003000	Labour Party	Presentation of views	
003001 - 003250	Democratic Alliance for the Betterment and Progress of Hong Kong	Presentation of views	
003251 - 003446	Ms KWONG Ka-yan	Presentation of views	
003447 - 003620	Ms YIM Wai-sum	Presentation of views	
003621 - 003925	Liberal Party Youth	Presentation of views	

Time marker	Speaker(s)	Subject(s)	Action required
	Committee		
003926 - 004229	The Hong Kong Society for Rehabilitation Centre on Research and Advocacy	Presentation of views	
004230 - 004546	Hong Kong Blind Union	Presentation of views	
004547 - 004923	爭取殘疾人士就業配額 制聯席	Presentation of views [LC Paper No. CB(2)1505/14-15(02)]	
004924 - 005054	Mr POON Chi-wang	Presentation of views	
005055 - 005201	Mr SI Wai-san	Presentation of views	
005202 - 005437	Mr NG Wai-ki	Presentation of views	
005438 - 005757	Hong Kong Red Cross John F. Kennedy Centre Alumni Association	Presentation of views	
005758 - 010133	Injured Workers and Families Support Group	Presentation of views [LC Paper No. CB(2)1505/14-15(03)]	
010134 - 010451	Mr Alexander YEUNG	Presentation of views	
010452 - 010822	Miss LEUNG Chui-shan	Presentation of views [LC Paper No. CB(2)1505/14-15(04)]	
010823 - 011138	Deaf Rights	Presentation of views	
011139 - 011531	Hong Kong Federation of the Blind	Presentation of views [LC Paper No. CB(2)1504/14-15(04)]	
011532 - 011851	Catholic Diocese of Hong Kong Diocesan Pastoral Centre for Workers (New Territories)	Presentation of views [LC Paper No. CB(2)1505/14-15(05)]	
011852 - 013913	Chairman Admin	In response to deputations' views, the Administration gave a brief account of the measures set out in its paper, and added that – (a) the Administration would continue to strive to promote employment of persons with disabilities;	

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		<p>(b) according to the prevailing policy, there was no mandatory requirement for government employees or job applicants to declare their disability status, if any. The statistics on the number of persons with disabilities being employed by the Government only reflected the information available to the management of bureaux and departments;</p> <p>(c) the Labour Department ("LD") would assist employees who had suffered from work injuries to obtain compensation in accordance with the Employees' Compensation Ordinance (Cap. 282) ("ECO"). Besides, the Selective Placement Division ("SPD") of LD had been working closely with hospitals under the Hospital Authority in providing employment services for employees whose work capabilities were seriously affected by work injuries after having received medical treatment;</p> <p>(d) as individual employers might place with LD various job vacancies with requirements of different educational qualifications, it was not desirable to arrange dedicated placement officers in SPD to serve only job seekers with disabilities having higher educational qualifications. Such arrangement might limit the referral of other suitable job seekers to these employers, hence affecting the job opportunities of job seekers with disabilities in general;</p> <p>(e) LD explained the way employees' compensation insurance for construction sites was underwritten and agreed to follow up deputations' suspicion of a "blacklisting system" of the insurance industry under which construction employers would be advised of whether job applicants were claimants of employees' compensation; and</p> <p>(f) taking into account the result of the review of the special arrangement for employees with disabilities under the Statutory Minimum Wage Regime which was completed in 2014, and views of the Legislative Council Panel on Manpower and the Labour Advisory Board in this regard, the Administration considered that the productivity assessment mechanism under the Minimum Wage Ordinance (Cap. 608) should be retained as an option for employees with disabilities to balance their</p>	

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		wage protection and employment opportunities.	
013914 - 014503	Chairman Mr KWOK Wai-keung Admin	<p>Mr KWOK Wai-keung said that the Administration should –</p> <ul style="list-style-type: none"> (a) provide relevant figures, such as the number of persons with disabilities who had secured a long-term employment with the aid of the government measures and policies, to better reflect the effectiveness of the government's efforts in promoting employment of persons with disabilities; (b) apart from providing short-term incentives, promote an inclusive culture and launch recognition schemes to encourage more employers to hire persons with disabilities; (c) provide more support to employees who had lost their jobs after suffering from work injuries by requesting employers to shoulder their rehabilitation expenses and providing vocational training to facilitate their future employment; and (d) explain the method for compiling statistics on persons with disabilities being employed by the Government. <p>The Administration advised that –</p> <ul style="list-style-type: none"> (a) SPD of LD achieved some 2 400 placements for job seekers with disabilities each year; (b) about 800 persons with disabilities were employed in the open market after receiving vocational rehabilitation services provided by SWD; (c) 710 job opportunities were created for persons with disabilities by subsidized social enterprises; (d) every year, the Shine Skills Centres of Vocational Training Council provided about 660 full-time vocational training places specifically for persons with disabilities. The employment rate of the graduates of the aforesaid training was over 90%; and (e) the Talent-Wise Employment Charter and Inclusive Organisations Recognition Scheme was launched in 2013 to give due recognition to employers of persons with 	

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		<p>disabilities for promoting an inclusive workplace and encourage employers of different sectors to create more employment opportunities for persons with disabilities. The Administration would continue to enhance the aforesaid Scheme.</p> <p>The meeting time was extended for 15 minutes beyond the appointed ending time by the Chairman.</p>	
014504 - 015059	Chairman Miss CHAN Yuen-han Admin	<p>Miss CHAN Yuen-han strongly urged the Administration to –</p> <p>(a) take the lead to establish an employment quota system with a view to achieving the 2% target rate of employing persons with disabilities; and</p> <p>(b) strengthen the support for persons who had suffered from work injuries by coordinating the assistance provided by LD and the Hospital Authority in this regard, and amending ECO to avoid employers evading liability for employees' compensation.</p> <p>The Administration elaborated on the policy and facilitating measures on employment of persons with disabilities by the Government, which were set out in paragraph 15 of the Administration's paper (LC Paper No. CB(2)1470/14-15(01)).</p>	
015100 - 015545	Chairman Mr LEUNG Yiu-chung Admin	<p>Mr LEUNG Yiu-chung agreed with deputations' view that the Administration and subvented organizations should take the lead to hire more persons with disabilities. He asked if the Administration –</p> <p>(a) had any concrete measures to help government departments and subvented organizations achieve the 2% target rate of employing persons with disabilities; and</p> <p>(b) would formulate policies on the provision of reasonable accommodation and positive discrimination, such as establishing an employment quota system, to promote employment of persons with disabilities.</p> <p>The Administration advised that there was no plan to put in place a quota system for hiring persons with disabilities in the Government. That said, some large-scale enterprises had employed persons with disabilities, and the Administration would continue to enhance the</p>	

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		employment support for persons with disabilities.	
015546 - 020042	Chairman Deputy Chairman Admin	<p>The Deputy Chairman expressed regret at the non-attendance of representatives of the Commission on Poverty ("CoP") at the meeting. He said that for persons with disabilities with work abilities, the Administration should formulate policies to secure employment for them and provide a subsidy to lift them above the poverty line. For those who did not have work abilities, the Administration had the responsibility to take care of them. He cited the policies on promoting employment of persons with disabilities in Spain and Korea for consideration by the Administration.</p> <p>The Administration undertook to relay the Deputy Chairman's views to the Special Needs Groups Task Force ("SNGTF") under CoP.</p>	
020043 - 020450	Chairman Mr LEUNG Kwok-hung	<p>Mr LEUNG Kwok-hung was of the view that the Administration –</p> <p>(a) should proactively ascertain the disabilities status, if any, of its employees with an aim to provide appropriate technical aids and assistance to facilitate their performance of duties; and</p> <p>(b) was not commit to helping persons with disabilities as there was no improvement of the welfare system in this regard in the past decade.</p>	
020451 - 020949	Chairman Mr CHEUNG Kwok-che Admin	<p>Mr CHEUNG Kwok-che asked if the Administration had any policies for achieving the 2% target rate of employing persons with disabilities, such as requesting bureaux and departments to create some posts for hiring a certain number of persons with disabilities. He called on the Administration to formulate policies to promote positive discrimination.</p> <p>The Administration reiterated its policy and facilitating measures on employment of persons with disabilities by the Government as set out in paragraph 15 of its paper. Whilst considering that the establishment of an employment quota system was neither appropriate nor necessary, the Administration would continue with its efforts in implementing the aforesaid facilitating measures and consider if suitable refinements would be required going forward.</p>	

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020950 - 021440	Chairman Mr LEE Cheuk-yan Admin	<p>Mr LEE Cheuk-yan was of the view that the Administration's policies and measures to promote employment of persons with disabilities were going backwards. He added that the Administration –</p> <p>(a) would not be able to motivate the private sector to hire more persons with disabilities if the Administration did not take the lead to establish an employment quota system; and</p> <p>(b) should provide the number of civil servants with disabilities, excluding those who became disabled after suffering from work injuries during their service in the Government.</p> <p>The Administration responded that it would continue to enhance the employment support services for persons with disabilities. The Administration also undertook to relay members' and deputations' views to SNGTF.</p>	
021441 - 021952	Chairman	<p>The Chairman concluded that –</p> <p>(a) the Administration was requested to provide information sought by Mr LEE Cheuk-yan, and the number of persons with disabilities who had to wait for a long time for a posting following acceptance of appointment offers of government jobs;</p> <p>(b) the Administration should formulate concrete policies to promote employment of persons with disabilities and review the existing policies in this regard;</p> <p>(c) the Commissioner for Rehabilitation ("C for R") had the responsibility to coordinate different bureaux and departments to improve the welfare of persons with disabilities;</p> <p>(d) the Equal Opportunities Commission was considering imposing a statutory duty or requirement to provide reasonable accommodation for persons with disabilities. He hoped that C for R could facilitate putting in place the relevant legislation; and</p> <p>(e) the Subcommittee would revisit the subject later.</p>	Admin (paragraph 5 of the minutes)

Council Business Division 2
Legislative Council Secretariat
27 October 2015