

政府總部
公務員事務局
香港添馬添美道2號
政府總部西翼



CIVIL SERVICE BUREAU
GOVERNMENT SECRETARIAT
WEST WING
CENTRAL GOVERNMENT OFFICES
2 TIM MEI AVENUE, TAMAR
HONG KONG

本函檔號 Our Ref.: PC/410/003/1 Pt. 5

來函檔號 Your Ref.:

電話號碼 Tel. No.: 2810 3100

傳真號碼 Fax No.: 2501 0749

電郵地址 E-mail Address: csbts@csb.gov.hk

網址 Homepage Address: <http://www.csb.gov.hk>

By email and by post

30 April 2013

Panel on Public Service
Legislative Council Complex
1 Legislative Council Road
Hong Kong

(Attn: Ms Shirley CHAN)

Dear Ms Chan,

The conditioned hours of work and leave deduction arrangement for staff in the Hospital Authority

I refer to your letter dated 12 April 2013. Regarding the views of the Civil Servants and Subsidized Organizations Committee of the Federation of Hong Kong and Kowloon Labour Unions on the captioned subject which were referred to us by the Legislative Council Panel on Public Service, the Administration's response is as follows:

Conditioned hours of work

The Hospital Authority (HA) is an independent statutory body which operates autonomously with its own management framework. The HA may formulate manpower initiatives applicable to its staff in the light of factors such as its operation, the needs of its clients and the views of its staff etc. Civil servants working in the HA who have chosen to retain their civil servant status are subject to the remuneration and conditions of

service (including conditioned hours of work) for civil servants in accordance with the protections and constraints set out in the Civil Service Regulations. Civil servants working in the HA and staff employed by the HA have all along been subject to different terms of employment and conditions of service.

As the conditioned hours of work have been taken into account in determining the overall remuneration package offered to civil servants, a reduction in the stipulated conditioned hours of work of a grade without any change to its pay scale is equivalent to improving the pay and conditions of service of the grade. Moreover, since the Administration needs to take into consideration the overall development of the civil service and any read-across implications of the relevant policy, any proposal to reduce the conditioned hours of work of a grade has to be carefully considered.

The Administration is liaising with the HA and will review information provided by HA on its new work arrangements to assess the situation with respect to civil servants working in the HA. However, in deciding whether approval should be given for HA to apply new initiatives that are different from established civil service protocols to civil servants working in the HA, the Administration needs to thoroughly consider, amongst others, the remuneration/conditions of service for civil servants and the relevant regulations, the read-across implications of the new initiatives, and the service and special operational needs of the HA.

The arrangement of leave deduction

In implementing the five-day week initiative, the Administration has already conducted a detailed review on the regulations governing leave calculation in the light of various work patterns, and decided that the long established principle and arrangement for leave calculation should remain unchanged upon the implementation of five-day week. In other words, the prevailing leave deduction arrangement continues to be applicable to all civil servants (including those working five days/five and a half days/six days a week, or working under alternate Saturday-off system) with no exception to civil servants working in the HA. Generally speaking, for leave of 12 days or less, leave will be deducted on a working day basis, i.e. a day of leave will be deducted for each day of absence from work.

The new arrangement for leave deduction in the HA allows staff not working on a five-day week work pattern to deduct five days of vacation leave when taking seven calendar days of leave. This arrangement is different from the fundamental principles of the prevailing leave management for civil servants. Under the prevailing leave management of the civil service, the leave benefit enjoyed by the civil servants not working on five-day week in the HA is not worse off compared to the arrangement prior to the implementation of five-day week. In view of the different terms of employment and leave systems between civil servants and the HA staff, we consider it inappropriate to compare the leave deduction arrangements of the two. We also do not consider that there are sufficient grounds at present for revising the existing leave management for civil servants.

Yours sincerely,

A handwritten signature in cursive script that reads "Selene Tsoi".

(Ms Selene Tsoi)
for Secretary for the Civil Service